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Administrative Committee for the TIR Convention, 1975

**REPORT OF THE ADMINISTRATIVE COMMITTEE FOR THE
TIR CONVENTION 1975 ON ITS FORTY-EIGHTH SESSION
(1 October 2009)**

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I. ATTENDANCE

1. The Committee held its forty-eighth session on 1 October 2009 in Geneva.
2. The session was attended by representatives of the following countries: Afghanistan, Austria; Azerbaijan; Belarus; Belgium; Bulgaria; Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Hungary; Iran (Islamic Republic of); Italy; Kyrgyzstan; Latvia; Lithuania; Republic of Moldova; Netherlands; Poland; Russian Federation; Serbia; Slovakia; Slovenia; Spain; Sweden; Switzerland; Tajikistan; Turkey and Ukraine. Representatives of the European Community (EC) were also present.
3. The following non-governmental organization was represented as observer: International Road Transport Union (IRU).
4. The Administrative Committee noted that the required quorum for the purposes of taking decisions - of at least one-third of the States which are Contracting Parties (according to Annex 8 Article 6 of the Convention) - was attained.

II. ADOPTION OF THE AGENDA (Agenda item 1)

5. The Administrative Committee adopted the agenda as contained in document ECE/TRANS/WP.30/AC.2/98.

III. STATUS OF THE TIR CONVENTION, 1975 (Agenda item 2)

6. The Committee took note of the list of Contracting Parties, countries with which a TIR operation can be established and of national associations issuing TIR Carnets (annex). It was also informed that a new Explanatory Note 0.3 (a) (iii) to Annex 6 of the Convention had come into force on 1 October 2009 (Depositary Notification C.N.387.2009.TREATIES-3). In addition, the Committee noted that an 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) seemed to have been rejected, due to more than five objections lodged before the deadline of 1 October 2009. Official Depositary Notifications in this respect will shortly be issued by the Secretary-General of the United Nations. The representative of Kyrgyzstan informed the Committee that his Government had also raised an objection.
7. The majority of the delegations expressed concerns that it was the first time in many years that an amendment proposal had been rejected. While fully respecting the inherent right of any Contracting Party to raise an objection, those delegations regretted that the Committee had not been in a position to reach a consensus and take into account the views of the countries which had lodged objections, because those countries had either not participated in the Committee's work or had not indicated that they would oppose the proposed amendment, except for one country. The Committee felt that, in the future, such a situation might have a negative impact on the TIR revision process and wished to revert to this issue at the next session.

IV. ACTIVITIES AND ADMINISTRATION OF THE TIR EXECUTIVE BOARD (TIRExB) (Agenda item 3)

A. Activities of the TIRExB

1. Report by the Chairperson of the TIRExB

8. The Committee endorsed the reports of the TIRExB on its thirty-eighth (December 2008) and thirty-ninth sessions (March 2009) as contained in documents ECE/TRANS/WP.30/AC.2/2009/4 and ECE/TRANS/WP.30/AC.2/2009/5, respectively. Further, it was informed by the TIRExB Chairman about the recent activities of the TIRExB as well as about various considerations and decisions taken at its fortieth session (June 2009).

9. At the proposal of the European Community, the Committee decided to separately consider, at its next session, a recommendation of TIRExB concerning the use of subcontractors in the framework of the TIR procedure, as laid down in para. 9 of document ECE/TRANS/WP.30/AC.2/2009/4.

2. TIRExB programme of work 2009-2010

10. The Committee approved the Programme of Work of the TIRExB for the years 2009-2010 (ECE/TRANS/WP.30/AC.2/2009/6).

3. International TIR Data Bank

11. The Committee was informed of the status of transmission of documents and data to International TIR Data Bank (ITDB) (Informal document No. 9 (2009)). The Committee also took note of progress made in the implementation of the "ITDBonline+ project" which consists of two parts: web services and a website. The secretariat started the second part of the ITDBonline+ project, i.e. development of the "ITDBonline+ web site". The website is currently at an advanced stage of the implementation in the web design according to the functional specification. The coding programming has started. The secretariat investigated as well the hosting possibilities for the web server and the database server.

