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Administrative Committee for the TIR Convention, 1975

**REPORT OF THE ADMINISTRATIVE COMMITTEE FOR THE
TIR CONVENTION, 1975 ON ITS THIRTY-SIXTH SESSION
(5 and 6 February 2004)**

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Annex: Status of the TIR Convention, 1975

ATTENDANCE

1. The Administrative Committee held its thirty-sixth session from 5 to 6 February 2004 in Geneva.
2. The session was attended by representatives of the following countries: Austria; Azerbaijan; Belarus; Belgium; Bulgaria; Croatia; Czech Republic; Estonia; Finland; France; Germany; Greece; Hungary; Italy; Kazakhstan; Kyrgyzstan; Latvia; Lebanon; Lithuania; Morocco; Netherlands; Norway; Poland; Republic of Moldova; Romania; Russian Federation; Serbia and Montenegro; Slovakia; Spain; Sweden; Switzerland; The former Yugoslav Republic of Macedonia; Turkey; Ukraine; United Kingdom; United States of America. Representatives of the European Community (EC) were also present.
3. A representative of Pakistan participated in the session as observing country.
4. The following non-governmental organization was represented as observer: International Road Transport Union (IRU).
5. The Administrative Committee noted that the required quorum according to Annex 8, Article 6 of the Convention has been attained.

ADOPTION OF THE AGENDA

Documentation: TRANS/WP.30/AC.2/72.

Mandate and background: TRANS/WP.30/AC.2/72, point 1.

6. The Administrative Committee adopted the agenda as prepared by the UNECE secretariat (TRANS/WP.30/AC.2/72).

ELECTION OF OFFICERS

Mandate and background: TRANS/WP.30/AC.2/72, point 2.

7. In accordance with Annex 8, Article 3 of the Convention and in line with established practice, the Administrative Committee elected Ms. M. Ögren (Sweden) as Chairman and Mr. R. Smidl (Czech Republic) as Vice-Chairman.

STATUS OF THE TIR CONVENTION, 1975

Documentation: TRANS/WP.30/AC.2/70.

Mandate and background: TRANS/WP.30/AC.2/72, point 3.

8. The Administrative Committee was informed of the situation concerning the geographical scope and the number of the Contracting Parties to the Convention. It noted that the Convention has 65 Contracting Parties and that, according to information provided by the IRU, TIR operations can be established in 54 of these Contracting Parties.

9. The Administrative Committee endorsed the list of Contracting Parties to the Convention, of countries with which a TIR transit operation can be established and of national associations issuing TIR Carnets and providing guarantee coverage as contained in the annex to this report.

10. Detailed information on the status of the Convention including all relevant Depository Notifications as well as the complete and permanently updated text of the Convention is available on the UNECE TIR web site (<http://tir.unece.org>).

ACTIVITIES AND ADMINISTRATION OF THE TIR EXECUTIVE BOARD (TIRExB)

Mandate and background: TRANS/WP.30/AC.2/72, point 4.

(a) Activities of the TIRExB

(i) Report by the Chairman of the TIRExB

Documentation: TRANS/WP.30/AC.2/2004/2; TRANS/WP.30/AC.2/2004/8; Informal documents No. 1 and 2 (2004).

11. The Chairman of the TIRExB reported on the recent activities of the TIRExB and the TIR secretariat as well as on the outcome of the twentieth (November 2003) and twenty-first (January 2004) sessions of the TIRExB.

12. The Administrative Committee endorsed the reports of the eighteenth and nineteenth sessions of the TIRExB (TRANS/WP.30/AC.2/2004/2; TRANS/WP.30/AC.2/2004/8) and approved the activities of the TIRExB (Informal documents No. 1 and 2 (2004)).

(ii) **Access and use of the International TIR Data Bank (ITDB)**

Documentation: TRANS/WP.30/AC.2/2004/1; TRANS/WP.30/AC.2/2003/2; TRANS/WP.30/AC.2/63; TRANS/WP.30/AC.2/2001/13.

