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ECONOMIC COMMISSION FOR EUROPE

Administrative Committee for the TIR Convention, 1975

Forty-eighth session
Geneva, 1 October 2009

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

To be held at the Palais des Nations, Geneva,
starting at 10 a.m. on Thursday, 1 October 2009^{1/},^{2/}

I. PROVISIONAL AGENDA

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

^{1/} For reasons of economy, delegates are requested to bring copies of the documents mentioned in this provisional agenda to the meeting. There will be no official documentation available in the meeting room. Before the meeting, missing documents may be obtained directly from the UNECE Transport Division (Fax: +41-22-917-0039; e-mail: wp.30@unece.org). Documents may also be downloaded from the UNECE Border Crossing Facilitation website <<http://border.unece.org>>. During the meeting, official documents may be obtained from the UNOG Documents Distribution Section (Room C.337, 3rd floor, Palais des Nations).

^{2/} The full text of the TIR Convention, 1975, as well as a complete list of Contracting Parties to the Convention, is available on the UNECE website: <<http://www.unece.org/trans/conventn/legalinst.html#customs>>. Delegates are requested to complete the registration form available from the Internet website of the UNECE Transport Division <<http://www.unece.org/trans/registfr.html>> and to transmit it to the UNECE secretariat, at the latest one week prior to the session, either by fax (+41-22-917-0039) or by e-mail (wp.30@unece.org). Prior to the session, delegates who do not hold a long-term access badge should obtain an identification badge at the UNOG Security and Safety Section, located at the Pregny Gate (14, Avenue de la Paix). In case of difficulty, please contact by telephone the UNECE secretariat (internal extension 75975). For a map of the Palais des Nations and other useful information, see website <<http://www.unece.org/meetings/practical.htm>>.

- (a) Activities of the TIRExB:
 - (i) Report by the Chairperson of the TIRExB;
 - (ii) TIRExB programme of work 2009-2010;
 - (iii) International TIR Data Bank (ITDB);
 - (iv) Online UNECE Register of Customs Sealing Devices and Customs Stamps;
 - (v) National and regional TIR workshops and seminars.
 - (b) Administration of the TIRExB and the TIR secretariat:
 - (i) Status report on the accounts for 2008 and 2009;
 - (ii) Procedure for financing of the operation of the TIRExB and TIR secretariat;
 - (iii) Audit by the United Nations Office of Internal Oversight Services (OIOS).
4. Authorization for printing and distribution of TIR Carnets and the organization and functioning of the guarantee system.
 5. Update of the agreement between UNECE and IRU.
 6. Revision of the Convention:
 - (a) Amendment(s) to the Convention endorsed by the Working Party on Customs Questions affecting Transport (WP.30);
 - (b) Phase III of the TIR revision process – computerization of the TIR procedure.
 7. Application of the Convention:
 - (a) Recommendation on the introduction of HS code in the TIR Carnet;
 - (b) Comments endorsed by WP.30 and TIRExB.
 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 TO THE PROVISIONAL AGENDA

Item 1. Adoption of the agenda

Documentation: ECE/TRANS/WP.30/AC.2/98

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

Item 2. Status of the TIR Convention, 1975

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

3. The Committee may also wish to note that the amendment proposal introducing a new Explanatory Note to Article 3 (a) (Depositary Notification C.N.48.2009.TREATIES-1 of 2 February 2009) will enter into force on 1 October 2009, unless at least five objections are received before 1 July 2009. In addition, the amendment proposal to Annex 6, Explanatory Note 0.8.3 concerning the maximum guarantee amount per TIR Carnet (Depositary Notification C.N.198-2009.TREATIES-2 of 8 April 2009) will enter into force on 1 January 2010, unless at least five objections are received before 1 October 2009.

Item 3. Activities and administration of the TIR Executive Board (TIRExB)

(a) Activities of the TIRExB

(i) Report by the Chairperson of the TIRExB

Documentation: ECE/TRANS/WP.30/AC.2/2009/4, ECE/TRANS/WP.30/AC.2/2009/5

4. In accordance with Annex 8, Article 11, paragraph 4 of the Convention and in line with the decision of the Administrative Committee (TRANS/WP.30/AC.2/55, paras. 14-15), the UNECE secretariat has reproduced the reports of the TIRExB on its thirty-eighth (December 2008) and thirty-ninth sessions (March 2009) for information and endorsement by the Administrative Committee (ECE/TRANS/WP.30/AC.2/2009/4 and ECE/TRANS/WP.30/AC.2/2009/5).

