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INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions

affecting Transport

(19-21 June 2002)

**PROVISIONAL AGENDA FOR THE ONE-HUNDRED-AND-FIRST SESSION OF
THE WORKING PARTY ON CUSTOMS QUESTIONS AFFECTING TRANSPORT**

**to be held at the Palais des Nations, Geneva,
starting at 10.00 hours on Wednesday, 19 June 2002 ^{*/}**

^{*/} 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). Documents may also be downloaded from the Internet web site of the UNECE Transport Division (www.unece.org/trans). 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. 72453).

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1. Adoption of the agenda TRANS/WP.30/201
2. Activities of UNECE bodies and other United Nations organizations of interest to the Working Party
3. Activities of other organizations of interest to the Working Party
4. International Convention on the Harmonization of Frontier Controls of Goods, 1982 (“Harmonization Convention”) ECE/TRANS/55
(www.unece.org/trans/new_tir/conventions/list.htm)

Preparation of a new Annex on efficient border crossing procedures TRANS/WP.30/2002/19
TRANS/WP.30/2001/16
TRANS/WP.30/196
TRANS/WP.30/194
TRANS/WP.30/AC.3/8
TRANS/WP.30/192
TRANS/WP.30/2000/16
TRANS/WP.30/2000/11
5. Draft UNECE Conventions on International Customs Transit Procedures for the Carriage of Goods by Rail TRANS/WP.30/2002/16
TRANS/WP.30/2002/12
TRANS/WP.30/2002/10
TRANS/WP.30/2002/9
Informal document No. 5 (2002)
Informal document No. 4 (2002)
TRANS/2001/10
TRANS/WP.30/194
TRANS/WP.30/2000/17
TRANS/WP.30/164
TRANS/WP.30/R.141
6. Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (TIR Convention, 1975) ECE/TRANS/17 and Amend. 1-22
2002 TIR Handbook
(www.unece.org/trans/new_tir/welctir.htm)

(a) Status of the Convention TRANS/WP.30/AC.2/65,
annex 1
(www.unece.org/trans/new_tir/welctir.htm)

- (b) Revision of the Convention
- ECE/TRANS/17/Amend.20
and Add.1
ECE/TRANS/17/Amend.22
Depositary Notification
C.N.37.2001.TREATIES-3
Depositary Notification
C.N.142.2002.TREATIES-3
Depositary Notification
C.N.14.2002.TREATIES-1
- (i) Adoption of amendment proposals
and examples of best practices
under Phase II of the TIR revision
process
- ECE/TRANS/17/Amend.21
Depositary Notification
C.N.36.2001.TREATIES-1
Depositary Notification
C.N.17.2002.TREATIES-2
Depositary Notification
C.N.123.2002.TREATIES-3
TRANS/WP.30/2002/18
TRANS/WP.30/2002/8
TRANS/WP.30/2001/14
TRANS/WP.30/AC.2/59
and Corrs.1 and 2
Informal document No. 6 (2002)
- (ii) Preparation of Phase III of the
TIR revision process
- TRANS/WP.30/2002/17
TRANS/WP.30/2002/15
TRANS/WP.30/2002/11
TRANS/WP.30/2002/7
TRANS/WP.30/2001/19
TRANS/WP.30/2001/18
TRANS/WP.30/2001/15
TRANS/WP.30/2001/13
TRANS/WP.30/2001/12
TRANS/WP.30/2001/11
TRANS/WP.30/2001/9
TRANS/WP.30/2001/8
TRANS/WP.30/2001/6
TRANS/WP.30/2001/5
Informal document No.15 (2001)
Informal document No.14 (2001)
Informal document No.13 (2001)
Informal document No.12 (2001)
Informal document No.8 (2000)
Informal document No.7 (2000)
Informal document No.1 (2000)
Informal document No.5 (1997)