13. The Administrative Committee was informed by the secretariat about the result of a security audit of the ITDBOnline applications that had been carried out by a company authorized according to United Nations procurement standards (TRANS/WP.30/AC.2/2004/1). The Committee took note that the conclusions of the audit mentions that the ITDBOnline system provides security features comparable to those used by banks for online banking applications and that the ITDBOnline, with some minor modifications, is ready to be connected to the Internet.

14. Against this background, the Administrative Committee mandated the secretariat to launch the ITDBOnline application. The Committee also requested the secretariat to make a feasibility study of the possibilities to enable Customs authorities to update their “own” data online in ITDBOnline.

15. Finally, the Administrative Committee urged all Contracting Parties to respect the requirements for data transmission to the TIR secretariat for authorized persons to the TIR system which are set out in Annex 9, Part II, paras. 4 and 5 of the Convention as this was essential for the proper functioning and sustainability of the Convention. The ITDBOnline will only become a value added tool if the data contained therein is up to date.

(iii) **National and regional TIR workshops and seminars**

Documentation: TRANS/WP.30/2004/1.

16. The Administrative Committee was informed of a regional seminar, which, at the invitation of the Ministry of Transport and in cooperation with the State Customs Committee, of the Russian Federation, had taken place on 2 and 3 October 2003 in Moscow and which had been attended by representatives from Customs and national associations of 18 countries in the region. In the course of the two-day seminar, a number of issues in relation to the functioning of the TIR system had been presented and discussed at length. The report of the seminar is contained in document TRANS/WP.30/2004/1.

17. On 16 and 17 January 2004, the secretariat had participated in an advisory mission to the Ministry of Communications and the Customs authorities of China, organized by UNESCAP. The Chinese authorities had received extensive information on the Conventions administered by the

UNECE in the field of facilitation of transport, with particular focus on TIR. The Chinese authorities are seriously considering acceding to the TIR Convention, but, for the moment, are faced with the major obstacles of absence of reciprocal traffic rights between China and its principal surrounding countries, which impede the introduction of the uninterrupted, border-crossing transport of goods. However, China aims to solve the issue of traffic rights in the very near future.

18. The Administrative Committee took note that the secretariat is considering the organization of a regional seminar on TIR for the Central Asian region in Urumqi (China) in September 2004, in cooperation with UNESCAP, particularly focusing on those countries in the region which have recently acceded to the TIR Convention or are in the process of so doing. The secretariat will disseminate more information on the seminar as soon as it is available.

(b) Administration of the TIRExB

(i) Approval (in principle) of the final accounts for the year 2003

19. 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.

20. The Administrative Committee was informed by the secretariat that the final accounts for the year 2003 are not yet available from the UN administration. The Committee decided to postpone the approval of the accounts to its thirty-seventh session in October 2004.

(ii) Budget and cost plan for the year 2004

Documentation: TRANS/WP.30/AC.2/71; TRANS/WP.30/AC.2/2003/8, Rev.1.

21. The Administrative Committee recalled that the budget and cost plan for the operation of the TIRExB and the TIR secretariat for the year 2004 had been approved by the Administrative Committee at its thirty-fifth session on the basis of a proposal made by the TIR Secretary (TRANS/WP.30/AC.2/71, para. 40).

22. The Administrative Committee was informed by the secretariat that the full required funds for the operation of the TIRExB and the TIR secretariat for the year 2004 have been transmitted by the IRU to the TIR Trust Fund in the middle of November 2003.

(iii) **Alternative sources of funding for the TIRExB and the TIR secretariat**

Documentation: Informal document No. 3 (2004); TRANS/2002/16; TRANS/WP.30/AC.2/63; TRANS/WP.30/AC.2/59; TRANS/WP.30/AC.2/57.

23. The Administrative Committee was informed by the secretariat of the UN budget procedures with a view to including the operation of the TIR secretariat in the regular budget of the UN (Informal document No. 3 (2004)).

