INTERNATIONAL LABOUR ORGANIZATION

Sectoral Activities Programme

Labour and social issues arising from problems of cross-border mobility of international drivers in the road transport sector

Report for discussion at the Tripartite Meeting on Labour and Social Issues arising from Problems of Cross-border Mobility of International Drivers in the Road Transport Sector

Geneva, 2006

INTERNATIONAL LABOUR OFFICE GENEVA

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Cover photograph: Trucks waiting to cross the border into China at Dong Dang. Lang Son, Northeast Viet Nam, ©QT Luong/terragalleria.com.

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Preface

Globalization has created a world that is more interconnected than ever before. This has led to an increase in road traffic across borders in economically integrated regions, which has created new and difficult issues for international drivers and the road transport sector generally.

These issues, particularly those concerning HIV/AIDS, visas and the cross-border mobility of international drivers, have drawn attention to the potential role of social dialogue beyond the national level.

It is against this background that at its 295th Session (March 2006), the Governing Body decided to hold a Tripartite Meeting on Labour and Social Issues Arising from Problems of Cross-border Mobility of International Drivers in the Road Transport Sector, with an HIV/AIDS component. This report, which will form the basis for the Meeting's discussion, includes dedicated chapters on HIV/AIDS and the visa issue. The Meeting will be held at the International Labour Office in Geneva, from Monday, 23 to Thursday, 26 October 2006.

The Governing Body also decided that, after consultation with the Employers' and Workers' groups, ten participants representing each group would be nominated to attend the Meeting. Moreover, the Governing Body decided to invite the governments of all interested member States to nominate participants to attend the Meeting. Relevant intergovernmental organizations, international non-governmental organizations and other United Nations agencies have also been invited to attend the Meeting as observers.

The Meeting is part of the ILO's Sectoral Activities Programme, one of the purposes of which is to facilitate sectoral social dialogue and the exchange of information between constituents on labour and social developments relevant to particular economic sectors, complemented by practically oriented research on topical sectoral issues. This objective has traditionally been pursued by holding international tripartite sectoral meetings with a view to: fostering a broader understanding of sector-specific issues through social dialogue; developing an international tripartite consensus on sectoral concerns and providing guidance for national and international policies and measures to deal with related issues; promoting the harmonization of all ILO activities of a sectoral character and acting as a focal point between the Office and its constituents; and providing technical advice, practical assistance and support to the latter to facilitate the application of international labour standards.

As decided by the Governing Body, the purpose of this Meeting is to discuss labour and social issues arising from problems of cross-border mobility of international drivers in the road transport sector, including that of HIV/AIDS, using a report prepared by the Office as the basis for discussion; to adopt conclusions that include proposals for action by governments, employers' and workers' organizations and the ILO; to adopt a report of its discussion; and to make proposals for follow-up activity by the ILO.

It is hoped that this Meeting will strengthen the capacity of the ILO and its constituents to develop and implement through social dialogue gender-sensitive policies and measures that would effectively address labour and social issues arising from problems of cross-border mobility of international drivers in the transport sector, thereby promoting HIV prevention, supporting non-discrimination and helping to improve the efficiency and effectiveness of cross-border road transport operations and the living and working conditions of international drivers, with the objective of overall economic and social development.

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Acknowledgements

This report was prepared under the responsibility of Mr. Marios Meletiou of the Social Dialogue, Labour Law, Labour Administration and Sectoral Activities Department. However, the ILO wishes to record that the report has been substantially based on the results of research on road transport related cross-border issues that have been undertaken by the Faculty of Maritime Studies and Transport of the University of Ljubljana, Slovenia, which have been presented to the ILO in a comprehensive draft document. Mr. Peter Jenčcek, Senior Lecturer at the said Faculty has led the research referred to above.

It is also recorded that the chapter on the risks to international drivers of HIV/AIDS reflects to a large extent the text of a draft document on this subject that has been prepared for the ILO by Mr. Stirling Smith.

The ILO also gratefully acknowledges the support that the International Road Transport Union, the International Transport Workers' Federation, the European Commission and the United Nations Economic Commission for Europe have given to the ILO throughout the process for the preparation of this report.

Abbreviations and acronyms

ABADA	Azerbaijan International Road Carriers Association
ADR	European agreement concerning the international carriage of dangerous goods by road
AETR	European agreement concerning the work of crews of vehicles engaged in international road transport
AGR	European agreement on main international traffic arteries, 1975
AGTC	European agreement on important international combined transport lines and related installations
AH	Asian Highway
AIDS	acquired immunodeficiency syndrome
AIRCA	Association of International Road Carriers of Armenia
AIRCU	Association of International Road Carriers of Ukraine
AMTRI	Association marocaine des transports routiers internationaux
ASEAN	Association of Southeast Asian Nations
ATP	Agreement on the international carriage of perishable foodstuff and on the special equipment to be used for such carriage
CBP	United States Customs and Border Protection
CFA	African Financial Community; Financial Cooperation in Central Africa
CIS	Commonwealth of Independent States
CMR	Convention on the contract for the international carriage of goods by road
C-TPAT	Customs and Trade Partnership Against Terrorism
CVR	Convention on the contract for the international carriage of passengers and luggage by road
ECMT	European Conference of Ministers of Transport
ECO	Economic Cooperation Organization
ECOWAS	Economic Community of West African States
FAST	Free and Secure Trade Program
GDP	gross domestic product
GMS	Greater Mekong Subregion
HIV	human immunodeficiency virus

IATC	International Automobile and Touring Club – UAE
ICT	information and communications technology
IRU	International Road Transport Union
ITF	International Transport Workers' Federation
KazATO	The Union of International Road Carriers of the Republic of Kazakhstan
MERCOSUR	Common Market of the Southern Cone
NAFTA	North American Free Trade Agreement
NARTAM	National Road Transport Association of Mongolia
NIS	newly independent States
OECD	Organisation for Economic Co-operation and Development
PETrAs	Pan-European transport areas
SATAWU	South African Transport and Allied Workers' Union
SID	seafarers' identity document
SSDC	Sectoral Social Dialogue Committee
STI	sexually transmitted infection
TEN-T	Trans-European Network for Transport
TIR	international road transport; Customs Convention on the International Transport of Goods under Cover of TIR Carnets, 1975
TRACECA	Transport Corridor Europe-Caucasus-Asia
TTFSE	Trade and Transport Facilitation in Southeast Europe program
UNCTAD	United Nations Conference on Trade and Development
UND	International Transporters' Association of Turkey
UNECA	United Nations Economic Commission for Africa
UNECE	United Nations Economic Commission for Europe
UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
WAEMU	West African Economic and Monetary Union
WCO	World Customs Organization
WTO	World Trade Organization

Introduction

Commercial road transport occupies an irreplaceable socio-economic position linking supply to demand and is a necessary link between various industrial sectors. As the mode that brings the majority of passengers and goods to their final destinations, road transport is indispensable to tourism, trade and the well-being of any economy. The commercial border-crossing process is an important element of international transportation and supply chain systems that have a tremendous influence on economies, requiring harmonization through social dialogue at the international level in order to make trade as efficient as possible and improve living and working conditions for international drivers.

The rapid advancement of globalization has created a world that is increasingly interrelated, but cross-border policies and procedures lag behind, leaving obstacles to trade facilitation in economically integrated regions. The evolution of international trade has had a major impact on international road transport, and the specific barriers to trade facilitation in this sector in turn impact on national gross domestic product (GDP), the ability of employers to compete fairly and the living and working conditions of workers. As nations become more integrated, policies which burden economies and create barriers to trade have been increasingly abandoned so as to fuel growth and economic opportunity while promoting decent work. [1]

The cross-border mobility of international drivers is increasingly highlighted. Problems arising from policies concerning visas and customs documentation, and issues at the physical crossing of national boundaries due to national procedures, infrastructure and other reasons, have a substantial economic, social and environmental impact on people in all countries. The role of social dialogue beyond the national level is crucial in order to meet the new demands placed on the road transport sector.

There is an ongoing effort by a number of organizations, such as the United Nations Conference on Trade and Development (UNCTAD), the United Nations Economic Commission for Europe (UNECE), the World Bank Group, the World Customs Organization (WCO) and the World Trade Organization (WTO), to address cross-border facilitation issues in the road transport sector. However, they primarily focus on improving trade facilitation through the removal of obstacles for the efficient movement of goods across borders. This has left a wide gap as pertinent labour and social issues have been inadequately addressed, yet they are an integral part of a package necessary for improving trade facilitation. Discussions and activities carried out by these organizations are a matter of importance for the ILO as far as their impact on labour and social issues is concerned.

Most developed nations continue to grow at a consistent rate of between 3 and 5 per cent and countries such as China, India and the Russian Federation have been developing more rapidly. Recent developments in manufacturing and trading, including radical changes in logistics concepts, affect international trade in the growing international economy. These issues combined further substantiate the need for ILO action in order to fill the widening gap by addressing labour and social issues in the international debate on trade facilitation in connection with road transport.

This is by no means an in-depth study, but it does provide the context within which to discuss the subject of, and means to address, labour and social issues arising from

[1] A definition of decent work is: “opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity”, see ILO: *Decent work*, Report of the Director-General, International Labour Conference, 87th Session, Geneva, 1999, p. 3.

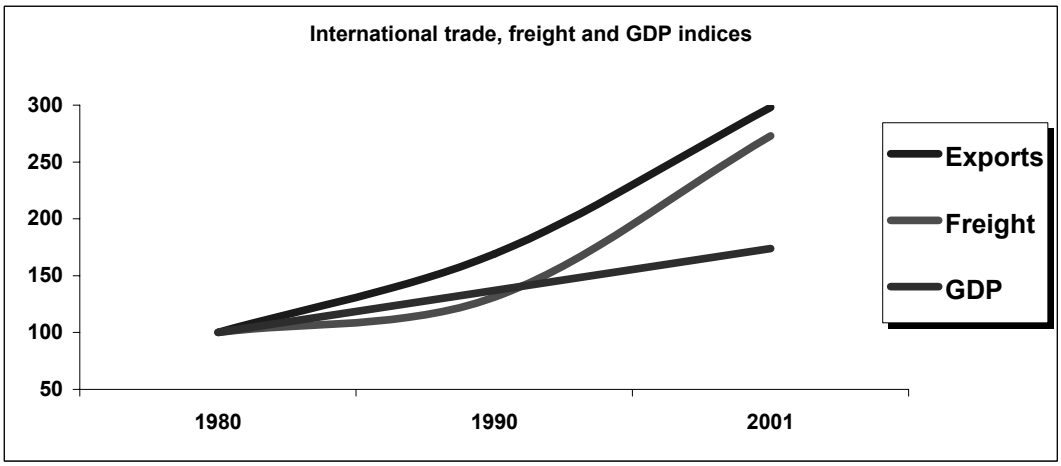
problems of cross-border mobility of international drivers. This report provides a snapshot of the issues which international transport carriers and drivers working in the main international corridors regularly encounter when physically crossing an international border. It presents possible means of addressing these issues, providing examples of what some countries are doing, or proposing, to improve the situation. One such example is the 2004 Annual Report of the European Conference of Ministers of Transport (ECMT). This report identified the difficulties encountered and proposed a series of constructive solutions and recommendations to address them. In addition, the report for discussion gives special consideration to the issuing of visas and to the risk to drivers of HIV/AIDS, as directed by the ILO Governing Body.

1. Trade and its impact on international road transport

The highly competitive freight transport sector has become more dependent on the development of technologies that enable goods to be moved more efficiently along the supply chain, supporting more direct distribution patterns and contributing to the development of just-in-time delivery. This emphasis on door-to-door logistics, high levels of service performance and market liberalization – especially within the European Union – ensured that during the 1980s road transport easily outpaced railways as the leading means of overland transport in the world. This trend was supported by more modern road vehicles and more efficient transport technologies.

Over the last two decades, world trade has grown more than twice as fast as world gross domestic product (GDP) (see figure 1.1). This growth in trade increases the demand for international road transport. Thus, while exports increase markedly, real expenditure on international transport increases even more. The primary reasons for this are greater demand for just-in-time deliveries as well as more frequent, more secure and more reliable multimodal door-to-door transport services, which have additionally increased the share of road transport.

Figure 1.1. World growth of gross domestic product, trade and expenditure expressed as freight



Note: Freight stands for expenditure on international transport, including air, maritime and other modes.
Source: Chart compiled by UNCTAD based on WTO and UNCTAD data.

International transport and logistics companies are purchasing modern vehicles and spending more on technologies, crews, containers and management than ever before. Given the nature of transport and logistics, international expansion provides employment opportunities for workers in developed and developing countries alike. This not only increases opportunities for drivers but also for managerial, administrative and other service-related positions.

Transport infrastructures must remain in line with economic development. Yet a European Commission White Paper on the transport sector [1] predicts that the current freight transport system in Europe is incapable of handling the 38 per cent growth in freight transport – 50 per cent by road – forecasted for 2010, without an immense injection

[1] European Commission: *White Paper – European transport policy for 2010: Time to decide*, Brussels, 12 Sep. 2001, COM(2001) 370 final.

of funds. As it stands, road transport alone cannot satisfy the expansion of European industry. Congestion is endemic, which makes journey times unpredictable and high external costs [2] are a major drawback.

The successful development of efficient transport services depends not only on a good quality transport infrastructure but also on the efficient implementation of sound policies and procedures. The problem in many developing countries is that the regulation, planning and management of the different elements of a trade-supporting infrastructure lack effective coordination. There is a demand for developing modern policies and administrative arrangements that bridge institutional and organizational disparities and inconsistencies.

The market potential remains concentrated in a limited number of countries, but there is great potential for growth in various regions of the world. One effect of the liberalization of trade, as confirmed by the World Trade Organization (WTO), has been an increase in the flow of trade within regions, which accounts for a greater share of total trade than trade between regions. These flows have been accompanied by the growth of foreign direct investment. Consequently, the liberalization and growth of trade has been accompanied by growth in transportation.

Transport volume has also been increased through changes in the organization of production, in particular an increase in the "division of labour" concerning design, planning and assembly in the manufacturing process of the global economy. Interlocking partnerships in the structure of manufacturing have increased the trade of parts, semi-finished products and the supply of production equipment around the world.

The dynamics and growth of international transport have led governments and enterprises to express concern about the capacities and the development of transport infrastructures. The consolidation of regional markets and the resulting increase in cross-border traffic has led transport firms to seek global alliances and greater market liberalization in the transport sector as a means of attracting investment. But in the rush to catch up with the rapid changes, workers' rights and issues have often been overlooked.

1.1. Effects of globalization – OECD countries

In January 2006, the International Road Transport Union (IRU) published road transport indices for selected OECD countries for 2005. It was based on three economic indicators: GDP, road freight volume and registrations of new commercial vehicles. Each indicator has grown within the period 2004-05 as follows: GDP has grown by 1.56 per cent, road transport volumes by 1.7 per cent, and the registration of new commercial vehicles over 3.5 tonnes by 1.9 per cent. [3]

According to the IRU, the process of globalization is leading to a "dramatic increase not only in customer demand and competition but also in trade and road transport". This trend is being accompanied by huge discrepancies in knowledge, availability of raw materials and social costs between liberalized national economies.

[2] In Europe, these amount to 530 billion euros per year. As much as 91.5 per cent of these costs are generated by road traffic (all vehicles included), 6.1 per cent by air traffic, 1.9 per cent by rail traffic and only 0.5 per cent by sea traffic.

[3] IRU: *IRU Indices show continued economic growth, carried by road transport*, press release No. 819, 6 Jan. 2006, http://www.iru.org/roadnews (accessed 10 May 2006).

1.2. Consequences for working conditions

The sector has undergone vast changes in recent years as globalization has opened up new markets for transport enterprises and has created opportunities for multinational logistics companies. The privatization of state-owned businesses and deregulation across the industry has in certain circumstances resulted in negative consequences for the living and working conditions of international road transport drivers, in particular, hours of work, compensation and the right to organize. However, the increase in international trade, which has stimulated the sector, has created employment. With these developments, governments have a responsibility to improve and harmonize the development and implementation of sound policies and procedures, and of labour legislation and its enforcement, so as to create a comprehensive package to advance trade facilitation, which takes into account the working and living conditions of transport workers.

2. Social dialogue in the road transport sector

2.1. Social dialogue

2.1.1. ILO

Tripartism and social dialogue are integral components of decent and productive work, for all women and men, and constitute essential channels for achieving this in conditions of freedom, equity, security and human dignity. The ILO's commitment to tripartism and social dialogue is reflected in the resolution concerning tripartism and social dialogue, adopted at the 90th Session of the International Labour Conference in 2002. This resolution invited governments of member States to ensure that the necessary preconditions exist for social dialogue, including respect for the fundamental principles and the right to freedom of association and collective bargaining, a sound industrial relations environment, and respect for the role of the social partners in achieving employment goals and improving social protection.

Although there are many definitions of social dialogue and various institutions are involved in the subject, the ILO has a broad working definition of social dialogue, reflecting the wide range of processes and practices found in different countries. [1] Its working definition includes all types of negotiation, consultation or simply exchange of information between representatives of governments, employers and workers – and between the social partners themselves – on issues of common interest relating to economic and social policy. The ILO recognizes that the definition and concept of social dialogue vary from country to country and over time.

Exchange of information is the most basic process of social dialogue. It implies no real discussion or action on the issues concerned, but is an essential starting point for the development of more substantive social dialogue. Consultation is a means by which the social partners not only share information, but also engage in more in-depth dialogue about issues. While consultation itself does not imply decision-making power, it can take place as part of such a process. Collective bargaining and policy concertation can be interpreted as the two dominant types of negotiation. Collective bargaining is one of the most widespread forms of social dialogue, and is an institution that facilitates national-level tripartite policy concertation. [2] Policy concertation can be defined as the co-determination of public policy by governments, employers' organizations and trade union confederations. Tripartite policy concertation or social concertation can be regarded as the "full bloom" of social dialogue, in which employers' and workers' representatives and governments have developed a reflex for acting in a concerted multifaceted manner to address all major national economic and social policy issues by seeking consensus. However, this is possible only when a government fully recognizes the legitimacy and constructive functions of social partners' participation in national policy-making. Tripartite policy concertation sometimes results in agreements in the form of internal notes or social pacts.

Any of these forms of social dialogue can be informal and ad hoc or formal and institutionalized. In reality, however, social dialogue is often a combination of the two.

[1] Adapted from J. Ishikawa: *Key features of national social dialogue: A social dialogue resource book* (Geneva, ILO, 2003), pp. 3-15.

[2] *Social dialogue*, ILO, Social Dialogue, Labour Law and Labour Administration Department, http://www.ilo.org/public/english/dialogue/ifpdial/sd/index.htm (accessed 10 May 2006).

Informal processes are often as important as formal ones. Social dialogue can be a tripartite process, with the government as an official party to the dialogue, or involve direct bipartite relations between labour and management, with only indirect government involvement, if any. It can take place at the national, regional, sectoral or enterprise level. It can be inter-professional, sectoral or, as appropriate according to the issues at stake, a combination of both.

Representation in social dialogue can be bipartite, tripartite or, for some issues, "tripartite plus". As regards government representation, ministries of labour have traditionally played a critical role in tripartite social dialogue. More recently, as a result of the widening scope of national social dialogue, ministries of labour have not necessarily been the exclusive representatives of the government. Depending on the issues discussed, broad participation by a range of government departments, from labour to finance, education/training to justice, trade to economic planning and transport, is desirable and to be expected.

As for the issues addressed, there is no limit to economic and social policy issues related to the workplace that can be covered by tripartite consultation. Wherever governments, employers' organizations and workers' representatives can find areas of common interest and establish some form of cooperation, they can engage in meaningful social dialogue. Social dialogue at the national level is unique in addressing broader issues related to economic and social policies.

2.1.2. European Union

A good example of regional social dialogue is found in the European Union. Social dialogue at the European level was clearly defined in the Treaty establishing the European Community. In 1965, the European Commission established a joint committee for the road transport sector, which was made up of representative employers' organizations and representatives of trade unions.

In 1999, the European Commission replaced the above committee with a sectoral social dialogue committee (SSDC) in order to promote dialogue between the social partners in the sector at European level. The SSDC consists of an equal number of representatives of the social partners.

There are two main forms of social dialogue at the European level – a bipartite dialogue between the European employers' and workers' organizations, and a tripartite dialogue involving interaction between the social partners and governmental authorities. In the road transport sector the IRU represents the employers, and the European Transport Workers' Federation represents the workers.

The implementation of social dialogue enables the resolution of important economic and social issues, encourages good governance, advances social and industrial peace and stability and spurs on economic progress. At the same time, social dialogue enables the implementation of initiatives deriving from the ILO's role, which may be defined as the promotion of opportunities for people to obtain decent and productive work in conditions of freedom, equality, security and human dignity.

2.2. Social legislation in the road transport sector

2.2.1. ILO

The ILO, from its earliest days, has attached importance to the issue of hours of work. This is reflected in the Preamble to the ILO Constitution which states: "conditions of labour exist involving such injustice, hardship and privation to large numbers of people … and an improvement of those conditions is urgently required; as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week …". The underlying principle is that human life does not consist of work alone, but that every human being should be effectively protected against undue physical and mental fatigue. The duration of working time, allowing time for rest, is an essential condition of every single employment relationship. Accordingly, individual workers in the global economy should be entitled to a certain standard concerning the maximum duration of their work as well as the minimum duration of rest, and should be entitled to such protection regardless of where they happen to be born or to live.

The Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153), concerns hours of work and rest periods in road transport. It is the only ILO Convention which deals exclusively with conditions of work in road transport. The main clauses of the Convention state that:

- every driver is entitled to a break after four hours' continuous driving or after five hours' continuous work;
- the maximum daily total driving time should not exceed nine hours;
- the maximum weekly total driving time should not exceed 48 hours;
- the daily rest period must never be less than eight consecutive hours.

As at April 2006, only eight ILO member States (Ecuador, Iraq, Mexico, Spain, Switzerland, Turkey, Uruguay and the Bolivarian Republic of Venezuela) had ratified this instrument. Although still relevant to the sector today, it is to be considered for revision.

The Hours of Work and Rest Periods (Road Transport) Recommendation, 1979 (No. 161), complements the abovementioned Convention.

The ILO has also published the following relevant documents on the subject of working time:

- J.K. Beaulieu: *The issues of fatigue and working time in the road transport sector* (ILO, Geneva, 2005), Working Paper No. 232.
- A. Spurgeon: *Working time: Its impact on safety and health* (Seoul, ILO and the Korea Occupational Safety and Health Agency, 2003).

2.2.2. Europe

European social legislation today covers various modes of transport. In recent years Europe has adopted rules aimed at harmonization, especially in the maritime and air transport sectors (for example, on training, working conditions and certification).

In some circumstances, road transport workers are experiencing deteriorating living and working conditions. In both goods and passenger road transport sectors, drivers are in

many cases subject to long and unregulated working hours, which places their lives, and the lives of passengers and other road users, in danger. In this regard, proper social legislation is not only important for the welfare of workers in the road transport sector, but also for society as a whole.

2.2.2.1. Driving times and rest periods in the European Union

On 15 March 2006, the European Parliament and the Council formally adopted a new legislative package concerning the harmonization of certain social legislation relating to road transport activities, namely Regulation (EC) 561/2006 concerning driving times and rest periods and Directive 2006/22/EC concerning enforcement of these rules (see box 2.1). [3] The Regulation, which partially entered into force on 1 May 2006, complements Directive 2002/15/EC concerning working time, in force since 23 March 2005, which fixes the maximum weekly working time at 60 hours and the average weekly working time at 48 hours over a four-month reference period. It also simplifies, clarifies and updates the current driving time and rest period rules in the road transport sector.

In addition to adopting these two texts, on the same day the European Commission published two declarations requiring in particular that, within two years of the entry into force of both this Regulation and the Directive, the provisions of the European agreement concerning the work of crews of vehicles engaged in international road transport (AETR) be aligned with the provisions of these two instruments.

The new law will amount to a major social advance in certain countries and will also serve to prevent social dumping. However it is important to note that while the legislation sets out minimum rules for Member States, they are free to add further rules within their own borders.

2.2.2.2. Driving times and rest periods in the UNECE region

The working hours and rest periods of professional drivers are defined in the AETR. Its objectives are threefold: improve road safety, regulate certain conditions of employment in international road transport and ensure the observance of those regulations.

Since its adoption in 1970, the AETR has been modified four times in order to align it with European Union social legislation. The last amendment, which introduces the digital tachograph to allow more reliable checking of driving times and rest periods, entered into force on 16 June 2006. This date was also the start of the four-year transition period for the introduction of the digital tachograph by non-European Union contracting parties to the AETR.

A new amendment to the AETR is under preparation to introduce the new provisions adopted on 15 March by the European Union.

[3] Regulation (EC) No. 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and amending Council Regulations (EEC) No. 3821/85 and (EC) No. 2135/98 and repealing Council Regulation (EEC) No. 3820/85 (OJ 11/04/06) and Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No. 3820/85 and (EEC) No. 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ 11/04/06).

Box 2.1.
Driving and rest times for professional drivers in the European Union

"Opening up new markets has to go hand in hand with rules that apply to everyone to ensure fair working conditions. These European social rules create new rights for workers and protect against social dumping." Words said by Jacques Barrot, Commission Vice-President responsible for transport, on 6 December 2005 after the European Parliament and the Council agreed on the draft European legislation to improve driving times and rest periods for professional drivers and step up checks on lorries. On 2 February 2006, the European Parliament and Council agreed to adopt the package of legislative measures.

The package brings in an obligatory minimum daily rest of nine hours for drivers (instead of the present eight) and an obligatory weekly rest of at least 45 consecutive hours every two weeks. This right to a "weekend off" for professional drivers, in the form of a real rest for two full days at least every fortnight, is an innovation.

Another measure is the reduction of maximum driving time for professional drivers. At present it is possible for them to drive for up to 74 hours a week. When the Regulation becomes applicable on 11 April 2007, no professional driver in Europe will be allowed to drive for more than 56 hours a week.

The Regulation provides that it will be drivers' employers (sharing liability with shippers), and no longer drivers themselves, who will be held responsible in the case of infringement. All the players involved will have to bear their share of the responsibility.

From now on infringements committed in any Member State can be sanctioned if detected at a roadside check. This extraterritoriality of penalties and prosecutions is a major innovation. With the introduction of the more accurate and tamper-proof digital tachograph, it will be possible for inspectors to check drivers' driving times over the previous 28 days and to take the vehicle off the road immediately in the case of a serious infringement.

These new rules will be accompanied by a progressive increase in the number of checks from 1 to 3 per cent of days worked by drivers as well as a tripling of the number of operations carried out jointly by Member States. The checks should serve to verify that the social rules are being applied and enable action against "cowboy hauliers" who put their drivers and European citizens at risk. They are a means of ensuring fair competition in Europe.

To this end, besides new minimum requirements as regards training and equipment, an electronic information exchange system will be set up to facilitate cooperation between the national authorities responsible for carrying out the checks.

Source: European Commission: *Driving and rest times for professional drivers: Europe updates the social rules in road haulage*, press release IP/05/1538, 7 Dec. 2005.

2.3. Cross-border social issues

2.3.1. Cross-border recruitment and labour migration

Over recent years and especially after the European Union enlargement in 2004, labour migration has increased. In the road transport sector there have been several allegations of cases of employment which could be categorized as "grey zone" employment (see box 2.2). In a number of cases, especially in international haulage, social dumping, clandestine employment or employment performed under dubious arrangements have been reported. [4]

[4] S. Pernicka: *Scandal over illegal employment of east European lorry drivers*, European Foundation for the Improvement of Living and Working Conditions, european industrial relations observatory on-line, 25 Feb. 2002, http://www.eiro.eurofound.eu.int/2002/02/feature/at0202203f.html (accessed 10 May 2006).

Box 2.2.
"Grey zone" employment – Labour migration from Central and Eastern Europe

Transport workers from Central and Eastern Europe are often employed in so-called "grey zones" created by perceived loopholes in legislation.

One such example involved a Flemish transport company which hired a number of Slovakian drivers. According to the management this was necessary not only in order to reduce costs to avoid restructuring, but also because there is a shortage of Belgian drivers willing to drive dangerous cargo internationally. The company uses a "carousel" system in order to stay within the law. The Belgian firm sends a fax with the delivery runs to a subcontractor in Slovakia, which briefs the drivers who are physically in Belgium. The drivers make deliveries with Belgian lorries.

Source: G. Van Gyes: *Social partners concerned by labour migration from central and eastern Europe,* European Foundation for the Improvement of Living and Working Conditions, European industrial relations observatory on-line, 22 Sep. 2005, http://www.eiro.eurofound.eu.int/2005/09/feature/be0509303f.html (accessed 10 May 2006).

In the United States, a carrier may employ a foreign driver if the driver is engaged only in the international delivery of goods and cargo to or from the United States. The foreign drivers must have an established foreign residence that they do not intend to abandon. The foreign drivers may not engage in any domestic carriage of goods without employment authorization to work in the United States.

2.4. European Union and national laws

Recent cases have highlighted the problem of dealing with clandestine employment. According to trade unions there are at least two central problems impeding efforts to combat illicit employment: the first is the lack of coordination between the responsible public authorities (such as health insurance offices, social security bodies and labour inspectorates) in the majority of the European Union Member States – the enforcement authorities of the Ministry of Transport, for example, do not give due regard to the national legislation related to European Directive 96/71/EC on the posting of workers, [5] which has to be implemented during cabotage; and the second is that current labour laws in some European Union Member States lack measures to effectively combat illicit employment (particularly problems related to bogus self-employment).

In many cases it has been shown that it is difficult to control and monitor issues which have been regulated because of companies taking advantage of legal loopholes. [6]

[5] Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services.

