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Economic Commission for Europe

Administrative Committee for the TIR Convention, 1975

Seventy-ninth session

Geneva, 9 February 2023

Item 1 of the provisional agenda

Adoption of the agenda

Annotated provisional agenda for the seventy-ninth session^{*,**}

to be held in-person at the Palais des Nations, Geneva, on Thursday 9 February, 10 a.m.–1 p.m. and 3–6 p.m., Room XXII.

I. Provisional agenda

1. Adoption of the agenda.
2. Election of officers.
3. Status of the TIR Convention, 1975.
4. Activities and administration of the TIR Executive Board:
 - (a) Activities of the TIR Executive Board:
 - (i) Election of members of the TIR Executive Board;
 - (ii) Report by the Chair of the TIR Executive Board;
 - (iii) International databases and electronic tools managed by the TIR secretariat;
 - (iv) National and regional TIR workshops and seminars.
 - (b) Administration of the TIR Executive Board and the TIR secretariat:

* 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 ECE Sustainable Transport Division (Fax: +41-22-917-0039; email: wp.30@un.org). Documents may also be downloaded from the ECE Border Crossing Facilitation website www.unece.org/trans/bcf/welcome.html.

** The full text of the TIR Convention, 1975, as well as a complete list of contracting parties to the TIR Convention, are available on the ECE website: www.unece.org/trans/conventn/legalinst.html#customs. Delegates are requested to register online at: uncdb.unece.org/app/ext/meeting-registration?id=xC1MAs at the latest one week prior to the session. All in-person attending delegates (including those holding long-duration badge), should register through INDICO badge system: indico.un.org/event/1002018/ and obtain an identification badge at the UNOG Security and Safety Section, located at the Villa Les Feuillantines (13, Avenue de la Paix). In case of difficulty, please contact by telephone the ECE secretariat (internal extension 75975). For a map of the Palais des Nations and other useful information, see website www.unece.org/meetings/practical.html.

- (i) Status report on the accounts for the year 2022;
 - (ii) Procedure for financing the operation of the TIR Executive Board and TIR secretariat.
- 5. Revision of the Convention:
 - (a) Amendment proposals to the Convention transmitted by the Working Party;
 - (b) Amendment proposals to the Convention transmitted by the TIR Executive Board;
 - (c) Accepted amendment proposals to the Convention pending formal adoption.
- 6. eTIR.
- 7. Authorization for printing and distributing TIR Carnets and the organizing and functioning of the guarantee system:

Prolongation of the authorization.
- 8. Authorization to conclude an agreement between the United Nations Economic Commission for Europe and the International Road Transport Union.
- 9. Other business:
 - (a) Date of next session;
 - (b) Restriction on the distribution of documents;
 - (c) List of decisions.
- 10. Adoption of the report.

II. Annotations

1. Adoption of the agenda

The Committee may wish to consider and adopt the agenda of the session (ECE/TRANS/WP.30/AC.2/160). 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 purpose of taking decisions". The number of States which are contracting parties to the convention is seventy-six. Thus, a quorum of, at least, twenty-six States is required for the session to take any decision.

Documentation

ECE/TRANS/WP.30/AC.2/160

2. Election of officers

In accordance with the Committee's rules of procedure and established practice, the Committee should elect a Chair and, possibly, a Vice-Chair for its sessions in 2023. Contracting parties are strongly encouraged to nominate candidates for either post in order to facilitate the election process.

3. Status of the TIR Convention, 1975

The Committee will be informed about changes in the status of the Convention and in the number of contracting parties. The Committee may wish to be informed that the TIR Convention has seventy-seven contracting parties and that the TIR system is operational in

sixty-five countries. Detailed information on the status of the Convention and on depositary notifications is available on the TIR website.¹

4. Activities and administration of the TIR Executive Board

(a) Activities of the TIR Executive Board

(i) Election of members of the TIR Executive Board

The Committee may wish to recall that, in accordance with Annex 8, Article 9, paragraph 2 of the Convention, the term of office of each member of TIRExB shall be two years. Since the present members of TIRExB have been elected at the Committee's session in February 2021, the Committee must, at its present session proceed with the election or re-election of the nine members of TIRExB. The Committee, at its previous session, decided to follow the established procedure for the election at the current session on the basis of the following provisions:

(a) the comment adopted on 26 June 1998 to the Rules of Procedure of 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);

(b) the procedure for the election of members of TIRExB, adopted on 26 February 2000 by the Committee (TRANS/WP.30/AC.2/53, paras. 31 and 34). In addition, for the sake of transparency, the Committee decided, at its seventy-fourth session (October 2016), to apply Rule 42 of the Rules of Procedure of the United Nations Economic Commission for Europe (ECE), which stipulates that "all elections shall be decided by secret ballot, unless, in the absence of any objection, the Commission decides to proceed without taking a ballot on an agreed candidate or slate", even in the case the number of nominated candidates equals the number of available posts (see ECE/TRANS/WP.30/AC.2/131, para. 12).