24. The Administrative Committee recalled the important role played by the TIR Convention as one of the most effective international instruments available in the field of facilitation of international transport and trade. The TIR Convention is the only international Customs transit system facilitating the transport of goods between international trading partners while, at the same time, securing national Customs authorities against loss of revenue in case of irregularities with the goods in the course of the transit procedure. Over the years, the TIR Convention has expanded its geographic reach beyond the UNECE region and it can be expected that the Convention in a few years will have a truly global reach, constituting a considerable contribution to the integration of the global supply chain.

25. For these reasons, the TIR Administrative Committee underlined that it is of the utmost importance that the day-to-day management of the TIR Convention, carried out by the TIR Executive Board (TIRExB) and the TIR secretariat, is guaranteed in a stable environment and is independent from any decision taken by third parties or from special interests outside the sphere of the Contracting Parties of the Convention.

26. The TIRExB and its TIR secretariat have, since their creation in 1999, been financed by extra budgetary funding through a levy on each TIR Carnet distributed by the international organization as referred to in Article 6 of the TIR Convention. However, this situation was only foreseen as an interim solution until such a time when, in particular, the operation of the TIR secretariat could be included into the regular budget of the United Nations in accordance with Article 13, Annex 8 of the TIR Convention.

27. With a view to ensuring continuity and independence of the TIRExB and the TIR secretariat, the Administrative Committee urges the UNECE secretariat to include the operation of the TIR secretariat into the proposals to be submitted for the United Nations budget cycle 2006-2007. At the same time, the Committee urges all Contracting Parties to the Convention to exert the maximum influence on its respective relevant authorities to support this initiative, both at the level of UNECE,

including its Group of Experts on the Programme of Work, and at the level of the Advisory Committee on Administrative and Budgetary Questions, as well as in the UN Fifth Committee.

28. The Administrative Committee requests that this statement be transmitted by its Chairperson to the Executive Secretary of the UNECE.

AUTHORIZATION FOR PRINTING AND DISTRIBUTION OF TIR CARNETS

Mandate and background: TRANS/WP.30/AC.2/72, point 5.

(a) Printing and distribution of TIR Carnets in the year 2004

Documentation: TRANS/WP.30/AC.2/2003/14; TRANS/WP.30/AC.2/71.

29. The Administrative Committee endorsed its decision taken, during the thirty-fifth session (TRANS/WP.30/AC.2/71, para. 47) that, following the conclusion of the revised Agreement between the UNECE and the IRU as mandated by the Administrative Committee and upon the fulfilment of the relevant conditions by 15 November 2003 (see agenda item 4 (b) (ii) above), the IRU is authorized to print and distribute TIR Carnets in the year 2004.

(b) Authorization for printing and distribution of TIR Carnets in the year 2005

Documentation: TRANS/WP.30/AC.2/2003/14; TRANS/WP.30/AC.2/71.

30. In view of the Agreement between UNECE and the IRU, approved by the TIR Administrative Committee at its thirty-fifth session, which contains a specific reference to the authorization of the IRU to print and distribute TIR Carnets until 31 December 2005 (TRANS/WP.30/AC.2/2003/14, para. 6), the Administrative Committee confirmed its authorization given to the IRU, at its thirty-fifth session, to centrally print and distribute TIR Carnets for the years 2004 and 2005.

AUTHORIZATION FOR THE ORGANIZATION AND FUNCTIONING OF THE GUARANTEE SYSTEM

Documentation: TRANS/WP.30/AC.2/71; TRANS/WP.30/AC.2/66;
TRANS/WP.30/AC.2003/14.

Mandate and background: TRANS/WP.30/AC.2/72, point 6.

31. The Administrative Committee recalled that, in accordance with Article 6, paragraph 2 bis of the Convention entering into force on 12 May 2002, an international organization, as referred to in Article 6, paragraph 2 of the Convention, shall be authorized by the Administrative Committee to take on responsibility for the effective organization and functioning of an international guarantee system provided that it accepts this responsibility.

