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Administrative Committee for the TIR Convention, 1975

**REPORT OF THE ADMINISTRATIVE COMMITTEE FOR THE
TIR CONVENTION, 1975 ON ITS FORTY-FOURTH SESSION
(27 September 2007)**

CONTENTS

	<u>Paragraphs</u>	<u>Pages</u>
I. ATTENDANCE	1-4	3
II. ADOPTION OF THE AGENDA (Agenda item 1)	5	3
III. STATUS OF THE TIR CONVENTION, 1975 (Agenda item 2)	6	3
IV. ACTIVITIES AND ADMINISTRATION OF THE TIR EXECUTIVE BOARD (TIRExB) (Agenda item 3)	7-15	3
A. Activities of the TIRExB	7-12	3
B. Financial Administration of the TIRExB and the TIR secretariat	13-15	5
V. PROPOSALS FOR AMENDMENTS TO THE CONVENTION (Agenda item 4)	16	5
A. Amendments(s) to the Convention with regard to the financing of the operation of the TIRExB and the TIR secretariat	16	5
VI. AUTHORIZATION FOR PRINTING AND DISTRIBUTION OF TIR CARNETS AND THE ORGANIZATION AND FUNCTIONING OF THE GUARANTEE SYSTEM (Agenda item 5)	17	6

CONTENTS (CONTINUED)

	<u>Paragraphs</u>	<u>Pages</u>
VII. AUTHORIZATION FOR THE CONCLUSION OF AN AGREEMENT BETWEEN THE UNECE AND THE IRU (Agenda item 6)	18	6
VIII. REVISION OF THE CONVENTION (Agenda item 7)	19-23	6
A. Phase III of the TIR revision process – computerization of the TIR procedure	19-20	6
B. Other proposals for amendments to the Convention	21-23	6
IX. APPLICATION OF THE CONVENTION (Agenda item 8)	24-25	7
Comments adopted by WP.30	24	7
Comments adopted by the TIR Executive Board	25	7
X. BEST PRACTICES (Agenda item 9)	26-28	8
A. Application of Article 38	26	8
B. Application of Articles 39 and 40	27	8
C. Application of Annex 9, part II	28	8
XI. OTHER BUSINESS (Agenda item 10)	29-31	8
A. Cash rules in the EU	29	8
B. Date of next session	30	8
C. Restriction on the distribution of documents	31	8
XII. ADOPTION OF THE REPORT (Agenda item 11)	32	9
Annex		
Status of the TIR Convention, 1975		10

I. ATTENDANCE

1. The Committee held its forty-fourth session on 27 September 2007 in Geneva.
2. The session was attended by representatives of the following countries: Azerbaijan; Belarus; Belgium; Bulgaria; Czech Republic; Estonia; Finland; France; Germany; Greece; Hungary; Italy; Kyrgyzstan; Latvia; Lithuania; Moldova; Netherlands; Poland; Russian Federation; Serbia; Slovakia; Slovenia; Spain; Sweden; Switzerland; Turkey; Ukraine; United States of America. Representatives of the European Community (EC) were also present.
3. The following non-governmental organization was represented as observer: International Road Transport Union (IRU). Representatives of issuing and guaranteeing associations of Norway and Romania participated in the session as observers.
4. The Administrative Committee noted that the required quorum – of at least one-third of the States which are Contracting Parties present for the purposes of taking decisions (according to Annex 8 Article 6 of the Convention) - was attained.

II. ADOPTION OF THE AGENDA

5. The Administrative Committee adopted the agenda as proposed with the addition of briefing by secretariat about new EU cash rules (Regulation 1899/2005) under the agenda item 10 “Other business”.

