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**ECONOMIC COMMISSION FOR EUROPE**

Administrative Committee for the TIR Convention, 1975

**REPORT OF THE ADMINISTRATIVE COMMITTEE FOR THE  
TIR CONVENTION, 1975 ON ITS FORTY-THIRD SESSION  
(1 February 2007)**

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## **I. ATTENDANCE**

1. The Committee held its forty-third session on 1 February 2007 in Geneva.
2. The session was attended by representatives of the following countries: Afghanistan; Albania; Algeria; Austria; Azerbaijan; Belarus; Belgium; Bosnia and Herzegovina; Bulgaria; Croatia; Cyprus; Czech Republic; Denmark; Estonia; Finland; France; Georgia; Germany; Greece; Hungary; Indonesia; Iran (Islamic Republic of); Ireland; Israel; Italy; Jordan; Kazakhstan; Korea (Republic of); Kyrgyzstan; Latvia; Lebanon; Lithuania; Luxembourg; Malta; Mongolia; Netherlands; Norway; Poland; Portugal; Republic of Moldova; Romania; Russian Federation; Serbia; Slovakia; Slovenia; Spain; Sweden; Switzerland; Syrian Arab Republic; The former Yugoslav Republic of Macedonia; Tunisia; Turkey; Ukraine; United Kingdom; United States of America; Uruguay; Uzbekistan. 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 according to Annex 8, Article 6 of the Convention had been attained.

## **II. ADOPTION OF THE AGENDA (Agenda item 1)**

5. The Administrative Committee adopted the agenda of its present session as contained in documents ECE/TRANS/WP.30/AC.2/88, Corr.1 and ECE/TRANS/WP.30/AC.2/88/Add.1, prepared by the UNECE secretariat.
6. The Committee expressed regret that the annotated agenda for the session had only been made available immediately before the meeting and in the English version only. This made it very difficult for delegations to prepare for the session. The Committee requested the secretary to ensure that the procedures and deadlines for publication of documentation were adhered to in the future.
7. The Committee took note of Informal document No. 5 (2007) containing the French and Russian language versions of the statement made by Mr. M. Belka, Executive Secretary of the UNECE during its forty-second session. The statement is annexed to the report of the session (ECE/TRANS/WP.30/AC.2/85) in English only.

## **III. ELECTION OF OFFICERS (Agenda item 2)**

8. The Committee elected by acclamation Mr. A. Schoenmakers (Germany) as Chairman and Ms. H. Metaxa-Mariatou (Greece) as Vice-Chairperson for its sessions in 2007.

## **IV. STATUS OF THE TIR CONVENTION, 1975 (Agenda item 3)**

9. The Committee noted that, with the succession of Montenegro on 3 June 2006 (Depositary Notification C.N. 1232.2006.TREATIES-1), the Convention has 67 Contracting Parties and that it is operational in 55 of these Contracting Parties. A list of Contracting Parties

to the Convention as well as of countries in which a TIR transit operation can be established is contained in annex I to this report and is also available on the UNECE TIR website (<http://tir.unece.org>). Contracting Parties were invited to verify these listings. Annex I also contains a list of national associations issuing and guaranteeing TIR Carnets.

10. Detailed information on the status of the Convention as well as on the various Depository Notifications is available on the UNECE TIR website (<http://tir.unece.org>).

11. The Committee took note that amendment 27 to the Convention (ECE/TRANS/17/Amend.27) had been published and made available on the UNECE TIR website (<http://tir.unece.org>).

12. The Committee took note of Informal document No. 3 (2007), transmitted by the IRU, containing an overview of the number of TIR Carnets distributed by this organization in the years 2001 to 2006.

## **V. ACTIVITIES AND ADMINISTRATION OF THE TIR EXECUTIVE BOARD (TIRExB) (Agenda item 4)**

### **A. Activities of the TIRExB**

#### **1. Report by the Chairperson of the TIRExB**

13. The Administrative Committee took note of the reports of the twenty-ninth and thirtieth sessions of the TIRExB held in May-June 2006 and November 2006 respectively (Informal documents No. 3 and 6 (2007)).