32. At its thirty-fifth session, the Administrative Committee authorized the IRU to take on responsibility for the effective organization and functioning of an international TIR guarantee system with immediate effect until and including the year 2005, in accordance with Article 6, paragraph 2 bis of the Convention (TRANS/WP.30/AC.2/71, paras. 48 and 50).

FUNCTIONS AND ROLES OF THE TIREXB, THE TIR SECRETARIAT AND THE IRU

Documentation: TRANS/WP.30/AC.2/71; TRANS/WP.30/AC.2/2003/11.

Mandate and background: TRANS/WP.30/AC.2/72, point 7.

33. The Administrative Committee took note that the secretariat is in the process of preparing a document for the forthcoming session of the UNECE Working Party WP.30 containing proposals for the inclusion of the parts C, D, E and F of the document TRANS/WP.30/AC.2/2003/11 into point 1.9 of the introduction to the TIR Handbook.

REVISION OF THE CONVENTION

Mandate and background: TRANS/WP.30/AC.2/72, point 8.

(a) Implementation of Phase I of the TIR revision process

Documentation: TRANS/WP.30/AC.2/2004/7; ECE/TRANS/17/Amend.19/Rev.1;
TRANS/WP.30/AC.2/2000/5.

34. The Administrative Committee reiterated that Contracting Parties are expected to fully comply with the provisions of the Convention, also with regard to the transmission to the TIRExB, within the stipulated time frames, of the information required in Annex 9, Part II with a view to ensuring the proper application of the Convention.

35. The Administrative Committee considered document TRANS/WP.30/AC.2/2004/7, prepared by the secretariat, on different uses of terms such as temporary/permanent withdrawal of authorization to utilize TIR Carnets, exclusion from the TIR procedure, etc.

36. The Committee welcomed the clarifications provided in the document and requested the secretariat to disseminate the information to all Contracting Parties and to include the information in the section on Best Practices in the TIR Handbook.

(b) Implementation of Phase II of the TIR revision process

Documentation: ECE/TRANS/17/Amend.21.

37. The Administrative Committee encouraged all Contracting Parties to inform the secretariat of the implementation of the provisions of the Convention at the national level with a view to establishing a clear and transparent picture of the level of implementation of the Convention in all Contracting Parties.

(c) Preparation of Phase III of the TIR revision process

Documentation: TRANS/WP.30/210; TRANS/WP.30/2004/3.

38. The Administrative Committee was informed about progress made in the preparation of Phase III of the TIR revision process within the UNECE Working Party (WP.30) and its Ad hoc Group of Experts on Computerization of the TIR Procedure. The Committee endorsed the mandate

given by the Working Party to the Informal Ad hoc Expert Group (a) to work out concrete proposals on how to exchange the so-called ‘static’ data elements contained in the TIR Carnet (data elements which remain unchanged throughout the TIR Transport) between the competent authorities of Contracting Parties, possibly also including the data contained in the ITDB Online as a preliminary step, (b) to conduct a feasibility study on the practicability of such proposals and, ultimately, (c) to propose a pilot along one of the major transit corridors to implement them. As a next step, the integration of the so-called ‘dynamic’ data elements (data elements which may be amended or updated in the course of the TIR Transport) should be considered. Further steps should then address the issue of inclusion of additional features, such as security and advance cargo information.

39. Once these tangible steps have been achieved, the Expert Group could focus its attention on further, outstanding, issues in relation to the computerization of the TIR procedure.

40. The Administrative Committee endorsed the opinion of the Working Party that the approach of the computerization process should, until further notice, be focused on the establishment of an international, centralized database, whose aim it should be to facilitate the secure exchange of data between national Customs systems. At a later stage, the sharing and exchange of data with other bodies concerned (such as TIRExB, international organizations, national associations and the international guarantee), should not be excluded.