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| (c) | Application of the Convention | www.unece.org/trans/new_tir/welctir.htm |
| (i) | Settlement of claims for payments | TRANS/WP.30/200 |
| (ii) | Re-introduction of the guarantee for sensitive and other excluded goods | TRANS/WP.30/200
TRANS/WP.30/AC.2/2000/1 |
| (iii) | Measures to reduce the number of lost, stolen and falsified TIR Carnets | TRANS/WP.30/200
TRANS/WP.30/198
TRANS/WP.30/196
www.unece.org/trans/new_tir/welctir.htm |
| (iv) | Guidance on Customs control and trade facilitation | TRANS/WP.30/2002/13
TRANS/WP.30/2002/1 |
| (v) | Amendment proposals relating to technical provisions | TRANS/WP.30/2002/14
TRANS/WP.30/2002/3
TRANS/WP.30/2002/4
TRANS/WP.30/2002/5 |
| (vi) | Renewal of the certificate of approval | TRANS/WP.30/200
TRANS/WP.30/196 |
| (vii) | National control measures in the Russian Federation | TRANS/WP.30/200
TRANS/WP.30/198 |
| (viii) | TIR Handbook | UNECE document
www.unece.org/trans/new_tir/welctir.htm |
| (ix) | Other matters | |
| 7. | Prevention of the abuse of Customs transit systems by smugglers | TRANS/WP.30/127 |
| 8. | Other business | |
| (a) | Dates of the next sessions | |
| (b) | Restriction on the distribution of documents | |
| 9. | Adoption of the report | |

EXPLANATORY NOTES

The secretariat proposes the following schedule of the work:

Wednesday, 19 June 2002:	WP.30 agenda items 1 - 6
Thursday, 20 June 2002:	WP.30 agenda items 6 - 8
Friday, 21 June 2002:	Adoption of the report

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1. ADOPTION OF THE AGENDA

In accordance with the Commission's rules of procedure, the first item to be considered is the adoption of the agenda (TRANS/WP.30/201).

2. ACTIVITIES OF UNECE BODIES AND OTHER UNITED NATIONS ORGANIZATIONS OF INTEREST TO THE WORKING PARTY

The Working Party will be informed about the results of relevant sessions of subsidiary bodies of the Inland Transport Committee as they relate to matters of interest to the Working Party and may wish to be informed about recent activities of the United Nations Conference on Trade and Development (UNCTAD).

3. ACTIVITIES OF OTHER ORGANIZATIONS OF INTEREST TO THE WORKING PARTY

The Working Party may wish to be informed about recent activities by the World Customs Organization (WCO), the European Conference of Ministers of Transport (ECMT), the European Commission (DG TAXUD) as well as by other governmental and non-governmental organizations as they relate to matters of interest to the Working Party.

4. INTERNATIONAL CONVENTION ON THE HARMONIZATION OF FRONTIER CONTROLS OF GOODS, 1982 ("Harmonization Convention")

Preparation of a new Annex on efficient border crossing procedures

The Working Party may wish to recall that the Administrative Committee for the "Harmonization Convention" at its last session (18 and 20 October 2000) had agreed with the general conclusions of the Working Party on the preparation of a new Annex 8 to the Convention with the objective of addressing all elements important for efficient border crossing procedures in international road transport of goods.

The Working Party, at its ninety-ninth session, considered a consolidated text of a new Annex 8, including provisions on an International Vehicle Weight Certificate as well as an International Technical Inspection Certificate (TRANS/WP.30/2001/16) prepared by the secretariat. The Working Party, reiterating the objective of preparing a new Annex 8 to the Convention, decided to consider the results of national consultations with competent authorities and Ministries on the acceptability of the various provisions of the new Annex 8 at its next session (TRANS/WP.30/198, para. 23).

