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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions
affecting Transport

Ad hoc Group of Experts
on Phase II of the TIR revision process
(21-24 June 1999)

PROVISIONAL AGENDA FOR THE FOURTH SESSION

**to be held at the Palais des Nations, Geneva,
starting at 14.30 hours on Monday, 21 June 1999**

*/ 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 ECE Transport Division (Fax: +41-22-917-0039; E-mail: martin.magold@unece.org). Documents may also be downloaded (in their original language only) from the Internet web site of the ECE Transport Division (www.unece.org/trans). During the meeting, missing documents may be obtained from the UNOG Documents Distribution Section (Room C.111, 1st floor, Palais des Nations).

New accreditation procedures have been introduced for all delegates attending meetings held at the Palais des Nations. Therefore, delegates are requested to fill-in the attached registration form (also available from the Internet web site of the ECE Transport Division) and to transmit the duly filled-in form at the latest two weeks before the session to the ECE 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.

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The secretariat proposes the following schedule of work related to the activities of the group of experts during the week 21-25 June 1999 (all meetings will take place in the Palais des Nations):

Monday, 21 June 1999,	10.00 hours:	Administrative Committee for the International Convention on the Harmonization of Frontier Controls of Goods, 1982 (private) (Provisional agenda: TRANS/WP.30/AC.3/5)
Monday, 21 June 1999:	14.30 hours	Ad hoc group of experts, TIR revision (private)
Tuesday, 22 June 1999:	all day	Ad hoc group of experts, TIR revision (private)
Wednesday, 22 June 1999:	all day	Ad hoc group of experts, TIR revision (private)
Thursday, 23 June 1999:	morning	Ad hoc group of experts, TIR revision (private)
Thursday, 23 June 1999:	14.30 hours	Adoption of report: Administrative Committee Adoption of report: Ad hoc group of experts
Friday, 24 June 1999:	all day	Session of the TIR Executive Board (private)

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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.30/1999/4).

2. ELECTION OF A CHAIRMAN

In accordance with the Commission's rules of procedure and as a result of the election of the present Chairman of the group of experts Mr. F. Paroissin (France) as Chairman of the Working Party on Customs Questions affecting Transport (WP.30), the group of experts may wish to elect a new Chairman for its sessions in 1999.

3. MANDATE OF THE GROUP OF EXPERTS

The Inland Transport Committee, at its sixty-first session (8-11 February 1999), prolonged the mandate of the ad hoc group of experts for the year 1999 (ECE/TRANS/127).

Following this decision, the Working Party on Customs Questions affecting Transport, at its ninety-second session (22-26 February 1999) reviewed the activities of the group of experts during its three sessions in 1998 (TRANS/WP.30/184, paras. 23-40). It considered the amendment proposals prepared by the group of experts as contained in the reports of its first (2-3 April 1998), second (24-26 June 1998) and third (19-20 October 1998) sessions on the basis of a document

prepared by the secretariat compiling all amendment proposals in a consolidated manner (TRANS/WP.30/1999/1).

The Working Party requested the ad hoc group of experts to reconsider these amendment proposals in detail and to report back to the Working Party at its October 1999 session. The secretariat was requested to establish an addendum to document TRANS/WP.30/1999/1 incorporating the views and decisions taken by the Working Party as well as the proposals made by Estonia during the session as far as they related to Phase II of the TIR revision process. The Working Party was also of the view that an analysis had to be made on the inclusion of additional information into the TIR Carnet. Such work could be carried out already during Phase II of the TIR revision process on the basis of a document to be prepared by the Russian Federation (TRANS/WP.30/184, paras. 23-40).

In accordance with these decisions, the group of experts may wish to continue its consideration of the various elements and amendment proposals prepared so far on the basis of documents TRANS/WP.30/1999 and Add.1. These documents prepared by the secretariat contain all of the issues considered in 1998 in the group of experts (TRANS/WP.30/1999/1) as well as the views expressed by the Working Party at its spring 1999 session (TRANS/WP.30/1999/1/Add.1). In addition to these two basic documents, the group of experts may also wish to take account of documentation prepared by the Russian Federation (TRANS/WP.30/1999/5), the European Commission and the International Road Transport Union (IRU).

4. PROPOSALS FOR AMENDMENTS TO THE TIR CONVENTION, 1975 - PHASE II OF THE TIR REVISION PROCESS

(a) Status and functions of the international organization(s)

Considering proposals made by the group of experts (TRANS/WP.30/1999/1, paras. 7-11), the Working Party decided in principle on the insertion into the Convention of a new paragraph 2 bis to article 6 and of an explanatory note 0.6.2 thereto (TRANS/WP.30/1999/1/Add.1).

The group of experts may wish to decide on the wording of the two amendment proposals.

