



# Economic and Social Council

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## Economic Commission for Europe

### Administrative Committee for the TIR Convention, 1975

#### Fifty-sixth session

Geneva, 3 October 2013

Item 1 of the provisional agenda

#### Adoption of the agenda

### Annotated provisional agenda for the fifty-sixth session<sup>1, 2</sup>

to be held at the Palais des Nations, Geneva, starting at 10 a.m. on Thursday, 3 October 2013

#### I. Provisional agenda

1. Adoption of the agenda.
2. Status of the TIR Convention, 1975.
3. Activities and administration of the TIR Executive Board:
  - (a) Activities of the TIR Executive Board:

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<sup>1</sup> 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](mailto:wp.30@unece.org)). Documents may also be downloaded from the UNECE Border Crossing Facilitation website [www.unece.org/trans/bcf/welcome.html](http://www.unece.org/trans/bcf/welcome.html). During the meeting, official documents may be obtained from the UNOG Documents Distribution Section (Room C.337, third floor, Palais des Nations).

<sup>2</sup> 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: [www.unece.org/trans/conventn/legalinst.html#customs](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 [www.unece.org/meetings/practical\\_information/confpart.pdf](http://www.unece.org/meetings/practical_information/confpart.pdf) 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](mailto: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 75975). For a map of the Palais des Nations and other useful information, see website [www.unece.org/meetings/practical.htm](http://www.unece.org/meetings/practical.htm).

- (i) Report by the Chair of the TIR Executive Board;
    - (ii) Programme of work of the TIR Executive Board for 2013–2014;
    - (iii) International TIR Data Bank and electronic tools of the TIR secretariat;
    - (iv) National and regional TIR workshops and seminars.
  - (b) Administration of the TIR Executive Board and the TIR secretariat:
    - (i) Status report on the accounts for 2012;
    - (ii) Procedure for financing the operation of the TIR Executive Board and TIR secretariat.
  - (c) Proposals to modify the format, representation and election procedure of the TIR Executive Board.
4. Authorization for printing and distributing TIR Carnets and the organizing and functioning of the guarantee system.
  5. Authorization for concluding an agreement between UNECE and IRU.
  6. Revision of the Convention:
    - (a) Amendments to the Convention with regard to transmitting data to the International TIR Data Bank;
    - (b) Amendment to the Convention with regard to the maximum level of guarantee per TIR Carnet;
    - (c) Amendment proposals to Annex 3;
    - (d) Adjusting the Harmonized System codes in Explanatory Note 0.8.3 and Annex 1;
    - (e) Phase III of the TIR revision process – computerization of the TIR procedure.
  7. Application of the Convention:
    - (a) Recommendation on the introduction of Harmonized System code in the TIR Carnet;
    - (b) Comments endorsed by the Working Party on Customs Questions affecting Transport and the TIR Executive Board.
  8. Best practices.
  9. Other business:
    - (a) Date of next session;
    - (b) Restriction on the distribution of documents.
  10. Adoption of the report.

## **II. Annotations**

### **1. Adoption of the agenda**

The Committee may wish to consider and adopt the agenda of its present session (ECE/TRANS/WP.30/AC.2/114). The Committee will 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 States which are Contracting Parties to the Convention is sixty-seven.

#### **Documentation**

ECE/TRANS/WP.30/AC.2/114

### **2. Status of the TIR Convention, 1975**

The Committee may wish to recall that, on 10 July 2012, the Secretary-General of the United Nations had issued depositary notification C.N.358.2012.TREATIES-XI.A.16, informing of the submission of proposals to amend Article 6.2 bis and Annex 9 of the Convention. In accordance with the Article 59, paragraph 3 of the Convention, the amendments would enter into force on 10 October 2013, unless the Secretary-General has received any objection to the proposed amendments not later than by 10 July 2013 (ECE/TRANS/WP.30/AC.2/111, para. 8). By the date of finalization of the present agenda, the secretariat has not been made aware of any objections.

The Committee will also be informed about any further changes in the status of the Convention and in the number of Contracting Parties, if any. More detailed information on these issues as well as on various Depositary Notifications is available on the TIR website.<sup>3</sup>

### **3. Activities and administration of the TIR Executive Board**

#### **(a) Activities of the TIR Executive Board**

##### **(i) Report by the Chair of TIR Executive Board**

In accordance with Annex 8, Article 11, paragraph 4 of the Convention and in line with the decision of the Committee (TRANS/WP.30/AC.2/55, paras. 14–15), the United Nations Economic Commission for Europe (UNECE) secretariat has reproduced the report of the TIR Executive Board (TIRExB) at its fifty-first (October 2012) and fifty-second (February 2013) sessions for information and endorsement by the Committee (ECE/TRANS/WP.30/AC.2/2013/5 and ECE/TRANS/WP.30/AC.2/2013/6, respectively).