At its one-hundredth session, the Working Party noted that, at that stage, reservations were made by some delegations concerning Articles 2, 4 and 5 of the new Annex 8. The Working Party, recalling that the fifth session of the Administrative Committee of the Harmonization Convention is scheduled to be held in October 2002, decided to revert to the issue at the present session, where the complete text of Annex 8 should be finalized. In this context, delegations were invited to consider if those issues where there is not yet any agreement should be separated from the general proposal.

The Working Party may wish to be informed about the conclusions reached by the Inland Transport Committee on this issue at its meeting in February 2002.

The Working Party may also wish to take note of the document transmitted by Transfrigoroute International on the obligations and responsibilities of transport operators undertaking transport of perishable foodstuffs (ATP) (TRANS/WP.30/2002/19).

5. DRAFT UNECE CONVENTIONS ON INTERNATIONAL CUSTOMS TRANSIT PROCEDURES FOR THE CARRIAGE OF GOODS BY RAIL

The Working Party may wish to recall the history of developing harmonized pan-European Customs transit procedures for international rail transport, which had commenced in 1992. The Working Party had, at its ninety-sixth session, terminated its activities towards the preparation of two draft conventions for this purpose: one covering the area of the COTIF Convention and one covering the area of the SMGS Agreement. According to its decision (TRANS/WP.30/192, paras. 14-21), the two draft conventions prepared for this purpose had been transmitted, via diplomatic channels, to the Contracting Parties to the COTIF Convention and to the SMGS Agreement respectively with a view to soliciting their views on the approach taken and on the Customs transit procedures proposed therein (TRANS/WP.30/198, para. 26).

At its one-hundredth session, the Working Party had been informed of the results of the Informal Ad-hoc Expert Group meeting on Customs Rail Transit based on the SMGS Consignment Note which took place on 11 February 2002 as a follow-up to the replies provided by Contracting Parties in reply to the two draft Conventions. The conclusions of the meeting, contained in document TRANS/WP.30/2002/12, indicate that there is a demand by Governments for a harmonization of Customs transit procedures governing rail transport in the SMGS area. However, the latest proposals for amendments to the draft SMGS Customs rail transit Convention as, considered by the expert group, would result in considerably reduced facilitation measures compared to the provisions of the original draft prepared by the Working Party and the provisions in place for the COTIF Convention in the Common transit area.

In view of these considerations, the Working Party may wish to consider the results of the Informal Ad-hoc Expert Group meeting. In particular, the Working Party may wish to consider, as a preliminary facilitation measure, a draft resolution, prepared by the secretariat, recommending to use the SMGS Consignment as a Customs rail transit declaration by the Contracting Parties to the SMGS Agreement (TRANS/WP.30/2002/16).

6. CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER COVER OF TIR CARNETS (TIR CONVENTION, 1975)

(a) Status of the Convention

The Working Party will be informed of the situation concerning the scope and the number of Contracting Parties to the TIR Convention, 1975.

A complete list of Contracting Parties to the Convention as well as a list of countries in which TIR operations can be undertaken is annexed to the report of the thirty-second session of the TIR Administrative Committee (TRANS/WP.30/AC.2/65, annex 1).

The Working Party may wish to take note that the amendments to Article 3 of the Convention contained in Depository Notification C.N.37.2001.TREATIES-2, have entered into force on 12 May 2002. The amendments are contained in document number ECE/TRANS/17/Amend.22.

Permanently updated information on the scope of the TIR Convention and on the relevant Depository Notifications is available on the UNECE TIR web site (www.unece.org/trans/new_tir/welctir.htm).

(b) Revision of the Convention

(i) Adoption of amendment proposals and examples of best practices under Phase II of the TIR revision process

The Working Party may wish to take note that all amendments adopted under Phase II of the TIR revision process as contained in Depository Notification C.N.36.2001.TREATIES-1 have been published by the secretariat in document number ECE/TRANS/17/Amend.21.

