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ECONOMIC COMMISSION FOR EUROPE

Administrative Committee for the TIR Convention, 1975

(25-26 September 2003)

**PROVISIONAL AGENDA FOR THE THIRTY-FIFTH SESSION OF
THE ADMINISTRATIVE COMMITTEE^{*/}**

**to be held at the Palais des Nations, Geneva,
starting at 10.00 hours on Thursday, 25 September ^{**/}**

1. Adoption of the agenda
2. Status of the TIR Convention, 1975
3. Activities and administration of the TIR Executive Board (TIRExB)
 - (a) Activities of the TIRExB
 - (i) Report by the Chairman of the TIRExB

^{*/} The UNECE Transport Division has submitted the present document after the official documentation deadline due to resource constraints.

^{**/} 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 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: Poul.Hansen@unece.org). Agenda, documents and reports may also be downloaded from the Internet web site of the UNECE Transport Division (<http://tir.unece.org>). During the meeting, documents may be obtained from the UNOG Documents Distribution Section (Room C.111, 1st floor, Palais des Nations).

In accordance with the accreditation procedures applicable for all meetings held at the Palais des Nations, delegates are requested to fill-in the attached registration form (also available from the web site of the UNECE (www.unece.org)) and to transmit the duly filled-in form at the latest one week before the session to the UNECE Transport Division, either by fax (+41-22-917-0039) or by e-mail (Poul.Hansen@unece.org). In Geneva, prior to the session, delegates are requested to present themselves at the Pass and Identification Unit of the UNOG Security and Safety Section, located at Villa Les Feuillantines, 13 Avenue de la Paix (see attached map), for issuance of an identification badge. In case of difficulties, please phone the UNECE secretariat (Int. 74030).

- (ii) Identification (ID) number of the TIR Carnet holder and access to the International TIR Data Bank (ITDB)
 - (iii) Joint TIR secretariat/IRU Taskforce on SafeTIR
 - (iv) National and regional TIR workshops and seminars
- (b) Administration of the TIRExB
 - (i) Approval of the final accounts for the year 2002
 - (ii) Budget of the TIRExB and the TIR secretariat for the year 2003
 - (iii) Budget proposal and cost plan for the TIRExB and the TIR secretariat for the year 2004
 - (iv) Alternative sources of funding for the TIRExB and the TIR secretariat
- 4. Authorization for printing and distribution of TIR Carnets in the year 2004
- 5. Authorization for the organization and functioning of the guarantee system in the year 2004
- 6. Authorization for the conclusion of an agreement between the UNECE and the IRU
- 7. Functions and roles of the TIRExB, the TIR secretariat and the IRU
- 8. Revision of the Convention
 - (a) Implementation of Phase I of the TIR revision process
 - (b) Implementation of Phase II of the TIR revision process
 - (c) Preparation of Phase III of the TIR revision process
- 9. Other proposals for amendments to the Convention
 - (a) Draft amendments on a control system for TIR Carnets
 - (b) Inclusion of the place and number of seals in the certificate of approval
 - (c) Example of a TIR Carnet dully filled-in
 - (d) Other amendment proposals
- 10. Application of the Convention
 - (a) Comments adopted by the UNECE Working Party on Customs Questions affecting Transport (WP.30)
 - (b) Comments adopted by the TIR Executive Board (TIRExB)
- 11. TIR Handbook
- 12. TIR Web Site
- 13. Other business
 - (a) Date of next session
 - (b) Restriction on the distribution of documents
- 14. Adoption of the report

Annexes

- Annex 1: Contracting Parties to the TIR Convention, 1975, countries with which a TIR transit operation can be established and national associations
- Annex 2: Draft Explanatory Note and comment endorsed by the TIR Executive Board (TIRExB)
- Annex 3: Comments adopted by the UNECE Working Party (WP.30)
- Annex 4: Comments adopted by the TIR Executive Board (TIRExB)

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EXPLANATORY NOTES

The UNECE Working Party on Customs Questions affecting Transport (WP.30) will hold its one-hundred-and-fifth session in conjunction with the present session of the Administrative Committee from 22 to 26 September 2002. The agenda for the meeting is contained in document TRANS/WP.30/209 and may be obtained directly from the UNECE secretariat or from the UNECE TIR web site (see page 1). Representatives of Contracting Parties to the TIR Convention, 1975, are strongly recommended to participate also in the sessions of the Working Party.

It is recalled 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 1 July 2003 the number of States, Contracting Parties to the Convention is sixty-four.

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1. ADOPTION OF THE AGENDA

Documentation: TRANS/WP.30/AC.2/70.

The Administrative Committee may wish to consider and adopt the agenda of its present session as prepared by the UNECE secretariat (TRANS/WP.30/AC.2/70).

2. STATUS OF THE TIR CONVENTION, 1975

Documentation: TRANS/WP.30/AC.2/69.

The Committee will be informed of the situation concerning the geographical scope and the number of Contracting Parties to the TIR Convention, 1975. An up-to-date list of Contracting Parties to the Convention as well as of countries in which a TIR transit operation can be established is contained in annex 1 to this agenda and is also available on the UNECE TIR web site (<http://tir.unece.org>). Contracting Parties may wish to verify these listings. As requested, the annex also contains a list of national associations issuing TIR Carnets and providing guarantee coverage.

Detailed information on the status of the Convention as well as on the various Depository Notifications is available on the UNECE TIR web site (<http://tir.unece.org>).