More information about the recent activities of TIRExB as well as about various considerations and decisions taken on its fifty-third (June 2013) and fifty-fourth sessions (September 2013) will be provided orally by the Chair of TIRExB.

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<sup>3</sup> [www.unece.org/tir/tir-depositary\\_notification.html](http://www.unece.org/tir/tir-depositary_notification.html).

**Documentation**

ECE/TRANS/WP.30/AC.2/2013/5, ECE/TRANS/WP.30/AC.2/2013/6

**(ii) Programme of work of the TIR Executive Board for 2013–2014**

In line with the established practice, the Committee is invited to approve the Programme of Work of TIRExB for 2013–2014 (ECE/TRANS/WP.30/AC.2/2013/7) and provide guidance on future activities and priorities of work of the TIRExB. In particular, the Committee may wish to further clarify the function of TIRExB to monitor the prices of TIR Carnets.

**Documentation**

ECE/TRANS/WP.30/AC.2/2013/7

**(iii) International TIR Data Bank and electronic tools of the TIR secretariat**

The Committee will be informed about the status of transmitting data to the International TIR Data Bank (ITDB) as well as about the progress made in implementing ITDB online+ and other IT projects managed by the TIR secretariat.

**(iv) National and regional TIR workshops and seminars**

The Committee will be informed about workshops and seminars conducted and/or planned, in particular about the outcome of a training seminar on the construction of Customs secure vehicles (18 and 19 June 2013, Helsinki) that was organized by the Finnish Customs Administration in cooperation with TIRExB (ECE/TRANS/WP.30/AC.2/2013/8).

**Documentation**

ECE/TRANS/WP.30/AC.2/2013/8

**(b) Administration of the TIR Executive Board and the TIR secretariat**

**(i) Status report on the accounts for 2012**

In accordance with Annex 8, Article 11, paragraph 4 of the Convention, the report on the complete and final accounts for 2012 is transmitted for approval by the Committee (ECE/TRANS/WP.30/AC.2/2013/9). The Committee may also wish to take note of interim financial statements for 2013 as contained in document ECE/TRANS/WP.30/AC.2/2013/10.

**Documentation**

ECE/TRANS/WP.30/AC.2/2013/9, ECE/TRANS/WP.30/AC.2/2013/10

**(ii) Procedure for financing the operation of the TIR Executive Board and TIR secretariat**

At its previous session, the Committee took note that, in line with the Procedure for the collection and transfer of the amount per TIR Carnet to finance the operation of the TIRExB and the TIR secretariat (ECE/TRANS/WP.30/AC.2/89, para. 38 and annex II), on 9 January 2013, the external auditor of IRU had produced an audit certificate reflecting the amount transferred by IRU and the total amount actually invoiced by IRU when distributing the TIR Carnets. According to the certificate, in 2012 there was an excess (i.e. more was received than initially transferred) of SwF 147,971 (ECE/TRANS/WP.30/AC.2/113, para. 17). The Committee will take note that IRU transferred this excess to the UNECE

named bank account before 15 March 2013. This amount will be reflected in the UNECE TIR account to be taken into consideration for the next budget year.

The Committee may also wish to recall the procedure for collecting and transferring the amount per TIR Carnet to finance the operation of the TIRExB and the TIR secretariat (ECE/TRANS/WP.30/AC.2/89, para. 38 and annex II) and, in particular, the following steps:

(a) The UNECE secretariat prepares a document comprised of the budget proposal established by TIRExB for approval by the Committee (September);

(b) The UNECE secretariat informs IRU of the budget proposal and the net amount to be transferred and requests IRU to provide an operational forecast of the number of TIR Carnets it expects to distribute in the forthcoming year (September);

(c) IRU provides the Committee with its forecast of the number of TIR Carnets it expects to distribute in the forthcoming year and its internal calculation concerning the amount per TIR Carnet (September – October);

(d) The Committee approves the budget and the net amount to be transferred by IRU, and takes note of the forecast established by IRU. The Committee also approves the amount per TIR Carnet, calculated by the secretariat on the basis of the forecast provided by IRU (September – October);

(e) IRU transfers the net amount approved by the Committee to the UNECE named bank account (mid-November).