The Working Party may wish to recall that, at its ninety-sixth session, in addition to finalizing work on Phase II of the TIR revision process, it had also adopted a set of examples of best practices. The TIR Administrative Committee, at its twenty-ninth session (19 and 20 October 2000) had endorsed the examples of best practices as had been prepared by the Working Party (TRANS/WP.30/AC.2/59, annex 7).

The main objective of Phase II of the TIR revision process had been to facilitate the application of the Convention at the national level. For this purpose, the roles and responsibilities of the various parties involved in the TIR procedure have been clearly defined and specified. Furthermore, guidance has been provided on the required national administrative procedures providing for an efficient functioning of the TIR procedures and, if required, for a speedy recovery of Customs duties and taxes at risk from the person directly liable (for example, the holder of a TIR Carnet) or, if this turned out not to be possible, from national guaranteeing associations.

The Working Party may also wish to recall that, at its ninety-eighth session, it had been informed that the TIR Executive Board (TIRExB), in the framework of developing best practices, had developed an example authorization and agreement to be concluded between competent authorities and national associations (TRANS/WP.30/2001/14). The Working Party will be informed of further deliberations by the TIRExB on this subject.

The Working Party may wish to be informed about the results of the seventh session of the TIR Contact Group held in Athens (Greece) on 22 and 23 April 2002 which discussed the amendments of the TIR Convention entering into force on 12 May 2002 as part of Phase II of the TIR revision process. The report of the meeting is contained in document number TRANS/WP.30/2002/18.

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

The Working Party may wish to recall that, at its ninety-sixth session, it had decided to start work on Phase III of the TIR revision process which would include a study of the following elements (TRANS/WP.30/192, para. 33):

- Revision of the TIR Carnet, including the insertion of additional data elements (ID number, HS code, value of goods, etc.) (TRANS/WP.30/188, para. 31);
- Increase in the number of places for loading and unloading under Customs seal (TRANS/WP.30/186, paras. 42 and 43);

- Possibilities for the reduction of the legally required delays for notification of non-discharge of TIR Carnets (TRANS/WP.30/188, para. 38);
- Use of new technologies in TIR operations also with a view to reducing the delay in notification of non-discharge (TRANS/WP.30/188, para. 31).

At its ninety-seventh session, the Working Party decided to consider also under Phase III of the TIR revision process amendment proposals on the definition and voting rights of regional economic integration organizations (TRANS/WP.30/194, para. 43). Following consideration of this subject on the basis of a proposal prepared by the European Commission (TRANS/WP.30/2001/15), the Working Party decided at its ninety-ninth session to transmit this proposal to the TIR Administrative Committee (TRANS/WP.30/198, paras. 50-54).

- Revision of the TIR Carnet

The Working Party may wish to recall that, at its ninety-eighth session, it had discussed extensively the usefulness of including additional data elements into the TIR Carnet. The Working Party was of the opinion that additional data elements could be useful in relation to the procedures for recovery of debt and facilitating subsequent Customs procedures (TRANS/WP.30/196, paras. 35-40).

At its one-hundredth session, the Working Party had taken note of the final report of the European Commission sub-group on data (Informal document No. 2 (2002)). The conclusions of the report seemed, at this time, in general not to favour requirements for additional data in the Community and Common transit systems.

The Working Party may wish to consider, in the context of including additional data elements in the TIR Carnet, the survey conducted by the secretariat on documentary requirements for TIR operations as contained in document number TRANS/WP.30/2002/15 prepared by the secretariat. Having considered this question, the Working Party may wish to discuss the advantages and disadvantages of revising the TIR Carnet, in particular considering the initiatives to computerize the TIR procedure, and whether measures other than a revision of the TIR Carnet could be implemented to provide additional information until computerization of the TIR procedure has been implemented. In particular, the Working Party may wish to consider the proposal made by the delegation of the Russian Federation at its one-hundredth session to prepare a recommendation to use the HS code, whenever available, in addition to the descriptive text, for the description of the goods (TRANS/WP.30/200, para. 39).