14. The Chairperson reported on the recent activities of the TIRExB and the TIR secretariat as well as on the outcome of the thirty-first session (January 2007). In this context, the Committee took note of Informal document No. 7 (2007) containing an overview of the work program of the TIRExB for the period 2005-2006 and the related accomplishments.

15. The Chairperson thanked the outgoing members of the TIRExB for their contributions and cooperation. The Chairperson informed the Committee of the repeated absence from the TIRExB sessions of certain member(s) in the past period. In this context, the Chairperson reminded the Committee and the candidates for the election of the new Board that the participation in TIRExB sessions is not a right but an obligation.

16. The Administrative Committee took note of a presentation by the secretariat of a project aimed at developing an electronic version of the present paper-based UNECE Register of Customs sealing devices and Customs stamps. The Committee considered the project useful. The Committee noted that reference was made to confidential information and felt that it was essential to safeguard the protection of data in the register. However, with a view to ensuring that Contracting Parties can agree to the collection and dissemination of information on Customs sealing devices and stamps, the Committee requested the secretariat to send a written inquiry to all Contracting Parties applying the Convention and to present the outcome at its next session.

2. Identification (ID) number of the TIR Carnet holder and access to the International TIR Data Bank (ITDB)

17. The Committee recalled the obligation contained in Annex 9, Part II, paras. 4 and 5 of the Convention concerning transmission of ITDB data and urged all Contracting Parties to respect the deadlines set out in the Convention for the transmission of data. In this context, the Committee took note of Informal document No. 8 (2007), prepared by the secretariat, providing an overview of the status of transmission of documents and data to the ITDB.

18. The Committee considered the proposals for access to and contents of the ITDB contained in document TRANS/WP.30/AC.2/2005/3, prepared by the secretariat, and decided to (a) open up the access to the ITDB to Customs officials other than the TIR Customs Focal Points provided that the national TIR Customs Focal point authorizes this and (b) provide information on exclusions in the ITDB.

19. The Committee also considered document ECE/TRANS/WP.30/AC.2/2006/12, prepared by the secretariat, containing a proposal for a disclaimer for the ITDB. The Committee agreed to the text of the disclaimer.

20. With a view to ensuring that the ITDB is in line with general principles on data protection and access to registered information for the persons concerned, the Committee requested the secretariat to study these aspects and, if necessary, to prepare proposals for one of its forthcoming sessions. In this context, the IRU was invited to share its experiences on its management of the SAFETIR database.

3. Fraud report Form

21. The Administrative Committee considered document ECE/TRANS/WP.30/AC.2/2006/6, prepared by the secretariat, containing a specimen of a Fraud Report Form (FRF), which had already been agreed in principle at previous meetings. The Committee endorsed the use of the FRF and encouraged all Contracting Parties to start using the form with a view to contributing to combat fraud committed against the TIR system.

4. National and regional TIR workshops and seminars

22. The Administrative Committee took note that the secretariat had participated in national TIR seminars in Mongolia (October 2006) and Serbia (December 2006). The Committee invited Contracting Parties to contact the secretariat with a view to organizing national or regional TIR seminars in 2007.

B. Financial administration of the TIRExB and the TIR secretariat

1. Status report on the accounts for the year 2006

23. The Administrative Committee recalled that, in accordance with Annex 8, Article 11, paragraph 4 of the Convention, the TIRExB should submit audited accounts to the Administrative Committee at least once a year or at the request of the Administrative Committee.

24. The Administrative Committee was informed by the secretariat that the final accounts for the year 2006 were not yet available from the UN administration. The Committee decided to postpone the approval of the accounts to its forty-fourth session in September 2007.

2. Budget and cost plan for the year 2007

25. The Administrative Committee recalled that the budget and cost plan for the operation of the TIRExB and the TIR secretariat for the year 2007 had been approved by the Administrative Committee, at its forty-second session, on the basis of a proposal made by the TIR Secretary.

26. The Administrative Committee was informed by the secretariat that the full required funds for the operation of the TIRExB and the TIR secretariat, according to Annex 8, Article 13 of the Convention, for the year 2007 had been transmitted by the IRU to the TIR Trust Fund before the deadline of 15 November 2006.

