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ECONOMIC COMMISSION FOR EUROPE

Administrative Committee for the TIR Convention, 1975

(24 and 25 October 2002)

**PROVISIONAL AGENDA FOR THE THIRTY-THIRD SESSION OF
THE ADMINISTRATIVE COMMITTEE**

**to be held at the Palais des Nations, Geneva,
starting at 10.00 hours on Thursday, 24 October 2002 ^{*/}**

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|----|------------------------------------|--|
| 1. | Adoption of the agenda | TRANS/WP.30/AC.2/66 |
| 2. | Status of the TIR Convention, 1975 | ECE/TRANS/17/Amend.19/Rev.1,
Amend.20 and Add.1, and
Amends.21 and 22
http://tir.unece.org |

^{*/} 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: martin.magold@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 (martin.magold@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).

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

(a) Activities of the TIRExB

- (i) Report by the Chairman of the TIRExB TRANS/WP.30/AC.2/2002/6
- (ii) Identification (ID) number of the TIR
Carnet holder and access to the
International TIR Data Bank (ITDB) TRANS/WP.30/AC.2/63
TRANS/WP.30/AC.2/2001/13
- (iii) Joint TIR secretariat/IRU Taskforce
on SafeTIR
- (iv) Web site on Customs offices approved
for TIR operations TRANS/WP.30/AC.2/63
TRANS/WP.30/AC.2/2001/12
- (v) National and regional TIR workshops
and seminars

(b) Administration of the TIRExB

- (i) Approval of the financial
accounts for the year 2001 TRANS/WP.30/AC.2/2002/3
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TIR secretariat for the year 2002 TRANS/WP.30/AC.2/2002/4
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- (iii) Budget proposal and cost plan for
the TIRExB and the TIR secretariat
for the year 2003 TRANS/WP.30/AC.2/2002/5
TRANS/WP.30/AC.2/2001/11
and Corr.1
- (iv) Election of members of the TIRExB TRANS/WP.30/AC.2/59
TRANS/WP.30/AC.2/53
TRANS/WP.30/AC.2/51 and Corr.1

- (v) Alternative sources of funding for the TIRExB and the TIR secretariat
 - TRANS/2002/16
 - TRANS/WP.30/AC.2/63
 - TRANS/WP.30/AC.2/59
 - TRANS/WP.30/AC.2/57
- 4. Authorization for printing and distribution of TIR Carnets in the year 2003
 - TRANS/WP.30/AC.2/65
 - TRANS/WP.30/AC.2/57
 - TRANS/WP.30/AC.2/53
- 5. Authorization for the organization and functioning of the guarantee system in the year 2003
 - TRANS/WP.30/2002/18
- 6. Authorization for the conclusion of an agreement between the UNECE and the IRU
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 - TRANS/WP.30/AC.2/57
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 - ECE/TRANS/17/Amend.19/Rev.1
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 - (a) Draft amendments on a control system for TIR Carnets
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 - TRANS/WP.30/200
 - TRANS/WP.30/2000/14
 - and Corr.1

- (c) Draft amendments on the attribution of voting rights to Regional Economic Integration Organizations (REIO) TRANS/WP.30/AC.2/2002/8
TRANS/WP.30/198
TRANS/WP.30/AC.2/2001/15
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TRANS/WP.30/AC.2/2001/8
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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: Comments adopted by the UNECE Working Party (WP.30)

Annex 3: 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-second session in conjunction with the present session of the Administrative Committee from 22 to 25 October 2002, starting at 10.00 hours on Tuesday, 22 October 2002 in the Palais des Nations, Geneva. The Working Party will consider a large number of issues in relation to the revision of the TIR Convention and its application. Therefore, representatives of Contracting Parties to the TIR Convention, 1975, are strongly recommended to participate also in the sessions of the Working Party. The agenda as well as other relevant documents for the session of the Working Party may be obtained directly from the UNECE secretariat or from the UNECE TIR web site (see page 1).

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 August 2002 the number of States, Contracting Parties to the Convention is sixty-three.

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1. ADOPTION OF THE AGENDA

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.2/66).

2. STATUS OF THE TIR CONVENTION, 1975

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.