4. Online register of Customs Sealing Devices and Customs Stamps

12. The Committee noted that the online UNECE Register of Customs Sealing Devices and Customs Stamps had been launched officially on 5 February 2009 and, since that date, had been accessed about 2,000 times by 170 different users. The Committee welcomed this information.

5. National and regional TIR workshops and seminars

13. The Committee was informed of the results of the regional TIR training seminars in Iran (April 2009, in cooperation with the Economic Cooperation Organization) and Tunisia (June 2009). The Committee invited countries which plan to organize TIR training events to contact the TIR secretariat for possible support.

B. Administration of the TIRExB and the TIR secretariat

1. Status report on the accounts for 2008 and 2009

14. The Administrative Committee approved the report on the complete and final accounts for 2008 (ECE/TRANS/WP.30/AC.2/2009/7). The Committee also took note of interim financial statements for the period January to July 2009 as contained in document ECE/TRANS/WP.30/AC.2/2009/8.

2. Procedure for the financing of the operation of the TIRExB and TIR secretariat

15. The Committee recalled that, according to the recent audit of the amount transferred by IRU and the total amount actually invoiced by IRU when distributing the TIR Carnets, in 2008 there was an excess (i.e. more was received than initially transferred) of SwF 17,021.72 (ECE/TRANS/WP.30/AC.2/97, para. 14). The Committee noted that IRU had 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.

16. Having recalled the Procedure for the collection and transfer of the amount per TIR Carnet to finance the operation of TIRExB and the TIR secretariat (ECE/TRANS/WP.30/AC.2/89, para. 38 and annex 2), the Administrative Committee approved 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, as contained in document ECE/TRANS/WP.30/AC.2/2009/9. The Committee was also informed by IRU that it expects to distribute some 2,1 million TIR Carnets in 2010 and that, according to IRU internal calculations, an amount per TIR Carnet of US\$ 0.3333 will be required to generate the income necessary to cover the additional funds of US\$ 700,000 needed for the operation of TIRExB and TIR secretariat in 2010. The Committee approved the amount of US\$ 0.3333 per TIR Carnet, calculated by the secretariat on the basis of the forecast provided by IRU. This amount will be expressed in Swiss francs following the transfer of the above net amount to UNECE named bank according to the prevailing US dollar-Swiss franc exchange rate on the day of the transfer.

17. The Committee also noted that, due to the economic downturn and decline in the international road transport, the number of TIR Carnets distributed in 2009 would not reach the revised forecast of 2.7 million. Therefore, the individual amount per TIR Carnet to be distributed in 2010 will have to be adjusted at the next session of the Committee on the basis of the actual number of TIR Carnets distributed in 2009.

3. Audit by the Office of Internal Oversight Services

18. The Committee noted that the only outstanding recommendation by the Office of Internal Oversight Services (OIOS) concerned 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 and that this issue was still under discussion by the Working Party on Customs Questions affecting Transport (WP.30).

V. AUTHORIZATION FOR PRINTING AND DISTRIBUTION OF TIR CARNETS AND THE ORGANIZATION AND FUNCTIONING OF THE GUARANTEE SYSTEM (Agenda item 4)

19. The Committee recalled 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) and that a decision for the next period should be taken at the next session.

VI. UPDATE OF THE AGREEMENT BETWEEN UNECE AND INTERNATIONAL ROAD TRANSPORT UNION (Agenda item 5)

20. 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 (ECE/TRANS/WP.30/AC.2/93, para. 28 and Annex II). 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.

VII. REVISION OF THE CONVENTION (Agenda item 6)

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

21. The Committee considered the amendment proposals, as contained in document ECE/TRANS/WP.30/2009/4 - ECE/TRANS/WP.30/AC.2/2009/3, Corr. 1-3, and noted that the European Community had finalized its internal approval procedures for their formal acceptance. The Committee decided to delete the proposals with regard to Article 6, paragraph 2bis and Annex 6, Explanatory Note 0.8.3, line 1-2 and requested the secretariat to issue a revised document for the next session.