[6] European Foundation for the Improvement of Living and Working Conditions: *EU road freight transport sector: Work and employment conditions* (Luxembourg, 2004), p. 59.

3. Definitions, geographic regions, economic integration and international corridors

The experiences of professional drivers in international road transport are common to both truck and bus/coach drivers. Therefore the report addresses issues common to all and suggests proposals pertinent to all categories of professional drivers in international road transport. Each category of professional drivers faces very similar problems at many border crossings across the globe: congestion, queues, no special lanes or treatment for scheduled bus services, unofficial payments, poor or no personnel welfare facilities, a lack of risk-management-based customs controls, no long-term or multiple-entry visas for commercial crew members. In the case of international bus and coach transport, there is the additional factor of passengers sharing these inconveniences at borders with the drivers.

The "border phenomenon" may also negatively impact working and living conditions of border control personnel as well as the population living in the vicinity of border-crossing points.

3.1. Definitions

There are no universally accepted definitions for the following terms, but for the purpose of this report the following explanations relating to professional drivers in international road transport are used:

- "international road transport" of passengers and goods – transport by road that crosses at least one national border;
- "professional driver" – driver employed or self-employed in the transport of goods and/or passengers by road for hire and reward or on own account;
- "international driver" – professional driver employed or self-employed in international transport of goods and/or passengers by road for hire and reward or on own account.

3.2. Geographic regions, economic integration and international road transport corridors

3.2.1. Europe

Trans-European Network for Transport (TEN-T) (European Union based): The TEN-T [1] is a key precondition for Europe's economic and social development and cohesion. It constitutes an ambitious programme for the construction, modernization and interconnection of Europe's major transport infrastructures. The network helps contribute to the improvement of Europe's internal market by connecting major economic zones throughout the continent. This requires the interconnection and interoperability of national networks in the European Union and the neighbouring regions as well as access to them.

[1] For more information, see Trans European Networks, http://europa.eu.int/comm/ten/transport/index_en.htm (accessed 10 May 2006).

The construction of the TEN-T is a major element in economic competitiveness and the balanced and sustainable development of the European Union.

In the context of the TEN-T, which completes the Pan-European Transport Network (see next paragraph), the European Commission is proposing to prioritize the necessary transport infrastructure so that it can absorb traffic flows generated by enlargement – particularly in frontier regions – and improve access to outlying areas. A key aspect for movement between areas of the European Union is the elimination of controls at borders, which makes a considerable difference when comparing it to other networks.

Pan-European Transport Network: The Pan-European Transport Network was developed at three pan-European transport conferences: Prague in 1991, where the concept for transport infrastructure (or corridor concept) was adopted; Crete in 1994, where the countries of Western, Central and Eastern Europe identified nine long-distance transport corridors as priorities for infrastructure development; and Helsinki in 1997, where a tenth corridor and the four Pan-European transport areas (PETrAs) for maritime basins were added. These multimodal corridors have a total length of about 48,000 km, of which 25,000 km are rail and 23,000 km are road (see figure 3.1). Major terminals, ports and airports serve as nodes between the modes.

Figure 3.1. Pan-European corridors map

Source: Ministry of Transport, Construction and Tourism of Romania, TRACECA National Secretariat, http://gatekeeper.mt.ro/traceca/engleza/eng_10_retele_europ-corid.pan-europ.htm (accessed 10 May 2006).

The Pan-European Transport Infrastructure promotes the establishment of all the necessary factors for a future Pan-European Transport Network within the territories of the European Union, the accession countries, the Balkan region and the Newly Independent States (NIS). The Pan-European Transport Network consists of the following elements:

- the TEN-T within the territory of the European Union;
- the Transport Infrastructure Needs Assessment network (see below), which is composed of the ten corridors and the additional network components in the accession countries, the NIS and beyond;
- the four PETrAs covering maritime zones;
- the Europe-Asia links, notably the Transport Corridor Europe-Caucasus-Asia (TRACECA) (see 3.2.6 for more details).

The Transport Infrastructure Needs Assessment network was conducted after the European Commission proposed a structure for European transport networks serving the whole continent at the Helsinki conference in 1997. The TEN-INVEST Project was launched in order to provide a comprehensive overview of past and planned future investments made in the TEN-T in the enlarged European Union. Hence, the work covered the 15 Member States together with the candidate countries at the time (Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia and Slovenia).

European agreement on main international traffic arteries (AGR): Done at Geneva on 15 November 1975, the AGR was the first international agreement to be concluded specifically to define and set up an international infrastructure network for the pan-European region. In order to make the network coherent, it was necessary to define minimum technical parameters, taking into account the demands of future international traffic.

Even though the geopolitical conditions in Europe have changed significantly since its creation, the AGR remains as current and vital today as ever, as demonstrated by the evolutions it has undergone since its origin, both at the level of defining itineraries and in the reinforced technical parameters for E-roads.

The AGR is based on a network of roads, the itineraries of which are proposed by countries themselves with the ultimate objective of creating the most complete grid of international roads. In the late 1990s, the international E-road network was extended to the Caucasus and Central Asia. In total, it now comprises some 250 roads and its total length is in excess of 150,000 km.

3.2.2. North America

The North American Free Trade Agreement (NAFTA) has been in place between Canada, Mexico and the United States for approximately a decade. One of the purposes of the agreement was to reduce the restrictions on the trade of goods, and in terms of increasing trade among the nations the agreement has been successful. Traditional east-west trade patterns have been shifting to include more north-south trade. The trucking industry has undergone a significant transformation from the increase in trade, since more than 70 per cent of all United States-Canada trade is carried by truck.

There are four major road transport corridors between Mexico and the United States: the Western, Midwestern, Northeastern and Southeastern Corridors. These corridors are classified as such because they carry more than 40,000 commercial trucks annually.

The highway network moves approximately 86 per cent of the trade between Mexico and the United States. However, some restrictions still apply to Mexican drivers and trucks. Driver concerns include inadequate training for safe operation on United States roads, the undercutting of United States drivers' wages, long operating hours, lack of

proficiency in English, and the ability to maintain adequate records. Other concerns relate to truck age, maintenance and emissions. To help facilitate the border-crossing process for Mexican-based carriers, the United States Department of Transportation offers a publication in Spanish (http://www.fmcsa.dot.gov/español/mmc_spanish.htm).

3.2.3. South America

The Common Market of the Southern Cone (MERCOSUR): MERCOSUR was established in 1991 and is the most advanced supranational trade bloc among developing countries. MERCOSUR is composed of Argentina, Brazil, Paraguay and Uruguay, which have coordinated policies and developed a successful customs union. Bolivia and Chile have also recently signed treaties with MERCOSUR, temporarily qualifying them as associate members until they are absorbed as full members. Rather than signing treaties with other member States, they signed treaties with MERCOSUR.

MERCOSUR was established by the Treaty of Asunción and some of its basic principles are:

- the reduction and eventual elimination of internal customs tariffs and the establishment of common external tariffs;
- the coordination of macroeconomic policies;
- the development of a governance system to establish the rules of commerce, govern the settlement of disputes and set the applicable internal and external tariffs for specific products, and in some cases for individual countries.

Approximately 90 per cent of the traffic within MERCOSUR travels by motor carrier. Supply chains are overly dependent on this means of transportation since the quality of the road network supersedes that of other modes, permitting shipments to go door to door more quickly. The network expanded significantly when the Governments of Argentina and Brazil emphasized highway construction with the development of the car manufacturing industry in the 1950s. [2]

However, MERCOSUR faces significant challenges in providing a stable trade market. Economic challenges in the zone and problems standardizing border procedures, among other issues, have slowed productivity gains for trade facilitation. A prospective alliance between MERCOSUR and the Andean Community [3] is being negotiated.

[2] W. Zinn: *Mercosur: A Preliminary Assessment of the Transportation Infrastructure Supporting Supply Chain Efficiency*, Apr. 1999, http://www.worldbank.org/transport/tr_facil/docs/mercosur.pdf (accessed 10 May 2006).

[3] The Andean Community, a trade bloc comprising Bolivia, Colombia, Ecuador, Peru and the Bolivarian Republic of Venezuela, started operating formally in 1969. Until 1997 it was called the Andean Group. More information available at http://www.comunidadandina.org/endex.htm.

3.2.4. Africa

Southern Africa

There are several main corridor systems in southern Africa leading from ports through to the landlocked countries: [4]

- Trans-Kalahari Corridor: running from Walvis Bay, Namibia, through Mamuno and Lobatse in Botswana into South Africa to Pretoria, with a new spur on a northern route that runs from Walvis Bay into Zambia through the new bridge crossing at Katima Mulilo.
- Maputo Corridor: running between Maputo and Johannesburg/Pretoria.
- North-South Corridor: running from the port at Durban, South Africa through Johannesburg/Pretoria, Beitbridge, Harare, Lusaka and Chirundu to Lumbubashi, Democratic Republic of the Congo, with a spur through Nakonde to Dar es Salaam in the United Republic of Tanzania (an alternative route is through Lobatse or Martin's Drift and Kasugula, Botswana).
- Tazara Corridor: running from Kapiri Moshi in Zambia to Dar es Salaam.
- Nacala Corridor: running from Blantyre and Lilongwe, Malawi, through Liwonde to the Mozambican Port of Nacala.
- Beira Corridor: running from Harare, Zimbabwe, to the Mozambican port of Beira.
- Tete Corridor: running from Harare through Mozambique and Mwanza into Malawi.
- Mtwara Corridor: running from Nkhata Bay on Lake Malawi in Malawi to Mbamba Bay in the United Republic of Tanzania.

Other developing corridors extend over routes to and through Angola. The main import/export corridors link the ports of Dar Es Salaam, Nacala, Beira, Maputo, Durban and Walvis Bay with their hinterlands, while smaller road corridors include Johannesburg/Manzini, Durban/Manzini, Cape Town/Windhoek and Johannesburg/ Windhoek through Upington.

Maputo Corridor

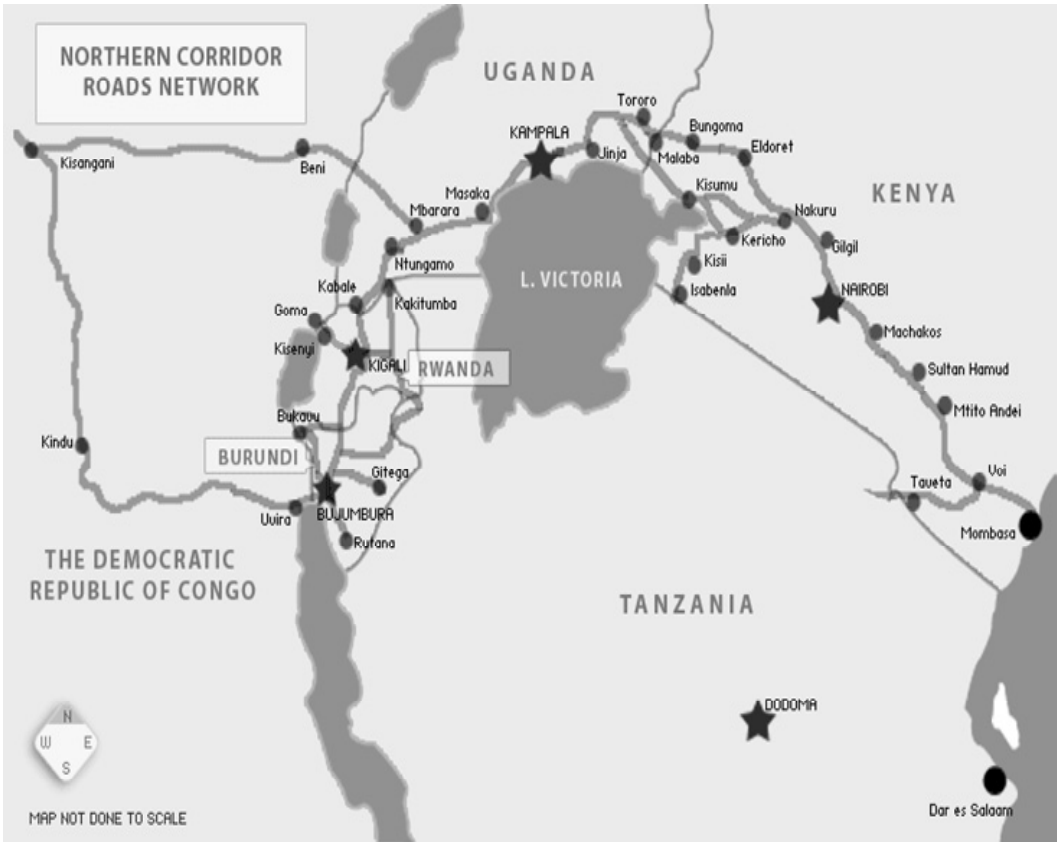
A good example of the corridor strategy is that of the Spatial Development Initiatives programme launched during the 1990s by the Governments of Mozambique and South Africa, and specifically, the case of the Maputo Corridor. The Maputo Corridor links the South African industrial heartland of Gauteng and the Mozambican port of Maputo. Employment has been created along the toll road and its feeder roads on both sides of the border. The development of the corridor is seen as a test case for regional integration, as joint management of it by both countries is a goal. In addition, the Maputo Corridor is an example of a public-private partnership initiative (Build-Operate-Transfer), which was able to mobilize private capital and have a regional rather than narrow national focus. [5]

[4] ILO: *HIV/AIDS in the transport sector of southern African countries: A rapid assessment of cross-border regulations and formalities*, ILO Programme on HIV/AIDS and the World of Work (Geneva, 2005), p. 2.

[5] UNECE: *Landlocked countries: Opportunities, challenges, recommendations*, 14 Mar. 2002, TRADE/2002/23, p. 12.

The Northern Corridor is the busiest and most important road transport route in East and Central Africa, providing a lifeline through Kenya to the landlocked economies of Burundi, the Democratic Republic of the Congo, Rwanda and Uganda (see figure 3.2). These countries are served by an extensive network of transport routes originating from Mombasa, through Uganda, and branching off to Rwanda, Burundi and the eastern parts of the Democratic Republic of the Congo. [6] Another corridor, the Central Route, connects to Dar es Salaam and serves the northern part of the United Republic of Tanzania, southern Sudan and Ethiopia.

Figure 3.2. The Northern Corridor



Source: The Transit Transport Co-ordination Authority of the Northern Corridor, http://www.ttcanc.org/maps/roads.html (accessed 10 May 2006).

Mombasa is the biggest port in East and Central Africa, with an intrinsic throughput capacity of more than 20,000,000 tonnes. The volume of cargo handled by the port and passing through the corridor has been growing at an average rate of 7 per cent per year over the past five years, rising from 8,560,000 tonnes in 1988 to 11,930,000 tonnes in 2003. Transit traffic has meanwhile doubled during the past five years, rising from 1,126,000 tonnes in 1998 to 2,452,000 tonnes in 2003, representing an average annual rate of 17.6 per cent during the same period. This indicates considerable growth of the economies of the subregion.

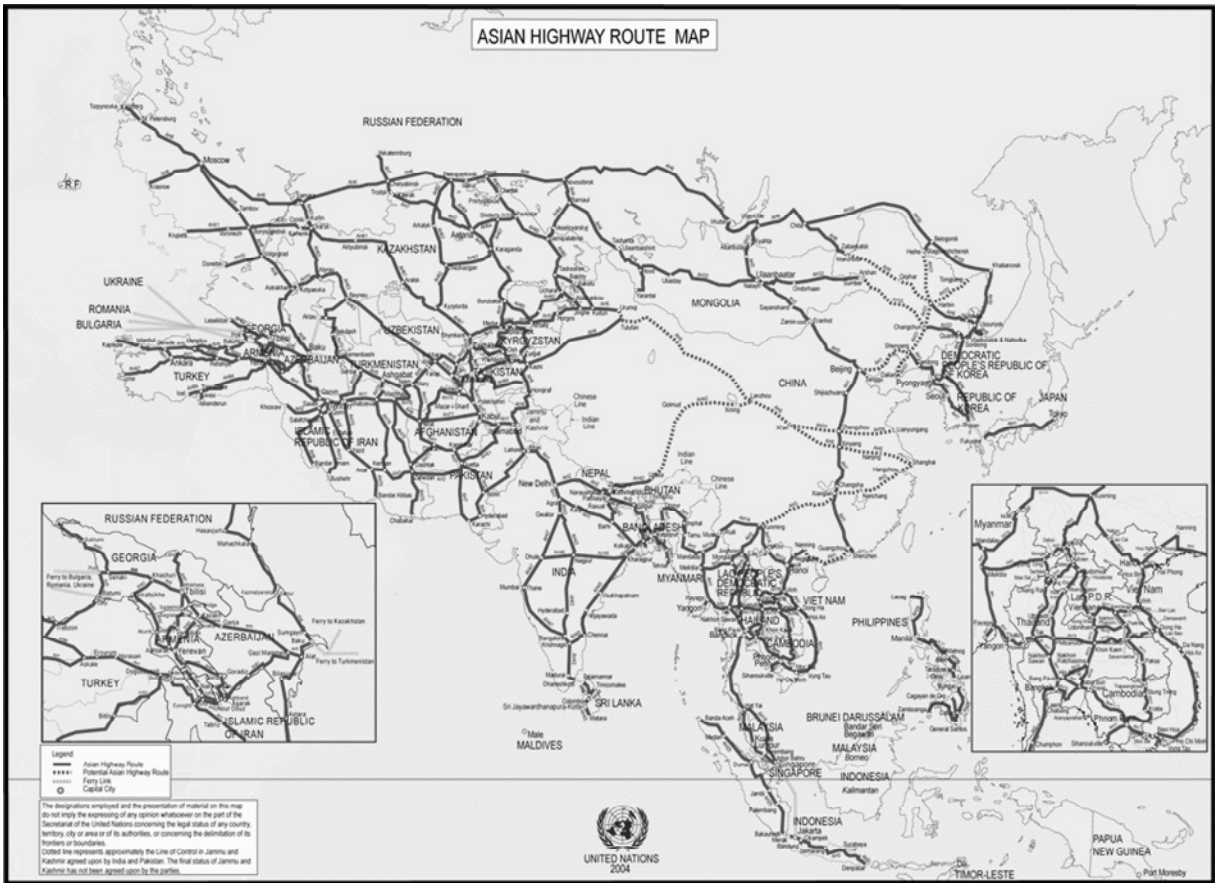
[6] The Transit Transport Co-ordination Authority of the Northern Corridor: *The Northern Corridor Transport Network*, http://www.ttcanc.org/transport.asp?pageid=1 (accessed 10 May 2006).

3.2.5. Asia

Economic development in the Asian region and emerging opportunities for interregional trade are stimulating new directions of trade. In recent years, road transport has been increasing its market share of transit freight, particularly for the import of manufactured and consumer goods from Western European countries and Turkey. The opening of the Commonwealth of Independent States (CIS) countries to international trade has resulted in a dramatic increase in road transport with expansion to more distant destinations.

The Asian Highway (AH) was initiated in 1959 with the aim of promoting the development of international road transport in the region. On 18 November 2003, it was formalized in the Intergovernmental Agreement on the Asian Highway Network which in Annex I identifies 55 AH routes (see figure 3.3) in 32 member countries totalling approximately 140,000 km and in Annex II determines classification and design standards. The Intergovernmental Agreement on the Asian Highway Network entered into force on 4 July 2005. Countries of Central Asia and the Caucasus are members of both the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) and UNECE. Consequently, some roads in those countries will be signed with both E-road numbers in accordance with the AGR and AH numbers.

Figure 3.3. The Asian Highway



Source: United Nations Economic and Social Commission for Asia and the Pacific, Transport and Tourism Division, http://www.unescap.org/ttdw/common/TIS/AH/maps/AHMapApr04.gif (accessed 10 May 2006).

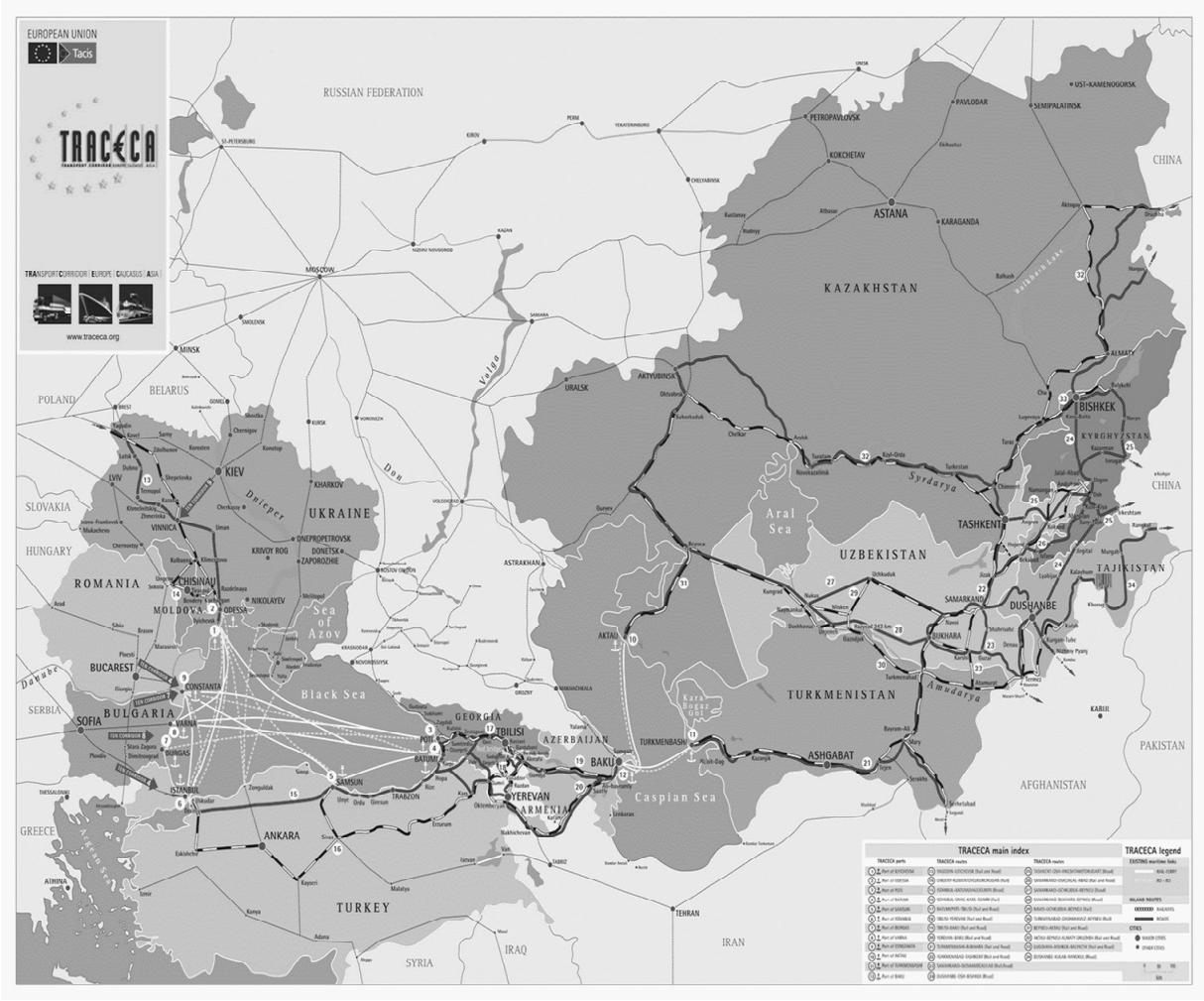
Several regional and subregional networks provide transport infrastructure linkages to and through the landlocked countries of Asia, including the AH and the Trans-Asian Railway.

Examples of subregional transport networks include the Association of Southeast Asian Nations (ASEAN) Highway, the priority road network in North-East Asia, the Economic Cooperation Organization (ECO) transport network, and the international road network of the CIS. The basic infrastructure for transport therefore exists, but missing links continue to form impediments, while insufficient capacity on some corridors and the poor quality of the infrastructure on others add costs and time to the transit process. [7]

3.2.6. Europe-Asia connections

TRACECA is a programme (see figure 3.4) initiated by the European Union, which was launched in 1993 to develop a corridor on a west-east axis from Europe, across the Black Sea, through the Caucasus and the Caspian Sea to Central Asia (see table 3.1). Perhaps this particular corridor, for it is none other than the western half of the old Silk Road, is one of the best illustrations of the historical nature of most modern corridors. This is interesting to note since the emergence of nation States was often the beginning of both bureaucratic and logistical difficulties along these routes.

Figure 3.4. Countries involved in the TRACECA programme



Source: http://stra.teg.ru/library/povestka/common/traceca-map-browseable.gif.

[7] United Nations Economic and Social Commission for Asia and the Pacific: *Transit Transport Issues in Landlocked and Transit Developing Countries* (New York, 2003), Landlocked Developing Countries Series, No. 1, p. 4.

Table 3.1. Transit routes between Central Asia and Europe

Route	Length (km)
1. Northern route (via Kazakhstan, Russian Federation, Belarus, Poland, Germany)	5 790
2. Southern route (via Uzbekistan, Turkmenistan, Islamic Republic of Iran, Turkey, European countries, Germany)	7 000
3. TRACECA route (via ferry Aktau-Baku, Poti-Ilichevsk, Ukraine, Poland, Germany)	6 250 (4 710 road and 1 550 ferry)
4. TRACECA route (via ferry Turkmenbashi-Baku, Poti-Ilichevsk, Ukraine, Poland, Germany)	5 980 (4 440 road and 1 400 ferry)
5. Pan European Corridor III route (via Kazakhstan, Russian Federation, Ukraine, Poland, Germany)	4 600

Source: United Nations Economic and Social Commission for Asia and the Pacific: *Transit Transport Issues in Landlocked and Transit Developing Countries* (New York, 2003), Landlocked Developing Countries Series, No. 1, p. 37.

The first phase is to establish a common legislative base for the transport and transit sectors. The rationale for such an approach is that the participating States lacked a single legislative framework, thus making a coordinated approach to international freight traffic difficult. It was agreed that laws should be systematically harmonized and/or amended to meet international principles and new laws adopted to regulate international freight traffic.

The European Union developed TRACECA to correspond to its global strategy towards these countries and to meet the following objectives:

- to support the political and economic independence of the republics by enhancing their capacity to access European and world markets through alternative transport routes;
- to encourage further regional cooperation among the partner States;
- to increasingly use TRACECA as a catalyst to attract the support of international financial institutions and private investors;
- to link the TRACECA route with the Trans-European Networks. [8]

The leaders of the partner States consider TRACECA to be of strategic importance, which gives them an alternative transport link to Europe. TRACECA stimulates competition with northern routes, and newer, alternative routes to the south. Furthermore, it is seen as complementary to the European Union's renewed commercial exchanges with the Far East.

[8] B. Touboul: *The Central Asia Harmonisation of Border Crossing Procedures in the perspective of TRACECA*, Customs Cooperation Committee Regional Seminar on Trade Facilitation and Customs Modernization, Issyk-Kul, Kyrgyzstan, 4-8 August 2003, http://www.adb.org/Documents/events/2003/CCC/Trade_Facilitation_Customs_Modernization/BTouboul_Seminar_TRACECA_OVERVIEW.pdf (accessed 10 May 2006), p. 2.

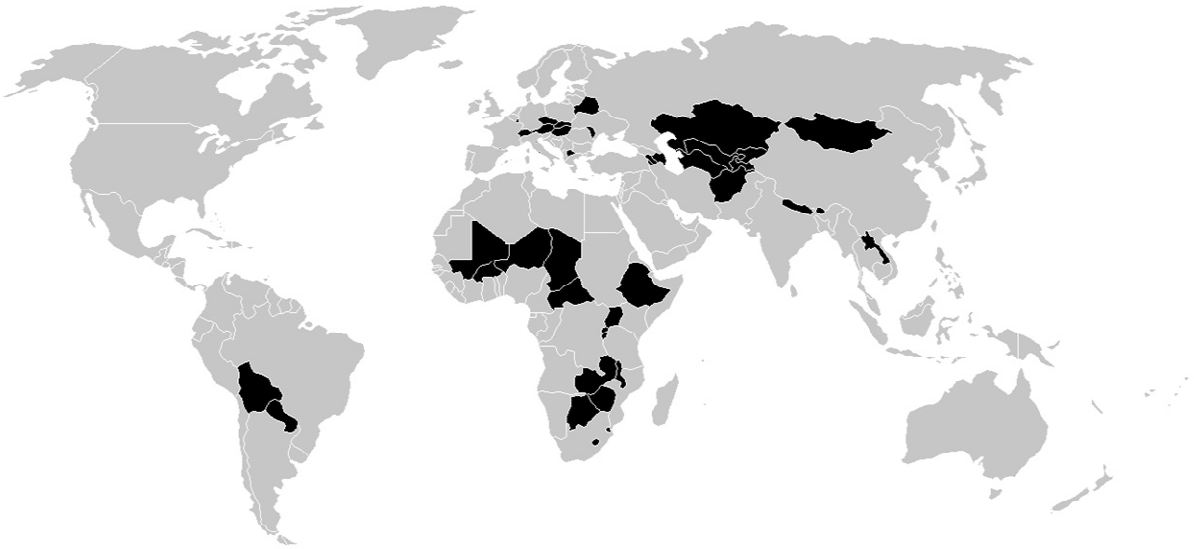
3.3. The special case of landlocked countries

Landlocked countries are countries without direct access to seas or oceans (see table 3.2 and figure 3.5). Countries surrounded by other landlocked countries are doubly landlocked (for example Uzbekistan). Approximately one-fifth of the world's countries are landlocked.