3. ACTIVITIES AND ADMINISTRATION OF THE TIR EXECUTIVE BOARD (TIRExB)

(a) Activities of the TIRExB

(i) Report by the Chairman of the TIRExB

Documentation: TRANS/WP.30/AC.2/2003/9; TRANS/WP.30/AC.2/2003/12; TRANS/WP.30/AC.2/2003/13.

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 reports of the TIRExB at its fifteenth, sixteenth and seventeenth sessions held in October 2002, February 2003 and April 2003 respectively for information and endorsement by the Administrative Committee (TRANS/WP.30/AC.2/2003/9; TRANS/WP.30/AC.2/2003/12; TRANS/WP.30/AC.2/2003/13).

Further information on recent activities of the TIRExB and the TIR secretariat as well as on the considerations and decisions taken at the eighteenth (June 2003) and nineteenth (September 2003) sessions of the TIRExB will be provided by the Chairman of the TIRExB during the session.

The Administrative Committee may wish to consider these reports and the supplementary information and provide guidance on future activities and priorities of work of the TIRExB.

(ii) Identification (ID) number of the TIR Carnet holder and access to the International TIR Data Bank (ITDB)

Documentation: TRANS/WP.30/AC.2/2003/2; TRANS/WP.30/AC.2/2001/13.

Following its decisions on access to and on technical solutions in the use of the ITDB (TRANS/WP.30/AC.2/63, paras. 23-26), the Administrative Committee will be informed by the TIR Secretary on the current operation of the ITDB and on progress made in providing on-line access to authorized Customs TIR Focal Points for inquiry procedures.

The ITDB contains at present more than 33,000 persons/companies authorized by national Customs authorities to utilize the TIR procedure. It contains also information on persons excluded from the TIR procedure in accordance with Article 38 of the Convention. At present, only so-called "contact information" is released to facilitate inquiry procedures by Customs authorities. The requested data are provided within 24 hours on the basis of a standard request form and only to Customs TIR Focal Points furnishing their personal user code. Based on the experiences made with the ITDB since its inception in 1999 and the release of "contact information" since July 2001, the Administrative Committee may wish to consider whether the present restrictions with regard to access to the ITDB and type of data released should be maintained or modified and under which conditions.

To increase security as well as efficiency in the capture, transmission and processing of relevant data by national associations, Customs authorities and the TIR secretariat, a new electronic version of a data entry mask on CD-ROM has been released by the TIR secretariat and has been transmitted to all TIR Focal Points in June 2002.

The Administrative Committee may wish to be informed by the secretariat about the status of the ITDB on-line, which will provide Customs TIR Focal points with an on-line access to update and inquire the ITDB. The Administrative Committee may wish to recall that, at its thirty-fourth session, it had endorsed the report on the electronic security and encryption procedures planned to be applied for on-line access to the ITDB (TRANS/WP.30/AC.2/69, para. 16). The secretariat has since finalized the development and testing of the system, which is now ready for use. The Administrative Committee may wish to have a presentation of the functions of the ITDB on-line and to endorse the launch of the system.

As a basis for its consideration, the Administrative Committee may wish to refer to document TRANS/WP.30/AC.2/2001/13 prepared by the TIR Secretary.

(iii) Joint TIR secretariat/IRU Taskforce on SafeTIR

The Administrative Committee may wish to be informed of the results achieved by the joint TIR secretariat/IRU Taskforce to further improve the functioning of the so-called electronic SAFETIR system operated by the IRU on the basis of Article 42 bis of the Convention and the Recommendation of the Administrative Committee of 20 October 1995.

(iv) National and regional TIR workshops and seminars

The Administrative Committee will be informed about the mandated activities of the TIRExB to organize TIR workshops and seminars. The secretariat will inform about two regional TIR seminars planned to be held in China in autumn 2003 and in Moscow (Russian Federation) in October 2003.

(b) Administration of the TIRExB

(i) Approval of the final accounts for the year 2002

Documentation: TRANS/WP.30/AC.2/2003/6.

The Administrative Committee, at its spring session, took note of the final accounts of the TIRExB for the year 2002 as established by the competent Finance Services of the United Nations (Informal Document No. 4 (2003)). Since the final accounts had only been available on 31 January 2003, the Administrative Committee only approved them in principle and decided, as in the past, to formally approve them at the present session (TRANS/WP.30/AC.2/65, para. 21).

The Administrative Committee may wish to formally approve the final accounts of the TIRExB for the year 2001 as contained in document TRANS/WP.30/AC.2/2003/6.

(ii) Budget of the TIRExB and the TIR secretariat for the year 2003

Documentation: TRANS/WP.30/AC.2/2003/7.

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. Furthermore, the agreement concluded in 2000 for a period of five years (2001-2005) between the IRU and the UNECE for the transfer of funds to the TIR Trust Fund, established by the UNECE in accordance with the decision of the Administrative Committee (TRANS/WP.30/AC.2/59, para. 42), provides for the submission of an annual report to the IRU (TRANS/WP.30/AC.2/2001/3).

Since the budget year will only be completed on 31 December 2003, financial statements showing the funds received and expended for the TIRExB in 2003, in line with the internal and external auditing procedures of the United Nations, are not yet available. However, in order to provide transparency about the functioning and financing of the TIRExB and the TIR secretariat, document TRANS/WP.30/AC.2/2003/7 provides an overview of the financial situation of the TIRExB and the TIR secretariat as of 30 June 2002.

