



**Economic and Social
Council**

Distr.
GENERAL

TRANS/WP.30/AC.2/2000/2
13 December 1999

Original: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

Administrative Committee for the TIR Convention, 1975
(Twenty-eighth session, 24 and 25 February 2000,
agenda item 5 (a))

ACTIVITIES OF THE TIR EXECUTIVE BOARD (TIRExB)

ECE/IRU Agreement for the year 2000

Note by the ECE secretariat

In accordance with the decision of the Administrative Committee (TRANS/WP.30/AC.2/55, paras 31 and 32), the ECE secretariat has negotiated and agreed with the International Road Transport Union (IRU) on arrangements for the 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 2000 (TRANS/WP.30/AC.2/1999/6).

The text of this ECE/IRU agreement is reproduced below for information and endorsement by the Administrative Committee.

AGREEMENT

**between the
INTERNATIONAL ROAD TRANSPORT UNION (IRU)
and the
UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE (UN/ECE)**

Whereas the amendments to the Customs Convention on the International Transport of Goods Under Cover of TIR Carnets of 1975 (hereafter: “the TIR Convention”), adopted by the Administrative Committee for the TIR Convention of 1975 (thereafter: “the TIR Administrative Committee”) at its twenty-third session (Geneva, 26 and 27 June 1997) which entered into force on 17 February 1999, provide for the establishment of a TIR Executive Board (TIRExB) and a TIR secretariat;

Whereas the establishment of the TIRExB and the TIR secretariat is aimed at strengthening further cooperation among national Customs authorities in the application of the TIR Convention and between Customs authorities, national associations and the international organization referred to in article 6 of the TIR Convention;

Whereas the TIR Convention stipulates that the TIRExB, as a subsidiary body of the TIR Administrative Committee, shall inter alia supervise the centralized printing and distribution of TIR Carnets which may be performed by an agreed international organization;

Whereas the TIR Convention provides for the financing of the TIRExB and the TIR secretariat - until such time as alternative sources of funding are obtained and initially for a period of two years - through a levy on TIR Carnets distributed by the above international organization; the amount of the levy and the procedure for its collection shall be determined by the TIR Administrative Committee, following consultations with the above international organization;

Whereas the TIR Administrative Committee, at its twenty-sixth session (Geneva, 25 and 26 February 1999) recalled that the amendments to the Convention provide for the supervision by the TIRExB of the centralized printing and distribution to the associations of the TIR Carnets, this function of the TIRExB could be performed by an agreed international organization as referred to in article 6 of the Convention (annex 8, article 10 (b));

Whereas the TIR Administrative Committee, at its twenty-sixth session (Geneva, 25 and 26 February 1999), with a view to allowing for an efficient operation of the international organization and the TIRExB, decided that, at its annual spring sessions, it 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, 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);

Whereas, in line with the above decision, the Administrative Committee, at its twenty-sixth session (Geneva, 25 and 26 February 1999), authorized the International Road Transport Union (IRU) to centrally print and distribute TIR Carnets in the year 2000;

Whereas the TIR Administrative Committee, at its twenty-seventh session (Geneva, 21 and 22 October 1999) was informed of a communication received by the UN/ECE secretariat from the Secretary-General of the IRU dated 5 March 1999 in which the IRU declared its acceptance of the authorization by the Administrative Committee to centrally print and distribute TIR Carnets in the year 2000;

Whereas the TIR Administrative Committee, at its twenty-seventh session (Geneva, 21 and 22 October 1999) approved the budget proposal and the cost plan for the TIRExB and the TIR secretariat for the year 2000 as contained in document TRANS/WP.30/AC.2/1999/6 (TRANS/WP.30/AC.2/55, para. 22);

Whereas the TIR Administrative Committee, at its twenty-seventh session (Geneva, 21 and 22 October 1999) noted that the amount of the resulting levy on each TIR Carnet (depending on the size of the budget of the TIRExB and the number of TIR Carnets issued) and the procedure for its collection would be contained in the agreement between the UN/ECE and the IRU which will be submitted to the Administrative Committee for endorsement at its forthcoming session (TRANS/WP.30/AC.2/55, para. 21);

Whereas the TIR Administrative Committee, at its twenty-seventh session (Geneva, 21 and 22 October 1999) authorized the UN/ECE secretariat to negotiate and arrange with the IRU on the basis of the previous agreement the required arrangements for the 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 2000 (TRANS/WP.30/AC.2/1999/6) and (c) in line with the above-mentioned requirements for authorization of an international organization to centrally print and distribute TIR Carnets in the year 2000 (TRANS/WP.30/AC.2/55, para. 31);

Whereas the IRU, a non-governmental organization representing the interests of the road transport industry, that has for many years ensured the central printing and distribution of TIR Carnets as well as the organization of the international guarantee system, is ready to act in accordance with the authorization provided by the TIR Administrative Committee under (a) above;

Referring to the consultations that had been held with the IRU in accordance with annex 8, article 13, paragraph 2 of the TIR Convention on the amount of the levy per TIR Carnet and the procedure for its collection for the year 2000;

Now therefore, the IRU and the UN/ECE agree as follows:

1. The IRU will contribute, by levy on each TIR Carnet used, an amount of US\$ 500.000.- (five-hundred-thousand), covering the operation of the TIRExB and the TIR secretariat for the year 2000 as described in Attachment A to the TIR Trust Fund established by the UN/ECE for this purpose.