5. More information about the recent activities of the TIRExB as well as about various considerations and decisions taken at its fortieth session (June 2009) will be provided orally by the Chairperson of the TIRExB. In particular, the Committee will be informed of the consolidated results of the survey on the price of TIR Carnets at national level, as conducted by the TIRExB in the last trimester of 2008.

(ii) TIRExB programme of work 2009-2010

Documentation: ECE/TRANS/WP.30/AC.2/2009/6

6. The Committee is invited to approve the Programme of Work of the TIRExB for the years 2009-2010 (ECE/TRANS/WP.30/AC.2/2009/6) and provide guidance on future activities and priorities of work of the TIRExB.

(iii) International TIR Data Bank (ITDB)

7. The Committee is invited to take note of the status of transmission of documents and data to the ITDB. The Committee will also be informed of progress made in the implementation of

^{3/} <<http://tir.unece.org>>.

the ITDB online+ project aimed at enabling Customs authorities to update their countries' data online in ITDB.

(iv) Online UNECE register of Customs sealing devices and Customs stamps

8. The Administrative Committee will be informed of the functioning of the on-line UNECE register of Customs sealing devices and Customs stamps.

(v) National and regional TIR workshops and seminars

9. The Committee may wish to take note of the Regional TIR training seminar for the member countries of the Economic Cooperation Organization (ECO) (Tehran, 29 April 2009) and the Regional TIR seminar for North Africa and nearby regions (Tunis, 3 and 4 June 2009).

(b) Administration of the TIRExB and the TIR secretariat

(i) Status report on the accounts for 2008 and 2009

Documentation: ECE/TRANS/WP.30/AC.2/2009/7; ECE/TRANS/WP.30/AC.2/2009/8

10. 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. The report on the complete and final accounts for 2008 is transmitted for approval by the Committee (ECE/TRANS/WP.30/AC.2/2009/7). The Committee may also wish to take note of interim financial statements for 2009 as contained in document ECE/TRANS/WP.30/AC.2/2009/8.

(ii) Procedure for financing of the operation of the TIRExB and TIR secretariat

Documentation: ECE/TRANS/WP.30/AC.2/89; ECE/TRANS/WP.30/AC.2/97;
ECE/TRANS/WP.30/AC.2/2009/9

11. 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 2), on 14 January 2009 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 2008 there was an excess (i.e. more was received than initially transferred) of CHF 17,021.72 (ECE/TRANS/WP.30/AC.2/97, para. 14). The Committee will be informed that IRU transferred this excess to UNECE before the deadline of 15 March 2009. This amount will be reflected in the UNECE TIR account for the next budget year.

12. The Committee may also wish to recall its decision, at the request of IRU, to revise the forecast of the number of TIR Carnets to be distributed in 2009 from 3 million to 2.7 million and to retroactively adjust the amount per TIR Carnet as of 1 January 2009 (ECE/TRANS/WP.30/AC.2/97, para. 16).

13. Regarding the budget and cost plan for the operation of the TIRExB and the TIR secretariat for the year 2010, the Committee may wish to recall the following steps according to the procedure mentioned in para. 11 above:

- (a) The UNECE secretariat prepares a document comprising the budget proposal established by the TIRExB for approval by the Administrative Committee (September);
- (b) The UNECE secretariat informs the IRU of the budget proposal and the net amount to be transferred and requests the 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 Administrative 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 Administrative 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 Administrative Committee to the UNECE named bank account (mid November).

14. The Committee will be informed of activities by the UNECE secretariat and IRU under items (a) – (c). With regard to (d), the Administrative Committee is invited to approve the budget and cost plan for the operation of the TIRExB and the TIR secretariat for the year 2010 as well as the net amount to be transferred by IRU (ECE/TRANS/WP.30/AC.2/2009/9). The Committee may also wish to be informed by IRU of its forecast of the number of TIR Carnets it expects to distribute in 2010 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 US dollar-Swiss franc exchange rate on the day of the transfer.