The complete and final accounts for 2002 are planned to be submitted for approval by the Administrative Committee at its spring session in February 2004.

(iii) Budget proposal and cost plan for the TIRExB and the TIR secretariat for the year 2004

Documentation: TRANS/WP.30/AC.2/2003/8.

In accordance with Annex 8, Article 13 of the Convention, the TIRExB has prepared a budget proposal and a cost plan providing for its operation in the year 2004. The budget proposal and cost plan, as contained in document TRANS/WP.30/AC.2/2003/8, is expected to be finalized and approved by the TIRExB at its nineteenth session in September 2003. Modifications, if any, decided upon by the TIRExB at this session, will be reflected in a corrigendum to this document.

The budget proposal and cost plan for the year 2004 do not differ in substantive terms from the approved budget and cost plan for the TIRExB and the TIR secretariat for the year 2003 as contained in TRANS/WP.30/AC.2/2002/5. The budget is not increased in overall terms, but as a consequence of the lower projected exchange rate of the US dollar compared to the Swiss franc in which most expenditures occur less funds are projected to be moved forward from 2003 to 2004, which will result in an increase in the funds to be transferred by the IRU for the budget period 2004.

The number of regular Customs and administrative professionals as well as General Service staff constituting the TIR secretariat, together with the TIR Secretary whose costs are borne by the Regular Budget of the UNECE, remain unchanged.

The amount of the resulting levy on each TIR Carnet and the procedure for its collection will be contained in an annex to the agreement to be concluded between the UNECE and the IRU that will be submitted to the Administrative Committee for endorsement at its session in spring 2004 (see agenda item 4).

The Administrative Committee may wish to approve the budget proposal and cost plan for the TIRExB and the TIR secretariat for the year 2004 as contained in document TRANS/WP.30/AC.2/2003/8.

(iv) Alternative sources of funding for the TIRExB and the TIR secretariat

The Administrative Committee may wish to recall that, at earlier sessions, it had decided to continue the initial funding arrangements for the TIRExB and the TIR secretariat in accordance with Annex 8, Article 13 of the Convention and to make efforts to have the costs for the operation of the TIRExB and the TIR secretariat included into the Regular Budget of the United Nations as of the next United Nations budget cycle (2004 and 2005) (TRANS/WP.30/AC.2/63, paras. 41 and 42).

In this context, the Administrative Committee may wish to take note that it had been decided by the fifth Committee of the United Nations not to include provisions to have the costs for the operation of the TIRExB and the TIR secretariat included in the budget cycle (2004 and 2005).

4. AUTHORIZATION FOR PRINTING AND DISTRIBUTION OF TIR CARNETS IN THE YEAR 2004

In accordance with Annex 8, Article 10 (b) of the Convention, the TIRExB shall supervise the centralized printing and distribution to the associations of TIR Carnets which may be performed by an agreed international organization as referred to in Article 6 of the Convention. At its twenty-sixth session, the Administrative Committee had decided on the following procedure and conditions in this respect:

At its annual spring session, the Administrative Committee will authorize an international organization to centrally print and distribute TIR Carnets for the following year in accordance with Annex 8, Article 10 (b) of the Convention under the condition that:

- (a) the concerned international organization declares in writing its acceptance of this authorization within 30 days following the decision of the Administrative Committee;
- (b) on the basis of the relevant decisions of the Administrative Committee at its annual autumn session (adoption of the budget for the TIRExB and the TIR secretariat, etc.), the required transfer of funds, in accordance with Annex 8, Article 13 of the Convention, will have been effected by the authorized international organization by 15 November each year for the operation of the TIRExB and the TIR secretariat during the following year (TRANS/WP.30/AC.2/53, para. 20).

In line with the above decision, the Administrative Committee, at its spring session in 2000 had authorized the IRU to centrally print and distribute TIR Carnets for a period of five years as of the year 2001 and to finance, as long as its expenses are not covered by the Regular Budget of the United Nations, the operation of the TIRExB and the TIR secretariat (TRANS/WP.30/AC.2/57, para. 29).

In a communication received from the Secretary-General of the IRU dated 22 March 2000, the IRU had declared its acceptance of the authorization by the Administrative Committee to centrally print and distribute TIR Carnets for a period of five years (2001-2005). Therefore, as long as the above conditions of the Administrative Committee are fulfilled, the IRU will be authorized to print and distribute TIR Carnets in the year 2003.

The Administrative Committee, at its thirty-fourth session, took note of a reservation made by the IRU in the Amendment to the Agreement for the printing and distribution of TIR Carnets for 2003. The Administrative Committee was of the view that it is the competency of the TIR Administrative Committee alone to decide the budget for the TIRExB and the size of the levy on the TIR Carnet to be collected to finance its budget (TRANS/WP.30/AC.2/69, para. 34). It decided to give the IRU an authorization to centrally print and distribute TIR Carnets for the year 2004 and until the year 2005 on the condition that the reservation in the Amendment to the Agreement made by the IRU was lifted as soon as possible. The Administrative Committee decided to revert to the authorization again at the present session (TRANS/WP.30/AC.2/69, para. 37).

The Administrative Committee may wish to be informed by the IRU about the status of its reservation and to consider the authorization for the year 2004.