- Increase in the number of loading and unloading places

The Working Party, at its one-hundredth session, continued its consideration of document TRANS/WP.30/2001/19 prepared by the secretariat containing proposals for three alternative solutions to increase the number of loading and unloading places.

The Working Party, recognizing both the possible advantages and disadvantages connected to an increase in the number of loading and unloading places in the TIR Carnet, felt that the question should be considered in further detail. At the request of the Working Party the secretariat has prepared a document describing a scenario of six offices of loading and unloading which the Working Party may wish to consider (TRANS/WP.30/2002/17).

- Possibilities for the reduction of the legally required delays for notification of non-discharge of TIR Carnets

The Working Party, at its ninety-ninth session, was of the view that Customs authorities could not accept any reduction in the legally prescribed time-limits for notification of non-discharge as provided in the Convention (TRANS/WP.30/198, para. 62).

- Use of new technologies

The Working Party may wish to take note of the report of the first meeting of the informal Ad hoc Expert Group on Conceptual and Technical Aspects of the Computerization of the TIR procedure (TRANS/WP.30/2002/11).

The Working Party may wish to be informed about the state-of-play concerning the computerization process of the TIR procedure and of any developments concerning the computerization of Customs procedures in general and/or transit procedures in particular.

(c) Application of the Convention

The Working Party may wish to note that permanently updated information on the application of the Convention is available on the UNECE TIR web site (www.unece.org/trans/new_tir/welctir.htm).

(i) Settlement of claims for payments

The Working Party may wish to be informed by the IRU on further progress made in the current arbitration procedure, initiated by the IRU, to obtain payment for Customs claims presented to the previous insurers of the international guaranteeing chain which had denounced their contract with the IRU at the end of 1994 (TRANS/WP.30/200, para. 52; TRANS/WP.30/198, para. 71; TRANS/WP.30/196, para. 51; TRANS/WP.30/194, para. 49; TRANS/WP.30/192, paras. 44 and 45; TRANS/WP.30/190, para. 37; TRANS/WP.30/188, paras. 46 and 47; TRANS/WP.30/184, paras. 51 and 52; TRANS/WP.30/182, paras. 37 and 38).

The Working Party may also wish to be informed by Customs authorities and the IRU of the present situation with regard to the settlement of claims for payments made by Customs authorities against national guaranteeing associations. In particular, the Working Party may wish to have an indication of the amounts paid out by the international insurers and the IRU in the years 2000 and 2001 as well as information on the reasons for payment claims by Customs authorities. Regular information in this respect would allow for better risk assessment in the application of the Convention by Customs authorities and the TIRExB, which has included this issue in its list of priority issues (TRANS/WP.30/200, paras. 49-51).

(ii) Re-introduction of the guarantee for sensitive and other excluded goods

The Working Party may wish to be informed of progress made by the IRU, in cooperation with the insurers and the European Commission, to re-introduce the guarantee coverage for so-called “sensitive” goods under cover of TIR Carnets for which some guaranteeing associations in countries of the European Community had denounced their insurance contracts.

The Working Party had, on various occasions, urged the IRU and the international guaranteeing chain to re-establish full guarantee coverage for these sensitive goods as soon as possible (TRANS/WP.30/200, para. 58; TRANS/WP.30/198, para. 79; TRANS/WP.30/196, para. 61; TRANS/WP.30/194, para. 53, TRANS/WP.30/192, paras. 46-48; TRANS/WP.30/188, paras. 48-51; TRANS/WP.30/184, paras. 48-50; TRANS/WP.30/178, paras. 80 and 81).

In this context, the Working Party may also wish to be informed about the activities of the TIR secretariat and the IRU, which had established a SAFETIR Taskforce with the view of further improving the present IRU SAFETIR system based on the Recommendations of the TIR Administrative Committee of 20 October 1995 and 20 October 2000 on the introduction of a control system for TIR Carnets.