Table 3.2. Landlocked countries

Afghanistan	Burkina Faso	Lao People's Democratic Republic	Niger	The former Yugoslav Republic of Macedonia
Andorra	Burundi	Lesotho	Paraguay	Turkmenistan
Armenia	Central African Republic	Liechtenstein	Rwanda	Uganda
Austria	Chad	Luxembourg	San Marino	Uzbekistan
Azerbaijan	Czech Republic	Malawi	Slovakia	Vatican City
Belarus	Ethiopia	Mali	Swaziland	Zambia
Bhutan	Hungary	Republic of Moldova	Switzerland	Zimbabwe
Bolivia	Kazakhstan	Mongolia	Tajikistan	
Botswana	Kyrgyzstan	Nepal		

Figure 3.5. Landlocked countries



Source: Wikimedia Commons, http://commons.wikimedia.org/wiki/Image:Landlocked_countries.png (accessed 10 May 2006).

Landlocked countries must rely upon neighbouring countries in order to access seaports. They face the specific barrier of transiting through one or more other countries on which they depend for their overseas trade (see box 3.1). Therefore, the trade competitiveness of landlocked countries is reduced, as they must seek bilateral agreements to gain access to the sea. As a result, these countries have limited control over transportation costs.

Box 3.1.
What is transit?

Transit most frequently refers to road transportation between landlocked countries and countries with access to the sea. In some instances, transit is simply from one country to the destination country, and borders are crossed only once. In other instances the transit shipment crosses several borders, as is the case when a shipment goes from the Netherlands to the Russian Federation, and crosses Germany and Poland. In other cases the cargo originates and ends up in the same territory, but transits through a second country. For example, commodities destined for the north-eastern part of India that originate from other parts of India transit through Bangladesh, as all alternative Indian routes are much longer.

Customs transit is a concession system aimed at facilitating trade within a given customs territory or between separate customs territories. It essentially allows the temporary suspension of customs duties or other taxes payable on goods originating from and/or destined for a third country while under transport across the territory of a defined customs area. This suspension of duties and taxes remains in place until the goods either exit the customs territory concerned, are transferred to an alternative customs regime, or the duties and taxes are paid and the goods enter free circulation. For example, goods imported by a retailer in Vienna (originating in Japan) might enter the European Union at Hamburg. In Hamburg they would be loaded onto a lorry for transport by road to Vienna. If placed under a customs transit regime, duties and taxes are not payable in Hamburg but in Vienna where the goods are placed on the market. En route between the two, the goods therefore remain duty-free and must not enter free circulation.

Another possibility would be goods from the United States entering Rotterdam for onward transport to North Africa. In this case, the goods would be placed under a customs transit regime for transport by road to, for example, Marseilles, from where they would be shipped to North Africa. In this case too, provided the re-export of the goods is confirmed, no taxes or duties would be due in the European Union.

Source: UNECE: *Landlocked countries: Opportunities, challenges, recommendations*, 14 Mar. 2002, TRADE/2002/23, p. 8.

4. Visa issues

Unless specific arrangements are in place within certain groups of countries (like the Schengen countries), the visa issue is a concern for many companies and their professional drivers who seek to cross borders in the road transport sector. For some, it is the first step in the process to make an international journey. However, it can be a cumbersome process, and for some, so burdensome that it simply makes trade and transport neither feasible nor possible. It should be borne in mind that road transport personnel do not enjoy the same relaxation of visa obligations as air and sea transport workers. However, there have been long-standing calls by the industry and trade unions to address this issue in the interests of ensuring drivers' right to work and increasing transport efficiency.

From the point of view of the governments, the main purpose of the visa is to fight illegal immigration and employment, and to help ensure national security. International drivers of goods and passenger vehicles constitute, however, a special professional subgroup of citizens applying for visas to support trade and tourism within a well-regulated environment (covered by international Conventions and bilateral agreements, transport licences, customs documents, waybills, vehicle documents, international driving licences, etc.). Such drivers rarely constitute a danger in respect of illegal immigration or employment, or any risk for national security in any country.

Professional drivers in the international road transport sector encounter problems associated with the issuing of visas in a number of regions throughout the world. The total elimination of visas, where they exist, is not possible today. One central issue affecting the development of international road transport is the level of harmonization and liberalization of the procedures for issuing visas. The bureaucratic visa systems that face many transport companies and professional drivers often result in unnecessary delays and complications, and some cases can even lead to drivers losing their jobs.

Box 4.1.
How to enter the United States as a commercial truck driver – Documentary requirements

Currently, Canadian citizens entering the United States as visitors for business require nether a passport nor a visa. However, each applicant for admission is required to satisfy the inspecting officer of his or her citizenship. An oral declaration may be accepted or the inspecting officer may require supporting documentation, such as a birth certificate, certificate of citizenship or a passport (valid or expired). In addition, all travellers should carry some form of photo-identification.

Mexican citizens entering the United States as visitors for business are required to present a valid passport and a non-immigrant visa. These requirements may be satisfied in one of two ways:

– a valid Mexican passport containing a valid B-1/B-2 non-immigrant visa obtained at a United States Consulate. Consulates in Mexico also issue a combination B-1/B-2 visa and Mexican Border-crossing Card that serves the same purpose;

– form DSP-150, "Laser Visa", a credit card-style document that is both a Border-crossing Card and a B-1/B-2 visitor's visa obtained by applying to a United States Consular post in Mexico. The Laser Visa may be obtained by applying at one of the following United States consular posts in Mexico: Mexico City, Ciudad Juarez, Guadalajara, Hermosillo, Merida, Matamoros, Monterrey, Nogales, Nuevo Laredo, Tijuana, and at the Tijuana and Mexicali Temporary Processing Facilities.

Source: *How do I enter the United States as a commercial truck driver?*, U.S. Customs and Border Protection, http://www.cbp.gov/xp/cgov/import/carriers/land/how.xml (accessed 10 May 2006).

4.1. Visa policy – Case of the European Union

4.1.1. Short-stay visas

The European Union visa policy regarding short-stay visas (i.e. for an intended stay of up to three months) is based on the Schengen Agreement. The Schengen *acquis* were integrated into the framework of the European Union with the Amsterdam Treaty in 1999. All European Union Member States, with the exceptions of Ireland and the United Kingdom, participate in the European Union visa policy. Iceland and Norway are associated with the implementation, application and development of the Schengen *acquis*. Denmark has "opted in" for measures binding upon Schengen, but on the basis of international law. The main elements of the common visa policy are as follows:

- harmonized lists of third countries:
  - whose nationals must be in possession of visas when crossing the external borders ("negative" list);
  - whose nationals are exempt from that requirement ("positive" list);
- exceptions from the visa requirement or from the exemption from the visa requirement for certain specific categories may be decided by Member States (article 4 of Council Regulation (EC) No. 539/2001 of 15 March 2001): i.e. for civilian air and sea crew, the flight crew and attendants on emergency or rescue flights and other aid workers in the event of disaster or accident, the civilian crew of ships navigating in international waters (with the possibility of exceptions from the exemption from the visa requirement for persons carrying out a paid activity during their stay); international truck or coach drivers do not constitute a specific category;
- uniform format of visas;
- common rules, procedures and conditions for issuing visas (as laid down in the common consular instructions). [1]

It should be borne in mind that there is some flexibility in the framework of the common consular instructions for issuing Schengen visas for bona fide applicants – recognized as such within the framework of consular cooperation. For instance, procedures can be accelerated by:

- waiving the requirement for the personal interview: this facilitation will have to take into account the development of the *acquis* on biometric identifiers (digital photo, fingerprints, etc.) to be included in the visa sticker;
- dispensing with the need to submit certain documentary evidence in support of the application (as the number and nature of the supporting documents depend on the risk of illegal immigration and on local circumstances);
- issuing multiple entry visas, valid for one year, if the applicant provides the necessary guarantees; exceptionally, a visa may be issued for a period of more than one year, with a maximum of five years;

[1] European Union: "Common consular instructions on visas for the diplomatic missions and consular posts", in *Official Journal of the European Union*, Vol. 48, 22 Dec. 2005, C 326.

- reducing or waiving visa fees: in individual cases, the amount of handling fees may be reduced or waived in accordance with national law when this protects cultural interests in the field of foreign policy, development policy or other areas of vital public interest.

4.1.2. Implementation of visa policy by Member States that joined the European Union on 1 May 2004

According to the two-step implementation mechanism of the Schengen *acquis*, the new Member States also apply the "negative" and "positive" visa lists as well as the uniform visa sticker from their accession. Full alignment with common conditions and criteria for issuing visas will be required upon the lifting of internal border controls at the time of full Schengen implementation (target date: 2007).

4.2. Visa issues for professional drivers entering the European Union

The problem of visas became more evident following the geopolitical changes in Europe in the early 1990s. The IRU presented the industry's position on visas in 2002 through the resolution on the issuance of visas to professional drivers. The resolution has been transmitted to the relevant intergovernmental organizations such as the ECMT, the European Commission, Interpol, the UNECE, the World Bank, the World Customs Organization (WCO) and the WTO. The resolution stresses the need to:

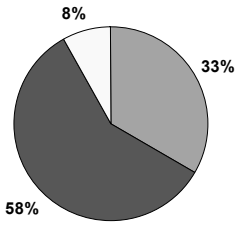
- acknowledge the harmful impact of visa issuance as a specific barrier for the development of efficient trade, tourism and transport;
- recognize the special status of professional drivers and develop a reliable common identification document for drivers to be issued by the competent authorities;
- enhance cooperation between relevant authorities in order to create more harmonized and simplified procedures as well as to share best practices;
- refrain from using visas as market regulators;
- simplify the processes for the issuance of visas;
- issue annual multi-entry visas to drivers.

There was some discussion in 2002 by European experts concerning the practices of Member States in the issuance of visas to professional drivers. They found that the practices were divergent, particularly regarding the documents supporting visa issuance. However, the Member States expressed reluctance to examine the possibility of simplifying the issuing of visas and no action was taken.

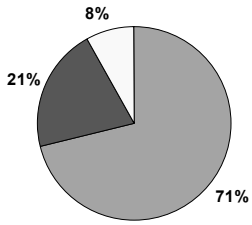
In 2003, the UNECE concluded a survey on visa issues among 25 countries (eight European Union Member States, seven future European Union members, five CIS countries and five other countries) (see figure 4.1). The questionnaire consisted of two parts, one on general issues relating to issuing visas and one specifically concerning the required documents.

Figure 4.1. Results of the analysis of general issues related to visa issuance
(based on 2003 UNECE survey)

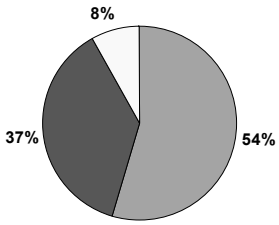
1. Application of rules to professional drivers for obtaining a visa different from those applied to other nationals of the country concerned:



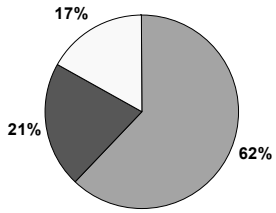
2. Multiple entry visas normally issued to professional drivers:



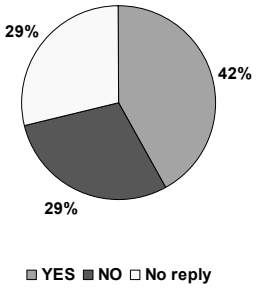
3. Long duration visas normally issued to professional drivers:



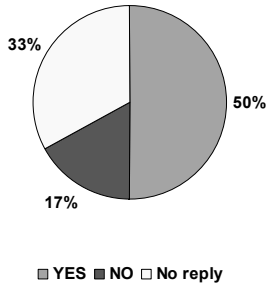
4. To be in favour of the introduction of simplified procedures for the issuance of visas to professional drivers:



5. In favour of the elaboration (under the auspices of the UNECE) of the conditions for issuing a passport/booklet/laissez-passer specifically for professional road drivers:



6. In favour of the creation of an ad hoc group within the UNECE to examine the questions related to visa issuance:



In some countries, the number and type of documents required for issuing visas in some countries is based on a fixed list defined within national regulations; in other cases, no official checklist exists (see table 4.1).

Table 4.1. Documents often required for visa issuance

– Car insurance	– HIV test certificate
– Certification document (such as a contract)	– Invitation from a legal person approved by authorities
– Consular fees	– Invitation letter from a legal person or authorization if bilateral agreement
– Contracts	– Letter from a transport company/employer
– Document specifying the purpose of travel	– Licence card for the performance of international transportation
– Documentation of the company	– List defined in national regulation (Schengen regulation)
– Documents listed in article 5 of the Schengen Convention and on a case-by-case basis	– List of documents adaptable to local circumstances/References in the national territory
– Documents supporting cargo transportation	– Medical insurance certificate/policy
– Driver's licence	– Photo(s)
– ECMT licence	– Road haulage permits
– Employer statement/contract	– TIR Carnet
– Evidence of funds/salary	– Transit visa in direction of the final destination
– Financial means during the stay	

Produced by the ILO based on the UNECE survey on issuance of visas to professional drivers, 2003.

4.3. International Road Transport Union survey on the issue of visas for professional drivers

The IRU secretariat launched a survey on conditions of receiving Schengen visas for professional drivers of buses and trucks in 2005. The survey included IRU Member Associations [2] in a number of non-Schengen countries: Armenia, Azerbaijan, Kazakhstan, Mongolia, Morocco, Ukraine, United Arab Emirates and Turkey.

The survey considered several issues regarding visa issuance for professional drivers:

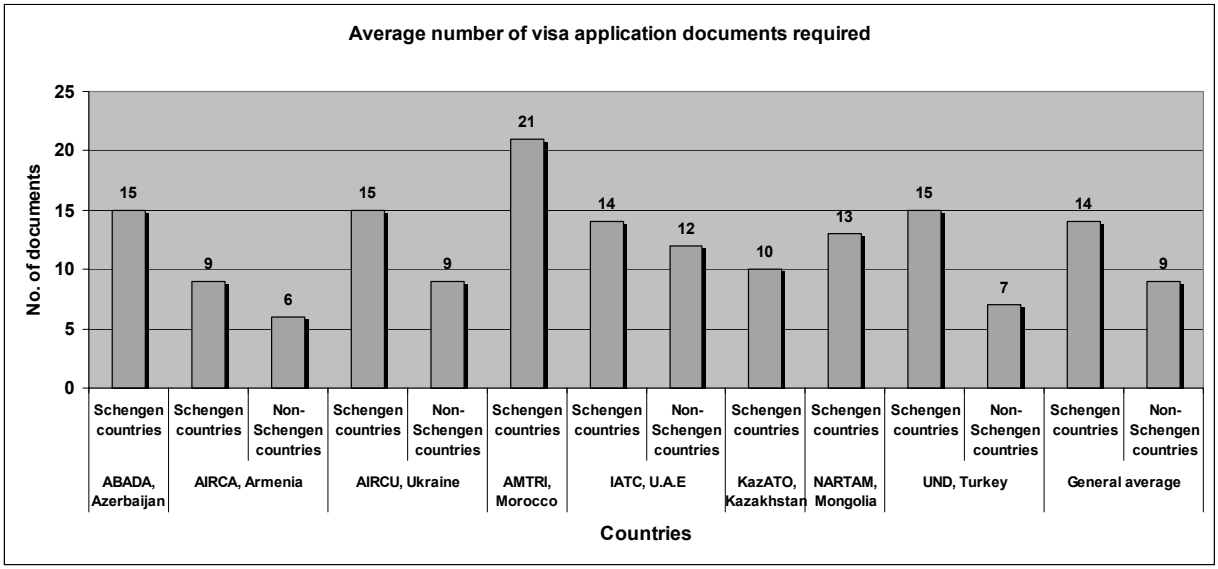
- the average number of documents required for visa applications;
- time needed to obtain a visa;
- fees required to obtain a visa;
- methods to make an application for a visa; and
- types of visas issued.

[2] Azerbaijan International Road Carriers Association (ABADA), Azerbaijan; Association of International Road Carriers of Armenia (AIRCA), Armenia; Association of International Road Carriers of Ukraine (AIRCU), Ukraine; Association Marocaine des Transports Routiers Internationaux (AMTRI), Morocco; International Automobile and Touring Club (IATC), United Arab Emirates; The Union of International Road Carriers of the Republic of Kazakhstan (KazATO), Kazakhstan; National Road Transport Association of Mongolia (NARTAM), Mongolia; and International Transporters' Association of Turkey (UND), Turkey.

4.3.1. Documents required

The average number of documents required to obtain a visa is high, although there is a considerable difference between the amount of documents required when applying for a Schengen visa (between nine and 21 – on average 14 documents) and the amount required for a non-Schengen visa (on average nine documents) (see figure 4.2).

Figure 4.2. Average number of documents required for visa applications

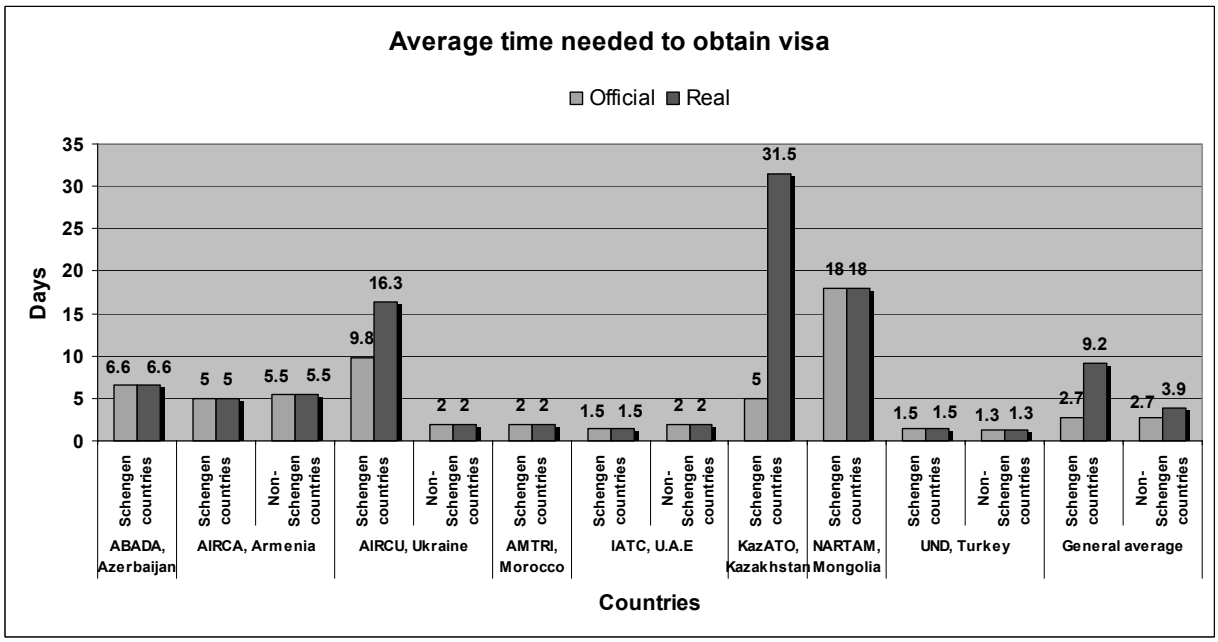


Note: Mongolia is not considered for the general average because Mongolian transport companies do not carry road freight to Schengen countries.

4.3.2. Time

The official time period to obtain a Schengen visa (four days on average) differs considerably from the actual time required (nine days on average) (see figure 4.3 and box 4.2). On the other hand, no such difference exists in time periods needed to obtain non-Schengen visas (three days on average).

Figure 4.3. Average time to obtain a Schengen visa



Note that the results from Kazakhstan have a strong negative impact on the average. Mongolia is not considered for the general average because the Mongolian transport companies do not carry road freight to Schengen countries.

Box 4.2.
Process for obtaining a Schengen visa to Italy for professional Ukrainian drivers

1. Companies send a fax to the appropriate consulate. Because the fax number is frequently busy, it takes 5-7 days to send a fax ("First Step").
2. Consulate calls back (7-10 days after the "First Step") and makes an appointment for the submission of applications and documents. An appointment is made for a date, possibly 20-30 days after the "First Step".
3. If the documents are in order the driver may need to visit a day or so prior to the appointment because of long queues to gain access to the consulate. However it is likely that the consulate will request additional documents and make another appointment for additional handling (+14 days), or ask for used original TIR Carnets, which have already been returned to the IRU according to the established rules.
4. An appointment for additional handling (40-45 days after the "First Step") will then be made: in most cases, the consular officer does not pay attention to the requirements of the Association of International Road Carriers of Ukraine (AIRCU). If the documents are in order the consular officer makes a new appointment to receive the passport with the requested visa (nearly 65 days after the "First Step").
5. Sometimes the consulate "postpones cooperation" with companies without offering an explanation.

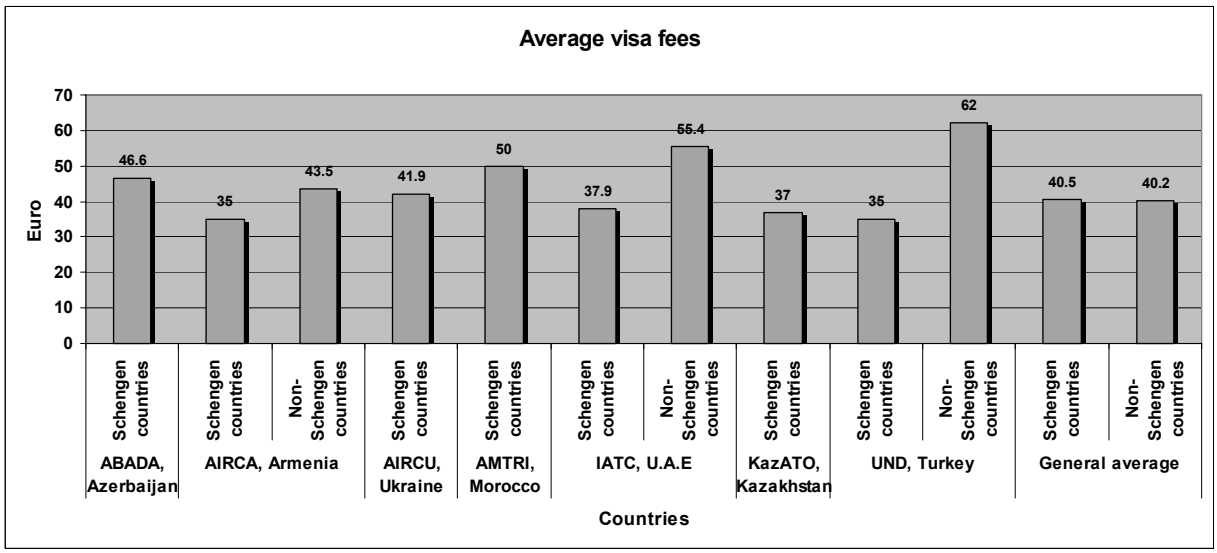
Source: IRU survey on conditions of receiving Schengen visas for professional drivers of buses and trucks, February, 2006.

In Kazakhstan the decision to issue a visa is usually reached in about five working days. However, when applying for a visa to the consulates of the Netherlands, Belgium or Luxembourg, the process can take between one and eight weeks. For this reason, the Union of International Road Carriers of the Republic of Kazakhstan (KazATO) recommends applying for a driver's visa at least five weeks before a planned departure.

4.3.3. Fees

There is little difference between the fees required to obtain a visa to the Schengen (38.3 euros on average) and non-Schengen countries (40.2 euros on average). However, there is a considerable difference between fees for individual non-Schengen visas (ranging from 0 euro for Polish visas in Ukraine, to 90.1 euros for Bulgarian visas in Turkey). Fees for Schengen visas are more or less standardized (see figure 4.4).

Figure 4.4. Average fees paid for a visa



4.3.4. Procedures

In most cases, visa applications are presented to diplomatic and consular representatives by the driver in person. National associations of road hauliers may, in some instances, offer various services to drivers or member companies in visa matters; they can act as intermediaries during the processing of visa documents (the driver can apply for a visa through national associations) and also act as guarantors confirming the professional status of drivers (see table 4.2).

Table 4.2. Application procedures

Association/country	Method of application
ABADA, Azerbaijan	Drivers apply for visa directly to consulates.
AIRCA, Armenia	Members of the association apply for both Schengen and non-Schengen visas through AIRCA.
AIRCU, Ukraine	Carrier should apply for visa for its drivers directly to consulate for Schengen visa. Carrier can apply for its drivers directly to consulate or through a mediator for a non-Schengen visa. AIRCU is not officially recognized by consulates as a guarantor of honesty of carriers/drivers.
AMTRI, Morocco	The visa applications are usually done through AMTRI.
IATC, United Arab Emirates	Personal application is a must. However, a representative of the association may be allowed to apply for the drivers' visas, nevertheless the embassy/consulate reserves the right to request the applicant to appear at the embassy/consulate for a further check up whenever necessary. The same is true for non-Schengen countries; visa applications must be presented by the visa applicant.
KazATO, Kazakhstan	KazATO does not obtain visas for drivers; however, it gives recommendation letters to the German embassy. Carrier should apply for a visa through KazATO in order to get a reference letter to the consulates and embassies of Poland and Lithuania.
NARTAM, Mongolia	The driver should apply for a visa personally, at least two weeks before the journey.
UND, Turkey	Carrier should apply for a visa for its drivers directly to the consulate for a Schengen and non-Schengen visa alike. For non-Schengen countries (Bulgaria, Hungary, Serbia-Montenegro), as well as Austria, Germany and Italy, additionally, the driver can apply through the UND. The driver has to make a visa application in person, if there is no Schengen visa in his/her passport. If visa applications for Schengen countries are made through the UND, the visa process takes less time.

Source: IRU survey on conditions of receiving Schengen visas for professional drivers of buses and trucks, February, 2006.

4.3.5. Types of visas

Visas can be issued for single or multiple entry. Single-entry visas are usually granted on the first application. The validity of the visa increases upon subsequent applications to several months, even one year, for multiple-entry purposes (see table 4.3).

Table 4.3. Types of visas issued

Association/country	Type of visa			
	Country	**First application**	**Second application**	**Third application**
ABADA, Azerbaijan	Drivers receive single visas for Schengen countries.			
AIRCA, Armenia	The applicants for Schengen visas, as well as non-Schengen visas, on the first application, receive a single visa; on subsequent applications – a multiple visa.			
AIRCU, Ukraine	Italy	1 month/10 days/multiple	3 months/30 days/multiple	6 months/45 days/multiple
	Germany	1 month/10 days/multiple	6 months/45 days/multiple	
	Austria	3 months/30 days/multiple	6 months/45 days/multiple	
	Spain	6 months/45 days/multiple	12 months/90 days/multiple	
	Poland	12 months/90 days/multiple		
AMTRI, Morocco	Schengen	3 months	6 months	1 year (12 months)
	Non-Schengen	3 months	6 months	1 year (12 months)
IATC, United Arab Emirates	The drivers, on their first application for a Schengen visa, receive an annual visa, as is the case for the subsequent applications. The same applies for non-Schengen countries.			
KazATO, Kazakhstan	Germany	2 months/20 days	1-4 months/35 days	2-6 months/45 days
	France	France delivers both single- (less than 3 months) and multiple-entry (more than three months) visas upon the first application.		
NARTAM, Mongolia	Mongolian transport companies do not carry road freight to Schengen countries. However, the German Embassy would issue a three-month visa.			

UND, Turkey	**First application**	**Subsequent application**
Austria	Multiple/1 month	Multiple/6 months
Belgium	Single/1 month	Multiple/6 months
Denmark	Multiple/3 months	Multiple/6 months
Finland	Multiple/3 months	Multiple/6 months
Germany	Multiple/6 months	Multiple/6 months
Greece	Single/1 month	Multiple/6 months
Netherlands	Single/1 month	Multiple/6 months
Italy	Single/1 month	Multiple/6 months
Luxembourg	Single/1 month	Multiple/6 months
Norway	Multiple/3 months	Multiple/6 months
Portugal	Multiple/6 months	Multiple/6 months
Spain	Single/1 month	Multiple/3 months
Sweden	Multiple/3 months	Multiple/1 year (12 months)
Bulgaria	Multiple/1 year (12 months)	Multiple/1 year (12 months)
Hungary	Multiple/1 year (12 months)	Multiple/1 year (12 months)
Serbia-Montenegro	Multiple/3 months	Multiple/3 months

Note: At the Consulate/Embassy of Poland and Lithuania, Kazakh drivers receive multiple visas for a validity of up to three and six months within 2-3 days.
Source: IRU survey, 2006, ibid.

The absence of consulates and embassies in some countries for which an applicant is applying for a visa may cause additional difficulties for the drivers and the road transport companies. However, consular offices in certain countries may issue visas on behalf of other countries when it is in the State's interest (extraordinary circumstances, humanitarian reasons, etc.) or if stipulated in an international agreement between the two countries. Services at the border-crossing points can also issue visas.

Bilateral agreements stipulating procedures for issuing visas to professional drivers may differ for particular countries. The agreement between Bulgaria and Turkey, for example, enables Turkish citizens – including drivers – to obtain visas (single transit visas and single visas for a short stay of up to ten days) at the border-crossing point. This is not possible for drivers from other countries.

There are examples of good practice in some countries which simplify the issuance of visas to professional drivers. According to the Association of the Bulgarian Enterprises for International Road Transport and the Roads, Turkey issues one-year visas for Bulgarian professional drivers on the basis of a list of drivers certified by the Bulgarian Ministry of Transport. The list confirms that licensed Bulgarian transport companies employ these drivers.

4.4. Removing obstacles

In 2004, a group of countries (Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Republic of Moldova, Russian Federation and Ukraine) submitted a technical note on the problems that their carriers encountered concerning the issuance of visas to professional drivers to the UNECE Inland Transport Committee's Working Party on Road Transport. [3] The technical note also contained proposals for actions aimed at simplifying procedures for applying for visas.