5. AUTHORIZATION FOR THE ORGANIZATION AND FUNCTIONING OF THE TIR GUARANTEE SYSTEM IN THE YEAR 2004

In accordance with Article 6, paragraph 2 bis of the Convention, entering into force on 12 May 2002, an international organization, as referred to in Article 6, paragraph 2 of the Convention, shall be authorized by the Administrative Committee to take on responsibility for the effective organization and functioning of an international guarantee system provided it accepts this responsibility.

The TIR Contact Group, at its seventh session, noted that under the new provisions of the Convention, the IRU, at present administering the international TIR guarantee system, would also need to be authorized by the Contracting Parties to take on responsibility for its effective organization. The expectation was expressed that, given the know-how and experience of the IRU, it will continue to administer the international guarantee chain following entry into force of the new provisions (TRANS/WP.30/2002/18, paras. 20 and 21).

The Administrative Committee may wish to recall that, at its thirty-third session, it agreed with the reasons put forward and the proposals on this subject made by the secretariat in the provisional agenda (TRANS/WP.30/AC.2/66) and decided to follow the same procedure as adopted for the authorization to print and distribute TIR Carnets, the TIR Carnet being the basis for an international Customs document and, at the same time, proof of the required guarantee coverage (TRANS/WP.30/AC.2/69, paras. 41-42).

The Administrative Committee may also wish to recall that it authorized the IRU, on a temporary basis, to take on responsibility for the effective organization and functioning of an international TIR guarantee system as of 1 January 2003 until and including the year 2005, in accordance with Article 6, paragraph 2 bis of the Convention. On this understanding, the representative of the IRU informed the Administrative Committee that his organization accepted this authorization (TRANS/WP.30/AC.2/67, paras. 41 and 42).

The Administrative Committee may also wish to recall that the Russian delegation reserved its position concerning the above authorization (TRANS/WP.30/AC.2/67, para. 43).

For these reasons, the Administrative Committee may wish to consider the temporary authorization of the IRU to take on responsibility for the effective organization and functioning of an international guarantee system covering the period until and including the year 2005 in accordance with Article 6, paragraph 2 bis. In this context, the Administrative Committee may wish to be informed by the IRU, if it maintains to accept the authorization only on a temporary basis.

6. AUTHORIZATION FOR THE CONCLUSION OF AN AGREEMENT BETWEEN THE UNECE AND THE IRU

In line with the decision taken at its twenty-fourth session on the procedure for the collection of a levy on TIR Carnets for the financing of the operation of the TIRExB and the TIR secretariat (TRANS/WP.30/AC.2/49, para. 31 (ii)), the Administrative Committee may wish to recall that it has decided, as a general practice, to authorize the UNECE secretariat to negotiate and arrange with the IRU the required transfer of funds (a) in accordance with Annex 8, Article 13 of the Convention; (b) on the basis of the approved budget for the TIRExB and the TIR secretariat for the year 2003 (TRANS/WP.30/AC.2/2002/5) and (c) in line with the requirements for authorization of an

international organization to centrally print and distribute TIR Carnets (TRANS/WP.30/AC.2/57, para. 29).

The Administrative Committee may wish to recall that, at its thirty-fourth session, it decided, at the recommendation of the UNECE WP.30, to give the UNECE secretariat a mandate to revise this agreement immediately after the session of the TIR Administrative Committee in February 2003 on the understanding that this mandate would be based on the provisions of the Convention and that it would respect the competences of the Contracting Parties to the Convention. The Administrative Committee agreed that the group of "Friends of the Chairman" should consider the draft of the revised agreement. The revised agreement shall be signed provisionally by the UNECE and the IRU until its formal adoption by the TIR Administrative Committee.

The Administrative may wish to be informed about the status of the UNECE/IRU Agreement, which will be transmitted to the forthcoming session of the Administrative Committee in spring 2004 for endorsement.

7. FUNCTIONS AND ROLES OF THE TIREXB, THE TIR SECRETARIAT AND THE IRU

Documentation: TRANS/WP.30/AC.2/2003/11.

The Administrative Committee may wish to recall that, at its thirty-third session, it had taken note of a document transmitted by the IRU on the sustainability of the TIR procedure (TRANS/WP.30/AC.2/2002/9). It had welcomed the initiative taken by the Chairman of the UNECE Working Party (WP.30) to convene a restricted group of "friends of the Chairman" with a view to analyzing the present problems of the TIR system and to reviewing the functions, roles and responsibilities of the TIRExB, the TIR secretariat and the international organization (i.e. the IRU) as stipulated in the Convention (TRANS/WP.30/AC.2/67, para. 47).

The Administrative Committee, at its thirty-fourth session, took note of the report of the Chairman of UNECE WP.30 providing the conclusions of the meeting of the "Friends of the Chairman" that took place in January 2003. The Administrative Committee endorsed the initiative and supported the report of the meeting, in particular, the three-stage approach proposed in the conclusions. As to the clarifications of roles and responsibilities, the Administrative Committee endorsed the decision of the Working Party on Customs Question affecting Transport, which had requested the secretariat to prepare for its one-hundred-and-fourth session an official document on the basis of the documents considered by "Friends of the Chairman", including the document containing the views of the Chairman.

The Working Party, at its one-hundred-and-fourth session, considered the document TRANS/WP.30/2003/10 transmitted by the Chairman and document TRANS/WP.30/AC.2/11 containing amendment proposals to the Convention transmitted by the Russian Federation. The Working Party, in general, agreed with the proposals contained in the document TRANS/WP.30/2003/10 concerning the roles and responsibilities of the TIRExB, the TIR secretariat and the IRU, and requested the secretariat to prepare a document for the thirty-fifth session of the TIR Administrative Committee in September 2003 containing these issues.