The complete text of the amendments to the Convention that have entered into force on 17 February 1999 under Phase I of the TIR revision process is contained in document ECE/TRANS/17/Amend.19/Rev.1 (English, French, Russian and Spanish). Amendments with regard to vehicles and containers with sliding sheets that have entered into force on 12 June 2001 are contained in document ECE/TRANS/17/Amend.20 and Add.1 (Arabic, Chinese, English, French, Russian and Spanish).

The complete text of the amendments to the Convention adopted under Phase II of the TIR revision process as well as the amendment to Article 3 that have come into force on 12 May 2002 are contained in document ECE/TRANS/17/Amend.21 and ECE/TRANS/17/Amend.22 respectively (Arabic, Chinese, English, French, Russian and Spanish).

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

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 eleventh, twelfth and thirteenth sessions held in October 2001, January 2002 and April 2002 respectively for information and endorsement by the Administrative Committee (TRANS/WP.30/AC.2/2002/6).

Further information on recent activities of the TIRExB and the TIR secretariat as well as on the considerations and decisions taken at the fourteenth (June 2002) and fifteenth (October 2002) 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)**

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.

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 ITDB contains at present more than 32,000 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.

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) **Web site on Customs offices approved for TIR operations**

Following its considerations on this issue at its thirty-first session based on document TRANS/WP.30/AC.2/2001/12, the Administrative Committee will be informed by the TIR Secretary on progress made in the establishment and geographical coverage of a web site on approved Customs offices for accomplishing TIR operations in all countries utilizing the TIR procedure (TRANS/WP.30/AC.2/63, paras. 27 and 28).

(v) **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 results of two regional TIR seminars planned to be held in Kunming (China) in September 2002 and in Riga (Latvia) in October 2002 will be transmitted for information.

(b) **Administration of the TIRExB**

(i) **Approval of the final accounts for the year 2001**

The Administrative Committee, at its spring session, took note of the final accounts of the TIRExB for the year 2001 as established by the competent Finance Services of the United Nations (Informal Document No. 3 (2002)). Since the final accounts had only been available on 13 February 2002, the Administrative Committee did only approve them in principle and decided, as in the past, to formally approve them at its forthcoming session in October 2002 (TRANS/WP.30/AC.2/65, para. 17).

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.2/2002/3.

(ii) **Budget of the TIRExB and the TIR secretariat for the year 2002**

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 2002, financial statements showing the funds received and expended for the TIRExB in 2002, 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.2/2002/4 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 2003.

(iii) Budget proposal and cost plan for the TIRExB and the TIR secretariat for the year 2003

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 2003. The budget proposal and cost plan, as contained in document TRANS/WP.30/AC.2/2002/5, is expected to be finalized and approved by the TIRExB at its fifteenth session in October 2002. 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 2003 do not differ in substantive terms from the approved budget and cost plan for the TIRExB and the TIR secretariat for the year 2002 as contained in TRANS/WP.30/AC.2/2001/11 and Corr.1. The increase in the budget proposal is a consequence of the lower projected exchange rate of the US dollar compared to the Swiss franc in which most expenditures occur and an increase in standard salary costs.

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 born 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 2003 (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 2003 as contained in document TRANS/WP.30/AC.2/2002/5.

(iv) Election of members of the TIRExB

In accordance with Annex 8, Article 9, paragraph 2 of the Convention, the term of office of each member of the TIRExB shall be two years. Since the present members of the TIRExB had been elected at its spring session in 2001, the Administrative Committee must, at its forthcoming session in spring 2003, proceed with the election or re-election of the nine members of the TIRExB.

In order to ensure an efficient voting procedure at its forthcoming spring session, the Administrative Committee may wish to confirm the decisions taken earlier in this respect, in particular:

- the comment adopted on 26 June 1998 to the Rules of Procedure of the TIRExB on “representation”, with the exception of paragraph (c) as its provisions relate only to the initial election of Board members and are thus no longer appropriate (TRANS/WP.30/AC.2/51, annex and Corr.1);
- the procedure for the election of members of the TIRExB adopted on 26 February 2000 by the Administrative Committee (TRANS/WP.30/AC.2/53, paras. 31 and 34).

