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Economic Commission for Europe

Administrative Committee for the TIR Convention, 1975

Eighty-third session

Geneva, 5 (a.m.) June 2024

Item 1 of the provisional agenda

Adoption of the agenda

Annotated provisional agenda for the eighty-third session*, **, ***

to be held at the Palais des Nations, Geneva, on Wednesday 5 June 2024, at 10 a.m., Room VIII

I. Provisional agenda

1. Adoption of the agenda.
2. eTIR.
Memorandum of Understanding between the United Nations Economic Commission for Europe and the International Road Transport Union.
3. Activities and administration of the TIR Executive Board:
Administration of the TIR Executive Board and the TIR secretariat:
Procedure for financing the operation of the TIR Executive Board and TIR secretariat.
4. Other business:
 - (a) Date of next session;

* The present report was submitted to the conference services for processing after the deadline for technical reasons beyond the control of the submitting office.

** 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, documents may be obtained directly from the ECE Sustainable Transport Division (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: <https://indico.un.org/event/1010409/> at the latest one week prior to the session. and 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 at the Peace Gate (8, 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 www.unece.org/meetings/practical.html.

- (b) Restriction on the distribution of documents;
 - (c) List of decisions.
5. 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.2/168). 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-seven.

Documentation

ECE/TRANS/WP.30/AC.2/168

2. eTIR

Memorandum of Understanding 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 noted that the ECE¹-IRU² Memorandum of Understanding (MoU) on eTIR based on which the financing of P3 Information Systems officer is coming to an end in December 2024. The secretariat informed the Committee that the P3 post is the primary responsible staff for the development of the eTIR international system and the interconnection projects and that securing funds for the position for the years to come is of paramount importance for the implementation of the eTIR procedure. The TIR Executive Board (TIRExB) informed the Committee that, recalling the provisions of explanatory note 11.11.3 of Annex 11 to the TIR Convention and considering the urgency for a mechanism to finance the hosting and operations of the eTIR international system to be agreed and implemented, it had already started discussions on the possible financing mechanisms.

The Committee acknowledged the urgency for a sustainable financing mechanism to be found for eTIR since the ECE-IRU MoU comes to an end at the end of 2024 and welcomed the initiative of TIRExB, which had already started discussing possible financing mechanisms. The Committee decided that the secretariat, with the assistance of TIRExB and ECE Executive Office, should prepare a document which provides:

- (a) explanations/clarifications of the relevant provisions to the Convention;
- (b) a list of possible options for financing mechanisms including the processes required for their implementation;
- (c) the proposed budget on eTIR for 2025 including descriptions and detailed calculations of each expense identified.

The Committee, while considering the most appropriate and efficient way to address this urgent request, decided the following:

- (a) TIRExB was invited to dedicate adequate time during its 100th session in March in discussing this issue and preparing some concrete proposals;

¹ United Nations Economic Commission for Europe

² International Road Transport Union

(b) During March, the Chair of TIRExB, with the assistance of the secretariat, should organize a friends of the chair meeting which could be online and in English only, ensuring participation of interested delegates of the Committee;

(c) An extraordinary half-day session of AC.2, the eighty-third session, should be organized during June in conjunction with WP.30 in order to discuss the preliminary document prepared by TIRExB and the secretariat. It was noted that the deadline for submitting this formal document would be 26 March 2024. The secretariat was also requested by the committee to undertake all actions required in order for this session to be organized having its own agenda and report.

Furthermore, the Committee invited IRU to consider extending the current MoU for at least one more year thus providing additional time for the Committee to consider and decide on sustainable financing mechanisms for eTIR.

The Committee might wish to note that in the end the 100th session of TIRExB was not possible to be organised during March, however, the Chair of TIRExB with the assistance of the secretariat was able to organise two friends of the chair meetings during March (13 and 21 March), extensively discussing and progressing the preparation of the document requested by the Committee. The Committee therefore might wish to consider and further discuss document ECE/TRANS/WP.30/2024/9–ECE/TRANS/WP.30/AC.2/2024/6 which includes the possible financing mechanisms as well as a detailed budget forecast on eTIR for the years to come.