(iii) **Measures to reduce the number of lost, stolen and falsified TIR Carnets**

The Working Party may wish to recall that, at its ninety-eighth session, it had been informed that the IRU had been forced to change the supplier of the paper for TIR Carnets as of September 2001 and, as a result, was forced to change one of the security features in the TIR Carnets, as the new paper supplier could not provide these features. The IRU had proposed to the TIRExB to change at the same time the design related features of the TIR Carnet as well as to add some other security features in order to make falsification more difficult (TRANS/WP.30/196, paras. 68 and 69). The TIRExB decided to accept the changes in the layout of the TIR Carnet as proposed by the IRU since they do not modify the relevant provisions of the Convention.

Detailed information in this respect is also available on the UNECE TIR web site (www.unece.org/trans/new_tir/welctir.htm).

The Working Party may wish to exchange information about the experiences concerning the introduction of the new TIR Carnet version (“blue” TIR Carnet) that was foreseen to reach Customs offices at the beginning of 2002.

(iv) **Guidance on Customs control and trade facilitation**

The Working Party, at its one-hundredth session, had taken note of a proposal made by the European Community concerning an amendment proposal to the Convention aimed at providing a clear definition of the terms “facilitation and Customs controls” in the framework of the Convention (TRANS/WP.30/2002/1).

The Working Party had been informed by Mr. Olszewski, Chairman of the TIRExB, that the TIRExB had prepared a draft comment to the Convention covering the same issue.

The Working Party may wish to consider document number TRANS/WP.30/2002/13, prepared by the secretariat, containing a proposal for an amendment to the comment to Article 47 of the Convention. The proposed comment consolidates the two proposals mentioned above.

(v) **Amendment proposals relating to technical provisions**

The Working Party may wish to recall the proposal to amend the Convention transmitted by the Liaison Committee of the Body and Trailer Building Industry (CLCCR) as contained in document TRANS/WP.30/2002/3 which would provide for a clearer description of the design of the TIR plate (amendment to Annex 5 of the Convention).

At its one-hundredth session, the Working Party agreed that it would be useful, in order to strengthen the profile of the TIR procedure, to modify the comment to Annex 5 of the Convention concerning the layout of the TIR plate (TRANS/WP.30/200, para. 80). The Working Party may wish to consider the proposals contained in document TRANS/WP.30/2002/14 prepared by the secretariat.

The Working Party may wish to be informed about the progress made in evaluating the proposals made by CLCCR contained in document TRANS/WP.30/2002/4 concerning the structure of load compartments (amendment to Explanatory Note 2.2.1 (a) of the Convention) and in document TRANS/WP.30/2002/5 concerning the structure of load compartments (amendment to Explanatory Note 2.2.1 (b) of the Convention).

(vi) Renewal of the certificate of approval

At its ninety-eighth session, the Working Party was informed by the representative of the European Commission about a practical difficulty in the application of Annex 3, paragraph 4 of the Convention concerning the renewal of the certificate of approval for road vehicles. Transport operators increasingly use road vehicles in Contracting Parties other than those where they are registered. As a consequence, vehicles must be sent back to the country of registration for inspection and renewal of the certificate of approval, which often causes operational and economic difficulties (TRANS/WP.30/196, para. 86).

The Working Party, at its one-hundredth session, took note of a proposal submitted by the IRU on a new text of Annex 3, Article 4 of the Convention allowing for renewal of the certificate of approval by any Customs authority. The Working Party considered that a number of control issues needed to be evaluated in further detail before taking a decision on the issue (TRANS/WP.30/200, para. 87).

The Working Party may wish to consider a document on this issue to be submitted by the European Commission at the invitation of the Working Party.

(vii) National control measures in the Russian Federation

At its ninety-ninth session, the Working Party was informed by the representatives of the European Community and Finland of problems caused by the introduction of new transit regulations for certain goods in the Russian Federation. The representative of the Russian Federation had informed the Working Party about the general purpose of the new regulations. The Working Party had requested the TIRExB to consider whether the new regulations were in line with the provisions of the TIR Convention (TRANS/WP.30/198, paras. 101-103).