(b) **Definition of termination and discharge procedures**

The group of experts may wish to continue its discussions on the feasibility of inserting into the Convention provisions aiming at a clear distinction between (a) the termination of a TIR operation as an obligation of the TIR Carnet holder and (b) the discharge of a TIR operation as the recognition by Customs authorities that a TIR operation has been terminated correctly (TRANS/WP.30/1999/1, paras. 12-17; TRANS/WP.30/1999/1/Add.1).

The group of experts may also decide on the specific amendment proposals in this regard as prepared already earlier as well as on the proposals made by Estonia relating to new paragraph 2 of article 28 of the Convention (TRANS/WP.30/1999/1/Add.1).

(c) **Recommended procedures for the termination of a TIR operation**

The Working Party underlined the usefulness of such guidelines and invited the European Commission and the IRU to prepare relevant proposals (TRANS/WP.30/1999/1, paras. 19 and 20; TRANS/WP.30/1999/1/Add.1).

The group of experts may wish to consider these proposals which will be distributed as soon as they are available at the secretariat.

(d) **Recommended procedures for the discharge of a TIR operation**

The Working Party has approved in principle the procedures proposed earlier by the group of experts (TRANS/WP.30/1999/1, paras. 21-23) which should be complemented by other procedures, such as applied in the Russian Federation as well as by special provisions applicable for sensitive goods (TRANS/WP.30/1999/1/Add.1).

The group of experts may wish to continue its consideration of these proposals taking also account provisions prepared by the Russian Federation (TRANS/WP.30/1999/5).

(e) **Recommended inquiry procedures**

The Working Party has approved in principle the recommended inquiry procedures proposed earlier by the group of experts (TRANS/WP.30/1999/1, paras. 24-27). The group of experts may wish to finalize the provisions of such recommended procedures taking account of the comments made by the Working Party (TRANS/WP.30/1999/1/Add.1) and the proposals made by the IRU in this respect (TRANS/WP.30/1999/2).

The group of experts may wish to consider in this context also information provided by the Russian Federation on national practices in this country (TRANS/WP.30/1999/5). Furthermore, the group of experts may wish to consider standard specimen forms for inquiry notices and reminders as well as special procedures to be applied for sensitive goods to be prepared by the European Commission and the IRU. These documents will be distributed as soon as they are available at the secretariat.

(f) Alternative forms of evidence

As the Working Party was not in a position to arrive at a consensus on the usefulness of alternative forms of evidence as proof for the termination of a TIR operation, the group of experts may wish to continue its discussions on this matter with a view to arriving at a consensus on the acceptability, in principle, of such alternative forms of evidence. If acceptable, the documentary forms of such evidence for the termination of a TIR operation should be determined (TRANS/WP.30/1999/1, paras. 30 and 31; TRANS/WP.30/1999/1/Add.1) .

(g) Definition of the holder of TIR Carnets

The Working Party had an exchange of views on the different interpretations given and different national legal bases determining the rights and obligations of the holder of TIR Carnets as stipulated in article 39, paragraph 2 of the Convention and inscribed in the model of the TIR Carnet, but not defined in the Convention. The Working Party stressed that the difficulties for international transport stemming from these different interpretations had to be resolved during phase II of the TIR revision process, possibly based on (a) a generally accepted concept of liability of the TIR Carnet holder, (b) the mutual acceptance of different interpretations of what constituted a holder of a TIR Carnet in all Contracting Parties and (c) the authorization by Customs authorities of all transport operators in accordance with annex 9, part II of the Convention (TRANS/WP.30/1999/1, paras. 32-36 and annex; TRANS/WP.30/1999/1/Add.1) .

The group of experts may wish to consider these issues in detail with a view to arriving at concrete amendment proposals.

(h) Inclusion of additional information into the TIR Carnet

The Working Party has been of the view that an analysis had to be made on the inclusion of additional information into the TIR Carnet. Such work could be carried out already during Phase II of the TIR revision process on the basis of a document to be prepared by the Russian Federation.

The group of experts may wish to consider this matter taking account of proposals made by the Russian Federation (TRANS/WP.30/1999/5). The group of experts may also wish to recall that the Working Party, at its eighty-ninth and ninetieth sessions in October 1997 and February 1998 had already considered this matter (TRANS/WP.30/178, paras. 27-30; TRANS/WP.30/180, paras. 28-30). A summary of the deliberations of the Working Party on this subject is contained in document TRANS/WP.30/1999/1/Add.1.

5. PHASE III OF THE TIR REVISION PROCESS

The Working Party has decided to consider under Phase III of the TIR revision process, to be commenced in 1999, a revision of the TIR Carnet as well as provisions for a modernized, possibly EDI-based TIR regime, focusing on administrative and control aspects. If time permits, the group of experts may wish to consider concrete ways and means how to implement these decisions in a rapid and efficient manner.

6. OTHER BUSINESS

The group of experts may wish to consider any other items of interest.

7. ADOPTION OF THE REPORT

The group of experts will adopt the report of its fourth session on the basis of a draft prepared by the secretariat.



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