Documentation

ECE/TRANS/WP.30/2024/9–ECE/TRANS/WP.30/AC.2/2024/6

3. Activities and administration of the TIR Executive Board

Administration of the TIR Executive Board and the TIR secretariat

Procedure for financing the operation of the TIR Executive Board and TIR secretariat

Under this agenda item, the Committee may also wish to recall that at its 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 last session (see ECE/TRANS/WP.30/AC.2/159, para. 27).

The secretariat considered that the tasks of finetuning the implementation of the current agreement between ECE and IRU and on exploring options to co-finance the TIR secretariat from funds additional to those collected by means of an amount per TIR Carnet, require legal expertise, which was lacking within the TIR secretariat. The secretariat informed TIRExB on this issue, requesting the approval of the hiring of a consultant / legal expert to assist the secretariat on this endeavour. TIRExB approved the request (TIRExB/REP/2023/95, para. 30) and the consultant was hired.

The consultant, Mr. C. Moreno was invited at the last session of the Committee to present the preliminary findings of his analysis seeking further guidance and the views of the contracting parties. Mr. Moreno highlighted the main challenges encountered with the current interim arrangement for the financing of the TIRExB and the TIR secretariat that were linked to the number of TIR Carnets forecasted and distributed. He pointed out that since 2015 up to 2023 the forecasts had been significantly higher than the actual TIR Carnets issued having as result the generation of (internal) deficits in IRU accounts during all these years. To address these problems and simplify the funding process, the consultant suggested the transition to a lumpsum funding system. Under this proposed system, the international organization(s) would accept to transfer to ECE in November of each year, the budget amount for the following year to cover the costs of the TIRExB and the TIR secretariat from the

income generated by the international organization(s) via TIR activities. Based on the consultant, this will inter alia facilitate the implementation of the eTIR system and its coexistence with the paper based TIR Carnet, eliminate IRU internal deficits, the forecasting of the number of TIR Carnets to be issued and the involvement of ECE in the approval of the amount to be charged per TIR Carnet. The international organization(s) would continue to be authorized by the Administrative Committee to take on responsibility for the effective organization and functioning of an international guarantee system and will cover the costs of the TIRExB and the TIR secretariat. He took the view that to implement the lump-sum funding system an amendment to the relevant provisions of the TIR Convention will be required.

Furthermore, and in order to sustain the operations of the TIRExB and the TIR secretariat with additional extrabudgetary resources (as recommended in paragraph 35 of the United Nations Office of Internal Oversight Services (OIOS) Report 2019/010 of 13 March 2019 on the audit and management of the TIR trust fund), it was also suggested to transform the TIR trust fund into a multi-partner trust fund in order to accept earmarked and non-earmarked contributions from donors. Thus, the new TIR trust fund would accept contributions from governments, intergovernmental and non-governmental organizations and the private sector. ECE would conclude a contribution agreement with each donor in accordance with the United Nations Financial Regulations and Rules. The new TIR trust fund would not modify the legal obligations of the international organization(s) towards ECE that will continue to be based on the TIR Convention.

The Committee took note of the information provided by the consultant and requested the delegates to provide inputs and views on his preliminary findings to the secretariat not later than 20 March 2024. The secretariat based on the inputs received and in cooperation with the Consultant, TIRExB and if needed with ECE Executive Office would prepare a first version of a formal document for consideration by the Committee, if possible, at its extraordinary session in June.

The Committee might wish to consider document ECE/TRANS/WP.30/2024/10 - ECE/TRANS/WP.30/AC.2/2024/7, which includes those preliminary findings of the consultant further analysed. The Committee might wish to provide guidance on the follow up steps.

Documentation

ECE/TRANS/WP.30/2024/10–ECE/TRANS/WP.30/AC.2/2024/7

4. Other business

(a) Date of next session

The ECE secretariat has made tentative arrangements to hold the eighty-fourth session of the Committee on 9 October 2024. 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 on the distribution of documents issued in connection with its current session.

(c) List of decisions

The secretariat will prepare a list of draft decisions that will be circulated among delegations prior to the session. The list of adopted decisions will be attached to the final report.

5. Adoption of the report

In accordance with Annex 8, Article 7 of the convention, the Committee will adopt the report of its eighty third session on the basis of a draft prepared by the secretariat.