The amount of US\$ 500,000.- is a result of the approved budget for the TIRExB and the TIR secretariat for the year 2000 amounting to US\$ 794,644.- minus the positive balance of the budget of the TIRExB and the TIR secretariat for the year 1999 which is estimated to amount to US\$ 294,644.- as indicated by the TIR Secretary in documents TRANS/WP.30/1999/5 and TRANS/WP.30/1999/6. The latter amount of US\$ 294,644.- will be credited to the relevant budget of the TIRExB and the TIR secretariat for the year 2000.

Since the budget of the year 1999 will only be completed on 31 December 1999, complete and final financial statements showing the funds received and expended for the TIRExB and the TIR secretariat in 1999, in line with the internal and external auditing procedures of the United Nations, will only be available in February 2000. Any differences between the estimated and the actual expenditures in 1999 will be credited to or deducted from the relevant budget for the year 2000.

On the basis of 2.1 Million TIR Carnets, as forecasted by the IRU to be used in the year 2000, the amount of the levy per TIR Carnet is estimated to be US\$ 0.24.-.

2. The funds due under this Agreement mentioned under (1), i.e. US\$ 500.000.- will be transferred in US\$ to the UNOG General Fund, Account No 001-1-508629 with the Chase Manhattan Bank, New York, International Agencies Branch, 270 Park Avenue, 43rd floor, N.Y., 10017 USA, ABA 021000021 (US Banking Code), with a clear mention of the title of “TIR (Transport International Routier) Trust Fund”, indicating allotment account number ZL-RER-8001.
3. The funds due under this Agreement mentioned under (1) will be transferred, in their entirety, to the UN General Fund mentioned under (2) as of 15 November 1999.
4. The TIR Trust Fund and the activities financed therefrom shall be administered by the UN/ECE in accordance with the applicable United Nations regulations, rules and directives. Accordingly, personnel shall be engaged and administered; equipment, supplies and services purchased; and contracts entered into in accordance with the provisions of such regulations, rules and directives.
5. The UN/ECE will, in order to assist in the defrayment of the costs of the administration and other expenses incurred by the United Nations in administering the above project (TIRExB and TIR secretariat), deduct from the above funds at the moment of deposit and retain for its own account an amount equal to 13% (thirteen per cent) of the total annual budget. In accordance with United Nations Financial Regulations and Rules, the UN/ECE will also deduct from the above funds at the moment of deposit and retain for its own account an amount equal to 1% (one per cent) of the remuneration or net salary of the staff engaged by the UN/ECE in this project, to provide for a reserve for coverage of any claim for service-incurred death, injury or illness, which reserve cannot be refunded to the donors.
6. The United Nations regulations and rules provide for an operating reserve of 15% (fifteen per cent) over the estimated annual expenditures of the project. This operating reserve, which shall be maintained during the duration of the project, provides for the exchange rate fluctuations or to cover any shortfalls and is used to meet final expenditures under the trust fund, including any liquidating liabilities. Any balance left after the completion of the second year of the project, will be reimbursed to the IRU at that time or could be used, in agreement with the IRU, towards financing of the TIRExB and the TIR secretariat in the following year.
7. Subject to paragraph 12 below, the IRU states its intention (a) to continue the central printing and distribution of TIR Carnets; and (b) to finance, as long as the relevant IRU activities are not transferred to another international organization or 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.
8. Further to the report of the TIRExB on its activities to the TIR Administrative Committee at least once a year or at the request of the TIR Administrative Committee as required under the TIR Convention, the UN/ECE will submit an annual report to the IRU. This report will include a

financial statement showing the funds received and expended for the project. As is the case for all United Nations Trust Funds, the TIR Trust Fund is exclusively subject to the internal and external auditing procedures laid down in the Financial Regulations, Rules and Directives of the United Nations and will be audited according to the schedule set by the United Nations Board of Auditors

9. The provisions of this Agreement shall not affect the contractual relationships that the IRU may have or may enter into during the duration of this Agreement with its issuing and guaranteeing associations or with any other party, such as the insurers, nor shall these contractual relationships affect in any manner the relationship between the IRU and the UN/ECE as stipulated in this Agreement.

10. This Agreement will enter into force immediately after signing by the United Nations Economic Commission for Europe (UN/ECE) and the International Road Transport Union (IRU).

11. This Agreement is concluded for the year 2000 in accordance with the mandate given by the TIR Administrative Committee at its twenty-seventh session (TRANS/WP.30/AC.2/55, para. 31).

12. A new Agreement shall be concluded between the IRU and the UN/ECE for the year 2001 only if the TIR Administrative Committee, at its twenty-eighth session, scheduled to be held on 24 and 25 February 2000, will authorize the IRU to centrally print and distribute TIR Carnets in the year 2001 or for any other period in accordance with annex 8, article 10 (b) of the TIR Convention.

In witness whereof, the undersigned have signed the present Agreement in the English language in two copies.

Geneva, November 1999

Geneva, November 1999

David C. Green
President
for the
International Road Transport Union

Martin Marmy
Secretary General
for the
International Road Transport Union

Yves Berthelot
Executive Secretary
for the
United Nations
Economic Commission for Europe