The Administrative Committee may wish to consider document TRANS/WP.30/AC.2/2003/11 in this respect.

8. REVISION OF THE CONVENTION

(a) Implementation of Phase I of the TIR revision process

The Administrative Committee may wish to continue its exchange of views about possible difficulties that may arise in the application of the provisions that have come into force under Phase I of the TIR revision process, particularly with regard to controlled access to the TIR procedure in accordance with Annex 9, Part II of the Convention (ECE/TRANS/17/Amend.19/Rev.1).

The Administrative Committee may wish to reiterate that Contracting Parties are expected to fully comply with the provisions of the Convention, also with regard to the transmission to the TIRExB, within the stipulated time frames, of the following information (refer also to document TRANS/WP.30/AC.2/2000/5):

International guarantee system

- (a) A certified copy of the written agreement or any other legal instrument between the competent authorities (Customs) and the national association as well as any modifications thereto (Deadline: as soon as possible);
- (b) A certified copy of the insurance or financial guarantee contract as well as any modifications thereto (Deadline: as soon as possible);
- (c) A copy of the (annually to be renewed) insurance certificate (Deadline: as soon as possible).

Controlled access to the TIR procedure

- (a) The particulars of each person authorized by the competent authorities to use TIR Carnets or whose authorization has been withdrawn (Deadline: within one week);
- (b) A complete and updated list of all persons authorized by the competent authorities to use TIR Carnets or whose authorization has been withdrawn (Deadline: as per 31 December each year and as soon as possible);
- (c) The particulars of each person excluded from the operation of the Convention in accordance with Article 38 (Deadline: within one week).

National control measures

The details of any national control measures planned to be undertaken by the competent national authorities in accordance with Article 42 bis (Deadline: as soon as possible).

(b) Implementation of Phase II of the TIR revision process

The Administrative Committee may wish to have an exchange of views about possible difficulties that may have arisen in the application of the new provisions that have come into force under Phase II of the TIR revision process (ECE/TRANS/17/Amend.21).

The objectives of these amendments, as well as their implementation, has been considered at the seventh session of the TIR Contact Group in Athens (22 and 23 April 2002). The report of the session is contained in document TRANS/WP.30/2002/18. The secretariat is monitoring the

implementation of the new provisions of the Convention at the national level and will inform the Administrative Committee accordingly.

(c) Preparation of Phase III of the TIR revision process

The Administrative Committee may wish to be informed about progress made in the preparation of Phase III of the TIR revision process within the UNECE Working Party (WP.30) (TRANS/WP.30/208, paras. 26-30) and its ad hoc group of experts on the computerization of the TIR procedure.

The Administrative Committee may wish to provide guidance on the approach and working methods to be taken in order to arrive at tangible solutions in due course.

9. OTHER PROPOSALS FOR AMENDMENTS TO THE CONVENTION

(a) Draft amendments on a control system for TIR Carnets

Documentation: TRANS/WP.30/AC.2/2003/10.

The Administrative Committee may wish to recall that, at its thirty-third session, it had considered the possibility of including into the Convention provisions on a control system for TIR Carnets based on the Recommendation adopted by the Administrative Committee on 20 October 1995 (TRANS/WP.30/AC.2/37, annex 4), amended by the Administrative Committee in 1999 and 2000 (refer to the 2002 TIR Handbook, pages 238–241 (<http://tir.unece.org>)), that has the purpose to safeguard the TIR procedure following the collapse of the old guarantee system. On the basis of this Recommendation, the IRU, in cooperation with Customs authorities, has built up the so-called “SafeTIR” system. The Administrative Committee, recognizing that the quantity, quality and timeliness of data provided by many Contracting Parties were apparently not yet sufficient to allow for an effective control and risk management by the national associations and the IRU, invited the UNECE Working Party (WP.30) to consider ways and means of improving the performance of the SafeTIR system, and in particular the insertion of relevant provisions into the Convention (TRANS/WP.30/AC.2/67, paras. 53-56).

The Working Party, at its one-hundred-and-third session, considered amendment proposals transmitted by the Government of Latvia concerning the introduction in the Convention of a control system for TIR Carnets (TRANS/WP.30/2003/5). The Working Party, in general, considered that the proposal would strengthen the security of the TIR system, that the Convention should only make a generic reference to the international organization (and its control system) authorized to print and guarantee TIR and invited Contracting Parties to submit their amendment proposals to the secretariat as soon as possible, with the aim that the secretariat could prepare an amended proposal for its forthcoming session (TRANS/WP.30/206, paras. 35-38). The Working Party, at its one-hundred-and-fourth session, considered proposals for further improvements of the text of the amendment proposal, submitted by Estonia and the European Community, and an assessment of these made by the secretariat, as reflected in the secretariat’s document TRANS/WP.30/2003/8 and requested the secretariat to prepare a document for discussion and possible adoption at the present session, based on the Latvian proposal, and the assessment of the proposals for further improvements and addressing the issue of the introduction of a control system in a generic way, without making specific reference to the international organization and its control system contained in the above-mentioned amendment proposals.

The Administrative Committee may wish to consider document TRANS/WP.30/AC.2/2003/10, prepared by the secretariat, containing a proposal as requested by the Working Party.