The proposals suggested that professional drivers engaged in the international road transport sector should be assigned a special status within the terms of the Schengen Agreement and that this occupational group should have obligatory visa requirements waived. Alternatively there should, in the short term, be a set of arrangements (a system of inter-State agreements) to simplify the procedures for processing the visa documents of professional drivers. The system could provide for:

- the issuance of multiple-entry visas with validity of up to one year or more as well as an unlimited number of entries and departures;
- recognition of the status of national associations of road hauliers as intermediaries when processing visa documents, and also as guarantors confirming the professional status of drivers;
- a simplified procedure for obtaining visas, including the possibility of issuing visas to a group of drivers through the national association of road hauliers, thus dispensing with the requirement that drivers must be present in person;
- a shortened, uniform list of documents required to obtain a visa;

[3] UNECE: *Harmonization of requirements concerning international road transport and facilitation of its operation. Consideration of possibilities for agreements and other measures on border crossings and border facilities for road transport between Eastern and Western Europe. Issuance of visas to professional drivers*, 11 Aug. 2004, TRANS/SC.1/2004/5.

- a fast-track system for issuing visas to professional drivers;
- uniform and reasonable fees for consular services. [4]

In its 2005 survey on conditions of receiving Schengen visas for professional drivers of buses and trucks, the IRU noted that a certain harmonization of conditions of issuing Schengen visas to professional drivers had occurred. This was true for visa fees in particular, but the number of documents required for applying for a visa was still high. The time needed for obtaining a Schengen visa has also been reduced, despite some exceptions. Application procedures were still cumbersome, requiring, for example, the physical presence of the professional driver at the time of issuance. Additional harmonization was also needed in respect of the type of visas issued. The IRU considered that the issuance of annual, multi-entry visas for professional drivers should become a general practice.

4.4.1. European Community-Russia agreement on visa facilitation

At the end of 2005, the European Community and the Russian Federation finalized negotiations on a visa facilitation agreement. Although as of April 2006 it had not been signed, it is an important breakthrough. If approved by both parties, the agreement will simplify and facilitate procedures for issuing short-stay visas to citizens of the European Union and the Russian Federation. For instance, there will be fewer requirements for documentary evidence regarding the purpose of journeys for drivers conducting international cargo and passenger transportation services. Only documents listed in the agreement may be requested. For international drivers this may take the form of a written request from the national association of carriers of the Russian Federation or of the European Union Member State providing for international road transportation, stating the purpose, duration and frequency of the trips.

Visa fees for entry into the Russian Federation would be substantially reduced, aligning to the Schengen visa fee (35 euros). There would also be simplified criteria for issuing multiple-entry visas to professional drivers; they would be issued with a visa with validity for one year provided that they had been issued a three-month short-stay visa during the previous year. In addition, professional drivers might be granted a visa for a minimum of two years and a maximum of five years in cases where they had properly used their annual visas the previous two years, and provided that the reasons for requesting a multiple-entry visa were still valid.

A similar agreement is being discussed and negotiated between the European Union and Ukraine. This would only apply to Ukrainian professional drivers, as nationals of the European Union are exempt from the visa obligation by Ukraine.

[4] ibid.

4.4.2. New annex to the UNECE International Convention on the Harmonization of Frontier Controls of Goods, 1982 ("Harmonization Convention")

The new Annex 8 specifically refers, in Article 2, to the facilitation of visa procedures for professional drivers. It states that the Contracting Parties should endeavour to facilitate the procedures for the granting of visas for professional drivers engaged in international transport in accordance with national immigration rules and international commitments. It also provides for the agreement of the Contracting Parties to regularly exchange information on best practices with regard to the facilitation of visa procedures for professional drivers.

4.5. Identity documents

As regards visa applications, there is a need to improve procedures for verifying identity and authorizing a passport holder to enter a country for specific purposes for a particular time period. An international drivers' identification card could contribute towards visa facilitation.

In the UNECE survey on visa matters (2003), several countries expressed their opinion that the introduction of a special document (laissez-passer/passport/booklet) identifying professional drivers would facilitate the procedures and simplify the formalities for issuing visas. They noted that such a document could be based on the existing passport or a new driver identification document.

Technical notes submitted to the UNECE in 2004 by a group of countries also suggested the introduction of a special document confirming the driver's identity in order to waive the obligatory visa requirement for professional drivers in the international road transport sector. Such a document could be provided for under a special international Convention.

In June 2003, the ILO adopted the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), which entered into force on 9 February 2005 (see box 4.3). The Convention provides for a new seafarers' identity document (SID) that facilitates the movement of seafarers but does not replace a passport. It introduces a viable system for meeting contemporary security concerns while ensuring the necessary facilitation of shipping and recognizing seafarers' needs. This Convention represents a response to the growing needs and demands of a globalized transport branch. The SID could serve as a model for solving visa-related issues for professional drivers in the international road transport sector, which has become a vital element of the global logistic/supply chain and international tourism over the last few decades.

Box 4.3.
Objectives of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)

(I) The objectives of the Convention:

(a) to improve the security of seafarers' identification (by enhancing the physical aspects of the seafarers' identity document (SID) against falsification and requiring national electronic bases);

(b) to facilitate personal freedom of movement for professional purposes and shore leave; and

(c) to facilitate international commerce.

(II) Content of the Convention:

(a) Issue, content and form of the SID

- SID is issued only by State of nationality (with exception for country of residence);
- SID must contain specified elements and conform to model, creating an internationally uniform identity document;
- SID must be machine-readable and contain a digital photograph and biometrics (biometric template based on a fingerprint printed as numbers in a bar code).

(b) Improving reliability

- requirement for a national electronic database with information to be contained;
- 24-hour focal point to be designated; details of focal points to be communicated to ILO and made available to member States;
- member States shall undertake quality control and evaluation conforming to mandatory minimum requirements concerning processes, procedures and practices for the issuance of SIDs;
- requirements relate both to the security of the physical document and the basic infrastructure for issuance and verification (to make sure SIDs are only issued to genuine seafarers, to provide other Members with means of checking the validity of SIDs, to ensure national systems are properly monitored);
- member States shall carry out an independent evaluation of their system at least every five years and copies of this evaluation shall be sent to the ILO;
- the ILO shall evaluate reports and approve list of Members complying with minimum requirements of the Convention; likewise, the ILO shall put in place a procedure for settling disagreements over list.

(c) Facilities to be granted

- a seafarer holding valid SID is to be recognized as a seafarer (prima facie evidence);
- verification and related formalities are possible subject to certain conditions (cost, timing, etc);
- facilities include: shore leave (no visa requirement for shore leave; substantially equivalent arrangements in both law and practice permitted), transit, transfer as well as repatriation;
- when joining ship, during the transit or transfer, the SID is to be accompanied by passport;
- SID may also be issued to permanent residents on a territory; it must then always be accompanied by a passport for all facilities, including shore leave.

5. Border-crossing issues

The efficiency of international road transport is particularly challenged at border crossings. In 2004, the ECMT prepared, at the request of the Council of Ministers, a report on the removal of obstacles at border crossings. [1] The report was presented at the Council session in Ljubljana and identified the difficulties encountered by carriers when crossing borders. The report also makes recommendations on how to solve the difficulties.

The primary obstacles that occur at road border crossings usually have their origin in poor infrastructure and facilities at border-crossing points, the inadequate provision of border services and border-crossing procedures, and insufficient and poorly trained border officials. In some cases they can be attributed to all of these factors.

5.1. Border-crossing procedures

Border-crossing procedures for international road traffic include numerous activities such as documentation processing, inspections and checks carried out by officials employed by services or agencies within various ministries. Procedures may vary considerably with regard to the number and extent of inspections, and the way in which they are performed. The number of possible border post inspections/checks related to international road transport differs according to freight and passenger transport. Discrepancies are evident between the same services at different border crossings of the same country.

Border post procedures related to international road freight transport can generally be divided into three groups:

- those related to the crew of the vehicle, which can include: provisions concerning driving and rest periods, driving licence, travel documents (passport, visa insurance, etc.), availability of a certain amount of national currency of the country entered into, etc.;

- those related to the vehicle, which can include: fuel taxation and checking the amount of fuel allowed free into the country (for example, quantity of fuel in the tank of the vehicle as built by the manufacturer); vehicle tax, road charge, transit fee; Green Card for international vehicle insurance or national insurance; transport permit (bilateral, transit, third country, multilateral – ECMT); payments for special permits, weights and dimensions; vehicle certificate; road worthiness of vehicles; compliance with the European agreement concerning the international carriage of dangerous goods by road (ADR), the customs Convention on the international transport of goods under cover of TIR Carnets (TIR Convention) and the agreement on the international carriage of perishable foodstuff and on the special equipment to be used for such carriage (ATP) vehicle provisions; customs security of transport vehicles; statistical data, etc.;

[1] ECMT: Council of Ministers: *Removal of obstacles at border crossings*, 22 Apr. 2004, CEMT/CM(2004)23.

- those related to the cargo transported, which include the TIR Carnet, the Convention on the contract for the international carriage of goods by road (CMR) waybill, invoice for the transported goods. [2]

5.2. Border-crossing delays

The ECMT report noted that delays related to border-crossing procedures were attributed particularly to:

- **inefficiency of control procedures:** complex control procedures including customs controls, transport authorization controls, vehicle controls, visa controls and police document controls; sometimes the procedures applied are considered unnecessarily complicated;

- **insufficient application of computerized procedures:** inability to use electronic documents which often have to be filled out by the controlling officials themselves;

- **systematic control:** systematic time-consuming control of all vehicles without using risk management techniques;

- **weighing of vehicles:** complex procedures for weighing vehicles, even sometimes involving the complete unloading of the vehicle – often unnecessarily; unexplained differences between measurements for the same vehicle in different countries;

- **illegal migration control:** control procedures linked to illegal immigration particularly in cases of ferry traffic;

- **implementation of veterinary and phytosanitary controls:** absence of non-stop veterinary and phytosanitary controls;

- **lack of coordination between the customs administrations:** insufficient exchange of information; considerable differences in control procedures from one country to another regarding controls of drivers, passengers and vehicles, the transport operation itself, the goods involved, and documentation; no coordination in border post opening times; lack of mutual recognition of protocols for vehicle weighing and inspection;

- **cooperation between the authorities responsible for controls:** lack of cooperation – dual controls;

- **compliance with TIR procedures:** non-compliance with TIR procedures, failure to differentiate between types of customs operation, lack of physical separation of road vehicles according to type of load or customs transit regime;

- **providing information to the professionals, private sector:** failure to provide information regarding the procedures applied and the documents required;

- **changes without notice to the procedures:** changes in procedures, introduction without prior notice of new requirements, lack of clear information about changes in national legislation;

[2] E. Molnar and L. Ojala: *Transport and trade facilitation issues in the CIS 7, Kazakhstan and Turkmenistan*, Lucerne Conference of the CIS-7 Initiative, 20-22 January 2003, p. 25.

- **compulsory convoys:** requirement of compulsory convoys of vehicles with customs or police escorts thus causing delays and additional costs – contrary to the principles of the TIR Convention;

- **compulsory pay services:** imposition of compulsory pay services using "commercial" structures established at border-crossing points or in their immediate vicinity – for example compulsory use of "organized" parking areas for which excessive fees are charged;

- **taxes, duties and fees:** proliferation of taxes, duties and fees, lack of transparency in rules for payment in some cases.

Similar delays at border crossings have been registered in Africa (see box 5.1 and box 5.2).

Box 5.1.
International Transport Workers' Federation Central African study – Waiting times

In 2005 the ITF carried out a survey on working conditions among truck drivers performing road haulage from seven central African countries to the port of Douala in Cameroon. The 58 drivers came from Cameroon, Central African Republic, Chad, Congo, Equatorial Guinea, Gabon and Nigeria.

Amongst other questions drivers were also asked about the length of their journey and border-crossing times en route to Douala. The results may be summarized as follows:

– drivers from the Central African Republic (Bangui, Doba) travelled on average eight days (seven from Bangui, nine or ten days from Doba) to the port of Douala;

– drivers from Congo (Brazzaville) spent seven to 14 days (on average 12 days) on the road;

– drivers from Equatorial Guinea (Bata) travelled seven days to the port;

– trucks from Gabon (Libreville) also spent seven days on the road to the port;

– trucks from Nigeria travelled for seven to 14 days (Calabar – seven to 10 days, Kano – seven to 14 days, Onitsha and Lagos – 14 days) to Douala.

All drivers experienced prolonged waiting at the border crossings. Drivers coming from Central African Republic waited at the border for at least two days (up to four days); drivers coming from Congo waited at least three to four days; drivers driving trucks from Equatorial Guinea waited at least two days at the border; drivers from Gabon at least two to three days; and drivers coming from Nigeria waited at least two to five days to cross the border.

Furthermore, all of the drivers reported cases of police harassment on their journeys to the port of Douala. The drivers usually stay in the port of Douala for seven to 15 days before they commence the return journey.

Source: ITF Survey 2005.

5.3. Border-crossing time

The total time a vehicle takes to cross a border from one country into another is contingent upon the assignments carried out by the various border agencies in charge of control activities. [3] Other issues which must be factored in are:

- delays do not always occur due to border agencies' activities – for example, drivers may wait before proceeding;

[3] *TTFSE Manual – Clearance and Administrative Simplification*, Trade and Transport Facilitation in Southeast Europe Program, 2001, http://www.seerecon.org/ttfse/TTFSE_Manual.pdf (accessed 10 May 2006).

- different formalities may sometimes be carried out at the same time; and
- processing delays in the country of entry may spillover in the country of exit.

According to the Trade and Transport Facilitation in Southeast Europe Program (TTFSE), the maximum acceptable time according to European Union standards for clearance of a vehicle between two countries is 40 minutes. [4]

5.4. Customs procedures

Among the official departments that carry out procedures at the border-crossing, customs agencies are often identified as having the most important role but being the least efficient. Customs-related problems vary from one country to another, from one border to another, and even from one border crossing to another within a country. Lengthy border-crossing procedures and subsequent delays are frequently due to the over-zealous control of all trucks entering the country. This can be attributed to customs legislation, which imposes systematic controls that are often not based on risk-management analysis, and the operation of other border agencies, which also control most of the vehicles.

The TTFSE reports that in south-eastern Europe, systematic checks are generally conducted by customs officials or police because of: security, anti-smuggling efforts, commitment to European Union external border control guidelines, or difficulties in neighbouring countries. However, delays are usually caused by other reasons.

Delays related to customs operations at border crossings in African countries, for example, arise from excessive documentary requirements, outdated procedures, inadequate modernization, lack of transparency and consistency, and problematic or non-existent cooperation among customs and other governmental agencies. An excessive number of documents must be processed at each border and this contributes considerably to lengthy delays (box 5.2).

Box 5.2.
Customs transactions in Africa

The average customs transaction in Africa in 2004 involved 20-30 different parties, 40 documents, 200 data elements (30 of which were repeated at least 30 times) and the re-keying of 60-70 per cent of all data at least once. Documentation requirements were often poorly defined and information lacking. The problem was even worse at the border, where border posts and customs offices were usually physically separated, with two complete sets of controls for each border post, each having a multitude of forms and documents to be completed and checked. This cumbersome process has significant implications for the type of trade facilitation which would enable further African integration into the world economy. In addition, time-sensitive goods, such as agricultural products, can be ruined due to long delays.

Source: UNECA: *Economic Report on Africa 2004, Unlocking Africa's trade potential* (Addis Ababa, 2004) p. 169.

5.4.1. The issue of documentation

Delays and long waiting times at border crossings can, as noted above, often be attributed to procedures related to transport and customs documentation. The International Transport Workers' Federation (ITF) representatives in Africa recently reported that trucks at the Rwanda-Uganda border were often delayed for up to five days. Most were waiting for clearance because the relevant papers from the revenue office in Kampala had not been delivered or had been "misplaced".

[4] ibid.

Trucks transporting cargo through Uganda are not free to continue their journey once they clear the border. They are obliged to wait until the next day for customs documents to be transported to another location. After that, they drive to that specific location to check in with customs agents again in order to verify that the cargo was not unloaded in Uganda without paying duties.

Documentation required when crossing borders has also been subject to changes in procedures without notice. For example, customs authorities have been known to unexpectedly demand documents which drivers do not normally carry. This can result in drivers being stranded at borders because they "fail" to meet new "regulations". Time to access the documents, which can be several days, depends on the communication facilities at the border.

Sometimes these "new" regulations and procedures exist, but have not been implemented. For example, drivers crossing the Ugandan border were unexpectedly asked for their transit goods licences; although this was a formal requirement, it had previously been overlooked. As a result, road hauliers did not bother to carry such documentation, because it was cheaper to bribe officials than to purchase one according to ITF sources.

Table 5.1 indicates the documentation requirements for road haulage between selected countries.

Table 5.1. Documentation required for road haulage from Slovenia to Eastern European and European Union Member States

Country	Belarus	Bulgaria	Russian Federation	Romania	Ukraine	European Union
Transport permits	X	X	X	X	X	X
Driver documents:						
Passport	X	X	X	X	X	X
Visa	X		X			
Driving licence of certain category	X	X	X	X	X	X
Routing (direction) order as an authorization for driving vehicle on the route	X	X	X	X	X	X
ADR licence (when transporting ADR goods)	X	X	X	X	X	X
Contract of employment	X	X	X	X	X	X
Agreement on health insurance	X	X	X	X	X	X
Vehicle:						
Vehicle motoring licence	X	X	X	X	X	X
Green Card for international vehicle insurance	X	X	X	X	X	X
Insurance policy (if ADR goods are transported, also certificate of insurance in case of accident)	X	X	X	X	X	X
P6 form (the number of certificate A on congruity of EURO lorry)	X	X	X	X	X	X
P7 form (certificate of compliance of the trailer with the technical requirements of "greener and safe" lorries as defined by ECMT resolution)	X	X	X	X	X	X

Country	Belarus	Bulgaria	Russian Federation	Romania	Ukraine	European Union
P8 form (certificate on the trailer road worthiness)						X
Licence for vehicles performing international road haulage	X	X	X	X	X	X
Certificate on vehicle homologation	X	X	X	X	X	X
"Low-noise" vehicle certification for driving at night (between 10 p.m. and 5 a.m.) in Austria						X
Report on tachograph control (performed yearly)	X	X	X	X	X	X
Tachograph charts	X	X	X	X	X	X
TIR vehicle approval certificate	X	X	X	X	X	
Cargo:						
TIR Carnet	X	X	X	X	X	
CMR waybill	X	X	X	X	X	X
Invoice for the transported goods	X	X	X	X	X	X

Transport permits

(a) Slovenia and Belarus have agreed on the introduction of permits: bilateral-transit and third country permits.

(b) Slovenia and Bulgaria have signed an agreement arranging reciprocal transport of goods. A transport permit is needed for transporting goods to Bulgaria, which can be: transit permit, transit EKO permit, third country permit and ECMT permit. No permit is required for bilateral transport.

(c) Slovenia and the Russian Federation have signed an agreement on obligatory application of permits in road transport in both countries which can be: general, transit, third country and ECMT permits.

(d) Slovenia and Romania have signed an agreement on arrangement of road haulage. Agreement is regulated by means of permits: transit EURO permits, third country permits for EURO vehicles and ECMT permits.

(e) Slovenia and Ukraine have agreed on the introduction of permits: bilateral, transit, third country and ECMT permits.

(f) When transporting to European Union Member States transport permits are no longer needed.

Particularities of road haulage to Eastern European countries include:

– goods transported to and from the States of the former Soviet Union are insured against robbery and theft; insurance valid only if there are two drivers in the vehicle and rest-stops are only on secured parking places;
– obligatory vehicle weighing when entering each of these countries;
– customs clearance usually takes up to two days; in case of complications it may take up to a week;
– bribery is often necessary in order to make things go without delay.

Source: Based on information acquired by the Faculty of Maritime Studies and Transport of the University of Ljubljana, Slovenia, from Slovenian hauliers in 2005.

Table 5.2 indicates documentation requirements between two Asian countries.

Table 5.2. Required documents between India and Bangladesh

	India	Bangladesh
Types of documents:	29	22
Copies:	118	116
Signatures:	256	55

Source: U. Subramanian: *South Asia transport: Issues and options* (World Bank, South Asia Infrastructure Unit, Apr. 1999), http://www.worldbank.org/transport/tr_facil/docs/umapres.pdf (accessed 10 May 2006).

5.5. International bus/coach transport

As reported at the Fourth European Bus & Coach Forum (held in October 2005 in Belgium), 99 per cent of bus and coach delays in international transport are due to waiting times at border crossings. The detention of buses and coaches at the border cause unscheduled delays which not only disrupt the timetables but also influence the agreed driving time of the bus and coach drivers. Consequently drivers and transport operators bear the consequences while border services accept no responsibility.

The reasons for bus and coach delays are the same as those for trucks – but passenger travel documents should also be added to the list. Coaches and buses operating regular international services are not usually processed in a separate, but in a general line. Ukrainian operators have reported that, at certain times of the year, queues at the Austrian border can consist of more than a hundred buses. [5]

5.6. Border-crossing infrastructure and welfare facilities

Other causes of delays noted by the ECMT report arise from infrastructure-related inadequacies and can be attributed to:

- **the unsuitability and insufficient capacity of border posts:** border posts are under-equipped and their infrastructure is often unable to deal with the rapid increase of traffic;
- **obsolete and poor-quality facilities:** there are inadequate facilities for phytosanitary, veterinary and other controls. In Europe this problem has been identified as particularly acute in the Balkans and Eastern Europe;
- **inadequate equipment:** information and communications technology (ICT) facilities (for example equipment and systems for processing documentation) as well as inspection equipment (for example X-ray inspection equipment and instruments for weighing vehicles) are, in some cases, inadequate or not used effectively or appropriately. This can create unnecessary disruption at border crossings;
- **the absence of separate lanes:** lane systems are not well thought through. There should be separate lanes for transit traffic to facilitate traffic flow. Empty vehicles blocking lanes can cause a considerable problem;
- **under-sized access roads:** under-sized access roads to border posts and border crossings with insufficient parking places constitute major problems. Parking areas are sometimes not equipped with suitable toilets, water and electricity supply points.

[5] N. Volk: *Advantages of harmonised bilateral agreements in bus and coach services in the CIS and beyond*, Fourth European Bus & Coach Forum "Facilitating international regular services by bus and coach in Europe", Belgium, 2005, http://www.iru.org/events/B&C2005/Volk.E.htm (accessed 10 May 2006).

5.7. Border officials

Various published and oral sources have reported recurrent difficulties with some border officials responsible for carrying out controls – and this is considered another significant obstacle and cause of delay. ECMT reported that the primary issues are:

- **shortage of control personnel:** staffing levels have not been adapted to the increase in traffic;

- **low productivity:** low productivity of personnel is due to various reasons, such as complex procedures, insufficient motivation, general disorganization and poor working conditions. The results of the Trade and Transport Facilitation in the South Caucasus study revealed a huge discrepancy: a customs officer processes 40 to 45 declarations a year on average in the three South Caucasus states, compared with an average of around 250 declarations a year in the countries of South-East Europe. Activity ranges from 80 declarations a year in the Republic of Moldova to 422 in Croatia;

- **working hours:** problems arise when working hours are not harmonized on both sides of the border;

- **inadequate skills and training:** a lack of skills and training is reflected in an inadequate knowledge of applicable rules, correct documentation and selective control techniques. This may lead to inappropriate processing of documents and differing interpretations from one country to another. Lack of knowledge of – and access to – existing instruments appears to be a major problem (sometimes due to the lack of texts in the local language), compounded by a lack of administrative knowledge of real procedures and usual practices. Inefficient computer processing of documentation is mostly due to inadequate staff training coupled with the lack of Single Window applications. Inadequate training of drivers and carriers with regard to the usage and presence on board vehicles of the transport and customs documents required for border controls is also a problem (though delays also arise from irregularities in the documentation provided by drivers);

- **lack of continuity in the management of controls:** lack of continuity appears due to a high level of staff turnover, which weakens efforts to improve control agencies and fails to allow a consistent line of conduct (this may apply equally to the management-directors);

- **ethical behaviour of officials responsible for controls:** the ethical conduct of personnel has long been a taboo subject due to fear of reprisals. Behavioural aberrations tend not to be reported by carriers or drivers, although their incidence is likely to be allowed for in cost calculations. Corruption and extortion at border crossings have been reported in several countries worldwide, particularly in less developed countries. Such actions have been denounced in many African as well as European countries. The spread of corruption and extortion is also due to the failure to introduce selective controls using procedures based on risk management techniques, as well as poor work organization. Control teams often consist of the same personnel with little or no staff rotation. This can foster personal relationships between control officials and users, which may result in corruption. This phenomenon is enhanced through the obligation imposed on the drivers/transport operators to use "commercial" structures such as border agents or customs brokers, who often work in a "grey" relationship with official border control personnel.

These problems are evident at borders across the globe. In South Africa, there are about 52 significant border posts, but the majority of traffic goes through five. Efficiency

at the border is compromised by a shortage of experienced and ethically clean staff and it has been reported that the general experience is unsatisfactory. As expected, manual clearance takes much longer than the electronic system, which is not fully functional. Facilities have not kept pace with demand. [6]

5.7.1. Harassment by officials

A further obstacle faced by international drivers is unwarranted harassment by border officials.

Harassment

A key factor to harassment by officials is that many officers responsible for inspections consider the road to be a prime source of additional personal income and enrichment – often as a result of their low moral and financial appreciation by state administrations. This clearly contradicts the fact that customs may provide a significant part of state budget revenues, particularly in less developed countries.

Corruption

As noted above, the system of corruption amongst officials performing control procedures in road transport is deeply rooted within official structures. It has been reported that in certain African countries, for example, officers pay their superiors 500,000 CFA francs (763.35 euros) to be appointed as road traffic inspectors. Such payment is considered an investment that will have good financial returns. In turn, their superiors are entitled to a percentage of the money extorted from road users.

5.7.2. Insufficient knowledge and training of professional drivers

According to reports from road transport unions in West Africa, another factor that results in professional drivers being vulnerable to harassment, extortion and bribes is their lack of knowledge and training of the basic rules and procedures governing border-crossing and transit issues. [7] Many are unaware of the legal requirements they have as drivers and the regulated fees they should incur when crossing borders. Professional drivers may also collude in such unethical activities in order to earn additional money, but such activity can also make them vulnerable.

5.8. Regional aspects and magnitude of cross-border activity

5.8.1. Location of problems

Europe

Border-crossing problems within the European Union are no longer a major issue since the introduction of the single European market, although there are a few exceptions

[6] *National freight logistics strategy*, Department of Transport, South Africa, Sep. 2005.

[7] N. Kabore: "Checkpoint hell" in *Transport International* (London), Issue 19, Apr.-June 2005, pp. 23-25.

such as crossing through the Mont Blanc tunnel between France and Italy and at the Austrian and Swiss borders, where waiting may occur. [8] Border-crossing-related difficulties are concentrated in the east of the European continent and chiefly concern border crossings with Belarus, the Russian Federation and Ukraine. Excessive waiting periods have also been noted at the Belarus-Russian Federation and Poland-Ukraine borders.

Waiting times in the South Caucasus are also relatively long. Beyond continental Europe, extremely long waiting periods at border crossings with Asia have been reported (Iraq and Turkey, Russian Federation and the countries of Central Asia).

Latin America

The Pan-American Highway is the major north-south highway in the region and provides important connectivity in Central America. However, government and business representatives in Latin American countries complain about customs inspections creating long delays at the borders, particularly at the border of Costa Rica. One official noted that Mexico can transport goods to Guatemala in 22 hours because of its fairly good road system and efficient customs procedures. It can then take an average of nine days to get to Panama because of road conditions and customs inspections. [9]

MERCOSUR

MERCOSUR faces significant challenges in providing stable trade relations through road transport. Problems with standardizing border procedures have slowed progress on achieving productivity gains that should normally occur. Countries are focusing much of their attention internally, with an emphasis on protecting production and commodity groups, rather than supporting growing trade through an open boundaries strategy as found in the European Union. [10] On a positive note, MERCOSUR has established size, weight and safety standards for intra-MERCOSUR transport; but consistent border-crossing procedures do not exist. Significant vehicle delays occur at the borders because of the numerous agencies involved in customs, health, and safety inspections. Some believe that there is a strong divergence between the procedures of national customs agencies and MERCOSUR free trade policies.

North America – North American Free Trade Agreement

Cross-border road transport faces a number of issues in the NAFTA region. The challenges tend to be related to poor and inadequate infrastructure; a lack of resources to modernize existing infrastructure; an absence of trained manpower; the insufficient application of technologies; and bottlenecks in the regulations and procedures for the implementation of trade. In the United States, the issue of security has also slowed down border-crossing procedures. However, improved secure container technology and new control technologies procedures in border crossing should help to ease the situation.

[8] ECMT: *Removal of obstacles at border crossings*, op. cit., pp. 2-3.

[9] *Freight transportation: The Latin American market*, (U.S. Department of Transportation, Federal Highway Administration, Aug. 2003), Ch. 2. http://international.fhwa.dot.gov/latinamer/chapter2.htm (accessed 10 May 2006).

[10] ibid., *Executive Summary*, http://international.fhwa.dot.gov/latinamer/execsum.htm (accessed 10 May 2006.

At the United States-Mexico Chamber of Commerce conference held in September 2005 in Acapulco, some of the problem areas and challenges discussed included:

- border-crossing issues such as duplication of efforts, lack of automation and a need for a "one-stop shopping window" approach;
- facilitating connections to different routes at border crossings;
- the implementation of security initiatives as a result of 9/11;
- liability issues in cross-country transportation; and
- inadequate communication among government agencies.