In addition, the Administrative Committee may wish to authorize the UNECE secretariat to issue in November 2002 a document recalling the approved election procedures and soliciting candidates willing to stand for election as members of the TIRExB for the term 2003-2004. The deadline by which nominations would need to be received by the UNECE secretariat is 8 January 2003. No further candidates may be nominated following expiry of this deadline. On 9 January 2002 the UNECE secretariat would circulate a list of candidates who have been nominated by their respective Governments or organizations being Contracting Parties to the Convention.

The Administrative Committee may wish to approve this election procedure which had been used for the election of members of the TIRExB in 2001 (TRANS/WP.30/AC.2/59, paras. 24-27).

(v) 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; TRANS/WP.30/AC.2/59, para. 36; TRANS/WP.30/AC.2/57, paras. 23-25).

In this context, the Administrative Committee may wish to refer to document TRANS/2002/16 which had been prepared by the secretariat for consideration by the UNECE Inland Transport Committee at its spring 2002 session. The Committee had not taken a decision on this document (ECE/TRANS/139, para. 92).

4. AUTHORIZATION FOR PRINTING AND DISTRIBUTION OF TIR CARNETS IN THE YEAR 2003

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-second session (14 and 15 February 2002), took note of this information and confirmed its authorization given to the IRU to centrally print and distribute TIR Carnets for the year 2003 and until the year 2005 (TRANS/WP.30/AC.2/65, paras. 24-26).

The Administrative Committee may wish to confirm this decision.

5. AUTHORIZATION FOR THE ORGANIZATION AND FUNCTIONING OF THE TIR GUARANTEE SYSTEM IN THE YEAR 2003

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).

With regard to the required procedure to implement the provisions of Article 6, paragraph 2 bis, the Administrative Committee may wish to follow in principle the same procedure as adopted for the authorization to print and distribute TIR Carnets (see agenda item 4). If this procedure is acceptable, the Administrative Committee, at its annual spring session, will authorize, in accordance with Article 6, paragraph 2 bis, an international organization to take on responsibility for the effective organization and functioning of an international guarantee system for the following year, under the condition that the concerned international organization declares in writing its acceptance of this authorization within 30 days following the decision of the Administrative Committee.

In this context, the Administrative Committee may wish to note that (a) the present TIR Carnet is in itself proof of the required guarantee coverage, (b) the IRU has already been authorized in 2000 by the Administrative Committee to print and issue TIR Carnets for a period of five years until and including the year 2005 and (c) the new provisions of Article 6, paragraph 2 bis have already come into force on 12 May 2002.

For these reasons, the Administrative Committee may wish to provide the IRU, exceptionally already at its present autumn session, with an authorization to take on responsibility for the effective organization and functioning of an international guarantee system covering the period from 12 May 2002 (entry into force of the new provisions) or from 1 January 2003 until and including the year 2005 in accordance with Article 6, paragraph 2 bis. Alternatively and in line with the general procedure describe above, authorization for the years 2004-2005 could be provided at the forthcoming session of the Administrative Committee in spring 2003. In case the IRU accepts this responsibility in writing within 30 days following the decision of the Administrative Committee, authorization will take effect.

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 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 relevant UNECE/IRU Agreement will be transmitted to the forthcoming session of the Administrative Committee in spring 2003 for endorsement.

7. 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.30/201, paras. 31-42) and its ad hoc group of experts on the computerization of the TIR procedure (TRANS/WP.30/2002/11).

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.

8. OTHER PROPOSALS FOR AMENDMENTS TO THE CONVENTION

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

The Administrative Committee may wish to consider 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).

The provisions in this Recommendation, as amended by the Administrative Committee in 1999 and 2000 (refer to the 2002 TIR Handbook, pages 238-241 (<http://tir.unece.org>)) have been prepared in 1995 to safeguard the TIR procedure following the collapse of the old guarantee system. They stipulate that, upon the end of a TIR transport at the last Customs office of destination, Customs authorities should transmit to the competent national associations, by the fastest available means of communication and if possible on a daily basis, at least eight data elements contained in the TIR Carnet. Based on these data, the international guarantee system should be in a position to better calculate the overall risk at stake and national associations should be able to better determine the maximum number of TIR Carnets issued to TIR Carnet holders at a time.

On the basis of this Recommendation, the IRU, in cooperation with Customs authorities, has built-up the so-called “SafeTIR” system. Unfortunately, in spite of considerable efforts by all parties concerned, including those of the joint TIR secretariat/IRU Taskforce on SafeTIR, the quantity, quality and timeliness of data provided by Contracting Parties apparently does not yet allow the international guarantee system, IRU and national associations to carry out the required risk assessment and to implement adequate control measures.