22. Bearing in mind its discussion on the recent objections raised, as reflected in para. 7 above, the Committee invited all Contracting Parties to carefully review the amendment proposals, undertake the necessary consultations at the national level and inform the Committee of their comments or possible disagreement. The secretariat was requested to contact countries that do not regularly participate in the AC.2 (Administrative Committee for the TIR Convention) and WP.30 sessions. Finally, the Committee decided to revert to the issue of adopting amendment proposals at the next session.

B. Phase III of the TIR revision process – computerization of the TIR procedure

23. The Committee was informed that the Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1) had held its sixteenth session on 28 and 29 April 2009 in Geneva and that the report, as endorsed by WP.30, was contained in document ECE/TRANS/WP.30/GE.1/2009/5. The Committee also took note that the Expert Group, for the time being, would continue its long-distance deliberations in view of the highly technical nature of the work on Chapter 3 of the eTIR Reference Model, dedicated to the in-depth analysis of the future computerized TIR system. A next session will be scheduled

when the technical discussions of Chapter 3 reach a level of finalization requiring plenary discussions, most probably in the beginning of 2010. The Committee reiterated its standing appeal to all parties concerned to support the important work of computerization of the TIR procedure and to continue all efforts to ensure that Information and Communication Technology (ICT) experts from both Customs and the transport industry would participate in and actively contribute to the discussions of the GE.1.

VIII. APPLICATION OF THE CONVENTION 9(Agenda item 7)

A. Recommendation on the introduction of the Harmonized Commodity Description and Coding System code in the TIR Carnet

24. The Committee was informed that, so far, the implementation of the Recommendation on the use of the Harmonized Commodity Description and Coding System (HS) code in the TIR Carnet (ECE/TRANS/WP.30/AC.2/93, para. 28 and Annex II) had not led to major problems for TIR Carnet holders. The Committee recalled that, according to the International Convention on the Harmonized Commodity Description and Coding System, any HS code should consist of 6 digits. However, some Customs authorities required to indicate 4, 8 or even 10 digits on the TIR Carnet. The Committee decided to continue monitoring the implementation of the Recommendation. To this end, the secretariat was mandated to conduct a survey of Contracting Parties and to identify best practices.

B. Comments endorsed by the Working Party on Customs Questions affecting Transport and TIRExB

25. The Committee took note that no new comments had been endorsed by WP.30 and TIRExB.

IX. BEST PRACTICES (Agenda item 8)

26. The Committee noted that no new examples of best practices had been prepared by TIRExB.

X. OTHER BUSINESS (Agenda item 9)

A. Date of next session

27. The Committee decided to hold its the forty-ninth session on 4 February 2010, in conjunction with the 124th session of WP.30.

B. Restriction on the distribution of documents

28. The Committee decided that there should be no restriction with respect to the distribution of documents issued in connection with its current session.

XI. ADOPTION OF THE REPORT (Agenda item 10)

29. In accordance with Annex 8, Article 7 of the TIR Convention, 1975, the Administrative Committee adopted the report on its forty-eighth session. During the adoption of the report, the

French and Russian speaking delegations deplored that the report was not available in all three official languages.