It was also agreed that a coordinated institutional bi-national approach was needed to address the problems in an institutionalized manner. [11]

An analysis of the Laredo/Nuevo Laredo crossing point, which takes most of the United States-Mexico cross-border road freight transport (10,000-15,000 truck crossings daily), illustrated some of the most obvious problems in border crossing:

- legal and institutional restrictions and procedures imposed mutually by Mexico and by the United States;
- excessive stops, interrupting transport flows and making the cargo more susceptible to damage, loss, and tampering; together with additional pollution generated from diesel engines, accelerating, stopping, idling and starting under heavy loads;
- lack of coordinated procedures and data requirements for border crossing;
- border-crossing infrastructure limitations, such as insufficient access roads to the crossing bridges, leading to high levels of congestion;
- limited capacity of some inspection areas, aggravating congestion;
- business practices that unnecessarily create peak hours for border crossings;
- border-crossing services of the drayage [12] industry intensify congestion by doubling the number of vehicles crossing the bridges and by using local streets;
- lack of sufficient government motivation to ensure the personnel required to provide inspections 24 hours/day;
- lack of leadership, both in the private sector and government, to promote change for a more efficient border-crossing system; and

[11] United States-Mexico Chamber of Commerce: *Transporte Internacional. A greater North America transportation & trade initiative* (Washington, D. C., 2005) executive summary, http://www.usmcoc.org/pro/transporteinternacional.html (accessed 10 May 2006).

[12] Moving of intermodal containers or other materials.

- the cultural environment on the United States-Mexican border characterized by language and attitude differences, distrust, and acceptance of bureaucracy. [13]

5.8.2. Magnitude of cross-border movement

In order to define the magnitude of border-crossing issues in international road transport it is necessary to establish the number of international drivers (of trucks, buses and coaches) – or at least the number of vehicles engaged in cross-border traffic. However, arriving at an accurate figure is difficult as there are no official statistics available regarding the number of drivers engaged in international road transport, likewise it is very hard – if not impossible – to determine an approximate number of professional drivers who actually cross borders. This is partly due to the lack of official statistics and partly due to political changes in the nature of the international road transport sector – such as in the former Soviet Union and the Balkans.

The volume of cross-border road transport and the magnitude of related border-crossing issues can only be estimated. Estimates are based on various indicators, data and statistics, such as: trade data, national road haulage association statistics, border-crossing statistics, statistics on the international road transport and customs documentation (such as TIR Carnets), etc.

5.8.2.1. Number of TIR Carnets issued

An increase in the scale of cross-border truck freight transport can be determined by the number of TIR Carnets issued and the number of authorized transport operators able to utilize the TIR Carnets (see table 5.3).

Table 5.3. Transport operators authorized to use TIR Carnets

Country and number of authorized persons			
Albania	11	Kyrgyzstan	16
Armenia	4	Latvia	763
Austria	331	Lebanon	3
Azerbaijan	11	Lithuania	1 034
Belarus	3 233	The former Yugoslav Republic of Macedonia	927
Belgium/Luxembourg	99	Republic of Moldova	143
Bulgaria	3 824	Netherlands	508
Cyprus	45	Norway	21
Croatia	1 322	Poland	3 911
Czech Republic	1 606	Portugal	7
Denmark	63	Romania	2 230
Estonia	334	Russian Federation	684
Finland	329	Serbia and Montenegro	33
France	177	Slovak Republic	1 818
Germany	494	Slovenia	708
Georgia	24	Spain	58
Greece	2 835	Sweden	54
Hungary	1 143	Switzerland	81
Iran (Islamic Republic of)	433	Turkey	816

[13] H.E. Haralambides, M.P. Londono-Kent: "Supply chain bottlenecks: Border crossing inefficiencies between Mexico and the United States", in *International Journal of Transport Economics* (Rome) Vol. XXXI, No. 2, June 2004.

Country and number of authorized persons			
Ireland	0	United Kingdom	124
Italy	509	Ukraine	1 953
Kazakhstan	120	Uzbekistan	11
Kuwait	1		

Source: UNECE, Transport Division: *TIR/Number of Persons authorised to utilise TIR Carnets*, http://www.unece.org/trans/bcf/tir/figures/tir-figures-authoriz.htm (accessed 10 May 2006).

In 1952, approximately 3,000 TIR Carnets were issued and this number increased to 100,000 in 1960 and 800,000 in 1970. During the 1970s and 1980s the demand for TIR Carnets fluctuated between around 500,000 and 900,000. This was partly due to the enlargement of the European Union where TIR Carnets were no longer required for transit operations among its member countries. Since 1989, due to expanding East-West European trade followed by an increase in international road transport, the number of Carnets issued exceeded 1 million in 1992 and 3.2 million in 2005 (see table 5.4 and figure 5.1).

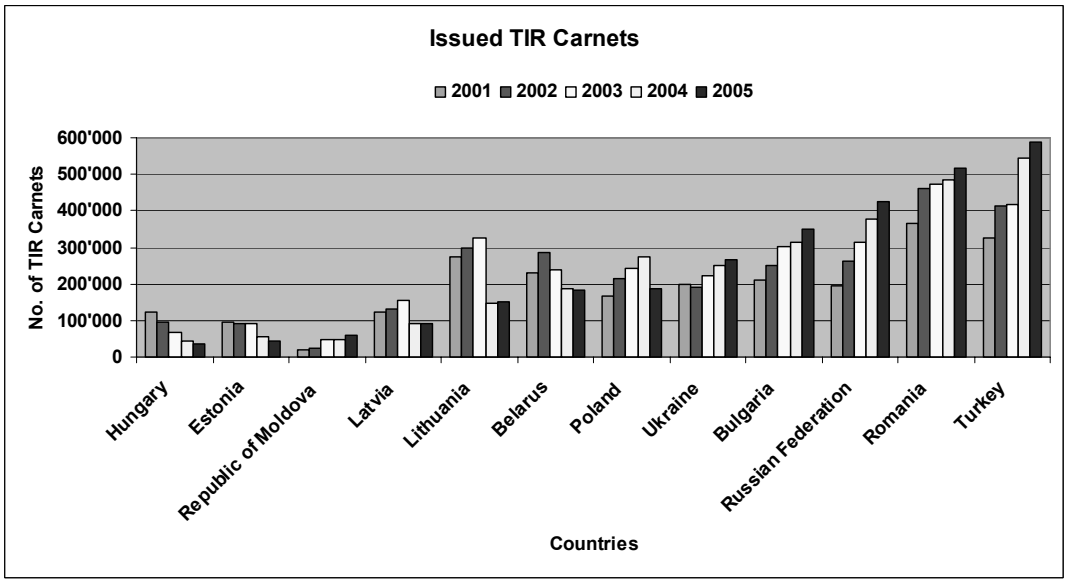
Table 5.4. TIR Carnets issued by the IRU to national associations, 2000-05

Countries	2000	2001	2002	2003	2004	2005
Albania	0	250	500	400	400	800
Austria	15 100	21 000	18 100	20 900	19 850	21 700
Armenia	–	200	100	250	200	300
Azerbaijan	4 000	3 600	1 300	1 900	3 950	5 000
Belarus	230 200	232 000	284 200	237 600	187 000	182 200
Belgium/Luxemburg	2 400	2 200	1 150	1 300	1 200	800
Bulgaria	205 000	211 000	252 000	303 000	313 000	349 000
Croatia	7 700	7 900	9 800	7 650	9 700	9 500
Cyprus	1 000	1 150	950	1 100	1 000	450
Czech Republic	32 550	34 700	34 850	38 950	39 700	37 850
Denmark	7 350	6 350	6 550	5 100	2 600	300
Estonia	79 600	97 000	90 000	91 000	56 000	43 000
Finland	17 000	20 300	19 700	20 050	16 300	17 200
France	18 750	14 250	13 700	13 050	12 300	10 000
Georgia	1 000	2 500	500	2 000	1 050	3 600
Germany	41 400	42 950	42 950	39 950	42 050	35 200
Greece	20 000	22 000	29 400	23 600	40 500	33 200
Hungary	150 600	123 500	95 450	67 650	44 900	34 300
Iran (Islamic Republic of)	30 000	15 000	20 000	33 000	33 000	33 000
Israel	500	0	0	0	0	0
Italy	40 000	41 000	44 000	45 500	37 000	25 000
Jordan	0	150	100	150	0	100
Kazakhstan	10 400	9 100	6 400	17 400	17 000	19 600
Kuwait	500	0	0	500	50	300
Kyrgyzstan	100	550	1 250	2 700	4 900	6 250
Latvia	127 500	124 300	132 000	154 500	91 000	90 000
Lebanon	0	0	50	50	0	0

Countries	2000	2001	2002	2003	2004	2005
Lithuania	247 000	275 900	299 500	327 200	148 700	151 600
Mongolia	–	–	–	–	150	0
Morocco	0	0	0	0	100	0
Netherlands	46 450	33 350	30 950	22 600	22 200	15 600
Norway	500	500	500	0	0	100
Poland	244 500	167 000	213 500	244 000	273 500	188 000
Portugal	0	0	200	200	700	3 000
Republic of Moldova	18 000	21 100	24 450	46 800	46 900	58 500
Romania	333 000	363 800	462 600	472 900	486 300	514 700
Russian Federation	236 800	192 800	263 700	313 550	375 650	424 000
Serbia and Montenegro	–	–	–	2 050	5 350	5 000
Slovakia	35 550	31 100	28 050	34 800	18 450	20 900
Slovenia	20 500	19 300	17 800	18 600	22 000	6 550
Spain	1 000	2 000	2 200	2 000	3 000	2 000
Sweden	4 900	5 200	2 600	3 400	1 500	1 550
Switzerland	2 200	3 200	2 400	2 600	1 600	1 450
Syrian Arab Republic	700	1 400	900	1 300	900	1 500
Tajikistan	–	–	–	–	0	50
The former Yugoslav Republic of Macedonia	17 050	22 100	29 300	27 400	27 400	27 700
Tunisia	0	0	0	0	0	0
Turkey	336 000	327 200	412 000	419 000	544 000	589 000
Turkmenistan	–	150	0	150	200	400
Ukraine	184 000	200 000	190 000	222 500	251 000	266 000
United Kingdom	10 900	9 800	7 650	6 000	4 400	2 600
Uzbekistan	900	600	500	900	2 400	1 800
Yugoslavia	–	700	1 400	800	–	–
Total	**2 782 600**	**2 710 150**	**3 095 200**	**3 298 000**	**3 211 050**	**3 240 650**

Source: UNECE, Transport Division: *TIR Carnets issued by the IRU to national associations*, 2005, http://www.unece.org/trans/bcf/tir/handbook/english/tircarnet06.pdf (accessed 10 May 2006).

Figure 5.1. Twelve countries with the highest number of TIR Carnets issued by the IRU (to their national associations) in the 2001-05 period



Good statistics on border crossings in the United States are maintained. Tables 5.5 and 5.6 show the volume of cross-border traffic between the United States and Canada, and the United States and Mexico.

Table 5.5. Border crossings – Trucks and buses (United States-Canada and United States-Mexico)

Border	1997	1998	1999	2000	2001	2002	2003
United States Canadian border	5 990 416	6 433 231	6 997 939	7 232 094	6 943 920	7 076 934	6 884 816
United States Mexican border	3 858 474	4 189 715	4 613 379	4 759 037	4 580 355	4 735 953	4 557 132

Source: Based on United States Department of Transportation: *NAFTA Safety Stats*, available at http://ai.volpe.dot.gov/International/border.asp?redirect=Compare.asp, accessed on 10 May 2006.

Table 5.6. Border crossings – Trucks only (United States-Canada and United States-Mexico)

Border	1997	1998	1999	2000	2001	2002	2003
United States Canadian border	5 826 974	6 270 934	6 817 447	7 048 128	6 776 909	6 915 973	6 728 228
United States Mexican border	3 689 665	3 946 543	4 358 121	4 525 579	4 304 959	4 426 593	4 238 045

Source: Based on United States Department of Transportation: *NAFTA Safety Stats*, available at http://ai.volpe.dot.gov/International/border.asp?redirect=Compare.asp, accessed on 10 May 2006.

5.9. Quantifying the effects of border-crossing issues

Africa

The transactions costs in Africa remain extremely high relative to other regions. In many African countries, transport costs are six times higher than in Pakistan. The system of roadblocks in many African countries results in excessive delays and a substantial

increase in transport costs. [14] The landlocked countries are particularly affected by additional costs due to border crossing and transiting (see box 5.3).

Box 5.3.
Transport costs in a landlocked country

In many landlocked developing countries, notably in Africa, inland transport accounts for more than half of the total door-to-door transport time and cost of imports and exports. For example, transporting goods from the port of Mombasa, Kenya, over a distance of 1,700 km to Kigali, Rwanda, takes up to 30 days and costs between US$3,000 to $4,000 per twenty-foot tonne equivalent unit (TEU). In comparison, a container delivered to Mombasa from Europe, more than 7,000 km away, takes around 18 days and costs US$1,500 to ship.

Source: WTO: *Transit problems for landlocked developing countries – An experience from UNCTAD* (Geneva, Oct. 2000), doc. G/C/W/230.

Central Asia

Transport by road is primarily used for connecting Central Asia with markets in Western Europe, Turkey and the Russian Federation. Among the main road transport routes, which serve the region, two are examined in more detail below. These are the road transport routes between Central Asia and:

- countries in Europe via the northern route through Kazakhstan, Russian Federation, Belarus, Poland and Germany;
- countries in Europe via the southern route through the Islamic Republic of Iran, Turkey, and the Balkan countries.

Routes chosen by transport operators vary from country to country. Truck operators in Kazakhstan, for example, prefer the northern route into Europe, which has an average transit time of 10-13 days, whereas operators in Uzbekistan tend to choose the significantly longer southern route to enter the European Union, with an average transit time of about 20 days. Since the two major cities of Kazakhstan and Uzbekistan, Tashkent and Almaty, are very close to each other and the distance along the northern route from European Union countries to Tashkent is virtually the same as to Almaty, the rationale underlying route selection obviously relates to factors other than distance, for instance transit fees.

The different costs of the various transport corridors are of particular importance to the Central Asian countries. The North Corridor via the Russian Federation is the most competitive even when the second leg to the port is added. At the same time the costs, particularly the average costs per km on the Transport Corridor Europe-Caucasus-Asia (TRACECA), show that this route could become highly competitive if impediments to international transport were abolished. Similarly, the road corridor via the Islamic Republic of Iran has considerable potential, if the deregulation of international road transport services were to gain pace.

Overall road transport time between countries in Central Asia and Europe varies between ten and 20 days depending on the route and country. Factors influencing the time include: border-crossing procedures, regulations for issuance of visas, customs transit regulations, control stops by traffic police and road conditions.

[14] WTO: C.T. Mwalwanda: *Trade facilitation in Africa: Challenges and opportunities, opening remarks*, Capacity-building workshop for the African Region on trade facilitation, Geneva, 10 March 2005, http://www.uneca.org/eca_programmes/trade_and_regional_integration/documents/opening_remarks_Trade_Facilitation_ECA_StatementCMPicture.htm (accessed 10 May 2006).

Analysis of the transit time along the northern route indicates that more than 50 per cent of the transit time is spent waiting at border-crossing points between Kazakhstan and the Russian Federation (3-4 days) and between the Russian Federation and Belarus (4-7 days). The latter waiting time is surprising given the exceptionally close ties between the two countries. Assuming that waiting times could be reduced through policy measures to, say, five hours at each border, transit time would then be reduced by more than 50 per cent to about six days.

Americas

There is evidence that waiting times at border crossings in the Americas, due to inadequate and ageing infrastructures, also have negative economic impacts. An example is given in box 5.4.

Box 5.4.
Economic impacts of wait times in the San Diego-Baja California border region

Inadequate infrastructure capacity at the border crossings between San Diego County and Baja California currently creates traffic congestion and delays for cross-border personal trips and freight movements that cost the United States and Mexican economies an estimated US$6 billion in gross output and more than 51,000 jobs in 2005.

Inadequate and ageing infrastructure and more stringent security requirements create congestion at these two commercial border crossings.

Border delays in freight movement result in increased transportation costs and interruptions in manufacturing and delivery cycles. It is estimated that at today's level of processing time at the border – about two hours per truck – San Diego County loses $455 million in annual revenue from reduced freight activity. This translates into more than 2,400 jobs or $131 million in lost labour income a year. Forty-five per cent of labour income losses are in the machinery and equipment sector.

The overall impact at the state level is $716 million in output losses and $204 million in labour income losses (or more than 3,600 jobs). For the United States, total output losses are estimated at $1.3 billion and employment losses at 7,646 jobs.

The overall economic impacts of delaying trucks at the border are substantially higher on the Mexican side of the border than the American side. For Baja California, total output losses amount to $1.317 billion and 6,929 jobs annually. Though the machinery and equipment sector is the most affected in terms of output losses (over $655 million), manufactured goods and agricultural and food products represent 74 per cent of jobs lost. For Mexico, total impact is estimated at $2.069 billion in lost output and 10,889 fewer jobs.

Source: San Diego Association of Governments (SANDAG): *Economic impacts of wait times in the San Diego-Baja California border region*, Fact sheet, available at, http://www.sandag.cog.ca.us/index.asp?projectid=253&fuseaction=projects.detail, accessed 05/04/2006.

6. Living and working conditions

Poor infrastructure, inefficient organization of official procedures and unprofessional border officials often negatively impact on the living and working conditions of international drivers at border crossings. Extended waiting periods and annoyances caused by these issues create a further need to maintain adequate facilities at borders, as the lack of services generate a hardship for drivers and can cause health and safety problems. Aspects include the need to have or improve:

- parking and security;
- welfare facilities, including proper sanitation;
- resting places;
- food and beverage services; and
- communication tools.

Failure to provide such amenities often causes drivers stress and fatigue, as well as breaches in working-time legislation, and frequently lead to accidents and fatalities. Long queues without sanitary facilities can create environmental problems through emissions and diseases due to human waste – not only among the driver community but also the border personnel and population living in the direct vicinity of crossing points. Furthermore, poor security can result in theft and violence, with criminals attempting to hijack buses and lorries. In this regard, the ITF works with affiliated trade unions to call on employers to introduce proper protection for drivers and to ensure smooth and lawful border crossings.

Extended delays at the border also impact on drivers' income. Many are paid a flat rate for delivery, regardless of the time it takes. Therefore, an extended delay cuts into their ability to make their delivery in a timely manner, thus preventing them taking on more work and earning more. A more positive response by governments to address the issue of poor conditions at the borders, which can also be inhumane, would help reduce the negative impact on the safety and health of all people using the road.

Furthermore, as previously mentioned, unprofessional border officials have been known to carry out corrupt practices in certain areas. Their lack of integrity and the poor supervision to which they are subject create a difficult situation for drivers forced into compromising positions. This can impact on a driver's income as these fees are not always reimbursed by employers. More needs to be done by all in the sector to combat this problem.

6.1. Excessive border delays

6.1.1. Europe

Europe-Asia links

Long waiting times at border crossings in Europe have been reported mainly in the east of the continent. Some extremely long periods recorded included:

- 12 to 48 hours at the border between Poland and Belarus;
- 20 to 48 hours at the border between Finland and the Russian Federation;
- over 24 hours at the border between Ukraine and Belarus;
- 12 to 72 hours at Latvia's borders with the Russian Federation and Belarus;
- ten to 20 hours at the border between Estonia and the Russian Federation; and
- a minimum of ten hours or much longer at the Poland-Ukraine border.

Excessive periods have also been experienced at the Belarus-Russian Federation border. [1]

The Trade and Transport Facilitation in the South Caucasus programme has reported the following waiting periods:

- up to nine hours at the borders of Azerbaijan, even though the control process should only be one hour;
- six to seven hours at the borders of Armenia, even though the control process should only be one hour; and
- up to ten hours at the borders of Georgia, including four hours for the control process.

Extremely long waiting periods have also been recorded at border crossings with Asia, reaching up to 72 hours between Turkey and Iraq, and between the Russian Federation and Central Asian countries.

Europe-Switzerland links

According to information provided by Unia, Switzerland's inter-professional trade union, international drivers entering Switzerland experience problems with delays at border crossings due to customs and other procedures. According to the 2004 ECMT report, drivers in transit also encounter inadequacies in border facilities.

6.1.2. Africa

Southern Africa

Table 6.1 indicates delays experienced at various southern African borders where a 24-hour wait to cross a border is typical – and the period can be longer. The border delay is estimated at 36 hours at both the South Africa-Zimbabwe border post at Beitbridge and the Zimbabwe-Zambia border post at Victoria Falls. In East Africa, long delays are recorded along the Djibouti-Ethiopia Corridor.

[1] Source: ECMT: *Removal of obstacles at border crossings*, op. cit.

Table 6.1. Delays at selected border posts in southern Africa, 2000

Corridor	Border post	Countries	Estimated border delay (hours)
Beira	Machipanda	Mozambique and Zimbabwe	24
	Zobue	Mozambique and Malawi	24
	Mutare	Mozambique and Zimbabwe	26
Maputo	Ressano Garcia	South Africa and Mozambique	6
	Namaacha	Swaziland and Mozambique	4
North-South	Beitbridge	South Africa and Zimbabwe	36
	Chirundu	Zimbabwe and Zambia	24
	Victoria Falls	Zimbabwe and Zambia	36
	Martins Drift	South Africa and Botswana	6
Trans-Caprivi	Kazungula	Botswana and Zambia	24
Trans-Kalahari	Buitepos	Namibia and Botswana	6
	Pioneer Gate	Botswana and South Africa	4
Tanzam	Nakonde	Zambia and the United Republic of Tanzania	17

Source: UNECA: Economic report on Africa 2004. Unlocking Africa's trade potential (Addis Ababa, 2004), table 5.5 (based on World Bank, 2000), p. 172.

According to a 2006 report from the South African Transport and Allied Workers' Union (SATAWU), international drivers in South Africa continue to experience serious troubles on border crossings with neighbouring countries. Particularly problematic are those borders which trucks cross on a daily basis:

- between South Africa and Swaziland (Oshoek border post);
- between South Africa and Zimbabwe (Beitbridge border post);
- between South Africa and Botswana (Zeerust border post);
- between South Africa and Namibia (Nakop border post).

The Beitbridge and Zeerust border posts are recognized as the most difficult and drivers often have to wait for two or three days. Following cargo checks and on examination of transport documentation, drivers are often advised that their documents are incomplete and further delays can be expected unless a "fee" is offered to the official. The problem is heightened by the fact that there are no facilities at these posts.

6.2. Unofficial payments and harassment

Unofficial payments represent a major issue for drivers, employers, governments and even consumers. These added expenses are sometimes not reimbursed to the driver, thereby creating a financial burden for many. Examples of difficult choices faced by drivers in selected European countries are indicated in box 6.1. Drivers and companies absorb the main expenditure, but governments lose duties on goods, and costs are often passed on throughout the supply chain to other businesses and ultimately the consumer.

Box 6.1.
Reported cases of additional payments

Romania

At the Hungarian-Romanian border, a vehicle was weighed and the axle weight load exceeded 1.2 tonnes. A fine had to be paid otherwise the truck would have been forced to remain at the border. The official fine was 700 euros but if the driver was willing to forego a receipt, only 250 euros would be charged.

Ukraine

At the Hungarian-Ukrainian border, a driver had to pay officials for various services:

- military control (5 euros);
- phytopathologic control (5 euros);
- sanitary control (5 euros);
- customs control (5 euros);
- at the exit from parking place (5 euros).

Refusal to pay would have resulted in serious delays.

Russian Federation

At the Ukrainian-Russian border a driver had to pay officials for various services:

- military control (5 euros – payment in roubles);
- transport control (because of visa) (50 euros – payment in roubles);
- phytopathologic control (5 euros – payment in roubles);
- sanitary control (5 euros – payment in roubles);
- customs control (5 euros – payment in roubles);
- at the exit from parking place (5 euros – payment in roubles).

On the return trip, the payment procedure was repeated and no consideration was given to the fact that the truck was not loaded.

Source: Based on information acquired by the Faculty of Maritime Studies and Transport of the University of Ljubljana from Slovenian hauliers in 2005.

Reimbursement is usually at the discretion of the company. Because of the difficulties providing evidence of such payments, reimbursement depends on the trust between the driver and the company. Sometimes drivers falsely claim that they have made payments or inflate the fee, so the most reliable and trustworthy drivers are selected for trips in these areas. However, many go without reimbursement for fees paid. The responsibility of governments for such activities is often overlooked.

According to Slovenian hauliers, unofficial payments to officials not only occur at borders, but also within countries. It can happen during traffic control, unofficial checkpoints or when customs clearance takes place in the interior of the country.

6.2.1. Europe

Eastern European countries

Tables 6.2-6.4, based on information received from the IRU, describe the nature of corruption by border officials.

Table 6.2. Unofficial payments in Kazakhstan

Service	Location	Issue
Customs	Žana Žol	Extortion of drivers throughout the process of preparation of transport documentation
	Čimkent	Extortion of money from drivers for unobstructed passage/crossing
	Žezkent	The amount of bribe – 400 tenges (approx. US$1=134.348 tenges)
	Kordaj	The amount of bribe – 1,500 tenges
	Petropavlovsk	Payment for processing carnet MDP – 5,000 tenges
	Kaplanbek	Extortion of money for arranging (processing) documentation
Traffic police/ inspection	Pavlodarska oblast (region)	Extortion of money
	Sarkand	Bribe for passing over
	Taldi-Kurgan	Taxes (extortion) for drivers from Kyrgyzstan
	Kapčagaj	The volume (amount) of bribe – 3,000 tenges
	Uzunagač	Payment of bribe (1,000 tenges) for truck drivers from Kyrgyzstan
Military	Žana Žol	Extortion of drivers throughout the process of preparation of transport documentation

Note: (a) Most complaints about the work of Kazakhstan agencies were made by Kyrgyzstan drivers. (b) All fees/charges were collected without a receipt being issued.
Source: IRU.

Table 6.3. Unofficial payments in Ukraine

Service	Location	Issue
Customs	Novi Jariloviči	Collecting money from drivers under the pretext of vehicle inspection and for arranging (processing) documents
	Kijev	Money collected from drivers for acquisition of document that customs is obliged to prepare without charge
	Čop	Every vehicle is charged a minimum of 50 grivens for processing; alternative proposed: to carry out a paid inspection or to give bribe
	Mogiljov (Podolsk)	Money collected from arranging documents
	Goptivka	Money collected from arranging documents
Border service	Novoazovsk	Asking drivers for money; unofficial payments up to 1,000 roubles (US$1=about 30 roubles)
Customs and border service	Domanovo (Užgorod)	Fixed unofficial sum of bribe: plant quarantine – 15 griven (US$1=5 griven), customs official – 60 griven
	Jagodin	Required payment of a bribe; threatening with vehicle inspection without any real reason or with setting vehicle in a queue (convoy), or demand payment of 50 per cent of the amount on hand
	Bačevsk	Requiring money for acquirement of completed documentation
	Sinkivka	Requiring money for completing the documents
	Porubna	Payment of 20 griven for entrance; delaying the processing of documents
	Iljičevsk	Payment to the customs official for quality stamp – US$30

Note: All fees/charges were collected without a receipt being issued.
Source: IRU.

Table 6.4. Unofficial payments in the Russian Federation

Service	Location	Issue
Customs	Smolensk	Additional cargo certificate (document) required or payment of 3,000 roubles
	Jarag Kazmaljar (Dagestan)	Standard amount of bribe – 600 roubles
	Veselo Voznecensk	Additional services proposed – if the driver does not agree, the procedures are impeded
	Sovetsk (Kaliningradgrajska oblast)	Intentional blockade of the queue in order to collect money for quicker crossing
	Burački, Ubilinka	Taking 30 euros per haulage under the pretext of preparation of the documents in simple form, this is actually impeding the preparation
Traffic inspection/ weighing	Krasnaja gorka	
	Jarag Kazmaljar (Dagestan)	Standard amount of bribe – 600 roubles
	Veselo Voznecensk	Additional services proposed, if the driver disagrees the procedures are impeded
	Port Novorosinjsk	Weighing machine always indicates excessive weight
	Čudovo	Extortion at the vehicle weighing according to the weight of cargo
	Krasnoje (highway M1)	Difference in weighing of up to 1,500 kg per vehicle
	Osinovaja roša (St. Petersburg)	Axle weight load always stated (exceeded) at the vehicle weighing, driver is threatened with seizure of driving licence; contented with a bribe
	Pavlovsk, Baškirija	Taking bribes due to presumption of smuggling or incorrect documents, etc.
Traffic police – municipal, state	Tatarija	Weighing vehicles; extortion in the period of seasonal roadblocks; demand money from drivers without any reason – reason is found out in case of resistance
	Orlovska oblast	A copy of ADR in Russian verified by notary is required
	Samur	Always ask (demand) money from drivers from Azerbaijan
	Bačevsk-Trojebortnoje	Extortion in the period of seasonal roadblocks
	Brjansk	Taking bribes because of supposed incorrect completion of documents
	Jarag Kazmaljar (Dagestan)	Standard amount of bribe – 600 roubles
	Krasnodarski kraj	A copy of international documents in Russian verified by notary is required
	Rostovska oblast	Always ask (demand) money because of supposed incorrect completion of documents

Note: (a) All fees/charges were collected without a receipt being issued. (b) The amount of unofficial fees in the Russian Federation ranges from 50 to 5,000 roubles.
Source: IRU.

6.2.2. Africa

According to reports from the participants at a road transport union seminar in Ghana in 2004, the problem of harassment by police and customs as well as other inspection

officers against international road transport workers continues to be a great concern in West Africa. [2] They noted that discriminating practices often happened at national border crossings, unofficial checkpoints along major international corridors, and at state or provincial borders. The intra-country checks were carried out by inland or regional "branches" of border inspection services, or by individual or group initiatives. Countries identified where officials harass international transport drivers and crew were Benin, Burkina Faso, Côte d'Ivoire, Mali and Togo.