The Committee, therefore, authorized the ECE secretariat to solicit candidates in October 2022, to close the list of candidates on 12 December 2022 midnight, Geneva time and to issue, on 14 December 2022, the official list of candidates for distribution to all contracting parties (ECE/TRANS/WP.30/AC.2/159, paras. 17–18). The procedure for the nomination and election are in Informal document WP.30/AC.2 (2023) No. 1. In accordance with the approved election procedure, the secretariat will circulate to all contracting parties, on 14 December 2022, the list of nominated candidates, followed (as soon as possible) by restricted Informal document WP.30/AC.2 (2023) No. 2 (for Government officials only), containing the curriculums vitae (C.V.) of the nominated candidates. The Committee is invited to proceed with the election or re-election of the nine members of TIRExB, in accordance with established practice.

Documentation

Informal document WP.30/AC.2 (2023) No. 1; Informal document WP.30/AC.2 (2023) No. 2 (restricted)

(ii) Report by the Chair of the 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 and 15), the secretariat has reproduced the report of the TIR Executive Board (TIRExB) at its ninety-second (June 2022) session, for information and endorsement by the Committee (ECE/TRANS/WP.30/AC.2/2023/1. More information about recent activities of TIRExB as well as about various considerations and decisions taken at its ninety-third (December 2022) and ninety-fourth (February 2023) sessions will be provided orally by the Chair of TIRExB.

¹ www.unece.org/tir/tir-depositary_notification.html.

Documentation

ECE/TRANS/WP.30/AC.2/2023/1

(iii) International databases and electronic tools managed by the TIR secretariat

The Committee will be informed about developments related to the International TIR Data Bank (ITDB) and other information technology projects managed by the TIR secretariat, if any.

(iv) National and regional TIR workshops and seminars

The Committee will be informed about TIR workshops and seminars conducted and/or planned, if any.

Under this agenda item, the Committee may wish to recall that, on 8 February 2023, the secretariat organized, under the auspices of AC.2, and in close collaboration with the Working Party on Customs Questions affecting Transport (WP.30), a workshop dedicated to training new contracting parties and interested countries in correctly applying the provisions of the TIR Convention. Delegates from Governments and the private sector had been invited to participate in and even contribute to the workshop. The agenda of the workshop will be circulated as document ECE/TRANS/WP.30/2023/5-ECE/TRANS/WP.30/AC.2/2023/2.

Documentation

ECE/TRANS/WP.30/2023/5-ECE/TRANS/WP.30/AC.2/2023/2

(b) Administration of the TIR Executive Board and the TIR secretariat**(i) Status report on the accounts for the year 2022**

In accordance with Annex 8, Article 11, paragraph 4 of the Convention, TIRExB shall submit audited accounts to the Committee at least once a year or at the request of the Committee. As the competent Finance Services of the United Nations will not be able to formally finalize the accounts for 2022 by the time the Committee meets in February 2023, the report on the complete and final accounts will be transmitted, as in the past, to the next session of the Committee in 2023 for formal approval.

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

The Committee may wish to recall that the budget and cost plan for the operation of TIRExB and the TIR secretariat for the year 2023 were approved by the Committee at its previous session (ECE/TRANS/WP.30/AC.2/159, para. 31). The Committee will be informed about the transfer of the required funds for the year 2023 by the International Road Transport Union (IRU) to the TIR trust fund. At its previous session, the Committee also approved the amount per TIR Carnet (\$2.15 (rounded) (see ECE/TRANS/WP.30/AC.2/159, para. 32).

In addition, the Committee may wish to recall 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.2/145, para. 57 and ECE/TRANS/WP.30/AC.2/2019/24, Annex II), according to which:

"...

(8) IRU maintains a separate account detailing the number of TIR Carnets distributed and the related amounts referred to in Annex 8, Article 13, paragraph 1 received;

(9) The IRU independent external auditor produces an audit certificate providing an opinion of the above-mentioned account for the year in question showing the amount transferred and the total amount actually invoiced (15 January);

(10) The difference between the two amounts will need to be adjusted a posteriori;

(11) On the basis of the above-mentioned audit certificate, if the amount invoiced was more than initially transferred by IRU, the Administrative Committee, at its spring session, will be informed and IRU shall transfer the excess to the UNECE named bank account (before 15

March). This amount will be reflected in the UNECE TIR accounts to be taken into account for the next budget year;

(12) On the basis of the above-mentioned audit certificate, if the amount invoiced was less than initially transferred by IRU, the Administrative Committee will reflect this amount in the amount per TIR Carnet to be applied in the next budget year to compensate the difference and ensure the financing of the operation of TIRExB and the TIR secretariat. If the amount invoiced is less than initially transferred by IRU to ensure the funding of the operation of TIRExB and the TIR secretariat for the last year of this Agreement, or on the termination of the same, the difference will be absorbed by IRU without recourse."