Annex**STATUS OF THE TIR CONVENTION, 1975**

| <u>Contracting Parties</u> | <u>Countries with which a TIR transit operation can be established*</u> | <u>National associations**</u> | <u>Country code (ISO 3166, A3)</u> |
|----------------------------|---|--------------------------------|------------------------------------|
| Afghanistan | - | - | AFG |
| Albania | ✓ | ANALTIR | ALB |
| Algeria | - | - | DZA |
| Armenia | ✓ | AIRCA | ARM |
| Austria | ✓ | AISÖ | AUT |
| Azerbaijan | ✓ | ABADA | AZE |
| Belarus | ✓ | BAMAP | BLR |
| Belgium | ✓ | FEBETRA | BEL |
| Bosnia and Herzegovina | - | - | BIH |
| Bulgaria | ✓ | AEBTRI | BGR |
| Canada | - | - | CAN |
| Chile | - | - | CHL |
| Croatia | ✓ | TRANSPORTKOMERC | HRV |
| Cyprus | ✓ | TDA | CYP |
| Czech Republic | ✓ | CESMAD BOHEMIA | CZE |
| Denmark | ✓ | DTL | DNK |
| Estonia | ✓ | ERAA | EST |
| Finland | ✓ | SKAL | FIN |
| France | ✓ | AFTRI | FRA |
| Georgia | ✓ | GIRCA | GEO |
| Germany | ✓ | BGL; AIST | DEU |
| Greece | ✓ | OFAE | GRC |
| Hungary | ✓ | ATRH | HUN |
| Indonesia | - | - | IDN |
| Iran (Islamic Republic of) | ✓ | ICCIM | IRN |
| Ireland | ✓ | IRHA | IRL |
| Israel | ✓ | IRTB | ISR |
| Italy | ✓ | UICCIAA | ITA |
| Jordan | ✓ | RACJ | JOR |
| Kazakhstan | ✓ | KAZATO | KAZ |
| Kuwait | ✓ | KATC | KWT |
| Kyrgyzstan | ✓ | KYRGYZ AIA | KGZ |
| Latvia | ✓ | LA | LVA |

* Based on information provided by the IRU.

** For details, refer to the International Directory of TIR Focal Points administered by the UNECE secretariat <<http://www.unece.org/trans/bcf/tir/focal/tirfocalpoints.htm>>. The access to the website is restricted and only open for TIR Focal Points.

STATUS OF THE TIR CONVENTION, 1975 (CONT'D)

| <u>Contracting Parties</u> | <u>Countries with which a TIR transit operation can be established</u> * | <u>National associations</u> ** | <u>Country code (ISO 3166, A3)</u> |
|---|--|---------------------------------|------------------------------------|
| Lebanon | ✓ | CCIAB | LBN |
| Liberia | - | - | LBR |
| Lithuania | ✓ | LINAVA | LTU |
| Luxembourg | ✓ | FEBETRA | LUX |
| Malta | ✓ | ATTO | MLT |
| Mongolia | ✓ | NARTAM | MNG |
| Montenegro | ✓ | PKCG | MNE |
| Morocco | ✓ | AMTRI | MAR |
| Netherlands | ✓ | TLN; KNV; EVO | NLD |
| Norway | ✓ | NLF | NOR |
| Poland | ✓ | ZMPD | POL |
| Portugal | ✓ | ANTRAM | PRT |
| Republic of Korea | - | - | KOR |
| Republic of Moldova | ✓ | AITA | MDA |
| Romania | ✓ | UNTRR; ARTRI | ROU |
| Russian Federation | ✓ | ASMAP | RUS |
| Serbia | ✓ | SCC-ATT | SCG |
| Slovakia | ✓ | CESMAD SLOVAKIA | SVK |
| Slovenia | ✓ | GIZ INTERTRANSPORT | SVN |
| Spain | ✓ | ASTIC | ESP |
| Sweden | ✓ | SA | SWE |
| Switzerland | ✓ | ASTAG | CHE |
| Syrian Arab Republic | ✓ | SNC ICC | SYR |
| Tajikistan | ✓ | ABBAT | TJK |
| The former Yugoslav Republic of Macedonia | ✓ | AMERIT | MKD |
| Tunisia | ✓ | CCIT | TUN |
| Turkey | ✓ | TOBB | TUR |
| Turkmenistan | ✓ | THADA | TKM |
| Ukraine | ✓ | AIRCU | UKR |
| United Arab Emirates | - | - | ARE |
| United Kingdom | ✓ | RHA; FTA | GBR |
| United States of America | - | - | USA |
| Uruguay | - | - | URY |
| Uzbekistan | ✓ | AIRCUZ | UZB |
| European Community | | | |

* Based on information provided by the IRU.

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