The Committee will be informed of activities by the UNECE secretariat and IRU under items (a) – (c). Under item (d), the Committee is invited to approve the budget and cost plan for the operation of the TIRExB and the TIR secretariat for the year 2014 as well as the net amount to be transferred by IRU (ECE/TRANS/WP.30/AC.2/2013/11). The Committee may also wish to be informed by IRU of the forecast of the number of TIR Carnets it expects to distribute in 2014 and of its internal calculation concerning the amount per TIR Carnet. The Committee may wish to approve the amount per TIR Carnet which will be expressed in Swiss francs following the transfer of the above net amount to the UNECE named bank according to the prevailing United States dollar – Swiss franc exchange rate on the day of the transfer.

#### **Documentation**

ECE/TRANS/WP.30/AC.2/2013/11

#### **(c) Proposals to modify the format, representation and election procedure of the TIR Executive Board**

At its previous session, the Committee extensively considered the proposals by Iran (Islamic Republic of) (ECE/TRANS/WP.30/AC.2/2013/2) to increase the size of TIRExB from 9 to 15 members as well as to apply to the composition of the Board new criteria of geographical representation which would combine the principles of equitable geographical distribution among various regions and the number of issued TIR Carnets per country. Not being able to finalize its discussion, the Committee was of the view that the proposals of Iran (Islamic Republic of) deserved further consideration and decided to revert to this issue at the future sessions (ECE/TRANS/WP.30/AC.2/113, paras. 22–26).

The Committee, at the previous session, also considered a revised proposal for new Explanatory Notes and amendment to the TIRExB Rules of Procedure with regard to the election of a replacement member and representation (ECE/TRANS/WP.30/AC.2/2012/11/Rev.1). The Committee pointed out that mentioning resignation in draft Explanatory Note 8.9.2 as the only case that may necessitate by-

elections does not cover all circumstances under which a member of TIRExB might not be in a position to continue his/her activities before the completion of his/her term of office. The secretariat was requested to revise the proposals and submit a new version for the next session (ECE/TRANS/WP.30/AC.2/113, para. 27). Against this background, the Committee is invited to consider a revised proposal as contained in document ECE/TRANS/WP.30/AC.2/2012/11/Rev.2.

**Documentation**

ECE/TRANS/WP.30/AC.2/2013/2, ECE/TRANS/WP.30/AC.2/2012/11/Rev.2

**4. Authorization for printing and distributing TIR Carnets and the organizing and functioning of the guarantee system**

The Committee may wish to recall that, at the previous session, it decided to authorize IRU to centrally print and distribute TIR Carnets and to organize the functioning of the guarantee system for the period 2014–2016 inclusive (ECE/TRANS/WP.30/AC.2/113, para. 28).

**5. Authorization for concluding an agreement between UNECE and IRU**

At its previous session, the Committee approved a new draft agreement, as contained in document ECE/TRANS/WP.30/AC.2/2013/3, subject to modification of the period of the Agreement to 2014–2016. The Committee mandated the secretariat to conclude the new agreement with a view to continuing to finance the operation of the TIRExB and the TIR secretariat as of the year 2014 (ECE/TRANS/WP.30/AC.2/113, para. 29). The Committee will be informed of the secretariat and IRU follow-up actions.

**Documentation**

ECE/TRANS/WP.30/AC.2/2013/3

**6. Revision of the Convention**

**(a) Amendments to the Convention with regard to transmitting data to the International TIR Data Bank**

At its previous session, the Committee provisionally adopted two new Explanatory Notes to Annex 9, Part II. The Committee decided not to fix the two deadlines, as provided for in Article 60 of the TIR Convention, but await other amendment proposals in order to consolidate a larger package, determine the deadlines for the whole package and send it to the Depository for processing and issuing a Depository Notification. Finally, the Committee mandated the secretariat to prepare a similar Explanatory Note to paragraph 2 of Article 38 regarding transmission of data on exclusions to TIRExB (ECE/TRANS/WP.30/AC.2/113, paras. 30 and 31). Following this request, the secretariat has prepared document ECE/TRANS/WP.30/AC.2/2013/12 which the Committee is invited to consider.

**Documentation**

ECE/TRANS/WP.30/AC.2/2013/12

(b) **Amendment to the Convention with regard to the maximum level of guarantee per TIR Carnet**

At the previous meeting, the Committee noted a number of developments in this area, looked forward to receiving new information and decided to keep this issue on the agenda (ECE/TRANS/WP.30/AC.2/113, paras. 32 and 33).

