



**Economic and Social
Council**

Distr.
GENERAL

ECE/TRANS/WP.30/AC.2/92
12 November 2007

Original: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

Administrative Committee for the TIR Convention, 1975

Forty-fifth session
Geneva, 31 January 2008

**ANNOTATED PROVISIONAL AGENDA
FOR THE FORTY-FIFTH SESSION**

To be held at the Palais des Nations, Geneva,
starting at 10 a.m. on Thursday, 31 January 2008^{1, 2, 3, 4}

¹ The UNECE Transport Division has submitted the present document after the official documentation deadline.

² For reasons of economy, delegates are requested to bring copies of the documents mentioned in this provisional agenda to the meeting. There will be no official documentation available in the meeting room. Before the meeting, missing documents may be obtained directly from the UNECE Transport Division (Fax: +41-22-917-0039; e-mail: wp.30@unece.org). Documents may also be downloaded from the UNECE Border Crossing Facilitation website <<http://border.unece.org>>. During the meeting, official documents may be obtained from the UNOG Documents Distribution Section (Room C.337, 3rd floor, Palais des Nations). Documents mentioned in bold in the documentation overview under each agenda item of this agenda are documents issued for the present session.

³ The full text of the TIR Convention, 1975, as well as a complete list of Contracting Parties to the Convention, is available on the UNECE website: <<http://www.unece.org/trans/conventn/legalinst.html#customs>>. Delegates are requested to complete the registration form available from the Internet website of the UNECE Transport Division <<http://www.unece.org/trans/registfr.html>> and to transmit it to the UNECE secretariat, at the latest one week prior to the session, either by fax (+41-22-917-0039) or by e-mail (wp.30@unece.org). Prior to the session, delegates who do not hold a long-term access badge should obtain an identification badge at the UNOG Security and Safety Section, located at the Pregny Gate (14, Avenue de la Paix). In case of difficulty, please contact by telephone the UNECE secretariat (internal extension 74030). For a map of the Palais des Nations and other useful information, see website <<http://www.unece.org/meetings/practical.htm>>.

⁴ Representatives of Contracting Parties to the TIR Convention, 1975, are also invited to participate in the 118th session of the UNECE Working Party on Customs Questions affecting Transport (WP.30) which will be held in conjunction with the present session of the Administrative Committee from 29 January to 1 February 2008. The documentation for the WP.30 session may be obtained as indicated under footnote 2 above.

I. PROVISIONAL AGENDA

1. Adoption of the agenda
2. Election of officers
3. Status of the TIR Convention, 1975
4. Activities and administration of the TIR Executive Board (TIRExB)
 - (a) Activities of the TIRExB
 - (i) Report by the Chairperson of the TIRExB
 - (ii) International TIR Data Bank (ITDB)
 - (iii) On-line register of Customs sealing devices and stamps
 - (iv) National and regional TIR workshops and seminars
 - (b) Financial administration of the TIRExB and the TIR secretariat
 - (i) Status report on the accounts for the year 2007
 - (ii) Budget proposal and cost plan for the year 2008
 - (iii) Audit by the UN Board of Auditors and OIOS
5. Proposals for amendments to the Convention with regard to the operation of the TIRExB and the TIR secretariat
6. Authorization for printing and distribution of TIR Carnets and the organization and functioning of the guarantee system
7. Authorization for the conclusion of an agreement between the UNECE and IRU
8. Revision of the Convention
 - (a) Phase III of the TIR revision process – computerization of the TIR procedure
 - (b) Other proposals for amendments to the Convention
9. Application of the Convention - draft recommendation on the introduction of HS code in the TIR Carnet
10. Best practices – examples to be published in the TIR Handbook
 - (a) Application of Article 38 of the Convention
 - (b) Application of Articles 39 and 40 of the Convention
11. Other business
 - (a) Date of next session
 - (b) Restriction on the distribution of documents
12. Adoption of the report

II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1 Adoption of the agenda

Documentation: ECE/TRANS/WP.30/AC.2/92

1. The Administrative Committee may wish to consider and adopt the agenda of its present session. The Committee will also be informed that, according to Annex 8, Article 6 of the TIR Convention, 1975, "a quorum consisting of not less than one third of the States which are Contracting Parties is required for the purposes of taking decisions." As of 20 April 2007, the number of Contracting Parties to the Convention is sixty-eight.