III. STATUS OF THE TIR CONVENTION, 1975

6. The Committee was informed that the TIR Convention of 1975 had 68 Contracting Parties. The Committee was reminded that the accession of the United Arab Emirates would enter into force on 20 October 2007. More detailed information on the status of the Convention, as well as on various Depository Notifications is available at the UNECE website.¹

IV. ACTIVITIES AND ADMINISTRATION OF THE TIR EXECUTIVE BOARD (TIREXB)

A. Activities of the TIRExB

1. Report by the Chairman of the TIRExB

7. The Committee endorsed TIRExB reports of the twenty-ninth (May-June 2006), thirtieth (November 2006) and thirty-first session (January 2007) contained in documents

¹ <<http://tir.unece.org>>.

ECE/TRANS/WP.30/AC.2/2007/4, ECE/TRANS/WP.30/AC.2/2007/5 and ECE/TRANS/WP.30/AC.2/2007/6 respectively. In accordance with Annex 8, Article 11, paragraph 4 of the Convention, the TIRExB Chairperson provided information on TIRExB's thirty-second session (March 2007) contained in document ECE/TRANS/WP.30/AC.2/2007/7 which was subsequently endorsed by the Administrative Committee. The TIRExB Chair also briefed the Committee about various considerations and decisions taken at TIRExB's thirty-third session (June 2007).

2. TIRExB's programme of work 2007-2008

8. The Administrative Committee agreed, upon request of the European Community, to include an additional activity in TIRExB's 2007-2008 Programme of work. Consequently, under point 7 of the TIRExB's 2007-2008 Programme of Work, the Administrative Committee decided to add: "Clarify procedures prior to a suspension of the guarantee on the territory of a Contracting Party". The Committee approved the Programme of Work of the TIRExB for the years 2007-2008 (ECE/TRANS/WP.30/AC.2/2007/8) subject to the above amendment.

3. International TIR Data Bank (ITDB)

9. The Administrative Committee was informed about the current operation of the ITDB and the on-line access of authorized TIR Customs Focal Points for inquiry procedures. With respect to opening up the access to the ITDB to Customs officials other than the TIR Customs Focal Points, the secretariat has not yet received requests to provide additional access. Once such a request is received, access will be granted. Concerning provision of information on exclusions in the ITDB Online, the secretariat informed the Committee about the successful completion of this task.

10. The Committee took note of information provided by the secretariat on progress made to develop the so-called ITDB Online+ project aimed at enabling Customs authorities to update their "own" data online in ITDB.

4. On-line register of Customs sealing devices and Customs stamps

11. The Administrative Committee took note of information provided by the secretariat concerning the results of an enquiry among Contracting Parties with respect to an on-line version of the present paper-based UNECE Register of Customs sealing devices and Customs stamps. The Committee requested the secretariat to continue its work on the register's development. The Committee also requested the secretariat to submit a document at the next AC.2 session outlining the security features in the envisaged register.

5. National and regional TIR workshops and seminars

12. The Administrative Committee took note of a special training seminar on approval and control of TIR vehicles held on 24 September 2007. Azerbaijan expressed interest in receiving the secretariat's assistance in organizing a TIR technical seminar in the near future.

B. Financial administration of the TIRExB and the TIR secretariat

1. Status report on the accounts for 2006 and 2007

13. The report on the complete and final accounts for 2006 was transmitted to and approved by the Administrative Committee (ECE/TRANS/WP.30/AC.2/2007/11). The Committee also took note of interim financial statements for the 2007 January-July period contained in document ECE/TRANS/WP.30/AC.2/2007/12.

2. Budget and cost plan for 2008

14. The budget and cost plan for the operation of the TIRExB and the TIR secretariat for the year 2008 (ECE/TRANS/WP.30/AC.2/2007/13) was submitted to and approved by the Administrative Committee. In particular, the AC.2 approved the net amount (US\$962,000) to be transferred by the IRU to the UNECE in mid-November 2007. The IRU confirmed its operational estimate for the number of TIR Carnets to be distributed in 2008 (3 million TIR Carnets). The IRU also provided its calculation concerning the amount per TIR Carnet (US\$ 0.3206). The Administrative Committee approved the amount per TIR Carnet. This amount will be expressed in Swiss francs following the transfer of the above net amount to the UNECE named bank according to the prevailing US dollar-Swiss franc exchange rate on the day of the transfer.