41. The Administrative Committee endorsed the Working Party’s decision that the Project to computerize the TIR Procedure could, in future, be referred to as “eTIR-project”.

OTHER PROPOSALS FOR AMENDMENTS TO THE CONVENTION

Mandate and background: TRANS/WP.30/AC.2/72, point 9.

(a) Draft amendments on a control system for TIR Carnets

Documentation: TRANS/WP.30/AC.2/2004/6; TRANS/WP.30/2003/5;
TRANS/WP.30/AC.2/67; TRANS/WP.30/AC.2/37.

42. The Administrative Committee took note document of TRANS/WP.30/AC.2/2004/6, prepared by the secretariat, containing the detailed proposals concerning the introduction of a control system for TIR Carnets, as a final document for consideration.

43. The representative of the European Community informed the meeting that, due to the fact that a mandate from the Council was required for each amendment proposal, it was not yet able to deliver its coordinated position on the issue. The Committee decided to revert to this issue at its next session, expressing the wish that by that time all Contracting Parties would be in a position to approve the proposal.

(b) Other amendment proposals

Documentation : TRANS/WP.30/AC.2/2004/4.

44. The Administrative Committee considered document TRANS/WP.30/AC.2/2004/4, prepared by the secretariat on the basis of a proposal submitted by the Chairman of Working Party WP.30, containing a revised formulation of Annex 8, Article 13. The Chairman of the Working Party considered that the word “levy” used in the said Article could be ambiguous, as it was very often used in relation to tax measures, whereas the collection of funds, as referred to in Article 13, should be regarded as a compensation for costs incurred by the TIRExB and the TIR secretariat. Some delegations expressed their doubt as to whether a change in words would take away the possible ambiguity of the term and proposed to the Committee to consider the possibility of introducing a comment, which would clearly define the scope of the term “levy”. The Committee requested the secretariat to obtain the opinion of the Legal Office of the United Nations before continuing its discussion of the issue. Russian speaking as well as French speaking delegations expressed the view that the corresponding term for “levy”, as used in the Russian and French text of the Convention, was appropriate and requested that any change in terminology be limited to the English text only.

APPLICATION OF THE CONVENTION

Mandate and background: TRANS/WP.30/AC.2/72, point 10.

(a) Comment adopted by the TIR Executive Board (TIRExB)

Documentation: TRANS/WP.30/AC.2/72.

45. The Administrative Committee considered the comment adopted by the TIRExB at its eighteenth session relating to falsified acceptance of a TIR Carnet at the Customs office of departure as contained in annex 2 to the agenda.

46. The Committee was of the view that the title and the text needed to be further improved. The Committee felt that the title could be changed to “Falsification of the start of a TIR transport”. The

Committee requested the secretariat to prepare a revised text for its October session, and invited Contracting Parties to transmit their comments to the secretariat.

(b) **Decree No. 1132 issued by the State Customs Committee of the Russian Federation**

47. The Administrative Committee was informed by the representative of the Russian Federation that, with the entry into force of the new Russian Customs Code on 1 January 2004, Decree No. 1132 had been withdrawn.

48. The Administrative Committee welcomed this development.

INTERNATIONAL DIRECTORY OF TIR FOCAL POINTS

Mandate and background: TRANS/WP.30/AC.2/72, point 11.

49. The Administrative Committee recalled that, in accordance with resolution No. 49, the secretariat has established and maintains an International Directory of TIR Focal Points that could be addressed in case of inquiries in relation to the TIR procedure. The Directory contains names and addresses of persons as well as other useful information on Customs administrations and national associations dealing with the TIR procedure. The distribution of the Directory is restricted to Customs authorities, national associations and the TIR Department of the IRU.

50. A new hard-cover version of the Directory will be available at the session and may be obtained as of February 2004 from the secretariat. The permanently updated Directory of TIR Focal Points may be consulted on the UNECE TIR web site (<http://tir.unece.org>). The required password for access to these restricted web pages may be obtained from the secretariat.