Item 2 Election of officers

2. In accordance with the Committee's rules of procedure and established practice, the Committee should elect a Chairperson and possibly a Vice-Chairperson for its sessions in 2008.

Item 3 Status of the TIR Convention, 1975

3. The Committee will be informed about the number of Contracting Parties to the TIR Convention, 1975. More detailed information on the status of the Convention as well as on various Depositary Notifications is available at the UNECE website.⁵

Item 4 Activities and administration of the TIR Executive Board (TIRExB)

(a) Activities of the TIRExB

(i) Report by the Chairperson of the TIRExB

Documentation: ECE/TRANS/WP.30/AC.2/2008/1

4. In accordance with Annex 8, Article 11, paragraph 4 of the Convention and in line with the decision of the Administrative Committee (TRANS/WP.30/AC.2/55, paras. 14-15), the UNECE secretariat has reproduced the report of the TIRExB on its thirty-third session (June 2007) for information and endorsement by the Administrative Committee (ECE/TRANS/WP.30/AC.2/2008/1).

5. More information about the recent activities of the TIRExB as well as about various considerations and decisions taken at its thirty-fourth (November 2007) and thirty-fifth sessions (January 2008) will be provided orally by the Chairperson of the TIRExB.

(ii) International TIR Data Bank (ITDB)

6. The Administrative Committee will be informed about the current operation of the ITDB and the enlargement of on-line access for authorized Customs officials.

7. The Committee may also wish to recall its earlier decision to mandate the secretariat to start the development of the so-called ITDB Online+ project, aimed at enabling Customs authorities to update their "own" data online in the ITDB (ECE/TRANS/WP.30/AC.2/81, para. 20). The Committee will be informed of progress made to date.

⁵ <<http://tir.unece.org>>.

(iii) On-line register of Customs sealing devices and Customs stamps

Documentation: **ECE/TRANS/WP.30/AC.2/2008/2**

8. At its previous session, the Administrative Committee took note of information provided by the secretariat concerning the results of an enquiry among Contracting Parties with respect to an on-line version of the present paper-based UNECE Register of Customs sealing devices and Customs stamps. The Committee requested the secretariat to continue its work on the register's development. The Committee also requested the secretariat to submit a document for the present session outlining the security features in the envisaged register (ECE/TRANS/WP.30/AC.2/91, para. 11).

9. Against this background, the Administrative Committee may wish to take note of document ECE/TRANS/WP.30/AC.2/2008/2 by the secretariat.

(iv) National and regional TIR workshops and seminars

10. The Administrative Committee may wish to be informed about seminars conducted and/or planned.

(b) Financial administration of the TIRExB and the TIR secretariat

(i) Status report on the accounts for the year 2007

11. In accordance with Annex 8, Article 11, paragraph 4 of the Convention, the TIRExB shall submit audited accounts to the Administrative Committee at least once a year or at the request of the Administrative Committee.

12. As the competent Finance Services of the United Nations will not be able to formally finalize the accounts for 2007 by the time the Administrative Committee meets in January 2008, the report on the complete and final accounts will be transmitted, as in the past, to the session of the Administrative Committee in September 2008 for formal approval.

(ii) Budget and cost plan for the year 2008

13. The Administrative Committee may wish to recall that the budget and cost plan for the operation of the TIRExB and the TIR secretariat for the year 2008 was approved by the Administrative Committee at its previous session (ECE/TRANS/WP.30/AC.2/91, para. 14). The Committee may wish to be informed about the transfer of the required funds for the operation of the TIRExB and the TIR secretariat for the year 2008 by the IRU to the TIR Trust Fund.