In view of the apparently increasing number of fraudulent activities in some Contracting Parties under the TIR procedure, as reported by the IRU at the one-hundred-and-first session of the UNECE Working Party (WP.30) (TRANS/WP.30/202, para. 12), the Administrative Committee may wish to consider whether and to what extent the provisions of the 1995 Recommendation should be inserted into the Convention with a view to improving the performance of the present TIR Carnet control system.

(b) Deletion of Explanatory Note 0.38.1 of Annex 6

The Administrative Committee may wish to consider the deletion of Explanatory Note 0.38.1 of Annex 6 relating to Article 38, paragraph 1 of the Convention with a view to facilitating the application of national legislation in this field.

This amendment proposal has been considered by the UNECE Working Party (WP.30) at its ninety-seventh (TRANS/WP.30/194, paras. 74-76) and ninety-eighth (TRANS/WP.30/196, paras. 73-75) sessions and has been adopted at its one-hundredth session (TRANS/WP.30/200, para. 67). Background information on this issue is contained in document TRANS/WP.30/AC.2/2000/14 and Corr.1.

(c) Draft amendments on the attribution of voting rights to Regional Economic Integration Organizations (REIO)

The Administrative Committee may wish to consider draft amendments to Article 52, paragraph 3 and to Annex 8, Article 5 of the Convention, prepared by the European Community (EC), aiming at the introduction of the concept of Regional Economic Integration Organizations (REIO) into the Convention and to attribute voting rights to such organizations (TRANS/WP.30/AC.2/2002/8).

This issue has already been discussed by the UNECE Working Party (WP.30) at its ninety-eighth and ninety-ninth sessions on the basis of documents TRANS/WP.30/2001/8, TRANS/WP.30/2001/15 and Informal Document No.20 (2001) (TRANS/WP.30/198, paras. 50-54; TRANS/WP.30/196, paras. 45-47;).

(d) **Other amendment proposals**

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.

In this context, the Administrative Committee may wish to recall that, at its thirty-first session, it had adopted an amendment to Article 26, paragraph 1 of the Convention. It had been agreed not to transmit this proposal immediately to the Legal Office of the United Nations for depositary action, but to await the adoption of other amendment proposals (TRANS/WP.30/AC.2/63, paras. 59-61).

9. 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-hundredth session (TRANS/WP.30/200, paras. 77 and 78). These comments relate to (a) Article 38, paragraphs 1 and 2 as well as to Annex 9, Part II of the Convention referring to the exclusion of domestic transport operators from the TIR procedure and to cooperation between competent authorities (TRANS/WP.30/200, para. 68) and to (b) Annex 1 of the Convention on the filling-in of a TIR Carnet.

These comments for inclusion into the TIR Handbook are set out in annex 2 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 thirteenth session. This comment relates to the use of the TIR procedure in case a part of the journey is not made by road (TRANS/WP.30/AC.2/2002/6).

This comment for inclusion into the TIR Handbook is set out in annex 3 to this agenda for endorsement by the Administrative Committee.

The TIRExB also felt in this context that in the situations covered by Article 26 of the Convention, it would be advisable to make appropriate inscriptions on counterfoils No. 1 and 2 of the TIR Carnet with a view to facilitating Customs control and a posteriori checking by national associations and the IRU. To this end, a separate comment to Article 26 could be prepared.

(c) **Modification of the Recommendation on the “Introduction of a Control System for TIR Carnets” adopted by the Administrative Committee on 20 October 1995**

With the entry into force of the amendments contained under Phase II of the TIR revision process (ECE/TRANS/17/Amend.21), new definitions concerning the terms “termination of a TIR operation” and “discharge of a TIR operation” have become an integral part of the Convention. With a view to aligning the terminology used in the Recommendation of the Administrative Committee of 20 October 1995 which is the basis for the IRU operated SafeTIR system, with that of the new definitions in the Convention, the Administrative Committee may wish to adopt the linguistic modifications to the Recommendation as contained in document TRANS/WP.30/AC.2/2002/7.

10. 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.