In view of the above, the Committee will be informed of the audit certificate for the year 2022 and will be invited to approve the appropriate action according to items 11 or 12 of the above procedure. The Committee is also invited to take note of a letter by IRU on financing the operation of TIRExB and the TIR secretariat for 2023 in Informal document WP.30/AC.2 (2023) No. 3.

Under this agenda item, the Committee may also wish to recall that, at its previous session (October 2022), it mandated the secretariat to discuss, on its behalf, with IRU the issue of past and, potentially, future deficits, on the understanding that, in accordance with the newly introduced provisions 4 of the preamble of the Agreement and 12 of its Annex II, for the last year of this ECE/IRU Agreement, the deficit should be absorbed by IRU without recourse, parties settle the issue through mutual consultation and report to the Committee at its present session (see ECE/TRANS/WP.30/AC.2/159, para. 27).

The Committee will be informed about the latest developments in the consultations between ECE and IRU.

Documentation

Informal document WP.30/AC.2 (2022) No. 3

5. Revision of the Convention

(a) Amendment proposals to the Convention transmitted by the Working Party

Under this agenda item, the Committee may wish to take note that, for the time being, no amendment proposals have been transmitted by the Working Party for consideration.

(b) Amendment proposals to the Convention transmitted by the TIR Executive Board

The Committee may wish to recall that, at its previous session (October 2022), it was informed by the Chair of TIRExB about the assessment of the legal aspects of the addition of a pair of messages to allow the application used by associations to issue eGuarantees, to check the status of TIR Carnet holders and who should register eGuarantees in the eTIR international system, further to their issuance by issuing associations. The Board considered, but could not reach agreement about the issue and decided to postpone this discussion to its next session (December 2022) to continue its considerations, based on a presentation of the application used by associations to issue eGuarantees (ECE/TRANS/WP.30/AC.2/159, para. 36).

The Committee may wish to be informed by the Chair of TIRExB about progress in the assessment of the legal aspects of who should/could register eGuarantees, if any.

The Committee may wish to take note that, for the time being, no further amendment proposals have been transmitted by TIRExB for consideration by the Committee.

(c) Accepted amendment proposals to the Convention pending formal adoption

The Committee may wish to take note that, for the time being, there are no outstanding accepted amendment proposals pending formal adoption by the Committee.

6. eTIR

The Committee will be informed about the latest developments in the field of computerization of the TIR procedure (eTIR). In particular:

(a) the latest developments of the eTIR international system and the ongoing eTIR interconnection projects;

(b) the outcome of the third session of the Technical Implementation Body (TIB), which took place on 19 and 20 December 2022 (ECE/TRANS/WP.30/AC.2/TIB/6).

Documentation

ECE/TRANS/WP.30/AC.2/TIB/6

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

Prolongation of the authorization

The Committee may wish to recall that, at its seventy-seventh session (February 2022), it formally decided to prolong the authorization of IRU for printing and distributing TIR Carnets and the organizing and functioning of the guarantee system, for a period of 3 years (2023–2025) (ECE/TRANS/WP.30/AC.2/157, para. 35).

8. Authorization to conclude an agreement between the United Nations Economic Commission for Europe and the International Road Transport Union

The Committee may wish to recall that, at its previous session, it mandated the secretariat to proceed with signing the new ECE/IRU Agreement for the years 2023–2025 (see ECE/TRANS/WP.30/AC.2/2022/4) with a view to continue financing the operation of TIRExB and the TIR secretariat as of the year 2023 (see ECE/TRANS/WP.30/AC.2/159, para. 46).

The Committee will be informed about the date and particulars, if any, when the new ECE/IRU Agreement for the years 2023–2025 has been signed.

9. Other business

(a) Date of next session

The ECE secretariat has made tentative arrangements to hold the eightieth session of the Committee on 12 October 2023, subject to potential adjustments due to the ongoing United Nations liquidity crisis.

(b) Restriction on the distribution of documents

The Committee may wish to decide whether there should be any restriction on the distribution of documents issued in connection with its current session. In this context, the Committee may wish to recall that Informal document WP.30/AC.2 (2023) No. 2 has been issued as restricted document (for Government officials only).

(c) List of decisions

The list of adopted decisions will be attached to the final report.

10. Adoption of the report

In accordance with Annex 8, Article 7 of the Convention, the Committee will adopt the report of its seventy-ninth session on the basis of a draft prepared by the secretariat.