27. The Committee, bearing in mind the considerations at its forty-second session concerning the budget for 2007 and the required forecast of the number of TIR Carnets estimated by the IRU (ECE/TRANS/WP.30/AC.2/85, paras. 39-45), decided that, based on the number of 3 million TIR Carnets estimated to be distributed by the international organization in the year 2007, the levy on each TIR Carnet is set at US\$ 0.32 for the year 2007.

3. Audit of the UN Board of Auditors

28. The Committee took note of information provided by the secretariat that the UN General Assembly's considerations, if any, concerning the report by the UN Board of Auditors (BOA) on the UNECE-IRU agreement had not yet been published.

29. The Committee also noted that the secretariat was still awaiting the reaction of the BOA with regard to the concerns raised by the IRU (ECE/TRANS/WP.30/AC.2/85, para. 35) on the final draft report of the BOA as contained in ECE/TRANS/WP.30/AC.2/2006/9/Rev.1.

30. The Committee took note of the IRU's statement that, in its letter to the Executive Secretary of the UNECE that accompanied the payment of the required amount of US\$ 955,000 in November 2006, the IRU considered it had fulfilled all its obligations and that the criticisms made by the UN Board of Auditors would be put aside.

4. Election of members for the TIRExB

31. The Administrative Committee recalled that, at its forty-second session, it had confirmed that the criteria for the nomination of candidates and the procedure for the election of candidates for the TIRExB at the present session would be the same as for the previous election in 2005 (TRANS/WP.30/AC.2/75, paras. 31-32). The Administrative Committee had, therefore, authorized the UNECE secretariat to solicit candidates in November 2006, to close the list of candidates on 8 December 2006 and immediately thereafter on 11 December 2006 to issue the official list of candidates for distribution to all Contracting Parties as described in TRANS/WP.30/AC.2/85. The procedures for the nomination and election are contained in Informal document No. 1 (2007).

32. The Committee noted that the secretariat had proceeded accordingly and that the names of the candidates had been circulated by the secretariat on 11 December 2006. However, the Committee also noted that, in addition to the nominations received within the deadline mentioned above, two nominations had been received by the secretariat after the deadline of 8 December 2006. The names of the two candidates had been transmitted to all Contracting Parties on 19 December 2006 and 9 January 2007, respectively.

33. The Committee decided that in line with past practice, only the nominations received by the secretariat before the end of the deadline of 8 December 2006 should be included in the list of candidates for the elections. The Committee mandated the secretariat also to proceed according to this decision for future elections and nominations for the TIRExB and not to take into account nominations received by the secretariat after the end of the deadline set by the Committee.

34. In accordance with the approved election procedure and on the basis of the list of nominated candidates contained in Informal document No. 2 (2007), which had been circulated by the secretariat to all Contracting Parties to the Convention on 11 December 2006, the Administrative Committee proceeded with a secret ballot. The following results were obtained and confirmed by the TIR Secretary:

Registered votes: 56

Valid votes: 56

Invalid votes: 0

Blank votes: 0.

35. The following nominated nine persons, who obtained a majority of votes of the Contracting States present and voting and received the highest numbers of votes, were elected as members of the TIRExB for a term of office of two years (in English alphabetical order of their last names):

Baghirov, Shahin (Azerbaijan)

Dubielak, Anna (Poland)

Köseoğlu, Hasan (Turkey)

Lindström, Henrik (Finland)

Luhovets, Valeriy (Ukraine)

Milošević, Veselin (Serbia)

Popiolek, Joanna (European Commission representing the European Community)

Rybkina, Natalia (Russian Federation)

Smidl, Radovan (Czech Republic).

36. The Committee stressed that the members of the TIRExB are elected in their personal capacity, with the mandate to work towards the sustainability of the TIR procedure.