(b) Inclusion of the place and number of seals in the certificate of approval

Documentation: Depository Notification C.N.645.2003.TREATIES-3.

The Administrative Committee may wish to recall that at its thirty-fourth session, it adopted an Explanatory Note to Article 2, paragraph 1 (b) (Annex 6 to the Convention) as well as comments thereto and to Annex 4 to the Convention which would make the insertion of place and number of seals in the certificate of approval of a road vehicle mandatory, in case more than one seal should be required for Customs secure sealing of a load compartment TRANS/WP.30/AC.2/69, annex 2).

With a view to specifying the deadlines for objections to the Explanatory Note and to clarifying issues concerning the applicability for containers, the secretariat, with the approval of the Chairman, issued a corrigendum to the report of the thirty-fourth session (TRANS/WP.30/AC.2/69/Corr.1). The Administrative Committee may wish to formally adopt the changes contained in the corrigendum.

The Administrative Committee may wish to take note that the Legal Office of the United Nations has issued Depository Notification C.N.645.2003.TREATIES-3 on 23 June 2003 containing both the adopted text contained TRANS/WP.30/AC.2/69 and the text contained in Corr.1. The amendment will enter into force on 7 November 2003 unless objections have been raised before 7 August 2003.

(c) Example of a TIR Carnet duly filled-in

The TIR Executive Board (TIRExB) has during its recent sessions considered the question of an example of a TIR Carnet duly filled-in. It was of the view that one of the prerequisites for concluding this discussion is to resolve the issue concerning different procedures for the use of additional vouchers No. 1 and No. 2 in case of several Customs offices of departure or destination. The TIRExB decided that the option providing for the consecutive use of a couple of vouchers No. 1 and No. 2 between two adjacent Customs offices, whatever their status (departure, destination or en route), would be the best practical solution to ensure uninterrupted Customs control over each leg of a TIR transport. The Board also noted that in this option some Customs offices of departure and/or destination would play a double role, i.e. as an office of departure (or destination) and as an office en route. To address this issue, the TIRExB requested the TIR Secretary to draft a new Explanatory Note for consideration at the next session of the Board. The TIRExB, at its seventeenth session, endorsed a new Explanatory Note and a new comment to the TIR Convention, prepared by the secretariat, and decided to submit both to the present session of the Administrative Committee for consideration and possible approval.

The Administrative Committee may wish to consider the draft Explanatory Note and comment contained in annex 2.

(d) Other amendment proposals

Documentation: Depository Notification C.N.623.2003.TREATIES-1; Depository Notification C.N.630.2003.TREATIES-2.

To date the UNECE secretariat has not received any other proposals for amendments to the Convention. Any amendment that may be submitted in due time before the session will be circulated.

The Administrative Committee may wish note that the Legal Office of the United Nations has issued on 19 June 2003, concerning an amendment of Article 26, para. 1 of the Convention, which will enter into force on 19 September 2004 unless any objections are raised before 19 June 2004.

The Legal Office of the United Nations has also issued on 20 June 2003, concerning the deletion of Explanatory Note 0.38.1 of Annex 6 relating to Article 38, paragraph 1 of the Convention, which will enter into force 7 November 2003, unless objections are raised before 7 August 2003.

10. APPLICATION OF THE CONVENTION

(a) Comments adopted by the UNECE Working Party on Customs Questions affecting Transport (WP.30)

The Administrative Committee may wish to consider comments that have been prepared and adopted by the UNECE Working Party (WP.30) at its one-hundred-and third (TRANS/WP.30/206, para. 57) and one-hundred-and-fourth sessions (TRANS/WP.30/208, paras. 28 and 52). These comments relate to (a) Article 17, concerning the number of TIR Carnets required for the transport of mixed cargoes containing heavy and bulky goods; (b) Article 18, concerning Possibilities of increasing the total number of loading and unloading points to more than four in exceptional cases and to Article 17, concerning the use of more than one TIR Carnet for a TIR transport.

These comments for inclusion into the TIR Handbook are set out in annex 3 to this agenda for endorsement by the Administrative Committee.

(b) Comments adopted by the TIR Executive Board (TIRExB)

The Administrative Committee may wish to consider a comment that has been adopted by the TIR Executive Board (TIRExB) at its eighteenth session. This comment relates to falsified acceptance of a TIR Carnet at the Customs office of departure.

This comment for inclusion into the TIR Handbook is set out in annex 4 to this agenda for endorsement by the Administrative Committee.

11. TIR HANDBOOK

The TIR Handbook contains the latest amendments to the Convention as well as all relevant comments adopted by the UNECE Working Party (WP.30) and the Administrative Committee. The TIR Handbook can be viewed and downloaded from the UNECE TIR web site in various languages (<http://tir.unece.org>). Updated hard-copy versions of the TIR Handbook are available in Chinese, English, French, German and Russian. A limited number of such copies may be obtained free of charge from the secretariat.

12. TIR WEB SITE

The web site address is: <http://tir.unece.org>. In addition to numerous language versions of the TIR Handbook, the TIR web site provides up-to-date information on the administration and application of the TIR Convention. It contains the latest information on legal interpretations of the TIR Convention, on Depositary Notifications and national and international control measures introduced by Customs authorities, the TIR Administrative Committee and the TIRExB. Furthermore, the TIR web site provides detailed information on all TIR Focal Points who may be contacted regarding questions on the application of the Convention at the national level. The TIR web site also contains all documents and reports issued in connection with the sessions of the Administrative Committee and the UNECE Working Party (WP.30). These documents may be viewed and downloaded (PDF format) in English, French and Russian.