Cases of passenger harassment have also been reported on buses. According to one trade union in Nigeria, passengers travelling on buses through Benin and Togo were taken to police stations where they were forced to pay between 500 and 1,000 CFA francs per person in order to recover their identity cards or vaccination books and to be able to continue on their journey.

6.3. Case studies

6.3.1. MERCOSUR: Brazil

Delays and conditions

International bus/coach and truck drivers in Latin America experience the same serious problems relating to cross-border traffic as their colleagues in other parts of the world. Many Brazilian truck drivers complain about long waiting times to cross borders, where there are no appropriate sanitary and welfare facilities.

Checkpoints

The problem of checkpoints and police harassment also exists in Latin American countries. Brazilian drivers have been subjected to harassment when travelling through neighbouring countries, as have drivers from neighbouring countries when in Brazil. A driver reported that there were as many as 15 police checkpoints on a 300 km route from Foz do Iguaçu in Brazil to Asunción, Paraguay, where drivers were forced to pay fees.

6.3.2. North-East Europe: Finland-Russian Federation border at Vaalimaa

More than 850,000 trucks crossed Finland's eastern border with the Russian Federation in 2005 – 80 per cent of which were licensed in the Russian Federation. The busiest border-crossing station is Vaalimaa, where traffic has grown 80 per cent since 2000. In 2002, 2.5 million crossings were made here out of a total of 6.1 million. Long queues and delays are common – queues can be more than 20 km long. Finnish officials report that the primary cause is due to the inability of Russian customs to manage efficiently the volume of traffic.

A short survey conducted at Vaalimaa in February 2006 by Tampere Polytechnic University of Applied Science was based on interviews of 73 drivers, of which 80 per cent were Russian. Finnish drivers, who accounted for the other 20 per cent, made several hundred border crossings per year (238 on average), while Russian drivers made fewer crossings (44 border crossing per year on average). Research showed that the crossing times of drivers varied considerably:

[2] N. Kabore: "Checkpoint Hell", op. cit.

- shortest: ten minutes to two hours for Finnish drivers and 30 minutes to six hours for Russian drivers;
- longest: six hours to 20 hours for Finnish drivers and ten hours to three days for Russian drivers;
- average: three hours for Finnish drivers and 14 hours for Russian drivers.

Drivers credit delays to the inefficiency of Russian customs. The primary reason for the extreme wait differential may be attributed to a bilateral agreement, which permits Finnish drivers transporting wood from the Russian Federation to Finland to cross the border without stopping.

Drivers also reported that long waiting times were frustrating and had a negative impact on their motivation. Delays also affected their income, since many were paid a specific amount for each haulage, regardless of the time it took.

6.4. Transit-related issues

6.4.1. Checkpoints: Africa

According to the United Nations Economic Commission for Africa (UNECA), roadblocks are a serious detriment to trade in Africa and cause extreme delays and increased transport costs. Between Douala and Bertoua in Cameroon, for example, 47 roadblocks were reported over a distance of about 500 km. [3] According to the same source, nearly all Economic Community of West African States (ECOWAS) member States maintain checkpoints, where drivers are sometimes subjected to administrative harassment and numerous extortion (see table 6.5).

Table 6.5. Checkpoints along major ECOWAS highways

Highways	Distance (km)	Number of checkpoints	Checkpoints per 100 km
Lagos-Abidjan	992	69	7
Cotonou-Niamey	1 036	34	3
Lomé-Ouagadougou	989	34	4
Accra-Ouagadougou	972	15	2
Abidjan-Ouagadougou	1 122	37	3
Niamey-Ouagadougou	529	20	4

Source: ECOWAS official site, 2003, cited in: *Economic report on Africa 2004*, op. cit., p. 167.

Payments at checkpoints include taxes, transit charges and bribes which vary according to the type of vehicle, type of goods transported and the nationality of the transporter/driver. They may involve the police, customs officers and/or gendarmes. [4] Some of these checkpoints are legal, others are not, though their proliferation is an affront to the economic concerns of both the transport and the long-term economies of the countries involved.

[3] UNECA: *Economic report on Africa 2004*, op. cit., p. 166.

[4] ibid.

According to a review of the status of implementation of the Trans-African Highways network, jointly commissioned in 2002 by the UNECA and the African Development Bank, the payment at checkpoints between Abidjan and Ouagadougou varies between 1,000 CFA francs and 5,000 CFA francs. On the Trans-Sahelien Highway between Ouagadougou and Niamey, a distance of 529 km, trucks were charged an estimated 100,000 CFA francs.

Box 6.2.
Crossing Burkina Faso – From Mali to Togo

In 2002, road transport unions in Burkina Faso calculated the number of checkpoints at which a goods transport vehicle would have to stop when crossing Burkina Faso from the Mali border (Faramana) to the Togo border (Cinkansé) en route to the port of Lomé. The effects of the stops at the checkpoints were also quantified.

Along a section of road of less than 900 km, there were 25 police and customs inspection posts (an average of one stop every 36 km). The loss of time at the inspection posts amounted to nearly three and a half hours. Additionally, loaded vehicles had to wait half a day at the border due to formalities and if the driver refused to pay the customs officers, the vehicle could well be stranded at the border for another two to three days. In cases where documents covering the vehicle or load had expired, the vehicle crew could be stranded at the border for a week – unless they bribed the officers.

Source: N. Kabore: "Checkpoint Hell", op. cit.

The loss of time and increase in costs resulting from these stops is staggering (see box 6.2). For example, the trip from Bangui in the Central African Republic to Douala in Cameroon, which can be made in three days, usually takes from seven to ten days. Checkpoints are also a problem in eastern Africa. For example, there are 27 police controls between Mombasa, Kenya and the Ugandan border. Within Uganda there are four checkpoints and five obligatory stop zones for transit vehicles.

6.4.2. Transit fees: Central Asia

The transit fees and charges on two transport routes between Central Asia and Europe are listed below.

Northern route

The Russian Federation customs operate a "customs convoy" and its official charge per truck is said to be US$200. However, the total costs for the convoy per truck is reported to be US$1,500, including rent sought by the convoy operators.

Belarus imposes a number of charges such as entry charge, customs stamp charges, compulsory insurance (despite the green card), ecological fees, local levies, parking fees, a road fee for the main trunk route and so on. This amounts to about $300 per journey.

Southern route

Turkmenistan imposes a variety of different charges and levies, reported to range from $650 to $1,000 depending on several factors.

In Central Asia the regions of Armenia and Georgia levy high transit fees on foreign road vehicles. By contrast, there are no formal transit fees in Azerbaijan, the Islamic Republic of Iran or Turkey. However, all countries apply road transport quotas; i.e. the number of vehicles per year allowed to enter and/or pass through the country's territory, by nation, is restricted. The level of official transit and entry fees often becomes the main item on the negotiating agenda. The most expensive countries in this comparison are Tajikistan ($1.3 per km), Georgia ($0.86 per km), Uzbekistan ($0.7 per km) and Turkmenistan ($0.61 per km). Even the charges per km in these countries are much lower than the ones applied in South-East European and Central European countries.

7. Removing obstacles – Possible solutions

Any attempt to remove obstacles to facilitate cross-border trade must be accompanied by large-scale trade and transport facilitation measures and take into consideration the issue of national security. Multilateral and bilateral agreements should strive to make crossing borders more efficient, while maintaining a rational balance between facilitation and security requirements. New technologies and good practices used in some areas provide examples of how improvements can be made.

The primary concern for the ILO is that living and working conditions of drivers and other workers in the international road transport sector be considered when undertaking these measures. If drivers' living and working conditions are not improved, it will not only be difficult to attract enough professional drivers to keep up with demand but also to draw young men and women into the career – essential for sustaining the industry.

In addition to harmonizing procedures, working time legislation and enforcement need to be synchronized. Although many countries have adequate laws concerning working time and periods of rest, their enforcement is relatively weak. This is a very serious issue as regulations on drivers' hours, including periods of rest, are often ignored. It is acknowledged that better enforcement can help to reduce accidents. [1] The competitive edge for transport companies should not be gained by poor working standards, but by the skill and efficiency of their service. Therefore, it is essential to raise the standards of labour legislation and enforcement so as to create a level playing field for enterprises and drivers and to improve health and safety in the sector, which in turn will smooth the progress of cross-border trade.

Although there are other established practices and examples of positive steps to improve efficiency of border traffic, the 2004 ECMT report put forth a series of constructive solutions and recommendations to address the primary issues and obstacles at border crossings, which are in line with ILO priorities. The following examples come directly from this report.

7.1. Infrastructure

Infrastructure-related solutions for the removal of obstacles at border crossings should be based on:

7.1.1. Improving facilities at borders

Ways to improve border facilities should include ensuring that the equipment used in control procedures (such as computers, X-ray equipment and scanners, weighing machines, facilities for phytosanitary controls, etc.) all work and are understood by staff. In addition, border services facilities (customs, phytosanitary, veterinary …) need to be modernized. Provision should also be made for a sufficient number of windows (to handle the real volume of traffic as well as the foreseeable increase) and adequate parking places.

[1] J.K. Beaulieu: *The issues of fatigue and working time in the road transport sector* (Geneva, ILO, 2005).

7.1.2. Improving access to border crossings

Access could be improved by widening roads and creating additional lanes – including lanes for trucks in transit/empty trucks which would keep traffic fluid. The use of TIR Carnets in separate lanes (see box 7.1) would also help. Sufficient, well-equipped and secure parking facilities at borders would smooth border crossings. In addition, efforts should be made to avoid queuing. A great deal of corruption and illegal activity appears to take place in truck queues (as reported in the 2005 IRU survey), which are often several kilometres long on public highways.

Box 7.1.
Removal of obstacles – Separate TIR lanes

TIR Carnets can be used only at certain customs offices. They make sample checks possible at border crossings. thus cutting drivers' waiting time. To maximize the TIR system, there must be adequate border-crossing infrastructure. For this purpose, special separate lanes for trucks with TIR Carnets should be constructed.

Border crossings, which are opened for TIR traffic, also need to have adequate road access. According to a TTFSE report, there is a customs office in one of the Balkan countries with an access road which permits maximum loads of only 3.5 t. In cases where heavier loads are on board, special "permission" costing US$110 must be obtained.

Source: TTFSE: *Provision of consulting services in user survey design and implementation, Interim report I*; (Contracting Party: World Bank: Contractor: PlanConsult Holding GmbH, Vienna), Apr. 2002, p. 26.

7.2. Procedures

In order to remove obstacles at border crossings, procedures should be harmonized, especially by implementing the following measures:

- **introduction of joint customs posts:** customs and non-customs controls should be carried out in common by the authorities on either side of the border in a common border processing zone;

- **general use of sample checks:** these should be based on non-subjective criteria using risk management techniques;

- **development of non-stop service controls:** phytosanitary and veterinary controls should be performed non stop or, if this proves impossible, adjusted to the pattern of traffic flows and working hours of different control agencies at the same border crossing;

- **transfer of control procedures:** these could be transferred to sites inside the country, especially for transit, or to the place of destination;

- **introduction of new, simplified standardized control procedures:** the introduction of new regulations should be based on existing international instruments (Conventions, resolutions, agreements – bilateral and multilateral) aimed at the harmonization and simplification of procedures, the facilitation of transit transport and increased transparency and stability. There are already numerous international instruments, recommendations and model bilateral agreements that can serve as a reference. The necessary harmonization and simplification measures should also concern the documents to be submitted to the controlling authorities, which should be standardized. Customs and other border control agencies should apply the "single window" or "one-stop-shop" control technology in order to accelerate border-crossing

traffic. Combined with a reasonable pre-notification system, efficiency and security could well be targeted;

- **increasing employment of information and communications technology (ICT) – computerization of procedures:** newly introduced procedures/regulations should also be accompanied by increased computerization, especially of customs procedures. Two examples of such an approach include the introduction of a system like the automated system for customs data (ASYCUDA) developed by the United Nations Conference on Trade and Development (UNCTAD) (it has been recommended by several programmes aiming at trade and transport facilitation in Europe, Africa and Asia) and the introduction of a computerized control system for TIR Carnets. This could be made compulsory with an amendment to the TIR Convention (box 7.2 describes the introduction of ICT at a border between Botswana and South Africa);

Box 7.2.
Introduction of ICT into border-crossing procedures in South Africa

Excessive and complicated manual paperwork can be alleviated or resolved by introducing ICT support. The Southern African Development Community ministers have discussed this issue and proposed the introduction of electronic access. Reportedly such a system is operating at the Zeerust border crossing between Botswana and South Africa.

The introduction of ICT into border-crossing procedures alleviates the problems caused by inadequate border facilities. Shorter waiting times reduce the need for truck parking places, driver rest facilities and improved security for trucks, transport workers and cargo, etc. It goes without saying that they do not negate the need for decent border facilities.

- **strict compliance with the provisions of the TIR Convention:** compliance with the provisions of the TIR Convention should be accompanied by considerations relating to freedom of transit as instituted by Article V of GATT. A specific legal instrument for road transit may need to be developed within the WTO based on this Article;

- **simplification and harmonization of vehicle weighing procedures:** vehicle weighing protocols should be mutually recognized and an international weight certificate should be adopted;

- **improved coordination between the customs authorities of neighbouring countries:** coordination should be implemented by promoting permanent contacts and exchanges of information (see box 7.3). Coordination could be enhanced by the use of modern means of communication which would facilitate the exchange of information as well as foster increased consultation both between national administrations and between national administrations and carriers. This would help to resolve problems like the safety of drivers, loads and vehicles and organized fraud on an international scale;

- **improved cooperation between national administrations:** this could be achieved through task delegation, sharing of information and coordination between the various authorities at border crossings in order to avoid duplication of checks and procedures;

- **reduction/simplification of taxes, fees and duties charged at border crossings:** taxes, fees and duties would need to be administered transparently. Providing an integrated service by creating single payment points at borders would certainly help;

Box 7.3.
Coordination between customs in Finland, Sweden and the Russian Federation

The "Green Line" customs project, a development project between Finnish, Swedish and Russian customs services, started in 2003. The objective of this pilot project is to: expedite border crossings, expedite the customs procedures at destination customs point in the Russian Federation and facilitate international shipments for processing. Customs data is transferred electronically between customs of the two European Union countries and Russian countries.

Experiences of participating companies (only a limited number of pilot firms were selected) from the project are various. Finnish exporters for example, reported that the system expedites border crossings to the Russian Federation, but declarations are still required as hard copies at destination customs posts, which undermines the original purpose of the Green Line. Despite deficiencies, the Green Line project represents progress as it is the first concrete step towards creation of an electronic link for operational customs data between the European Union and the Russian Federation.

Source: World Bank: *Trade and Transport Facilitation Audit of The Baltic States (TTFBS): On a fast track to economic development*, prepared by Lauri Ojala, Tapio Naula and Torsten Hoffmann for the Infrastructure and Energy Services Department, Europe and Central Asia Region, February 2005.

- **improved communication with the private sector:** improved communication between border control authorities should provide information about current regulations, procedures and rules at border crossings. These should be available electronically or as published booklets;

- **harmonization/reduction (if possible) of traffic bans:** traffic bans are usually related to road freight transport (e.g. heavy goods vehicles – more than 3.5 tonnes) due to, for example national holidays, weekends, etc. Such bans cause considerable variations in traffic levels at border crossings, thus increasing waiting times and causing variations in the workload of control personnel. Traffic bans are sometimes not harmonized among the neighbouring countries. Consideration should be given to harmonizing or reducing such bans, where possible, without unduly impeding public safety and convenience;

- **strategy to fight illegal immigration and combat organized crime:** a coherent and harmonized multilateral strategy should be developed to fight illegal immigration and combat organized crime. This needs to replace the unilateral and uncoordinated measures in effect to date, which place a heavy burden of responsibility on carriers while increasing border controls.

Case study: Facilitation of truck transport between Hong Kong (China) and China

Hong Kong (China) and the Guangdong Province in China have traditionally been China's windows to the outside world. This role has become even more important following the accession of China into the WTO. It is crucially important for China to ensure efficient cargo flow between Hong Kong (China) and Guangdong and, in so doing, to stimulate the growth of trade in both places. According to the Greater Pearl River Delta Business Council, [2] delays and complicated procedures related to cargo clearance and cross-border transport represent serious barriers to trade between Hong Kong (China) and

[2] Established in 2004, the Greater Pearl River Delta Business Council (Business Council) gives advice to the Chief Executive of the Hong Kong Special Administrative Region Government on cooperation between Hong Kong (China) and Guangdong Province (China).

China and increase the distribution cost of goods; as a result, new recommendations have been made in order to facilitate cross-border trade and transport. [3]

Control procedures and cross-border transport

Research conducted in 2003 revealed that customs, immigration, health, animal and plant quarantine, traffic and transport in China were under the jurisdiction of different departments, with the control point being supervised by a number of inspection agencies. Their overlapping jurisdiction caused operational problems and complicated clearance procedures, as well as double charges. Consignors and traders had to approach different departments for clearance and the processing of documentation. For vehicle inspections, there were also different systems and requirements in Hong Kong (China) and China. For cross-border truck transport, the so-called "one-truck-one-driver" and "four-up-four-down" requirements were in force (the truck driver, truck, trailer and container all had to enter China and return to Hong Kong (China) as one ensemble).

Removal of obstacles

As a solution to these problems, improved communications between the various departments and agencies were recommended. It was also suggested that the authorities should standardize, as far as practicable, the working hours for different departments at the border crossing to ensure smooth clearance of goods.

In January 2005, the Unified Road Cargo Manifest was introduced by Hong Kong (China) and China, abolishing the customs requirement of "tying up" the truck, the trailer and the container as a unit for customs clearance. To enhance further the flexibility of the transport industry, the Business Council has proposed the relaxation of the "one-truck-one-driver" rule (in order to allow transport companies to register the particulars of a pool of designated drivers with the Chinese authorities in advance and to freely assign cross-boundary trips to any driver on the list).

Recently, the customs authorities of Hong Kong (China) and Shenzhen have agreed to remove customs inspections from the border. Instead, inspections will take place at a logistics centre in Shenzhen and trucks will be able to pass through an express lane at the Hong Kong-China mainland border.

Case study: Approach to resolving border-crossing issues in western Africa [4]

Road transport unions' approach

Road transport unions in western Africa have suggested a pro-active approach to tackling and pre-empting border-crossing problems. One of their suggestions [5] is to raise the awareness of drivers about existing legislation and regulations in force along the main routes they travel. This would entail providing transport workers and passengers with up to date travel documents before a journey (for example, ECOWAS travel permits and vaccination cards in West Africa) and documents covering vehicle and cargo. Unions are also in favour of reporting cases of major abuse to the ITF and to the offending officials'

[3] The Greater Pearl River Delta Business Council: *Facilitation of trade in goods between Hong Kong and Guangdong*, 2004/05 Annual Report (Hong Kong (China) 2005).

[4] Based on information from the National Road Transport Sector of SATAWU.

[5] N. Kabore: "Checkpoint Hell", op. cit.

superiors. The role of transport workers' unions in supporting and offering services to professional drivers to facilitate efficient border crossing is of utmost importance.

International (intergovernmental) level

Resolving border-crossing issues should be of prime concern to countries – even if this has not hitherto been the practice. This issue is gradually being prioritized. For example, in December 2004, a meeting of customs and police ministers from countries of the West African Economic and Monetary Union (WAEMU) noted:

> … along the corridors of the Union, the persistent and systematic use of Customs escorts, which are very costly and a cause of delay, excessive roadside inspections along main trunk roads, including levies, the dispersal of checkpoints at borders and the continued existence of long, complex and fairly pointless Customs and administrative formalities and procedures. [6]

The WAEMU and ECOWAS have adopted certain legal instruments which address the issues of cross-border and transit road transport. These include the Inter-State Road Transport Convention and the Inter-State Road Transit Convention. Furthermore, governments have reduced the number of checkpoints on the main international trunk roads and, at certain border crossings, customs and immigration control posts have been built alongside one another in order to reduce waiting time.

7.3. Border officials

Obstacles at border crossings related to border officials represent an area which has long been difficult to discuss in the public arena. Bearing in mind the sensitivity of this area, the following solutions were recommended in the ECMT 2004 report: [7]

- **increase in the number of personnel:** adequate staff should be assigned to handle the increased workload due to the growth of international traffic;

- **training of control personnel:** since the lack of qualifications among border staff creates processing and other problems, it is of the utmost importance that training opportunities be developed for such personnel. Cases of best practice in this area should be considered. Staff training should include a specific module on ethical behaviour, in addition to materials on procedures and the practical aspects of their work. Training should also be given to drivers and the managers of transport firms, who are often ill-informed about the procedures applied and the documents required;

- **motivation of control officials:** besides new training and qualification opportunities, better pay (see below) and productivity incentives would also be powerful stimulants to improved motivation. Introducing productivity indicators (e.g. average time spent at the border, number of declarations processed, etc.) and setting specific targets for reducing processing times, like those mentioned in ECMT resolution No. 99/2 on removal of obstacles at border crossings for international goods transport, would also be likely to stimulate border staff's interest in the more efficient organization of their work, especially if such a measure were accompanied by "rewards" or bonuses if the targets were met;

[6] ibid.

[7] ECMT: *Removal of obstacles at border crossings*, op. cit., pp. 11-12.

- **the fight against corruption:** governments should take measures to prevent corruption and illegal practices (see box 7.4) at borders in accordance with the recommendations of resolution No. 99/2 or the anti-corruption provisions of the recent World Customs Organization (WCO) Code of Conduct. There is no doubt that the wages of customs officials and other control personnel (for example between US$75 and $90 a month in the South Caucasus) should be substantially increased. Direct contacts between border personnel and users during control operations (by increasing the computerization of procedures which would reduce the discretionary power of control officials) should be limited as much as possible and staff rotation on a random basis should be implemented together with provision for stiff penalties, especially in the event of smuggling.

Box 7.4.
Elimination of corruption

Measures to tackle the corruption of customs officials require modernization, reform and close partnerships between the customs services and the private economy. The TTFSE report proposes, inter alia, the following:

- ensure reasonable incomes (salaries and benefits), together with an increase in customs personnel productivity;
- rationalize and simplify regulations;
- make legislation and procedures transparent;
- introduce automation for main customs functions;
- ensure sound human resource management system which includes rotation/relocation of personnel;
- improve recruitment/selection of staff;
- implement and promote codes of conduct/disciplinary procedures;
- create a positive sense of organizational identity and good working conditions;
- develop cooperation between customs and economy and anti-corruption coalition with stakeholders.

Source: TTFSE: *Interim report I*, op. cit., p. 25.

7.4. Simplification/harmonization/standardization of border-crossing procedures

7.4.1. Facilitating border-crossing issues related to transit transport

Transit transport is heavily constrained by delays and costs incurred at border crossings. Time-consuming border-crossing and customs procedures, complicated non-standard documentation, poor organization and a lack of training are just some of the contributory factors.

According to the Global Facilitation Partnership for Transportation and Trade (GFPTT): “transit procedures are intended to protect the revenues of the country of transit and to avoid the circumstance that goods intended for transit are leaked to the domestic market. Such transit procedures should be simple so as not to generate excessive delays and costs”. Core ingredients for a smooth transit include:

- adequate guarantee system;
- effective customs control (seals) and enforcement;

- efficient documentation flow (documentation);
- enabling bilateral and international agreements; and
- infrastructure and corridor institutions. [8]

Landlocked and transit developing countries especially need to employ international instruments in order to facilitate trade and transport along transit corridors.

7.4.2. Border-crossing facilitation based on international instruments

The IRU Dubai Declaration of 16 March 2006 encourages "the adherence to and application of United Nations Conventions pertaining to the facilitation of international road transport and creating favourable cross-border and transit transport conditions since non-physical barriers still remain major obstacles to the further development of road transport". The following Conventions are important elements for the smooth transfer of goods.

TIR Convention

The TIR Convention has proved to be one of the most effective international instruments for road transport and was prepared under the auspices of the UNECE. It covers the whole of Europe and reaches out to North Africa and the Near and Middle East. According to the TIR Handbook: "Countries in Asia have been informed about the facilities of this global Customs transit system and their interest has shown that they may well join the TIR Convention in the not too distant future. Already today, the United States of America and Canada are Contracting Parties as well as Chile and Uruguay in South America." [9]

The TIR system was devised to facilitate the international movement of goods. The system provides transit countries with guarantees to cover customs duties and taxes at risk. The TIR is a mutually advantageous arrangement between the public and private sectors. In exchange for the simplification of procedures, greater responsibility is assumed by the private sector. Benefits to the transport industry include minimum customs interference, reduced delays and costs of transit, simplified and standardized documents and absence of need to make customs guarantee deposits at transit borders.

As a response to a 1992 crisis when the system was endangered due to entanglements in the former Soviet Union, the IRU developed an electronic backup to the TIR Carnet called SafeTIR. This is a control system for electronically confirming the termination of a TIR transport at the customs office of destination and validating the certification of the termination via a customs stamp affixed on a TIR Carnet. SafeTIR provides the status of the TIR Carnet to customs and the TIR Carnet issuing association with confirmation, directly from the customs authorities, of the final or partial termination of the TIR Carnet. This enables comparisons of this confirmation against the paper-based termination. [10]

[8] http://www.gfptt.org/Default.aspx, accessed 10 May 2006.

[9] UNECE: *TIR Handbook* (New York and Geneva, United Nations, 2005).

[10] Source: IRU, www.iru.org/TIR/Computer.E.html, accessed 10 May 2006.

Kyoto Convention

Transit transport systems and processes are governed by the International Convention on the Simplification and Harmonization of Customs Procedures, 1974 (Kyoto Convention). This key legal instrument for the harmonization of cross-border procedures was revised in 1999 in order to take into account the increase in international freight transport, intensive developments in information and telecommunication technology as well as the highly competitive business environment of today's international trade.

The International Convention on the Harmonization of Frontier Controls of Goods, 1982 ("Harmonization Convention"): New annex on efficient border-crossing procedures

As mentioned earlier in the text, a new Annex 8 to the International Convention on the Harmonization of Frontier Controls of Goods, 1982 ("Harmonization Convention") was adopted in 2005. The objective of the new Annex 8 to the Convention is to insert into the Convention complementing provisions to those already contained in Annex 1 and to define the measures that need to be implemented in order to facilitate border-crossing procedures for international road transport. The annex addresses all major elements important for efficient border-crossing procedures in the international road transportation of goods. It covers different types of cargoes, particularly perishable foodstuffs, road vehicles, drivers, as well as border-crossing procedures and infrastructures. [11]

The annex contains provisions which aim to facilitate border crossings by eliminating all non-essential border contact, including any inspections that can be conducted at the point of shipment or destination, as verified through internationally certified documentation.

Proposed provisions in Annex 8 address:

- facilitation of visa procedures for professional drivers;
- operational measures to speed up border-crossing procedures for goods, particularly for urgent consignments such as live animals and perishable goods;
- harmonized technical provisions relating to faster control of road vehicles (technical inspections) and equipment used for transport of goods under controlled temperatures;
- standardized weighing operations and procedures to counter repetitive weighing procedures at border crossings;
- minimum infrastructure requirements for efficient border-crossing points;
- monitoring provisions facilitating appropriate implementation of the annex in all Contracting Parties to the Convention.

Article 6 (Border-crossing points) of the new Annex 8 proposes minimum infrastructure requirements for border-crossing points in order to ensure streamlined and effective border formalities. The proposed minimum requirements for border-crossing points for international goods traffic are:

[11] UNECE: *International Convention on the Harmonization of Frontier Controls of Goods, 1982* ("Harmonization Convention") (Geneva, United Nations, 2005), doc. TRANS/WP.30/AC.3/2005/1.

- facilities enabling joint controls between neighbouring States (one-stop technology) 24 hours a day, whenever justified by trade needs and in line with road traffic regulations;

- separation of traffic for different types of traffic on both sides of the border allowing preference to be given to vehicles carrying valid international customs transit documents (TIR) or carrying live animals or perishable foodstuffs (ATP);

- off-lane control areas for random cargo and vehicle checks;

- appropriate parking and terminal facilities;

- proper hygiene, social and telecommunications facilities for drivers;

- encourage forwarding agents to establish adequate facilities at border crossings with the intention that they can offer services to transport operators on a competitive basis. [12]

Articles 3, 4 and 5 address procedures for border-crossing points:

- operational measures to accelerate border-crossing procedures for goods, particularly for urgent consignments such as live animals and perishable goods (article 3);

- harmonized technical provisions relating to faster control of road vehicles (technical inspections) and equipment used for the transport of goods under controlled temperatures (article 4);

- standardized weighing operations and procedures to avoid, where possible, repetitive vehicle weighing procedures at border crossings (article 5).

Article 3 (International road transport operations) stipulates not only that control procedures should be transferred to points of shipment and destination, but that all parties should maintain prompt and effective communication and that special attention must be paid to shipments most clearly affected by long delays at borders. These include perishable goods and live animals.

Article 4 (Vehicle inspection) requests the acceptance of the International Technical Inspection Certificate and urges the use and recognition of ATP signification.

Article 5 (International Vehicle Weight Certificate) requests the acceptance of the International Vehicle Weight Certificate and asks signatories to provide lists of weighing stations in their countries.

International instruments drawn up under the auspices of UNECE related to facilitation of international road transport

Box 7.5 contains a list of international instruments drawn up under the auspices of ECE for the purpose of facilitating the international transportation of passengers and goods by road in Europe. The UNECE transport agreements and Conventions related to road transport are presented in the appendix to this report.

[12] ibid.