## **VI. COMPUTERIZATION OF THE TIR PROCEDURE (Agenda item 5)**

37. The Committee was informed by the secretariat of the progress made in the field of computerization of the TIR Procedure. At the moment, the informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization (ExG) was studying draft proposals for Chapter 2 of the eTIR Reference Model, dealing with the design of the future eTIR system (document ECE/TRANS/WP.30/GE.1/2007/2). The Committee took note of the fact that, in order to facilitate the work on Chapter 2, the Working Party, at the request of the ExG, had

approved that a small working session of some IT experts from Customs, the IRU and its member associations be convened and, that this session be tasked, where appropriate, to (a) review, reformulate and amend document ECE/TRANS/WP.30.GE.1/2007/2 for further discussion by the Expert Group at its forthcoming session, (b) align Chapters 1 and 2 of the Reference Model and (c) consider technical issues raised by the IRU and others. The Committee took also note that document ECE/TRANS/WP.30/2007/2, prepared by the secretariat in cooperation with the main Contracting Parties involved in the elaboration of the draft proposals for Chapter 2 of the eTIR Reference Model, had provided satisfactory answers to a number of questions raised by the IRU. Under the conditions that these answers, together with some other matters, be adequately reflected in the text of Chapter 2, this organization expressed its engagement in the continuation of the work on the eTIR Project.

## **VII. PROPOSALS FOR AMENDMENTS TO THE CONVENTION (Agenda item 6)**

### Amendment(s) to the Convention with regard to the financing of the operation of the TIRExB and the TIR secretariat

38. The Committee considered the proposals contained in document ECE/TRANS/WP.30/AC.2/2007/3/Rev.1, prepared by the secretariat, outlining in part II a procedure for the collection and transfer of the amount per TIR Carnet and in part III a proposal for amendment of Annex 8 of the Convention. The Committee approved the procedure for the collection and transfer of the amount per TIR Carnet with some modifications as contained in annex II to this report. With regard to the amendment proposals, Contracting Parties were not in a position to adopt the text at the present session, but, in general, considered the proposals acceptable. The Committee decided to revert to the amendment proposals for approval at its forthcoming session.

## **VIII. AUTHORIZATION FOR PRINTING AND DISTRIBUTION OF TIR CARNETS AND THE ORGANIZATION AND FUNCTIONING OF THE GUARANTEE SYSTEM (Agenda item 7)**

39. The Committee, bearing in mind that the IRU had transferred the requested amount for the financing of the TIRExB and the TIR secretariat, re-confirmed the authorization of the IRU to centrally print and distribute TIR Carnets and to organize the functioning of the guarantee system for the period 2006-2010 inclusive (ECE/TRANS/WP.30/AC.2/85, para. 46).

## **IX. AUTHORIZATION FOR THE CONCLUSION OF AN AGREEMENT BETWEEN THE UNECE AND THE IRU (Agenda item 8)**

40. The Committee, based on the discussions under point VII above, concerning the financing of the TIRExB and the TIR secretariat, provided the secretariat with the mandate to make the necessary preparations for amending the UNECE-IRU Agreement and to continue it with a view to receiving the transfer of an amount from the IRU for the funding of the operation of the TIRExB and the TIR secretariat for the year 2008. The revised UNECE-IRU Agreement will be transmitted to the Committee for endorsement in September 2007.

**X. OTHER PROPOSALS FOR AMENDMENTS TO THE CONVENTION (Agenda item 9)**

41. The Committee considered the proposal by the TIRExB for a new Explanatory Note to Article 3 (a) (iii) of the Convention, limiting the possibility of transporting passenger cars on their own wheels under cover of TIR Carnets.

42. The Committee considered that the use of the HS-code for the purpose of defining the vehicles to be encompassed by the Explanatory Note did not seem to provide sufficient guidance. Therefore, the Committee agreed to revert to the question at its session in September 2007 and invited Contracting Parties to transmit their views to the secretariat in due course before the session. The Committee requested the secretariat to draft a revised Explanatory Note, based on the submissions by Contracting Parties.

43. The Committee also raised the question concerning the proposal of a Recommendation for the introduction of the HS-code in the TIR Carnet (ECE/TRANS/WP.30/AC.2/80, annex 2). The Committee noted that the Turkish delegation had not finalized its consultations at national level and, therefore, upheld its reservation expressed at the fortieth session (ECE/TRANS/WP.30/AC.2/81, para. 40). The Committee invited the Turkish delegation, as well as other delegations, to transmit their views on the issue to the secretariat as soon as possible with a view that the question can be considered at the forthcoming session of the Working Party (WP.30) in June 2007 before being reconsidered at the session of the Committee in September 2007.

44. The representative of the European Community invited Contracting Parties to consider how the HS code could be provided with a view to ensuring efficient data transfer between Contracting Parties in the framework of the TIR computerization process.