14. At its previous session, the Administrative Committee also approved the amount per TIR Carnet (US\$ 0.3206) (ECE/TRANS/WP.30/AC.2/91, para. 14). This amount will be expressed in Swiss francs following the transfer of the funds according to the prevailing US dollar-Swiss franc exchange rate on the day of the transfer. The Committee may wish to take note of the amount per TIR Carnet in Swiss francs.

(iii) Audit of the UN Board of Auditors and OIOS

15. The Committee may wish to be informed about any new developments with regard to the recommendations by the UN Board of Auditors and Office of Internal Oversight Services.

Item 5 Proposals for amendments to the Convention

Amendment(s) to the Convention with regard to the financing of the operation of the TIRExB and the TIR secretariat

16. The Committee may wish to adopt the following amendment proposal to Annex 8 (ECE/TRANS/WP.30/AC.2/2007/3/Rev.1):

Replace the existing text of Annex 8, Article 13, paragraph 1 by:

“1. The operation of the TIR Executive Board and the TIR secretariat shall be financed, until such time as alternative sources of funding are obtained, through an amount per TIR Carnet distributed by the international organization as referred to in Article 6. This amount shall be approved by the Administrative Committee.”

Add a new Explanatory Note:

“8.13.1-3 Amount

The amount referred to in paragraph 1 shall be based on (a) the budget and cost plan of the TIR Executive Board and TIR secretariat as approved by the Administrative Committee and (b) the forecast of the number of TIR Carnets to be distributed as established by the international organization.”

Replace the existing text of Annex 8, Article 13, paragraph 2 by:

“2. The procedure to implement the financing of the operation of the TIR Executive Board and the TIR secretariat shall be approved by the Administrative Committee.”

Add a New Explanatory Note:

“8.13.2 *Following consultation with the international organization as referred in Article 6, the procedure referred to in paragraph 2 shall be reflected in the Agreement between the UNECE, as mandated by and acting on behalf of the Contracting Parties, and the international organization as referred to in Article 6. The Agreement shall be approved by the Administrative Committee.”*

17. At its previous session, the Administrative Committee was informed by the European Community of its ongoing internal approval procedures that need to be completed before it can approve the proposal. As a result, the Committee’s considerations to approve this amendment had to be postponed until the present session. However, the Committee recalled its agreement in principle with the proposed amendment (ECE/TRANS/WP.30/AC.2/91, para. 16).

18. Following adoption, the Administrative Committee may wish to decide on a time scale for its entry into force in accordance with Article 60.

Item 6 Authorization for printing and distribution of TIR Carnets and the organization and functioning of the guarantee system

19. Authorization for printing and distribution of TIR Carnets and the organization and functioning of the guarantee system is granted subject to the provisions of Article 6.2bis and Article 10 (b) of Annex 8 and Explanatory Notes 0.6.2 bis-2 and 8.10 (b). The Committee may wish to recall its earlier decision to authorize the IRU to centrally print and distribute TIR Carnets and to organize the functioning of the guarantee system for the period 2006-2010 inclusive (TRANS/WP.30/AC.2/77, para. 37 and ECE/TRANS/WP.30/AC.2/91, para.17).

Item 7 Authorization for the conclusion of an Agreement between the UNECE and the IRU

20. At its previous session, the Committee decided to provide the secretariat with the mandate to conclude and sign the UNECE-IRU Agreement on behalf of the Administrative Committee and to continue it with a view to receiving the transfer of US\$962,000 from the IRU to finance the operation of the TIRExB and the TIR secretariat for the year 2008. The IRU expressed its willingness and readiness to sign the revised Agreement when convenient (ECE/TRANS/WP.30/AC.2/91, para. 18). In this context, the Committee may wish to take note that, on 29 October 2007, the revised agreement was signed by the UNECE and the IRU.

Item 8 Revision of the Convention

(a) Phase III of the TIR revision process – computerization of the TIR procedure

21. The Committee may wish to be informed about the latest developments with regard to the computerization of the TIR system.

(b) Other proposals for amendments to the Convention

22. At its previous session, the Administrative Committee decided to approve in principle the following Explanatory Note to Article 3 (a):

"0.3 (a) (iii) The provisions of Article 3 (a) (iii) do not cover passenger cars (HS-code 8703) travelling by their own means. However, passenger cars may be carried under the TIR procedure if transported by means of other vehicles as referred to in subparagraphs (a) (i) and (a) (ii) of Article 3."