The Working Party, at its one-hundredth session, was informed that the TIRExB, had informed the Russian Customs authorities that it was of the view that the special measures taken by the Russian Federation in this regard were not in line with the provisions and spirit of the TIR Convention (TRANS/WP.30/200, para. 92).

The Working Party may wish to be informed about the status of this question.

(viii) TIR Handbook

The Working Party may wish to note that the TIR Handbook has been updated by the secretariat to take account of all amendments adopted as part of Phase II of the TIR revision process as well as all relevant comments adopted by the UNECE Working Party on Customs Questions affecting Transport (WP.30) and the TIR Administrative Committee. The complete text of the TIR Handbook is available on the UNECE TIR web site www.unece.org/trans/new_tir/welctir.htm.

Participants at the present session will be able to obtain a hard-copy version of the revised TIR Handbook in the English, French or Russian languages. Versions in the Arabic, Chinese, Czech, German, Italian, Spanish and Turkish languages will be updated during the course of 2002.

(ix) Other matters

The Working Party may wish to consider any other issues and difficulties in the application of the Convention faced by Customs authorities, national associations, the international insurers or the IRU.

7. PREVENTION OF THE ABUSE OF CUSTOMS TRANSIT SYSTEMS BY SMUGGLERS

Having discussed at earlier sessions a number of drug seizures involving TIR vehicles, the Working Party felt that it should be informed of any special devices and facilities used by smugglers abusing the TIR transit system. The Working Party invited all Contracting Parties to the TIR Convention, 1975, and the World Customs Organization (WCO) to transmit all relevant information on such cases so that it could take the necessary steps, falling within its competence and mandate, to prevent such occurrences (TRANS/WP.30/127, paras. 55-57).

As in the past, the Working Party may wish to exchange views and report on experiences on this subject, if any, on a confidential basis.

8. OTHER BUSINESS

(a) Dates of the next sessions

The Working Party may wish to decide on the dates for its next sessions.

The secretariat has already scheduled the one-hundred-and-second session of the Working Party to be held in the week from 21 to 25 October 2002, in conjunction with the thirty-third session of the TIR Administrative Committee and, possibly the fifth session of the Administrative Committee for the International Convention on the Harmonization of Frontier Controls of Goods.

The one-hundred-and-third session of the Working Party is tentatively scheduled to be held during the week of 3 to 7 February 2003, in conjunction with the thirty-fourth session of the TIR Administrative Committee.

(b) Restriction on the distribution of documents

The Working Party should decide whether there shall be any restrictions with respect to the distribution of documents issued in connection with its current session.

9. ADOPTION OF THE REPORT

In accordance with established practice, the Working Party will adopt the report on its one-hundred-and-first session on the basis of a draft prepared by the secretariat. Given the present resource restrictions with regard to translation facilities, parts of the final report may not be available at the session for adoption in all working languages.



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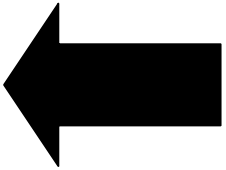
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**DOOR 1
SAFI**

**DOOR 11
SECURITY
SALES
4 TO 12
IV TO XII**

**DOOR 2
MEDICAL
SERVICES
SALES
C3 & A/R**

**DOOR 6
NAVILLE
POSTE
BANK
SALES
1 TO 3
H3 & F3
Room C.111**

**ENTRY/EXIT
CARS AND
PEDESTRIANS**

**SALE DES
ASSEMBLEES
& SALLE 16
DOOR 13 OR 15**

**VILLA
LE BOCAGE**

**DOOR 40
SALES
17 TO 27
XVII
TO
XXVII**

LA PELOUSE

**DOOR 20
BIBLIOTHEQUE
LIBRARY**