**XI. OTHER BUSINESS (Agenda item 10)**

A. Date of next session

45. The Committee decided to hold its forty-fourth session on 27 September 2007. The deadline for submission of official documents to be translated into the official languages of the UNECE is 5 July 2007.

B. Restriction on the distribution of documents

46. The Administrative Committee decided to restrict the circulation of Informal document No. 2 (2007).

**XII. ADOPTION OF THE REPORT (Agenda item 11)**

47. In accordance with Annex 8, Article 7 of the TIR Convention, 1975, the Administrative Committee adopted the report on its forty-third 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 I****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

\* 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>
Latvia	✓	LA	LVA
Lebanon	✓	CCIAB	LBN
Liberia	-	-	LBR
Lithuania	✓	LINAVA	LTU
Luxembourg	✓	FEBETRA	LUX
Malta	✓	ATTO	MLT
Mongolia	✓	NARTAM	MNG
Montenegro	-	-	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	✓	ASMAD	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 Kingdom	✓	RHA; FTA	GBR
United States of America	-	-	USA
Uruguay	-	-	URY
Uzbekistan	✓	AIRCUZ	UZB
European Community			

\* 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.

## Annex II

### **PROCEDURE FOR THE COLLECTION AND TRANSFER OF THE AMOUNT PER TIR CARNET TO FINANCE THE OPERATION OF THE TIRExB AND THE TIR SECRETARIAT**

The financing of the operation of the TIRExB and the TIR secretariat includes the following steps and procedures as well as related timeline:

- (1) The UNECE secretariat prepares a budget proposal for the operation of the TIRExB and the TIR secretariat based on activity based budgeting principles (August);
- (2) The TIRExB establishes the budget proposal (September);
- (3) The UNECE secretariat prepares a document comprising the budget proposal established by the TIRExB for approval by the TIR Administrative Committee (September);
- (4) The UNECE secretariat informs the IRU of the budget proposal and the net amount to be transferred and requests the IRU to provide an operational forecast of the number of TIR Carnets it expects to distribute in the forthcoming year (September);
- (5) The IRU provides the Administrative Committee with its forecast of the number of TIR Carnets it expects to distribute in the forthcoming year and its internal calculation concerning the amount per TIR Carnet [as referred to in Annex 8, Article 13.1\*] (September-October);
- (6) AC.2 approves the budget and the net amount to be transferred by the IRU, and takes note of the forecast established by the IRU. AC.2 also approves the amount per TIR Carnet [as referred to in Annex 8, Article 13.1\*], calculated by the secretariat on the basis of the forecast provided by the IRU (September-October);
- (7) The IRU transfers the net amount approved by the Administrative Committee to the UNECE named bank account (mid November);
- (8) The IRU maintains a separate account detailing the number of TIR Carnets distributed and the related amounts [referred to in Annex 8, Article 13.1\*] received;
- (9) The IRU 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;

\* Text in brackets until entry into force of amendment to Annex 8, Article 13, paragraph 1.

- (11) On the basis of the above-mentioned audit certificate, if there is an excess (i.e. more was received than initially transferred), the Administrative Committee, at its spring session, will be informed and the IRU shall transfer the excess to the UNECE named bank account [before 15 March]. This amount will be reflected in the UNECE TIR account to be taken into account for the next budget year;
- (12) On the basis of the above-mentioned audit certificate, if there is a deficit (i.e. less was received than initially transferred), the Administrative Committee, at its spring session, and on the proposal of the IRU, shall approve the appropriate action, which shall be either:
  - (a) a recalculation of the amount per TIR Carnet [referred to in Annex 8, Article 13.1\*], or
  - (b) the deficit will be recorded in the IRU account referred to above and shall, on the basis of a proposal from the IRU as endorsed by the Administrative Committee, be subsequently adjusted;
- (13) These arrangements shall be subject to the accounting controls and audits as foreseen in Annex 3 of the UNECE/IRU Agreement;
- (14) UNECE shall provide full transparency concerning the TIR funds accumulated;
- (15) The above described procedures are considered to comply with general audit and accounting standards and the requirements for transparency and accountability by Contracting Parties.

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\* Text in brackets until entry into force of amendment to Annex 8, Article 13, paragraph 1.