3. Audit of the UN Board of Auditors and OIOS

15. The Committee took note of information provided by the secretariat about the current situation with regard to the recommendations by the UN Board of Auditors and Office of Internal Oversight Services.

V. PROPOSALS FOR AMENDMENTS TO THE CONVENTION

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

16. The Committee recalled its considerations of the proposal to amend Annex 8 at the last Administrative Committee session. The Administrative Committee was informed by the European Community of its ongoing internal approval procedures that need to be completed before it can approve the proposal. As a result, the Committee's considerations to approve this amendment had to be postponed until the next session. However, the Committee recalled its agreement in principle with the proposed amendment.

VI. AUTHORIZATION FOR PRINTING AND DISTRIBUTION OF TIR CARNETS AND THE ORGANIZATION AND FUNCTIONING OF THE GUARANTEE SYSTEM

17. The Committee recalled that, at its thirty-eighth session, it had, in view of its adoption of the revised Agreement between the UNECE and the IRU, authorized the 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). The Committee confirmed this decision at the current session.

VII. AUTHORIZATION FOR THE CONCLUSION OF AN AGREEMENT BETWEEN THE UNECE AND THE IRU

18. The Committee, in the context of agenda items 4 and 5, concerning the financing of the TIRExB and the TIR secretariat, decided to provide the secretariat with the mandate to conclude and sign the UNECE-IRU Agreement (ECE/TRANS/WP.30/AC.2/2007/14) on behalf of the Administrative Committee and to continue it with a view to receiving the transfer of US\$962,000 from the IRU to finance the operation of the TIRExB and the TIR secretariat for the year 2008. The IRU expressed its willingness and readiness to sign the revised Agreement when convenient.

VIII. REVISION OF THE CONVENTION

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

19. The Committee endorsed document ECE/TRANS/WP.30/2007/16-ECE/TRANS/WP.30/AC.2/2007/15, submitted by the secretariat and containing Chapter 2 of the eTIR Reference Model, subject to the deletion of the asterisks and corresponding footnotes in Chapters 2.1.2.2.3 and 2.1.2.4.2.

20. The IRU expressed its concerns over the endorsement of Chapter 2 of the Reference Model. The secretariat informed the Committee that Chapter 1 of the Reference Model is contained in document TRANS/WP.30/2005/32/Rev.1-TRANS/WP.30/AC.2/2005/18/Rev.1, which will be combined with Chapter 2 (ECE/TRANS/WP.30/2007/16-ECE/TRANS/WP.30/AC.2/2007/15) creating a new, consolidated document for GE.1. The Committee took note of the WP.30 discussions on that subject (ECE/TRANS/WP.30/234, para. 22).

B. Other proposals for amendments to the Convention

21. The Committee considered a 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. Specifically, the Committee considered the following proposal:

"0.3 (a) (iii) The provisions of Article 3 (a) (iii) do not cover passenger cars (HS-codes 8702 and 8703) travelling by their own means."

22. After discussion, the Committee decided to approve in principle the following proposal:

"0.3 (a) (iii) The provisions of Article 3 (a) (iii) do not cover passenger cars (HS-code 8703) travelling by their own means. However, passenger cars may be carried under the TIR procedure if transported by means of other vehicles as referred to in subparagraphs (a) (i) and (a) (ii) of Article 3."

23. The Committee's approval of the proposed Explanatory Note at the current session is subject to a confirmation at a next session of the Administrative Committee, thereby allowing the European Community to conclude its internal approval procedures.