(c) **Amendment proposals to Annex 3**

At its previous session, the Committee was informed about the activities of the secretariat, EU and Turkey with a view to improving the list of codes in part C of the annex to document ECE/TRANS/WP.30/AC.2/2012/12, and noted that the secretariat, assisted by experts, would produce a rectified list for the present session (ECE/TRANS/WP.30/AC.2/113, para. 34). Against this background, the Committee is invited to consider a modified proposal by the secretariat, as contained in document ECE/TRANS/WP.30/AC.2/2012/12/Rev.1.

**Documentation**

ECE/TRANS/WP.30/AC.2/2012/12/Rev.1

(d) **Adjusting the Harmonized System codes in Explanatory Note 0.8.3 and Annex 1**

The Committee will recall that, at the previous meeting, it provisionally adopted amendment proposals to Annexes 1 and 6 and decided to include those into a larger package of amendment proposals to be sent to the Depository at a later stage (ECE/TRANS/WP.30/AC.2/113, para. 35).

**Documentation**

ECE/TRANS/WP.30/2012/10/Rev.1 – ECE/TRANS/WP.30/AC.2/2012/17/Rev.1

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

As in the past, the Committee will be informed about the latest developments with regard to the computerization of the TIR procedure and related projects.

## **7. Application of the Convention**

(a) **Recommendation on the introduction of Harmonized System code in the TIR Carnet**

At its fifty-third session, the Committee recalled the findings of the survey on implementing the Recommendation on the introduction of the Harmonized System (HS) code in the TIR Carnet (ECE/TRANS/WP.30/AC.2/2011/3) and had an extensive exchange of views on whether the TIR Convention should be amended to include the mandatory indication of the HS code. As a result, the Committee was of the view that, at this stage, amending the Convention seemed premature and that such indication should remain optional, as provided for in the existing Recommendation. At the same time, AC.2 decided to continue its discussions on this matter and, in particular, to consider additional national data and documentary requirements in the course of a TIR transport (ECE/TRANS/WP.30/AC.2/109, paras. 29 and 30). At the previous session, the secretariat drew the attention of AC.2 to a survey on this subject which was conducted at the end of 2001, whose results might still be relevant (TRANS/WP.30/2002/15) (ECE/TRANS/WP.30/AC.2/113, para. 37). Taking into consideration the above, the Committee is invited to continue its considerations.

**Documentation**

ECE/TRANS/WP.30/AC.2/2011/3, TRANS/WP.30/2002/15

**(b) Comments endorsed by the Working Party on Customs Questions affecting Transport and the TIR Executive Board**

The Committee will be informed about new comments endorsed by WP.30 and TIRExB, if any.

**8. Best practices**

**Use of subcontractors**

The Committee, at its fifty-third session, had a preliminary exchange of views on the issue of subcontractors, based on documents ECE/TRANS/WP.30/AC.2/2010/7, ECE/TRANS/WP.30/AC.2/2012/3 and Informal document WP.30/AC.2 No. 5 (2012). In order to get a clear picture of all issues at stake, the Committee requested the secretariat to prepare, for consideration at its next session, a consolidated document, containing background information together with all outstanding proposals for comments to the Convention, introducing the concept of subcontractor in the framework of the Convention. Delegations were invited to discuss the various proposals and provide the secretariat with written comments, if any (ECE/TRANS/WP.30/AC.2/109, para. 33). Following this request, the secretariat has prepared document ECE/TRANS/WP.30/AC.2/2012/13.

At the previous meeting, consideration of this issue was postponed until the present session. Meanwhile, delegations were invited to carefully study the consolidated document by the secretariat (ECE/TRANS/WP.30/AC.2/2012/13), in particular the alternatives proposals from Chapters III and IV of this document (ECE/TRANS/WP.30/AC.2/113, para. 39).

**Documentation**

ECE/TRANS/WP.30/AC.2/2012/13

**9. Other business**

**(a) Date of next session**

The UNECE secretariat has made the necessary arrangements to hold the fifty-seventh session of the Committee on 6 February 2014. The Committee may wish to confirm this date.

**(b) Restriction on the distribution of documents**

The 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.

**10. Adoption of the report**

In accordance with Annex 8, Article 7 of the Convention, the Committee will adopt the report on its fifty-sixth 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.