13. OTHER BUSINESS

(a) Date of next session

In accordance with the decisions of the Administrative Committee (TRANS/WP.30/AC.2/57, para. 44; TRANS/WP.30/AC.2/53, para. 44) the UNECE secretariat has made the necessary arrangements to hold the forthcoming spring session of the Administrative Committee on 5 and 6 February 2004.

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

(b) Restriction on the distribution of documents

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

14. ADOPTION OF THE REPORT

In accordance with Annex 8, Article 7 of the Convention, the Administrative Committee will adopt the report on its thirty-third 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.

Annex 1

<u>Contracting Parties</u>	<u>Countries with which a TIR transit operation can be established</u> ^{*/}	<u>National associations</u> ^{**/}
Afghanistan	-	-
Albania	Albania	ANALTIR
Algeria	-	-
Armenia	Armenia	-
Austria	Austria	AISÖ
Azerbaijan	Azerbaijan	ABADA
Belarus	Belarus	BAIRC
Belgium	Belgium	FEBETRA
Bosnia and Herzegovina	-	-
Bulgaria	Bulgaria	AEBTRI
Canada	-	-
Chile	-	-
Croatia	Croatia	TRANSPORTKOMERC
Cyprus	Cyprus	TDA
Czech Republic	Czech Republic	CESMAD BOHEMIA
Denmark	Denmark	DTL
Estonia	Estonia	ERAA
Finland	Finland	SKAL
France	France	SCT/ACF - AFTRI
Georgia	Georgia	GIRCA
Germany	Germany	BGL - AIST
Greece	Greece	OFAE
Hungary	Hungary	ATRH
Indonesia	-	-
Iran (Islamic Republic of)	Iran (Islamic Republic of)	ICCIM
Ireland	Ireland	IRHA
Israel	Israel	IRTB
Italy	Italy	UICCIAA
Jordan	Jordan	SOJFV
Kazakhstan	Kazakhstan	KAZATO
Kuwait	Kuwait	KATC
Kyrgyzstan	Kyrgyzstan	KYRGYZ AIA
Latvia	Latvia	LA

^{*/} Based on information provided by the IRU.

^{**/} For details, refer to the International Directory of TIR Focal Points administered by the UNECE secretariat (<http://tir.unece.org>).

<u>Contracting Parties</u>	<u>Countries with which a TIR transit operation can be established</u> ^{*/}	<u>National associations</u> ^{**/}
Lebanon	Lebanon	CCIAB
Lithuania	Lithuania	LINAVA
Luxembourg	Luxembourg	-
Malta	-	-
Mongolia	-	-
Morocco	Morocco	ONT
Netherlands	Netherlands	SCT/TLN - KNV - EVO/SIEV
Norway	Norway	NLF
Poland	Poland	ZMPD
Portugal	Portugal	ANTRAM
Republic of Korea	-	-
Republic of Moldova	Republic of Moldova	AITA
Romania	Romania	UNTRR
Russian Federation	Russian Federation	ASMAPP
Serbia and Montenegro	Serbia and Montenegro	CCIS-ATT
Slovakia	Slovakia	CESMAD SLOVAKIA
Slovenia	Slovenia	GIZ INTERTRANSPORT
Spain	Spain	ASTIC
Sweden	Sweden	SA
Switzerland	Switzerland	ASTAG
Syrian Arab Republic	Syrian Arab Republic	SNC ICC
Tajikistan	Tajikistan	ABBAT
The former Yugoslav Republic of Macedonia	The former Yugoslav Republic of Macedonia	AMERIT
Tunisia	Tunisia	CCIT
Turkey	Turkey	UCCIMCCE
Turkmenistan	Turkmenistan	THADA
Ukraine	Ukraine	AIRCU
United Kingdom	United Kingdom	RHA - FTA
United States of America	-	-
Uruguay	-	-
Uzbekistan	Uzbekistan	AIRCUZ
European Community		

^{*/} Based on information provided by the IRU.

^{**/} For details, refer to the International Directory of TIR Focal Points administered by the UNECE secretariat (<http://tir.unece.org>).

Annex 2

**DRAFT EXPLANATORY NOTE AND COMMENT
ENDORSED BY THE TIR EXECUTIVE BOARD**

Add a new Explanatory Note 0.1 (b) to Article 1 (b) of the TIR Convention to read as follows:

"Annex 6, new Explanatory Note 0.1 (b)

Article 1 (b) implies that, where several Customs offices of departure or destination are located in one or several countries, there may be more than one TIR operation in a Contracting Party. Under these circumstances the national leg of a TIR transport carried out between two successive Customs offices, regardless of whether they are offices of departure, destination or en route, can be considered as a TIR operation."