11. TIR WEB SITE

The UNECE secretariat has made available a new and easier to remember address of the UNECE TIR web site. The new address is <http://tir.unece.org>. The old address (www.unece.org/trans/new_tir/welctir.htm) will remain valid.

In addition to numerous language versions of the TIR Handbook and the TIR Newsletter, 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.

12. 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 6 and 7 February 2003.

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

13. 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	-	-
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	ASMAP
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	-	-
The former Yugoslav Republic of Macedonia	The former Yugoslav Republic of Macedonia	AMERIT
Tunisia Tunisia	CCIT	
Turkey	Turkey	UCCIMCCE
Turkmenistan	-	-
Ukraine	Ukraine	AIRCU
United Kingdom	United Kingdom	RHA - FTA
United States of America	-	-
Uruguay	-	-
Uzbekistan	Uzbekistan	AIRCU
Yugoslavia	-	-
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

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 38

Add a new comment to Article 38, paragraph 1 to read as follows:

“Exclusion of a domestic transport operator from the TIR procedure

In order to exclude from the TIR regime a national transport operator guilty of a serious offence against the Customs laws committed on the territory of the country where he is resident or established, the Customs authorities are recommended to use the provisions of Article 6, paragraph 4 and Annex 9, Part II, paragraph 1 (d) rather than the provisions of Article 38, paragraph 1. TRANS/WP.30/AC.2/67, para. ...; TRANS/WP.30/200, para. 68}”

Add the same comment to Annex 9, Part II, “Procedure”.

Add a new comment to Article 38, paragraph 2 to read as follows:

“Cooperation between competent authorities

With regard to the procedure of authorization of a person to utilize TIR Carnets in line with Annex 9, Part II of the Convention the competent authorities of the Contracting Party where the person concerned is resident or established should take into due account any information notified by another Contracting Party in accordance with Article 38, paragraph 2 on serious or repeated offences against Customs legislation committed by that person. In order to allow for efficient consideration of the case by the Contracting Party where the person concerned is resident or established, such notification should contain as many details as possible. {TRANS/WP.30/AC.2/67, para. ...; TRANS/WP.30/200, para. 68}”

Add the same comment to Annex 9, Part II, “Procedure”.

TRANS/WP.30/AC.2/66

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Annex 2

Comment to Annex 1

Add a new comment to Annex 1 to read as follows:

“Filling-in of a TIR Carnet

No. 10 (b) of the Rules Regarding the Use of the TIR Carnet does not forbid the filling-in of the TIR Carnet by hand or by any other means, as long as the particulars on all sheets are clearly legible. {TRANS/WP.30/AC.2/67, para. ...; TRANS/WP.30/200, para. 77}”

Annex 3**TIR HANDBOOK****Comments****adopted by the TIR Executive Board (TIRExB)**
for endorsement by the TIR Administrative Committee**Comment to Articles 2 and 26**

Add a new comment to Articles 2 and 26 to read as follows:

"Use of the TIR procedure in case a part of the journey is not made by road

According to Article 2 of the Convention, as long as some portion of the journey between the beginning and the end of a TIR transport is made by road, other modes of transport (railways, inland waterways, etc.) can be used. During a non-road leg, the holder of a TIR Carnet may either:

- *ask the Customs authorities to suspend the TIR transport in accordance with the provisions of Article 26, paragraph 2 of the Convention. In order to resume the suspended TIR transport, Customs treatment and Customs control should be available at the end of the non-road leg. If the whole part of the journey in the country of departure is not made by road, the TIR operation may start and be immediately certified as terminated at the Customs office of departure by tearing off both vouchers No. 1 and No. 2 of the TIR Carnet. Under these circumstances, no TIR guarantee is provided for the remainder of the journey inside this country. However, the TIR transport could be easily resumed at the Customs office situated at the end of the non-road leg in another Contracting Party in accordance with the provisions of Article 26 of the Convention; or*
- *use the TIR procedure. However, in this case the holder should take into account that a TIR operation in a given country may apply only in case the national Customs authorities are in a position to ensure the proper treatment of the TIR Carnet at the following points (as applicable): entry (en route), exit (en route) and destination. {TRANS/WP.30/AC.2/67, para. . }*



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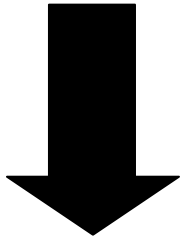
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