Box 7.5.
UNECE international instruments facilitating international road transport in Europe

Passenger transport

- Convention on the Contract for the International Carriage of Passengers and Luggage by Road (CVR), of 1 March 1973;
- Protocol to the Convention on the Contract for the International Carriage of Passengers and Luggage by Road (CVR), of 5 July 1978.

Goods transport

- Convention on the Contract for the International Carriage of Goods by Road (CMR), of 19 May 1956;
- Protocol to the Convention on the Contract for the International Carriage of Goods by Road (CMR), of 5 July 1978.

Transport of dangerous goods

- European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), of 30 September 1957;
- Protocol amending article 1(a), article 14(1), and article 14(3)(b) of the European Agreement of 30 September 1957 concerning the International Carriage of Dangerous Goods by Road (ADR), of 28 October 1993.

Transport of perishable foodstuffs

- Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be used for such Carriage (ATP), of 1 September 1970.

Road traffic and transport operations

- Convention on Road Traffic, of 19 September 1949;
- Convention on Road Traffic, of 8 November 1968;
- Protocol on Road Signs and Signals, of 19 September 1949;
- Convention on Road Signs and Signals, of 8 November 1968;
- European Agreement supplementing the Convention on Road Traffic (1968), of 1 May 1971;
- European Agreement supplementing the Convention on Road Signs and Signals (1968), of 1 May 1971;
- European Agreement on Road Markings, of 13 December 1957;
- Protocol on Road Markings, Additional to the European Agreement supplementing the Convention on Road Signs and Signals, of 1 March 1973;
- European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport (AETR), of 1 July 1970;
- Agreement on Minimum Requirements for the Issue and Validity of Driving Permits (APC), of 1 April 1975.

Transport infrastructures

- European Agreement on Main International Traffic Arteries (AGR), of 15 November 1975;
- European Agreement on Important International Combined Transport Lines and Related Installations (AGTC), of 1 February 1991;
- Protocol on Combined Transport on Inland Waterways to the European Agreement on Important International Combined Transport Lines and related Installations (AGTC), of 17 January 1997.

Road vehicles

- Agreement concerning the Adoption of Uniform Technical Prescriptions for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles and the Conditions for Reciprocal Recognition of Approvals Granted on the Basis of these Prescriptions, of 20 March 1958;
- Agreement concerning Adoption of Uniform Conditions for Periodical Technical Inspections of Wheeled Vehicles and the Reciprocal Recognition of Such Inspections, of 13 November 1997;
- Agreement concerning the Establishing of Global Technical Regulations for Wheeled Vehicles, Equipment and Parts which can be Fitted and/or be used on Wheeled Vehicles, of 25 June 1998.

Customs

- Customs Convention on the Temporary Importation of Commercial Road Vehicles, of 18 May 1956;
- Customs Convention on the International Transport of Goods under Cover of TIR Carnets, of 15 January 1959, and its revised version of 14 November 1975;
- Customs Container Convention, of 2 December 1972;
- International Convention on the Harmonization of Frontier Controls of Goods, of 21 October 1982;
- European Convention on Customs Treatment of Pallets used in International Transport, of 9 December 1960:
- Convention on Customs Treatment of Pool Containers used in International Transport (Container Pool Convention), of 21 January 1994.

Source: UNECE: *Harmonization of requirements concerning international road transport and facilitation of its operation* (Geneva, United Nations, 2004) doc. TRANS/SC.1/2002/4/Rev.4.

7.4.3. Border-crossing facilitation – Regional initiatives

Regional transit and border-crossing facilitation instruments must not replace continental and/or global systems like those created by United Nations Conventions. Once the latter are in place, regional schemes may prove useful for the Conventions' practical implementation purposes.

The Trade and Transport Facilitation in Southeast Europe Program

The TTFSE, supported by the World Bank, the European Union and bilateral partners, was established in 1998 at the request of the region's countries and the Southeast European Cooperative Initiative. Its aim is to create a framework that will help to reduce transport costs, fight corruption, and help customs administrations align their procedures with European Union standards. The countries included in this programme are Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the landlocked Republic of Moldova, Romania, the Republic of Serbia and The former Yugoslav Republic of Macedonia. It is built on a strong transit base, as most of the transport is to or from the European Union and the majority of the countries involved fall within the TIR system. [13]

Transit transport agreements

Since the transit routes are of vital importance for transit countries, the first step towards improving and stabilizing the situation would be to develop bilateral transit agreements with neighbouring countries. Landlocked countries need such agreements not only with their immediate neighbours, but also with all other transit countries en route to the market for their goods. The 2006 IRU Dubai Declaration also addresses the issue of helping landlocked countries to achieve trade facilitation by "providing landlocked countries, many of which are emerging nations, with an access to road transport amenities thus fostering the economic and social development of these countries. Silk-Road-type projects can be extremely useful in this respect".

Africa

African countries have developed numerous bilateral, subregional and regional agreements – and made efforts at country levels – to facilitate the flow of goods and services. [14] Such initiatives include subregional organizations such as the East African Community (EAC), the Common Market for Eastern and Southern Africa (COMESA), the Southern African Development Community (SADC), the Economic Community of Central African States (ECCAS), the Economic Community for Western African States (ECOWAS), and the continental organization, the African Union.

Despite these efforts at integration, most of the trade facilitation initiatives have yielded limited results. These may also be attributed to non-compliance by some countries to agreed arrangements on trade facilitation; poor programme implementation; lack of coordination among and between countries; lack of coordination among relevant agencies within countries and the absence of a multi-sectoral approach to trade facilitation.

[13] J.F. Arvis: "Transit and the special case of landlocked countries", in: L. de Wulf and J.B. Sokol (eds.), *Customs Modernization Handbook* (Washington, DC, World Bank, 2005), p. 243.

[14] D. Lafont: *The challenges of multimodal transport in landlocked African countries* (Bolloré DTI), 9 Mar. 2005.

Transit transport involves issues and problems that should ideally be dealt with through multilateral agreements, since separate bilateral agreements may contain mutually incompatible provisions which are likely to impede rather than facilitate transit transport. In the UNESCAP region, a growing number of trilateral, quadrilateral and subregional agreements have emerged. Some examples of these are the ASEAN Framework Agreement on the Facilitation of Goods in Transit, the Greater Mekong Subregion (GMS) Agreement for Facilitation of Cross-border Transport of People and Goods; the Transit Transport Framework Agreement of the Economic Cooperation Organization (ECO); and TRACECA being developed with the support of the European Community's TACIS programme. These initiatives are usually framework agreements that have broad goals and policy directions, but leave potentially contentious details to be worked out through separate protocols and annexes.

The GMS Agreement (see box 7.6 below) represents a recent example of a subregional agreement, which is designed to facilitate cross-border transport of people and goods.

Box 7.6.
GMS Agreement for Facilitation of Cross-border Transport of People and Goods

The GMS Agreement, formulated under the auspices of the Asian Development Bank, is formally known as *The Agreement between and among the Governments of the Kingdom of Cambodia, the People's Republic of China, the Lao People's Democratic Republic, the Union of Myanmar, the Kingdom of Thailand and the Socialist Republic of Viet Nam for the Facilitation of Cross-Border Transport of Goods and People*. It is a multilateral instrument designed for adoption by all GMS members for the facilitation of cross-border transport of goods and people. The Agreement provides a practical approach, in the short to medium term, to streamline regulations and reduce non-physical barriers. It incorporates the principles of bilateral or multilateral action and flexibility in recognition of procedures in each of the GMS countries. It also includes references to existing international Conventions. The Agreement is consistent with the existing international Conventions on facilitation of cross-border land transport as well as with similar agreements of ASEAN countries.

The GMS Agreement is a compact and comprehensive multilateral instrument, which covers, in one document, all the relevant aspects of facilitation of cross-border transport, including:

(a) single-stop/single-window customs inspection;

(b) cross-border movement of persons (i.e., visas for persons engaged in transport operations);

(c) transit traffic regimes, including exemptions from physical customs inspection, bond deposit, escort and phytosanitary and veterinary inspection;

(d) requirements that road vehicles will have to meet to be eligible for cross-border traffic;

(e) exchange of commercial traffic rights; and

(f) infrastructure, including road and bridge design standards, road signs and signals.

The GMS Agreement will apply to selected and mutually agreed upon routes and points of entry and exit in the signatory countries. Full implementation of the GMS Agreement and its annexes and Protocols is planned for 2007-08.

Source: Asian Development Bank: *Facilitation of the cross-border transport of goods and people in the Greater Mekong Subregion* (2005).

Additional examples of subregional agreements related to transit transport are:

(a) *ASEAN Framework Agreement on the Facilitation of Goods in Transit*

This Agreement was signed by nine of the ten ASEAN countries (Brunei Darussalam, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Singapore, Thailand and Viet Nam) at the end of 1998. The Agreement came into force in 2000. It provides for the mutual granting of transit transport rights and the

right to load and unload cargo of third countries destined for or coming from contracting parties. There are also a number of protocols under the Agreement.

(b) *ECO Transit Transport Framework Agreement*

The Transit Transport Framework Agreement was agreed in 1998 at Almaty in order to enable development of the transport sector in the ECO [15] subregion. The Agreement envisages establishing a common regulatory framework for the development and facilitation of transit transport among member countries (Afghanistan, Azerbaijan, Islamic Republic of Iran, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkey, Turkmenistan and Uzbekistan). The Agreement provides for the freedom of transit through the territories of the contracting States for road and rail transport and inland water navigation, as well as access to maritime ports. Only one ratification remains for the agreement to enter into force.

(c) *Transport Corridor Europe-Caucasus-Asia*

Six out of the ten signatories to the ECO Transit Transport Agreement are also signatories to the Basic Multilateral Agreement on International Transport for the Development of the Transport Corridor Europe-Caucasus-Asia (TRACECA) routes. This Agreement provides a framework for the development of transport corridors linking these regions and extends to road, rail, maritime, air and multimodal transport, as well as transportation by pipeline. The Agreement covers both cross-border and transit transport. [16]

Americas

The United States, Canada and Mexico have implemented a new programme which harmonizes procedures and uses recent secure technologies to address the growing concerns of improving cross-border movement of goods. Box 7.7 outlines the Free and Secure Trade Program (FAST), intended to facilitate trade whilst ensuring safety and security.

Box 7.7.
What is FAST?

Canada, Mexico and the United States have agreed to harmonize, to the maximum extent possible, their commercial processes for clearance of commercial shipments at the border. This will promote free and secure trade by using common risk-management principles, supply chain security, industry partnership, and advanced technology to improve the efficiency of screening and clearing commercial traffic at the shared borders.

The FAST Program thus offers expedited processing and supports moving pre-approved eligible goods across the border quickly and verifying trade compliance away from the border.

The objectives of the Program can be summarized as follows:

- the Program aims to increase the integrity of supply chain security by offering expedited clearance to carriers and importers enrolled in the Customs and Trade Partnership Against Terrorism (C-TPAT);
- it is designed to streamline and to integrate registration processes for drivers, carriers, and importers; minimizing paperwork and ensuring only low-risk participants are enrolled as members;

[15] http://www.ecosecretariat.org.

[16] UNESCAP: *Transit transport issues in landlocked and transit developing countries*, op. cit., p. 7.

- the initiative seeks to expedite the clearance of transborder shipments of compliant partners by reducing customs information requirements, dedicating lanes at major crossings to FAST participants, using common technology, and physically examining cargo transported by these low-risk clients with minimal frequency;
- the Program is a catalyst for both customs administrations to participate in the enhanced technologies by using transponders, which would make it easier to clear low-risk shipments, and would mitigate the cost of Program participation for FAST partners.

Major benefits for FAST approved United States/Canada and United States/Mexico highway carriers are as follows:

- dedicated lanes (where available) for greater speed and efficiency in the clearance of FAST transborder shipments;
- reduced number of examinations for continued compliance with customs FAST requirements as well secondary priority processing;
- a strong and ongoing partnership with the Canadian Partners in Protection (PIP) and customs (C-TPAT) administrations;
- enhanced supply chain security and safety while protecting the economic prosperity of Canada and Mexico and the United States; and
- for carrier participants, the knowledge that they are transporting shipments for a C-TPAT-approved importer, and on the southern border, a C-TPAT manufacturer.

Participation requirements

FAST is a clearance process for known low-risk shipments; thus, any truck using FAST lane processing must be a C-TPAT-approved carrier, carrying qualifying goods from a C-TPAT-approved importer – and the driver must be in possession of a valid FAST Commercial Driver Registration ID Card. On the southern border there are two additional requirements: the manufacturer must be an approved C-TPAT participant, and they must also adhere to U.S. Customs and Border Protection (CBP) high-security seal requirements.

FAST processing is based upon advanced electronic transmission of information. The following are the key components:

- **importer registration:** importers must complete an application for C-TPAT participation with CBP. Importers authorized to use the FAST Program for clearance into the United States will have a demonstrated history of complying with all relevant legislative and regulatory requirements, and will have made a commitment to security enhancing business practices as required by C-TPAT;
- **carrier registration:** carriers must complete the FAST Highway Carrier Application Process requirements that include corporate information, a security profile, and a written Highway Carrier Agreement;
- **commercial driver application:** two separate driver application processes exist for FAST: northern border and southern border.

Cargo release methods

The two present cargo release methods for FAST-eligible shipments are the Free and Secure Trade system (formerly known as the National Customs Automated Prototype – NCAP) and the Pre-Arrival Processing System (PAPS):

- **FAST** is the first completely paperless cargo release mechanism put into place by the CBP. This paperless processing is achieved through electronic data transmissions and transponder technology. FAST is highly automated and allows for the expedited release of highly compliant cargo from major importers, reducing congestion at the land borders;
- **the Pre-Arrival Processing System (PAPS)** is an Automated Commercial System (ACS) border cargo release mechanism that utilizes barcode technology to expedite the release of commercial shipments while processing each shipment through Border Cargo Selectivity (BCS) and the Automated Targeting System (ATS).

Source: United States Customs and Border Protection, available at http://www.cbp.gov/linkhandler/cgov/import/commercial_enforcement/ctpat/fast/fast.ctt/FASTBrochure.doc, accessed 10 Apr. 2006

8. The risks to international drivers of HIV/AIDS

8.1. Overview of HIV/AIDS in transport

Some groups of workers seem to be particularly vulnerable to HIV/AIDS due to the particular conditions of their work. Mobile workers in general often encounter individual and social factors that increase their vulnerability to sexually transmitted infections (STIs), including HIV.

Many transport workers are highly mobile and spend time away from home. Some also work in isolation, although there are differences in places of overnight stays, duration of trips and the frequency of absence from home.

International drivers (and their helpers) may be the most vulnerable category of transport workers. As discussed in previous parts of this report, long-distance drivers often have long delays at border crossings. Combined with the lack of facilities, and stress, several risk factors create a situation where drivers may be exposed to risky behaviour such as having multiple partners or having sex without using a condom.

8.1.1. Risks to drivers at border crossings

Other sections of this report discuss the consequences of delays and poor facilities for drivers at international borders. Secure, clean and affordable sleeping accommodation at truck stops can be expensive – if it exists at all. Some drivers say it is cheaper to spend the night with a commercial sex worker than pay for a night's lodging.

Entertainment facilities are limited. There are few recreational facilities apart from bars and eating establishments, and alcohol and prostitution fill this void. In addition, international drivers have to fulfil complicated work requirements under difficult conditions – and this can cause stress. They are also stigmatized and marginalized due to harassment by police, customs and immigration officials.

This situation is compounded by a limited access to health services, particularly those providing diagnosis and treatment for STIs, which are most needed by transport workers. Sometimes condoms are very expensive or not available in locations frequented by transport workers.

As regards security, there may be no safe place to park the vehicle and drivers may need to stay with it, especially if the cargo is easy to re-sell. Valuable cargo is also easy to exchange for casual sex. An atmosphere of crime, with smuggling (of people, drugs and other commodities) may prevail.

Driving is predominantly a male occupation and can be associated with a "macho" culture. In some countries, monogamous drivers are ridiculed by their colleagues who have sexual partners in several stopping places along their regular routes. [1]

[1] IOM/UNAIDS: *HIV and mobile workers: A review of risks and programmes among truckers in West Africa* (Geneva, 2005).

Some or all of these risk factors seem common in all the cross-border "hotspots" where research has been conducted. While there is not a simple formula for *length of delays × lack of facilities = HIV infection rates*, the evidence seems to demonstrate a causal relationship.

South Asia

Nepal is a landlocked country, and relies on the ports of Calcutta and Chittagong for its overseas trade. Traffic between the main part of India and the north-eastern states passes through the same narrow strip of territory that separates Nepal from Bangladesh (colloquially known as the "chicken's neck" in India). The cross-border trade between India and its neighbours passes through this "hotspot". The trucking routes between Calcutta and Kathmandu have been recognized as an important locus of high-risk sexual behaviour.

In a study conducted at a clinic in Ulubaria, West Bengal, 7 per cent of truck drivers tested positive for HIV, at a time (the mid-1990s) when national infection rates were below 1 per cent. The study also revealed that 25 per cent of these truck drivers had no knowledge about condoms, 68 per cent never used condoms, 94 per cent sought sex from commercial sources when away from home and 84 per cent reported histories of sexually transmitted diseases symptoms. Infection by sexually transmitted diseases can make a person more vulnerable to infection by the HIV virus when they engage in unprotected sex with an infected partner. [2]

Along the India-Nepal border, there are numerous crossing points and it is possible for nationals of the two countries to move freely from one country to another – although goods can take much longer than people. The Raxaul/Birgunj border crossing handles 90 per cent of the commercial traffic between India and Nepal. Goods must be unloaded from Nepalese trucks and reloaded onto Indian trucks. This can mean days of waiting. It was for this reason that an initiative launched by the Transport Corporation of India (TCI) (the largest transport company in South Asia, with 1,500 trucks in India) to create a centre for HIV testing and counselling was extended to this border crossing.

Drivers in India experience long delays at internal check points between states. Despite the fact that these are not international borders, similar considerations and measures to address HIV/AIDS as a workplace issue may be relevant.

Africa

A number of studies of different regions in sub-Saharan Africa have shown that cross-border transport corridors have higher HIV prevalence than those prevailing in the countries that drivers pass through. Drivers can have multiple sexual partners, but they are not always sex workers.

A survey conducted in Uganda showed that 70 per cent of drivers had spent less than a week at home in the previous four months and often found partners in several different cities along routes they travel or visited commercial sex workers. [3]

[2] Family Health International (FHI): *The India-Nepal partnership: Building cross-border collaboration in areas of affinity*, http://www.fhi.org/en/hivaids/pub/archive/articles/aidscaptions/volume3no2/indianepalpartnership.htm, accessed 10 May 2006.

[3] ITF: *AIDS and transport: The experience of Ugandan road and rail transport workers and their unions* (2000).

In West Africa, drivers sometimes give lifts to women in exchange for sex. Stopover towns often contain a high proportion of young women and men from surrounding rural areas, attracted by the economic opportunities in such towns. Young girls and female itinerant traders may exchange sex with truckers for free transportation, negotiating in advance or offering sexual services at their destination. According to surveys in West Africa, HIV prevalence among truck drivers ranges from 3 per cent to 32 per cent; sex with casual acquaintances and/or sex workers is common; and condom use is rare or inconsistent. [4]

A 2001 study by the South African Medical Research Council found that 56 per cent of long-distance truck drivers in the KwaZulu-Natal Midlands were HIV-positive. At one truck stop in Newcastle, 95 per cent of those tested were found to be HIV-positive. [5]

Eastern Europe

In Eastern Europe, more than 80 per cent of truck drivers surveyed said that they had spent more than four months away from home the previous year, with 36 per cent indicating they had had casual sex while on the road. Most truck drivers surveyed in Eastern Europe stated that they used condoms with casual partners, although only 58 per cent of Ukrainian workers reported consistent condom use during casual sex. [6]

8.1.2. Stigmatization

Because of the risk factors discussed above, and the statistics showing high HIV prevalence rates amongst them, drivers are sometimes stigmatized and blamed for rising rates of HIV infection along transport corridors. This is both unfair and counter-productive. Stigmatizing international transport workers helps drive the problem of HIV/AIDS underground and makes the disease spread faster. Blaming drivers diverts attention from other factors, which need to be addressed through the measures indicated in Chapter 7.

It is important to recognize the circumstances, especially the work environment, which may place transport workers at risk. Action must then be taken to reduce risk for transport workers as well as their families and the communities through which they travel.

8.1.3. A risk to enterprise

Transport enterprises are at risk because of the impact on their workforce. The costs of absences and of replacing and training skilled employees place a considerable financial burden on enterprises. For example, a study of a transport enterprise in Zimbabwe found that the total cost to the company arising out of AIDS was equal to 20 per cent of profits. [7]

[4] IOM/UNAIDS, op. cit.

[5] Information from the South African Press Association, 18 Aug. 2003.

[6] M. Kulis, et al.: *Truck drivers and casual sex: An inquiry into the potential spread of HIV/AIDS in the Baltic Region* (Washington, DC, World Bank, 2004).

[7] J. Stover and L. Bollinger: *The economic impact of AIDS* (Futures Group International in collaboration with the Research Triangle Institute (RTI) and the Centre for Development and Population Activities (CEDPA) 1999).

The effectiveness and reliability of transport could become compromised and lead to a decline in productivity if HIV prevalence continues to rise amongst workers in the sector. If productivity decreases, or transport companies are unable to operate because they do not have enough skilled workers, this can hold back economic development.

8.2. Policies and measures to reduce risks

Many governments, together with employers' and workers' organizations from the transport industry, have combined to develop appropriate policies and practical interventions that seek to deal with the underlying causes of the higher infection rate among some groups of international drivers.

What is important is the need for the social partners to work together and develop a coherent approach. In South Africa, there is a National HIV/AIDS Transport Co-ordinating Committee, with representation from employers' and workers' organizations, as well as from the ministries of labour and transport and regulatory bodies. In 2001, the Committee developed a programme of action on HIV/AIDS for the transport sector.

The ILO, through the ILO/SIDA Project on HIV/AIDS Prevention in the Transport Sector of Southern African Countries, is working with other countries in the subregion to develop similar policies. HIV/AIDS policies need to be integrated into broader policies to harmonize border policies and regulations. Consequently, the ILO and other agencies are working with SADC governments to help harmonize relevant legal and administrative requirements for border crossings. [8]

8.2.1. The United Nations Global Compact Policy Dialogues

The Global Compact was launched in July 2000 to encourage collaboration between the United Nations system and the private sector in addressing the challenges of globalization, and promote the application of core principles under the categories of "Human rights", "Labour standards" and "Environment".

It convenes thematic multi-stakeholder Policy Dialogues to give practical meaning to these principles by creating an international platform for mutual understanding and problem-solving among business, labour, civil society organizations, government, United Nations agencies and leading commentators.

The Dialogue process is designed to assist the identification of new and emerging issues, promote multi-stakeholder trust and interaction, and support advocacy with policy-makers.

The Global Compact Policy Dialogue on HIV/AIDS, convened on 12-13 May 2003 at the ILO in Geneva with the support of UNAIDS, aimed to identify policy issues that could benefit from the problem-solving approach of the Global Compact. The meeting explored

[8] ILO: *HIV/AIDS in the transport sector of southern African countries: A rapid assessment of cross-border regulations and formalities* (Geneva, 2005).

key challenges companies face and examples of effective responses to HIV/AIDS in the workplace. [9]

On 12 May 2003, the International Confederation of Free Trade Unions (ICFTU) and the International Organisation of Employers (IOE) issued a joint statement of commitment. This press release underlines the importance that unions and employers are attaching to the fight against the HIV/AIDS pandemic at the national and international level.

8.2.2. A three-fold approach

Three areas for action may be identified:

- firstly, the obstacles that cause delays at border crossings need to be reduced. The ways this can be done, and initiatives being taken, are examined in other parts of the report;
- second, better facilities for drivers and their helpers at border-crossing points would be beneficial in many ways and help reduce risks of HIV infection. Better-rested, better-fed drivers would be safer and more efficient;
- third, specific interventions on HIV/AIDS are required.

The report will now consider the second and third types of intervention in more detail.

8.2.3. Improving facilities and conditions

The root cause of the increased vulnerability of transport workers is the poor facilities at places where they stop and the length of time they may have to spend travelling and at borders.

Governments can provide improved facilities at crossing points – ideally in partnership with social partners and specialized providers. To take an example from another transport industry, there is a global network of welfare facilities for seafarers, with recreational facilities, advice and welfare available in ports. The fact that these facilities are designed primarily for seafarers gives them the impression they "belong" to them, making them more widely acceptable and used.

Two types of action are required to improve facilities. First, measures must be taken to make the stay of drivers and their assistants more comfortable so they are less likely to engage in risky behaviour. They should focus on lodging, entertainment and facilities such as telephones, laundries, etc. Second, provision should be made for a range of health-care facilities including STI treatment, along with voluntary counselling, testing for HIV status, care and support.

Employers can contribute to these improvements by adapting work schedules to allow more frequent home stays and providing better facilities for rest (in conjunction with other employers, governments and NGOs). A small number of employers have been able to make provision for partners of drivers to accompany them for part of their journeys.

[9] ILO: *Global Compact Policy Dialogue on HIV/AIDS*, hosted by the ILO, Geneva, 12-13 May 2003.

Lessons may be learned from other sectors. In South Africa, another group of mobile workers – miners – have high levels of HIV infection. It has been acknowledged that one of the reasons for this is that miners are separated from their families and stay in overcrowded hostels. As a result, the National Union of Mineworkers and Chamber of Mines have agreed through collective bargaining to provide family accommodation.

Such measures may be expensive – but the alternative may be greater expense, as the pandemic continues to drive up labour costs.

An important facility which could improve drivers' conditions – as well as be an obvious benefit to companies – would be secure parking for lorries. Drivers would not have to spend so much time with their vehicles, and this would also reduce stress.

8.2.4. Effective interventions on HIV/AIDS

Specific programmes on HIV/AIDS will continue to be necessary for many years to come, even if border-crossing times are drastically reduced and excellent facilities are available at every point.

Interventions that target truck drivers alone, without addressing the surrounding communities and the partners at home, and without seeking to reduce the structural factors that increase vulnerability to HIV, are unlikely to produce sustainable results. HIV prevention and care activities for truck drivers must focus on the particular environment and conditions in the "risk zones" that grow up around transport nodes, as well as on the families and other partners of the truckers who may live far away.

8.2.4.1. Prevention through information and education

HIV is mostly spread through sexual intercourse without condoms, the sharing of injecting equipment by drug users – both medical or social drugs – and contaminated blood. One way to reduce HIV transmission is to organize education programmes to provide information about HIV/AIDS, the way in which it spreads and measures to prevent transmission. These programmes could, for example, be run at truck rest points. Many projects have successfully followed this approach and numerous materials and models exist to prove this. Joint ventures involving government agencies, employers and trade unions have been found to carry more credibility with drivers.

An important tool in education and awareness-raising is the "peer educator". Workers are much more likely to listen and believe somebody who is like them – i.e. "one of us".

8.2.4.2. Testing, treatment and care

Border-crossing points may be suitable places to provide testing for international drivers, as they often spend long periods waiting there – more time than they may spend loading or unloading at the end of their journeys. Clinics that they can associate with their industry, where confidential testing, treatment care and support are provided, are more attractive than locally available facilities.

Basic resources such as condoms, advice on nutrition and prevention, STI treatment services and clean injecting equipment should be widely available. Improved resource centres could offer more treatment and support. If centres were linked, as is the case in South Africa, drivers could benefit even while away from home for long periods.

Testing must be based on the principles of voluntary, informed consent and confidentiality regarding the results. Tests should be accompanied by voluntary counselling, and linked to a certain level of services to follow up the test. There are two views about testing centres at roadside clinics aimed at drivers. Some consider that they may not be the best option. If a worker has just been informed that he or she is HIV-positive, and is about to drive a truck for a number of days or even weeks, the driver concerned may not then be able to get the emotional support or practical help he or she needs. Others have argued that there may be no other place or opportunity for mobile workers to receive testing. Testing centres that are seen to belong to the transport industry may attract more transport workers than regular centres in the community.

8.3. Action by the social partners

The general commitment of social partners to work together has been demonstrated on many occasions. For example, the International Confederation of Free Trade Unions – African Regional Organisation (ICFTU-AFRO) and the Pan-African Employers' Confederation (PEC) circulated a joint press release on 24 August 2003 in this respect.

There is considerable evidence that joint action by workers and employers can play a vital role in promoting safer behaviour among truck drivers. [10] A well-established joint project is Trucking Against AIDS (see box 8.1). Another is the Abidjan-Lagos Corridor Organization (ALCO), based in Cotonou, Benin. It is an HIV/AIDS prevention project covering five countries: Benin, Côte d'Ivoire, Ghana, Nigeria and Togo, and involves employers' and workers' organizations. The project is working to reduce the spread of HIV/AIDS among transport workers, migrants, commercial sex workers and local people living along the corridor.

Employers and trade unions have also initiated projects. Where many drivers are owner-drivers, and they are organized into a federation, this may well be the best way to reach them with important messages about AIDS and to provide testing, care treatment and support.

In August 2002, the ITF adopted a resolution on AIDS at its 40th Congress in Vancouver. The Federation has produced a manual and a series of newsletters on HIV/AIDS and transport in Africa. It also undertook one of the earliest studies of the impact of HIV on truck drivers in Uganda. [11]

[10] S. Brushett and J.S. Osika: *Lessons learned to date from HIV/AIDS transport corridor projects*, (Washington, DC, World Bank, 2005).

[11] ITF: *AIDS and transport*, op. cit.

Box 8.1.
Trucking against AIDS, South Africa

Trucking against AIDS is an excellent example of collaboration by the social partners. It is the product of an agreement between the ITF affiliate SATAWU and the Road Freight Employers' Association through the National Bargaining Council for the Road Freight Industry.