Add a new comment to Annex 1 to the TIR Convention to read as follows:

"Use of extra sheets in case of several Customs offices of departure or destination

According to No. 6 of the Rules regarding the Use of the TIR Carnet, two extra sheets are required for each additional Customs office of departure or destination. In line with Explanatory Note 0.1 (b), each national leg of a TIR transport carried out between two successive Customs offices, whatever their status, can be considered as a TIR operation. To ensure uninterrupted Customs control, it is recommended to use one set of vouchers No. 1/No. 2 and to apply a separate discharge procedure for each TIR operation. Where there are several Customs offices of departure, the succeeding Customs office(s) of departure not only start(s) a new TIR operation, but also certify(ies) the termination of the previous TIR operation by filling-in the respective voucher No.2 and counterfoil No.2 of the TIR Carnet. Thus, the succeeding Customs office(s) of departure also fulfil(s) the role of the Customs office of destination or exit (en route) for the goods loaded at the previous offices of departure. This also applies, mutatis mutandis, where there are several Customs offices of destination. The preceding office(s) of destination not only certify(ies) termination of the previous TIR operation, but also start(s) a new TIR operation by filling-in the respective voucher No.1 and counterfoil No.1 of the TIR Carnet. Thus, the preceding office(s) of destination also fulfil(s) the role of the Customs office of departure or entry (en route) for the goods bound for the subsequent office(s) of destination."

Annex 3

TIR HANDBOOK

Comments

**adopted by the UNECE Working Party on Customs Questions affecting Transport (WP.30)
for endorsement by the TIR Administrative Committee**

Comments to Article 17

Add a new comment to Article 17 to read as follows:

"Issuance of TIR Carnets for a mixed cargo consisting of normal goods and heavy or bulky goods

When taking a decision on the number of TIR Carnets required for the transport of a mixed cargo consisting of both normal goods and heavy or bulky goods, the Customs office of departure shall take into account the specific provisions of Article 32 according to which for the transport of heavy or bulky goods the cover and all vouchers of the TIR Carnet shall bear the endorsement "heavy or bulky goods". Since this endorsement does not apply to normal goods transported under Customs seal, a separate TIR Carnet (or TIR Carnets) shall be required to cover the transport of normal goods."

Add the same comment to Article 32.

{TRANS/WP.30/206, para. 57}.

Add a new comment to Article 17 to read as follows:

"Simultaneous use of several TIR Carnets

Where the Customs office of departure has accepted several TIR Carnets for one TIR transport, this office shall indicate all reference numbers of these TIR Carnets in box "For official use" on all vouchers of each TIR Carnet accepted. "

{TRANS/WP.30/208, para. 52}.

Comment to Article 18

Add a new comment to Article 18 to read as follows:

"Possibilities of increasing the total number of loading and unloading points to more than four in exceptional cases

According to Article 18 and No.5 of the Rules regarding the use of the TIR Carnet (Annex 1), one TIR transport may not involve more than four points of loading and unloading. In order to increase the total number of loading and unloading points in the course of one transport operation, a road vehicle or a combination of vehicles or containers may perform several TIR transports consecutively or at a time, each under cover of a separate TIR Carnet. To this end, the following options may be used:

- (i) Consecutive use of two TIR Carnets for one transport operation in accordance with the comment to Article 28 "Possibility of using two TIR Carnets for a single TIR transport ". The first TIR Carnet may include up to 4 Customs offices of departure and destination. After its completion and termination at the fourth Customs office, a new TIR Carnet may be opened and used for the remainder of the transport operation. A proper inscription shall be made in both TIR Carnets to reflect this fact. Thus, the last Customs office of destination covered by the first TIR Carnet becomes the office of departure for the second TIR Carnet which may include up to three Customs offices of destination. In the first TIR Carnet, all goods bound for Customs offices of destination of the second TIR Carnet should be indicated as intended for the last Customs office of destination. Such a procedure may cover up to seven Customs offices of departure and destination. To fulfil the conditions laid down in Article 2 of the Convention, it is essential that both TIR transports be carried out across at least one border. Since two TIR Carnets are used one after another, only one TIR guarantee exists at a time;*
- (ii) Simultaneous use of several road vehicles (e.g., a combination of vehicles) or several containers. In line with Article 17, paragraph 1 of the TIR Convention, for each road vehicle or container a separate TIR Carnet may be issued. Each TIR Carnet may cover up to four points of loading and unloading. The Customs office(s) of departure should indicate all reference numbers of these TIR Carnets in box "For official use" on all vouchers of each TIR Carnet accepted.*

Whatever alternative is used, consignments to be unloaded at different unloading points should be separated from each other, as stipulated in Explanatory Note 0.18-2, paragraph 1."
{TRANS/WP.30/208, para. 28}.

Annex 4**TIR HANDBOOK****Comments****adopted by the TIR Executive Board (TIRExB)
for endorsement by the TIR Administrative Committee****Comment to Article 19**

Add a new comment to Article 19 to read as follows:

"Falsified acceptance of a TIR Carnet at the Customs office of departure

With a view to avoiding strict controls at the Customs office of departure, fraudsters may attempt to falsify the acceptance of a genuine TIR Carnet at the Customs office of departure by using false Customs stamps and seals. Such malpractices are very dangerous as, according to the provisions of the TIR Convention, the Customs authorities of countries in transit and of countries of destination normally rely on checks carried out at the Customs office of departure. Therefore, the Customs office(s) of exit, located in the country(ies) of departure, play(s) a crucial role in revealing such fraudulent activities and should check the authenticity of the seals affixed, the TIR Carnet and other accompanying documents (e.g., goods export declaration, CMR consignment note, etc.) which are usually verified by the Customs office of departure. If necessary, the said Customs office(s) of exit should carry out all other Customs procedures required in connection with a TIR operation in the country(ies) of departure."

- {TRANS/WP.30/AC.2/71, para. .}"



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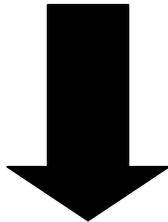
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