**(iii) Audit by the United Nations Office of Internal Oversight Services
(OIOS)**

15. The Administrative Committee will be informed of progress in the implementation of the outstanding recommendation by OIOS concerning the introduction of a new part III to Annex 9 of the Convention on the conditions and requirements for the authorization of an international organization.

Item 4. Authorization for printing and distribution of TIR Carnets and the organization and functioning of the guarantee system

16. Authorization for printing and distribution of TIR Carnets and the organization and functioning of the guarantee system is granted subject to the provisions of Article 6.2**bis** and Article 10 (b) of Annex 8 and Explanatory Notes 0.6.2 **bis**-2 and 8.10 (b). The Committee may wish to recall its earlier decision to authorize IRU to centrally print and distribute TIR Carnets

and to organize the functioning of the guarantee system for the period 2006-2010 inclusive (TRANS/WP.30/AC.2/77, para. 37 and ECE/TRANS/WP.30/AC.2/91, para. 17).

Item 5. Update of the Agreement between UNECE and IRU

17. The Committee may wish to recall that, according to para. 2 of the revised UNECE-IRU Agreement, Annexes 1 and 2 to the Agreement should be adjusted on an annual basis through an exchange of letters between UNECE and IRU, in accordance with the relevant decisions of the TIR Administrative Committee. Therefore, for the year 2010 these annexes will be modified on the basis of the Committee's decisions as referred to in para. 14 of the present agenda.

Item 6. Revision of the Convention

(a) Amendment(s) to the Convention endorsed by the Working Party on Customs Questions affecting Transport (WP.30)

18. At its previous session, the Committee approved in principle the amendment proposals as contained in document ECE/TRANS/WP.30/2009/4 - ECE/TRANS/WP.30/AC.2/2009/3. As the European Community was not in a position to formally accept them, the Committee decided to revert to this issue at the present session, thus allowing the Community to conclude its internal approval procedures. In the interim, the Committee requested the secretariat, in cooperation with French and Russian speaking delegations, to check the consistency between the three language versions (ECE/TRANS/WP.30/AC.2/97, paras. 23 and 24). Following this request, the secretariat has issued corrigenda to document ECE/TRANS/WP.30/2009/4 - ECE/TRANS/WP.30/AC.2/2009/3 as follows: Corr. 1 in French, Corr. 2 in English and Corr. 3 in Russian.

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

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

Item 7. Application of the Convention

(a) Recommendation on the introduction of HS code in the TIR Carnet

Documentation: ECE/TRANS/WP.30/AC.2/93

20. At its forty-sixth session, the Committee adopted the Recommendation on the use of the HS Code in the TIR Carnet (ECE/TRANS/WP.30/AC.2/93, para. 28 and Annex II) which came into force on 1 May 2008. According to the Recommendation, TIR Carnet holders are advised to indicate the HS code of the goods in box 10 of the yellow voucher not for Customs use, in addition to a plain language description of the goods. The Administrative Committee decided to review the application of the recommendation in 12 months, i.e. as of 1 May 2009.

21. At its previous session, the Committee was informed that, so far, no difficulties seemed to have arisen with regard to the implementation of the Recommendation on the use of the HS Code in the TIR Carnet. The Committee noted, however, that national practices in this area

varied a lot from country to country and decided to continue its monitoring function with a view to ensuring a harmonized application of the Recommendation at the national level (ECE/TRANS/WP.30/AC.2/97, para. 26). Against this background, the Committee may wish to further review the application of the Recommendation.

(b) Comments endorsed by WP.30 and TIRExB

22. The Committee will be informed of new comments endorsed by WP.30 and TIRExB.

Item 8. Best practices

23. The Committee will be informed of new examples of best practice prepared by TIRExB.

Item 9. Other business

(a) Date of next session

24. The UNECE secretariat has made the necessary arrangements to hold the forty-ninth session of the Administrative Committee on 4 February 2010. The Administrative Committee may wish to confirm this date.

(b) Restriction on the distribution of documents

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

Item 10. Adoption of the report

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