Trucking against AIDS was launched in 1999 to halt the spread of HIV/AIDS in the country's road freight industry; it is one of the longest established interventions aimed at cross-border and long-distance drivers. Since its inception, more than ten wellness centres have been established on the main trucking routes in South Africa. At these centres truck drivers and sex workers are educated, counselled and given condoms.

Roadside units have been set up consisting of two containers. One container contains a clinic, with a registered nurse, while the other is a classroom, where education is given and peer educators are trained.

The roadside units are situated at transit areas and border posts. The clinics open in the evenings, from 5 p.m. until midnight, which makes them more accessible to drivers and other workers. The clinic offers treatment for STIs and primary health care. Condoms are distributed, and drivers and commercial sex workers are encouraged to go for voluntary counselling and testing.

The latest roadside clinic was set up in the West Bank industrial area of the Eastern Cape province on 29 November 2005 to mark World AIDS Day 2005.

The clinic operates on a "smart card" system that records the drivers' medical history, so drivers can visit any clinic on the system and receive the treatment they need. Truck drivers attend education sessions, which include:

– basic information on HIV/AIDS and sexually transmitted infections;
– prevention, care and support;
– the link between HIV/AIDS and tuberculosis and other opportunistic infections;
– violence against women.

There is also a five-day peer education programme attended by commercial sex workers and drivers.

So far, 266 peer educators have been trained and 80,000 truckers reached. Some 1.3 million condoms have been distributed.

Source: *International Transport Workers' Federation HIV/AIDS Resource Book* (London, ITF, 2003).

8.4. Action by the ILO

8.4.1. ILO Programme on HIV/AIDS and the World of Work

The ILO created the Programme on HIV/AIDS and the World of Work (ILO/AIDS) in 2000. The Programme seeks to understand and respond to the effects of HIV/AIDS in the world of work and support action by its tripartite constituents. It has three main areas of activity:

- research and policy analysis on HIV/AIDS issues in the world of work;
- information, communications and advocacy through a range of channels, including publications and technical meetings at global, regional and national levels;
- technical cooperation projects in over 30 countries to enhance the capacity of employers, workers and governments to plan and implement workplace policies and programmes on HIV/AIDS.

Specifically for the road transport sector, the ILO published in 2005: *Using the ILO code of practice on HIV/AIDS and the world of work – Guidelines for the transport sector*. It complements the ILO code of practice and assists in its implementation by the road transport sector.

9. Summary of key issues, general conclusions and themes for discussion

This report provides an overview of the most common labour and social issues arising from problems of cross-border mobility of international drivers in the road transport sector.

Globalization has been the driving force for growth and economic opportunities for many countries, but some are ill-equipped to adapt to today's world. The rapid pace of change has left a number of countries with an array of obstacles to overcome in order to increase their trade efficiency through international road transport. Unfortunately, those that have tried to keep up have focused most of their attention on the issues of trade facilitation and have often overlooked the labour and social implications on workers and their employers in the sector.

Problems arising from policies concerning visas and border control procedures, in particular customs documentation and related checks and controls, and issues at the physical crossing of national boundaries due to national procedures, the conduct of border control officials, infrastructure deficiencies and other reasons, have a substantial economic, social and environmental impact on people in all countries. Of primary concern is the current impossibility to consistently provide decent work to international road transport workers at all times, which in turn slows the progress of trade and has a negative influence on employers' ability to compete fairly and to provide the best possible service.

Through a quantitative and qualitative analysis, this report has shown that decent work, "opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity", [1] is in many cases lacking for international drivers, and cross-border road transport operations are not always as efficient as they could be. It may therefore be concluded that cross-border road transport operations and the mobility of international drivers face major problems.

More often than not, current visa policies create the primary stumbling block for international drivers, including restrictions on their right to work and on international road transport operators to perform their obligations as employees or employers and service providers, respectively. Border delays caused by inefficient customs and other official procedures, including problematic border officials and the lack of border infrastructure to manage capacity, generate additional problems for drivers and their companies. These delays, compounded by inadequate border facilities, including the lack of secure parking, accommodation, welfare and sanitation, food and beverage services and communication tools, further diminish the living and working conditions of international drivers. This environment infringes on their rights as workers and prevents them from efficiently carrying out their obligations as drivers.

These less than desirable conditions lead to symptoms which have a negative effect on society as a whole. Beyond the negative impact on international drivers detailed in this report, the often poor working and official earning conditions of border control personnel frequently become the source of a vicious circle of further problems, such as bribes, and of the deterioration of living conditions of the population at large living near international border-crossing points.

[1] ILO: *Decent work*, Report of the Director-General, International Labour Conference, 87th Session, Geneva, 1999, p. 3.

The vulnerability at border crossings of the workers in international road transport to sexually transmitted diseases such as HIV/AIDS has an impact on many more people throughout the areas where they live and work. In addition, the stress and fatigue that delays create can lead to traffic accidents and fatalities. Furthermore, the slowdown of freight and passenger movements, teamed with unofficial payments at border crossings, make international road transport operations less efficient and more costly.

Governments bear the primary responsibility to address the majority of the problems outlined in this report. They play the key role in the fight against corruption and in ensuring good governance and efficient and effective border management. They should develop programmes to increase the social status and recognition of border control personnel. Many of the shortcomings are attributed to some governments failing to take appropriate measures, including ratifying and implementing relevant international Conventions such as the TIR, or establishing and effectively implementing bilateral or multilateral agreements that would facilitate easier and faster border crossing.

The main purpose of government action should be the facilitation and acceleration of international trade and related road transport operations with due and balanced considerations of national security, including budgetary aspects.

Therefore, governments need to work together, through dialogue at the international level, to develop and implement harmonized policies and procedures at borders, which would be as simple as possible in order to remove many of the obstacles for the effective and efficient movement of people and goods across borders. Without global and subordinate regional approaches by governments to simplify, coordinate and harmonize procedures, the negative social and economic impact of current border conditions across the globe will continue to intensify.

By facilitating easy access to information on border crossing, streamlining visa requirements, providing updates or changes to the procedures and regulations in a timely way, eliminating discrepancies between different border crossings in the same country, improving border facilities, undertaking controls and inspections based on risk-management analysis on a single-window basis supported by pre-notification schemes, reducing delays in general, and addressing the issue of the unethical behaviour of border officials, governments will in turn lessen the burden on drivers and their employers.

Notwithstanding the abovementioned responsibilities of governments, the employers' and workers' contribution is also essential to improve the situation regarding road-transport-related border crossing. A full appreciation of the sensitivities of governments on certain important issues such as security and immigration, and full collaboration with the authorities would go a long way towards helping governments to take corrective measures. By keeping updated information on relevant legislation, regulations and procedures, and through appropriate control mechanisms, employers and workers and their respective organizations (road transport associations and trade unions) should make sure that all documentary and other requirements regarding visas and border controls are always in place.

Irrespective of their opinion regarding the appropriateness of border requirements as set by governments, a greater understanding by employers and workers of the need to conform to these would further facilitate border crossing. However, they should not be deprived of their right to express their views and ideas for improvements and reasonable facilitation measures, but any complaints or other representations to the authorities by employers or workers would, as is usually the case, be best characterized by professionalism.

The example of many employers who provide international drivers with adequate facilities on their trucks or coaches and the means for effective communication with their families, offices and workers' organizations (if they belong to one) in the event of unforeseen delays or problems at the borders should become the general practice.

Employers should offer, and international drivers should be willing to participate in, training on border-crossing procedures and on HIV/AIDS.

HIV/AIDS as a workplace issue should be addressed without any delay jointly by governments, employers and workers, starting with the development and implementation of appropriate policies at the national, enterprise and workers' organizations levels. In this regard, the ILO and other organizations could provide assistance within the scope of their competencies and resources.

If the living and working conditions of international drivers remain as they are, it will be difficult for the industry to attract the numbers of professional drivers needed in order to keep pace with the growing demand for trade via road transport. Without an influx of young men and women into the industry, the sustainability of the sector is in question.

Civilian air and sea transport crew usually enjoy some special facilities regarding entry into or transiting through a country, unlike international drivers in road transport. The Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), could provide useful ideas for a similar approach to be considered in the case of international drivers in road transport.

Some cross-border issues, such as visas or customs and other border controls that have an impact on the working and living conditions of international drivers and the operations of their employers, may not completely fall under the mandate of the ILO for providing and implementing appropriate solutions. While the initiative and the platform for the development of solutions to these cross-border issues should be provided by other international or regional organizations or national authorities, the unique tripartite platform provided by the ILO for the discussion of these issues from the labour and social perspective nonetheless offers an invaluable contribution to such a process.

Effective social dialogue would definitely help to develop and implement socially responsible solutions to all the above challenges faced by governments and employers' and workers' organizations in this globalized era.

9.1. Suggested themes for discussion

The research that has led to the preparation of this report has revealed a number of social and labour issues arising from problems of cross-border mobility of international drivers in the road transport sector. Given the short duration of the tripartite Meeting, a meaningful, in-depth discussion will only be possible on a selection of these. It is therefore proposed that the discussion at the Meeting focus on the following areas of concern.

1. The impact of deficiencies in infrastructure, facilities and procedures at border crossings on road transport operations and the working and living conditions of international drivers; proposals for improvement (practical implementation of United Nations' and other international organizations' Conventions on transit freedom).

2. The impact of deficiencies in border staffing standards and border officials' conduct on road transport operations and the working and living conditions of international drivers; options for joint initiatives at appropriate levels and cooperation between

border and other authorities, employers and trade unions, for example by establishing local border problem monitoring mechanisms.

3. Visa processes and controls and their impact on road transport operations and the working and living conditions of international drivers; possible solutions – does ILO Convention No. 185 offer a suitable model?

4. HIV/AIDS: A workplace issue for international drivers at border crossings; promotion at the workplace of ILO guidance on prevention and protection against HIV/AIDS.

5. Improvement in cross-border traffic and its socio-economic consequences, and general discussion on any other issue not covered above.

6. Follow-up activities.

Appendix
Primary UNECE transport agreements and Conventions related to road transport (as at 9 May 2006)

	Construction Traffic Arteries, 1950	E Road Network (AGR), 1975	Road Traffic, 1949	Road Traffic, 1968	Protocol on Road Signs & Signals, 1949	Road Signs & Signals, 1968	Suppl. 1968 Convention Road Traffic, 1971	Suppl. 1968 Conv. Road Signs & Signals, 1971	Weights and Dimensions, 1950	Suppl. 1949 Conv. and Protocol, 1950	Road Markings, 1957	Protocol Road Markings, 1973	Issue and Validity of Driving Permits (APC)	Vehicles Regulations, 1958	Techn. Inspect. Vehicles, 1997	Global Vehicles Regulations, 1998	Work of Crews Int. Road Transport (AETR), 1970	Taxation Priv. Road Vehic., 1956	Taxation Road Passenger Vehic., 1956	Taxation Road Goods. Vehic., 1956	Contract Road Goods Transport (CMR), 1956	Protocol to CMR, 1978	Contract Pass. & Lugg. Rd. Transp. (CVR), 1973	Protocol to CVR, 1978	Econ. Regulat. Road Transp., 1954	Touring Facilities, 1954	Protocol Touring Facilities, 1954	Temp. Import. Priv. Road Vehicles, 1954	TIR Convention, 1959	TIR Convention, 1975	Temp. Import. Commerc. Vehicles, 1956	Customs Container Convention, 1956	Customs Container Convention, 1972	Customs Treatment Pallets, 1960	Harmoniz. Frontier Controls Goods, 1982	Customs Pool Containers, 1994	Dang. Goods by Road (ADR), 1957	Protocol to ADR, 1993	Liabil. Dang. Goods (CRTD), 1989	Perishable Foodstuffs (ATP), 1970
	Infrastruc. networks		Road traffic and road safety											Vehicles			Other legal instruments related to road transport									Border-crossing facilitation										Dangerous goods and special cargoes			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
EU MEMBER STATES																																								
Austria	X	S	X	X	X	X	X	X		X		X		X	S		X	X	X	X	X	X				X	X	X	X	X	X	X	X	X	X	X		X
Belgium	X	X	X	X	X	X	X	X	X	X	X	X		X	S		X	S			X	X			S	X	X	X	X	X	X	X		X	X		X	X		X
Cyprus			X								X			X	S	X	X				X	X				X	X	X	X	X	X				X		X	X		
Czech Republic	X	X	X	X	X	X	X	X			X	X		X	S		X	X	X	X	X		X				X		X	X		X	X	X	X	X	X		X
Denmark	X	X	X	X	X	X	X	X				X		X	S		X	X	X	X	X	X			S	X	X	X	X	X	X	X		X	X	S	X	X		X
Estonia				X		X	X	X						X	X		X				X	X								X				X		X	X		X
Finland	X	X	X	X	X	X	X	X				X		X	X	X	X	X	X	X	X	X				X	X	X	X	X	X	X	X	X		X	X		X
France	X	X	X	X	X	X	X	X		X	X			X	S	X	X	X			X	X			X	X	X	X	X	X	X	X		X	X		X	X		X
Germany	X	X		X		X	X	X			X	X		X	S	X	X	X			X	X	S	S		X	X	X	X	X	X	X		X	X		X	S	S	X
Greece	X	X	X	X	X	X	X	X	X	X		X		X	S		X				X	X			X	X	X		X	X	X	X	S		X		X	S		X
Hungary	X	X	X	X	X	X	X	X		X	X	X		X	X	X	X				X	X				X	X	X	X	X	X	X	X	X	X		X	X		X
Ireland	X		X											X	S		X	X	X	X	X	X				X	X	X	X	X	X				X					X
Italy	X	X	X	X	X	X	X	X	X	X	S	X		X	S	X	X				X	X			X	X	X	X	X	X	X	X		X	X	X	X	X		X
Latvia		X		X		X	X	X						X			X		X	X	X	X	X	X						X				X		X	X		X
Lithuania		X		X		X	X	X						X			X				X	X				X	X	X		X	X		X		X	X	X	X		X
Luxembourg	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	S		S	X	X	X	X	X	X	X		X	X		X	X		X
Malta			X											X			X	X								X	X	X	X	X						X				
Netherlands	X	X	X		X				X	X	S			X	X	X	X	X	X	X	X	X			S	X	X	X	X	X	X	X		X	X		X	X		X
Poland	X	X	X	X	X	X	X	X		X		X		X			X	X	X	X	X					X	X	X	X	X	X	X	X	X	X	X	X	X		X
Portugal	X	X	X	S	X	S					X			X	S		X				X	X				X	X	X	X	X	X	X		X	X		X	X		X
Slovakia	X	X	X	X	X	X	X	X			X	X		X	S	X	X	X	X	X	X		X				X		X	X		X	X	X	X	X	X	X		X
Slovenia	X	X		X			X							X			X				X					X		X		X	X	X		X	X	X	X	X		X
Spain	X		X	S	X	S				X	X			X	S	X	X				X	X				X	X	X	X	X	X	X	X	X	X		X	X		X
Sweden	X	X	X	X	X	X	X	X				X		X	S	X	X	X	X	X	X	X			S	X	X	X	X	X	X	X		X	X	X	X	X		X
United Kingdom	X	S	X	S	X	S	S	S		X	S			X	S	X	X	X	X	X	X	X			S	X	X	X	X	X	X	X		X	X	X	X	X		X
EUROPEAN COMMUNITY														X		X												X		X	X				X	X				

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	Construction Traffic Arteries, 1950	E Road Network (AGR), 1975	Road Traffic, 1949	Road Traffic, 1968	Protocol on Road Signs & Signals, 1949	Road Signs & Signals, 1968	Suppl. 1968 Convention Road Traffic, 1971	Suppl. 1968 Conv. Road Signs & Signals, 1971	Weights and Dimensions, 1950	Suppl. 1949 Conv. and Protocol, 1950	Road Markings, 1957	Protocol Road Markings, 1973	Issue and Validity of Driving Permits (APC)	Vehicles Regulations, 1958	Techn. Inspect. Vehicles, 1997	Global Vehicles Regulations, 1998	Work of Crews Int. Road Transport (AETR), 1970	Taxation Priv. Road Vehic., 1956	Taxation Road Passenger Vehic., 1956	Taxation Road Goods. Vehic., 1956	Contract Road Goods Transport (CMR), 1956	Protocol to CMR, 1978	Contract Pass. & Lugg. Rd. Transp. (CVR), 1973	Protocol to CVR, 1978	Econ. Regulat. Road Transp., 1954	Touring Facilities, 1954	Protocol Touring Facilities, 1954	Temp. Import. Priv. Road Vehicles, 1954	TIR Convention, 1959	TIR Convention, 1975	Temp. Import. Commerc. Vehicles, 1956	Customs Container Convention, 1956	Customs Container Convention, 1972	Customs Treatment Pallets, 1960	Harmoniz. Frontier Controls Goods, 1982	Customs Pool Containers, 1994	Dang. Goods by Road (ADR), 1957	Protocol to ADR, 1993	Liabil. Dang. Goods (CRTD), 1989	Perishable Foodstuffs (ATP), 1970
	Infrastruc. networks		Road traffic and road safety											Vehicles			Other legal instruments related to road transport									Border-crossing facilitation										Dangerous goods and special cargoes			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
EU ACCEDING STATES																																								
Bulgaria	X	X	X	X	X	X	X	X			X	X	X	X	X		X				X					X	X	X	X	X	X	X	X	X		X	X		X
Romania	X	X	X	X	X	X	X	X			X			X	X	X	X	X	X		X	X				X	X	X	X	X	X	X	X	X		X	X		X
SOUTHEASTERN EUROPEAN STATES																																								
Albania			X	X		X	X	X			X	X			X													X	X	X				X		X	X		X
Bosnia and Herzegovina	X	X		X		X	X	X			X	X	X	X			X	X	X	X	X		X			X		X		X	X	X		X		X			X
Croatia		X		X		X	X						X	X			X				X		X			X		X		X	X	X		X	X	X			X
Serbia and Montenegro ***	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X	X		X		S	X	X	X		X	X	X	X	X	X		X			X
The former Yugoslav Republic of Macedonia		X		X		X	X	X				X		X			X				X	X						X		X	X			X		X			X
Turkey	X	X	X								X			X		X	X				X	X				X	X	X	X	X	X		X	X	X					
COMMONWEALTH OF INDEPENDENT STATES																																								
Armenia				X													X													X				X						
Azerbaijan		X		X										X		X	X													X	X			X	X	X				X
Belarus		X		X		X	X	X				X		X	X		X				X								X			X		X		X			X
Georgia		X	X	X		X		X				X			S						X	X							X			X		X					X
Kazakhstan		X		X		X											X				X								X				X	X	X		X			X
Kyrgyzstan			X		X																X	X							X	X				X					
Republic of Moldova				X													X	X			X								X							X			
Russian Federation		X	X	X	X	X	X	X				X		X	X	X	X				X					X	X	X	X	X			X		X		X	X		X
Tajikistan				X		X															X								X										
Turkmenistan				X		X											X				X	X							X										
Ukraine		X		X		X	X	X				X		X	S		X						X						X			X		X		X			
Uzbekistan				X		X											X			X	X	X							X	X		X		X	X				X

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*** As of 4 February 2003, the Federal Republic of Yugoslavia changed its name to Serbia and Montenegro.

	Infrastruc. networks	Road traffic and road safety											Vehicles			Other legal instruments related to road transport									Border-crossing facilitation										Dangerous goods and special cargoes			
	Construction Traffic Arteries, 1950	E Road Network (AGR), 1975	Road Traffic, 1949	Road Traffic, 1968	Protocol on Road Signs & Signals, 1949	Road Signs & Signals, 1968	Suppl. 1968 Convention Road Traffic, 1971	Suppl. 1968 Conv. Road Signs & Signals, 1971	Weights and Dimensions, 1950	Suppl. 1949 Conv. and Protocol, 1950	Road Markings, 1957	Protocol Road Markings, 1973	Issue and Validity of Driving Permits (APC)	Vehicles Regulations, 1958	Techn. Inspect. Vehicles, 1997	Global Vehicles Regulations, 1998	Work of Crews Int. Road Transport (AETR), 1970	Taxation Priv. Road Vehic., 1956	Taxation Road Passenger Vehic., 1956	Taxation Road Goods. Vehic., 1956	Contract Road Goods Transport (CMR), 1956	Protocol to CMR, 1978	Contract Pass. & Lugg. Rd. Transp. (CVR), 1973	Protocol to CVR, 1978	Econ. Regulat. Road Transp., 1954	Touring Facilities, 1954	Protocol Touring Facilities, 1954	Temp. Import. Priv. Road Vehicles, 1954	TIR Convention, 1959	TIR Convention, 1975	Temp. Import. Commerc. Vehicles, 1956	Customs Container Convention, 1956	Customs Container Convention, 1972	Customs Treatment Pallets, 1960	Harmoniz. Frontier Controls Goods, 1982	Customs Pool Containers, 1994	Dang. Goods by Road (ADR), 1957	Protocol to ADR, 1993	Liabil. Dang. Goods (CRTD), 1989	Perishable Foodstuffs (ATP), 1970
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
OTHER EUROPEAN STATES																																						
Andorra																	X																					
Iceland			X																																			
Liechtenstein																	X																		X	X		
Monaco		X	X	X	X		X																		S	S	S	S								X	X		X
Norway	X	X	X	X	S	X								X		X	X	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
San Marino			X	X	X	X																																	X
Switzerland		X	S	X	S	X	X	X			S	X		X	S		X				X	X			S	X	X	X	X	X	X	X	X	X	S	X	X		S
NORTH AMERICA																																							
Canada		X													X	X									X	X	X	X	X	X	X	X	X	X					
United States			X													X									X	X	X	X	X	X	X	X	X	X					X
OTHER UNECE STATE																																							
Israel		X	X	X	S																				X	X	X	X	X	X	X	X	X	X					
NON-UNECE STATES																																							
Afghanistan																													X	X	X	X	X	X					
Algeria			X																						X	X	X	X	X	X	X	X	X	X					
Antigua and Barbuda																																X							
Argentina		X																							X	X	S												
Australia		X												X				X																					
Bahamas			X																						X	X	X					X	X	X					
Bahrain				X		X																																	
Bangladesh			X																																			
Barbados			X																						X	X	X												
Benin	X		X																																			

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	Infrastruc. networks		Road traffic and road safety											Vehicles			Other legal instruments related to road transport								Border-crossing facilitation										Dangerous goods and special cargoes			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
NON-UNECE STATES (cont'd)																																						
Botswana			X																																			
Brazil				X	S																																	
Burundi																																						
Cambodia			X		X													X																				
Cameroon																																X						
Central African Republic			X	X		X																																
Chile			X	S		X																																
China			X[1]	S[1]		S[1]										X																						
Congo			X																																			
Costa Rica				S		S																				X	X											
Côte d'Ivoire			X	X		X																																
Cuba			X	X		X													X	X						X	X			X	X		X	X				
Democratic Rep. of the Congo			X	X		X																																
Dominican Republic			X		X																					S												
Ecuador			X	S	X	S																				X	X	X										
Egypt			X		X																					X	X	X										
El Salvador																										X	X	X										
Fiji			X			S					X															X	X	X										
Ghana			X	S		S												X	X	X						X	X	X										
Guatemala			X																							S	S	S										
Guyana				X																								S										
Haiti			X		X																					X	X	X										
Holy See			X	S	X	S				X																X	X	X										
Honduras																										S	S	S										
India			X		S	X										X										X	X	X										
Indonesia				S		S																							X									
Iran, Islamic Republic of			X			X													X	X	X					X	X	X										

Legend: X = Ratification, accession, definite signature; S = Signature. 1/ = Done by the Former Republic of China.

	Construction Traffic Arteries, 1950	E Road Network (AGR), 1975	Road Traffic, 1949	Road Traffic, 1968	Protocol on Road Signs & Signals, 1949	Road Signs & Signals, 1968	Suppl. 1968 Convention Road Traffic, 1971	Suppl. 1968 Conv. Road Signs & Signals, 1971	Weights and Dimensions, 1950	Suppl. 1949 Conv. and Protocol, 1950	Road Markings, 1957	Protocol Road Markings, 1973	Issue and Validity of Driving Permits (APC)	Vehicles Regulations, 1958	Techn. Inspect. Vehicles, 1997	Global Vehicles Regulations, 1998	Work of Crews Int. Road Transport (AETR), 1970	Taxation Priv. Road Vehic., 1956	Taxation Road Passenger Vehic., 1956	Taxation Road Goods. Vehic., 1956	Contract Road Goods Transport (CMR), 1956	Protocol to CMR, 1978	Contract Pass. & Lugg. Rd. Transp. (CVR), 1973	Protocol to CVR, 1978	Econ. Regulat. Road Transp., 1954	Touring Facilities, 1954	Protocol Touring Facilities, 1954	Temp. Import. Priv. Road Vehicles, 1954	TIR Convention, 1959	TIR Convention, 1975	Temp. Import. Commerc. Vehicles, 1956	Customs Container Convention, 1956	Customs Container Convention, 1972	Customs Treatment Pallets, 1960	Harmoniz. Frontier Controls Goods, 1982	Customs Pool Containers, 1994	Dang. Goods by Road (ADR), 1957	Protocol to ADR, 1993	Liabil. Dang. Goods (CRTD), 1989	Perishable Foodstuffs (ATP), 1970
	Infrastruc. networks		Road traffic and road safety											Vehicles			Other legal instruments related to road transport									Border-crossing facilitation										Dangerous goods and special cargoes			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
NON-UNECE STATES (cont'd)																																								
Iraq						X																																		
Jamaica			X																							X	X	X				X								
Japan			X											X		X										X	X	X	X			X								
Jordan			X																							X	X	X	X	X										
Kuwait				X		X																							X	X										
Lao People's Dem. Rep.			X																																					
Lebanon			X		S																X	X				X	X			X										
Lesotho			X																														X							
Liberia				X		X																					X	X		X			X	X			X			
Madagascar			X																																					
Malawi			X																												X									
Malaysia			X											X		X										X	X	X												
Mali			X																							X	X	X												
Mauritius																										X	X	X				X								
Mexico				S		S																				X	X	X												
Mongolia				X		X															X									X										
Morocco			X	X		X							X							X	X				X	X	X	X	X			X				X		S	X
Namibia			X																																					
Nepal																										X	X	X												
New Zealand			X											X		X										X	X	X				X								
Niger			X	X	X																																			
Nigeria																										X	X	X												
Pakistan				X		X																																		
Panama																										S	S	S												
Papua New Guinea			X																																					
Paraguay			X																																					
Peru			X																							X	X	X												
Philippines			X	X		X																				X	X	X												
Republic of Korea			X	S		S								X		X														X		X								

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	Construction Traffic Arteries, 1950	E Road Network (AGR), 1975	Road Traffic, 1949	Road Traffic, 1968	Protocol on Road Signs & Signals, 1949	Road Signs & Signals, 1968	Suppl. 1968 Convention Road Traffic, 1971	Suppl. 1968 Conv. Road Signs & Signals, 1971	Weights and Dimensions, 1950	Suppl. 1949 Conv. and Protocol, 1950	Road Markings, 1957	Protocol Road Markings, 1973	Issue and Validity of Driving Permits (APC)	Vehicles Regulations, 1958	Techn. Inspect. Vehicles, 1997	Global Vehicles Regulations, 1998	Work of Crews Int. Road Transport (AETR), 1970	Taxation Priv. Road Vehic., 1956	Taxation Road Passenger Vehic., 1956	Taxation Road Goods. Vehic., 1956	Contract Road Goods Transport (CMR), 1956	Protocol to CMR, 1978	Contract Pass. & Lugg. Rd. Transp. (CVR), 1973	Protocol to CVR, 1978	Econ. Regulat. Road Transp., 1954	Touring Facilities, 1954	Protocol Touring Facilities, 1954	Temp. Import. Priv. Road Vehicles, 1954	TIR Convention, 1959	TIR Convention, 1975	Temp. Import. Commerc. Vehicles, 1956	Customs Container Convention, 1956	Customs Container Convention, 1972	Customs Treatment Pallets, 1960	Harmoniz. Frontier Controls Goods, 1982	Customs Pool Containers, 1994	Dang. Goods by Road (ADR), 1957	Protocol to ADR, 1993	Liabil. Dang. Goods (CRTD), 1989	Perishable Foodstuffs (ATP), 1970
	Infrastruc. networks		Road traffic and road safety											Vehicles			Other legal instruments related to road transport										Border-crossing facilitation										Dangerous goods and special cargoes			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
NON-UNECE STATES (cont'd)																																								
Rwanda			X		X																					X	X	X											
Saudi Arabia																												X			X									
Senegal			X	X	X	X																				X	X	X											
Seychelles				X		X																																		
Sierra Leone			X																							X	X	X			X	X								
Singapore			X																							X	X	X			X									
Solomon Islands																										X	X	X				X								
South Africa			X	X										X		X																		X						
Sudan																												X												
Sri Lanka			X																							X		X												
Syrian Arab Republic			X																							X	X	X		X										
Thailand			X	S	X	S								X																										
Togo			X																																					
Tonga																										X	X	X												
Trinidad and Tobago			X																							X	X	X				X	X							
Tunisia			X	X	X	X															X	X				X	X	X		X										
Uganda			X		X																					X	X	X							S					
United Rep. of Tanzania																										X	X	X												
Uruguay				X																						X		S		X										
Venezuela			X	S		S																																		
Zimbabwe			X	X																																				
	26	33	91	63	37	53	30	28	6	13	17	23	6	46	9	27	44	22	18	19	47	32	7	1	4	77	72	78	37	66	40	43	33	28	48	14	40	28	1	40

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Total: 1,347

Source: UNECE.