23. The Committee's approval of the proposed Explanatory Note was subject to a confirmation at the present session of the Administrative Committee, thereby allowing the European Community to conclude its internal approval procedures (ECE/TRANS/WP.30/AC.2/91, paras. 22 and 23).

24. The Committee may wish to confirm the above decision and decide on a time scale for entry into force in accordance with Article 60.

Item 9 Application of the Convention

Draft recommendation on the introduction of HS code in the TIR Carnet

25. At its fortieth session, the Committee considered the draft Recommendation on the use of the HS Code in the TIR Carnet, as contained in annex 2 to document

ECE/TRANS/WP.30/AC.2/80. The Turkish delegation expressed its reservation about the applicability of the Recommendation and the negative effects that it might have for the transport industry. This view was supported by the IRU. Other delegations expressed their support for the adoption of the Recommendation. The Committee invited Contracting Parties to undertake bilateral consultations with a view to clarifying their respective views and come to a common position (ECE/TRANS/WP.30/AC.2/81, para. 40).

26. The UNECE Working Party WP.30, at its one-hundred-and-seventeenth session, considered Turkey's concerns regarding the draft Recommendation. Although Turkey stated that it could support the adoption of the Recommendation, the Turkish delegation expressed the view that, should the use of the HS code on the TIR Carnet become mandatory, it will insist on the introduction of an Explanatory Note to the Convention, stipulating that the holder shall not be liable in cases of inconsistencies between the goods and HS code and/or between the plain language description of the goods and the HS code that is written on the TIR Carnet. The IRU confirmed its support for the position of the Turkish government. Based on this statement by Turkey, the Working Party decided to place the discussion about the draft Recommendation on the agenda of the present session (ECE/TRANS/WP.30/234, paras. 28-30).

27. Against the above background, the Committee may wish to revert to the draft Recommendation on the use of the HS Code in the TIR Carnet with a view to its possible adoption.

Item 10 Best practices

(a) Application of Article 38 of the Convention

28. The Administrative Committee, at its previous session, considered the revised example of best practice contained in document ECE/TRANS/WP.30/2006/17/Rev.2-ECE/TRANS/WP.30/AC.2/2006/17/Rev.2. The Committee decided to postpone the approval of this document to the next session to allow Turkey – which supports it in principle – more time to carry out internal consultations (ECE/TRANS/WP.30/AC.2/91, para. 26). The Administrative Committee may wish to be informed by Turkey about the outcome of its internal consultations.

(b) Application of Articles 39 and 40 of the Convention

Documentation: **ECE/TRANS/WP.30/AC.2/2008/3**

29. At its previous session, the Committee considered document ECE/TRANS/WP.30/AC.2/2007/9 containing an example of best practice with regard to discrepancies between the particulars on the goods manifest of the TIR Carnet and the actual content of the load compartment. The European Community was invited to submit comments on that document prior to the present session (ECE/TRANS/WP.30/AC.2/91, para. 27). The Administrative Committee may wish to take note of comments by the European Community (ECE/TRANS/WP.30/AC.2/2008/3).

Item 11 Other business

(a) Date of next session

30. The UNECE secretariat has made the necessary arrangements to hold the forty-sixth session of the Administrative Committee on 2 October 2008 (subject to confirmation).

31. The Administrative Committee may wish to confirm the date of this forty-sixth session.

(b) Restriction on the distribution of documents

32. The Administrative Committee may wish to decide whether there should be any restriction with respect to the distribution of documents issued in connection with its current session.

Item 12 Adoption of the report⁶

33. In accordance with Annex 8, Article 7 of the Convention, the Administrative Committee will adopt the report on its forty-fifth session on the basis of a draft prepared by the UNECE secretariat. Given the present resource restrictions with regard to translation facilities, parts of the final report may not be available at the end of the session for adoption in all working languages.

⁶ The reading of the report will take place on 1 February 2008.