IX. APPLICATION OF THE CONVENTION

Comments adopted by WP.30

24. The Committee approved the following changes as adopted by WP.30 (ECE/TRANS/WP.30/232, Annex):

Annex 2, Article 3, paragraph 9, Explanatory Note 2.3.9, Comment "Nylon ropes"

Delete: "*, or the description in the above Explanatory Note*"

Annex 7, Article 4, paragraph 9, Comment "Fastening rope"

Delete: "*(see also comment to Explanatory Note 2.3.9)*"

Comments adopted by the TIR Executive Board

25. The Committee endorsed the following new comment to Article 15, paragraph 1 of the Convention as adopted by the TIRExB:

"Customs treatment of tractor units carrying out TIR transports

With a view to avoiding separate treatment for temporary admission of a foreign registered tractor unit, the holder of a TIR Carnet should indicate the tractor unit registration numbers on the cover page and vouchers of the TIR Carnet. Without prejudice to the application of other provisions of the TIR Convention, when the tractor unit is replaced in the course of a TIR transport, the holder should make the proper corrections in the TIR Carnet and, within the deadlines and according to the procedures established by national regulations, have them endorsed by Customs authorities. The replaced tractor unit which no longer carries out a TIR transport should be treated according to national legislation."

X. BEST PRACTICES

A Application of Article 38

26. The Committee considered the revised example of best practice contained in document ECE/TRANS/WP.30/2006/17/Rev.2-ECE/TRANS/WP.30/AC.2/2006/17/Rev.2. The Committee decided to postpone the approval of this document to the next session to allow Turkey – which supports it in principle – more time to carry out internal consultations.

B Application of Articles 39 and 40

27. The Committee considered document ECE/TRANS/WP.30/AC.2/2007/9 containing example of best practice developed by the TIRExB with regard to discrepancies between the particulars on the goods manifest of the TIR carnet and the actual content of load compartment. The Committee requested the European Community to submit comments on that document prior to the next session of AC.2 in January 2008.

C Application of Annex 9, Part II

28. At its thirty-ninth session, the Committee took note of results of the survey of Contracting Parties about the application of Annex 9, Part II of the TIR Convention on controlled access to the TIR procedure for natural and legal persons. The Committee believed that the survey's results gave rise to concerns about the proper application of the Convention and invited the TIRExB to elaborate a set of best practices (TRANS/WP.30/AC.2/79, para. 15). Following this invitation, the TIRExB has prepared examples of best practices (ECE/TRANS/WP.30/AC.2/2007/10). The Administrative Committee considered and endorsed this document.

XI. OTHER BUSINESS

A. Cash rules in the EU

29. The secretariat provided information on new cash control rules that require any individual entering or leaving the EU and carrying cash in the amount of €10,000 or more to declare that sum to the competent authorities. The new rules (Regulation 1899/2005) are applicable as of 15 June 2007.

B. Date of next session

30. The Administrative Committee agreed to hold its forty-fifth session on 31 January 2008.

C. Restriction on the distribution of documents

31. The Administrative Committee decided not to restrict the distribution of documents issued in connection with its current session.

XII. ADOPTION OF THE REPORT

32. In accordance with Annex 8, Article 7 of the TIR Convention, 1975, the Administrative Committee adopted the report on its forty-fourth session. The reading of the report took place on 28 September 2007.

* * *

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
Lebanon	✓	CCIAB	LBN

* Based on information provided by the IRU.

** Source: The International Directory of TIR Focal Points

<<http://www.unece.org/trans/bcf/tir/focal/tirfocalpoints.htm>>. The access to the website is only open to 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>
Liberia	-	-	LBR
Lithuania	✓	LINAVA	LTU
Luxembourg	✓	FEBETRA	LUX
Malta	✓	ATTO	MLT
Moldova	✓	AITA	MDA
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
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.

** Source: The International Directory of TIR Focal Points

<<http://www.unece.org/trans/bcf/tir/focal/tirfocalpoints.htm>>. The access to the website is only open to TIR Focal Points.