TIR HANDBOOK

Mandate and background: TRANS/WP.30/AC.2/72, point 12.

51. The Administrative Committee noted that the complete text of the TIR Handbook is available on the UNECE TIR web site (<http://tir.unece.org>). Updated versions in the Chinese, English, French, Italian and Russian languages are available.

52. The TIR Handbook contains the latest amendments to the Convention as well as all relevant comments adopted by the UNECE Working Party on Customs Questions affecting Transport (WP.30) and the TIR Administrative Committee. A limited number of hard-copy versions of the TIR Handbook may be obtained free of charge from the secretariat.

TIR WEB SITE

Mandate and background: TRANS/WP.30/AC.2/72, point 13.

53. The Administrative Committee recommended Contracting Parties and other interested users to make use of the continuously updated information provided on the UNECE TIR web site (<http://tir.unece.org>).

54. The Administrative Committee took note of a proposal by the representative of Azerbaijan concerning the introduction in the UNECE TIR web site of a dedicated sub-site containing the comments adopted by the TIRExB. The Administrative Committee requested the secretariat to look into the feasibility of this proposals in further detail and to report back to the Committee at one of its future sessions.

OTHER BUSINESS

Mandate and background: TRANS/WP.30/AC.2/72, point 14.

(a) Deletion of Explanatory Note 0.38.1 to Article 38 of the Convention

55. The representative of Turkey expressed concern with regard to the possible negative consequences of the deletion of this Explanatory Note and invited Contracting Parties to inform the secretariat of experiences gained in this connection.

(b) Date of next session

56. The Administrative Committee decided to hold its thirty-seventh session in Geneva on 14 and 15 October 2004. The deadline for document submission is 28 July 2004.

(c) Restriction on the distribution of documents

57. The Administrative Committee decided that the International Directory of TIR Focal Points and Informal document No. 2 (2004) should be restricted.

ADOPTION OF THE REPORT

Mandate and background: TRANS/WP.30/AC.2/72, point 15.

58. In accordance with Annex 8, Article 7 of the Convention, the Administrative Committee adopted the report of its thirty-sixth session on the basis of a draft prepared by the UNECE secretariat.

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> ^{**/}
Afghanistan	-	-
Albania	Albania	ANALTIR
Algeria	-	-
Armenia	Armenia	AIRCA
Austria	Austria	AISÖ
Azerbaijan	Azerbaijan	ABADA
Belarus	Belarus	BAIRC
Belgium	Belgium	FEBETRA
Bosnia and Herzegovina	-	-
Bulgaria	Bulgaria	AEBTRI
Canada	-	-
Chile	-	-
Croatia	Croatia	TRANSPORTKOMERC
Cyprus	Cyprus	TDA
Czech Republic	Czech Republic	CESMAD BOHEMIA
Denmark	Denmark	DTL
Estonia	Estonia	ERAA
Finland	Finland	SKAL
France	France	AFTRI
Georgia	Georgia	GIRCA
Germany	Germany	BGL - AIST
Greece	Greece	OFAE
Hungary	Hungary	ATRH
Indonesia	-	-
Iran (Islamic Republic of)	Iran (Islamic Republic of)	ICCIM
Ireland	Ireland	IRHA
Israel	Israel	IRTB
Italy	Italy	UICCIAA
Jordan	Jordan	SOJFV
Kazakhstan	Kazakhstan	KAZATO
Kuwait	Kuwait	KATC
Kyrgyzstan	Kyrgyzstan	KYRGYZ AIA
Latvia	Latvia	LA

^{*/} Based on information provided by the IRU.

^{**/} For details, refer to the International Directory of TIR Focal Points administered by the UNECE secretariat (<http://tir.unece.org>).

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> ^{**/}
Lebanon	Lebanon	CCIAB
Lithuania	Lithuania	LINAVA
Luxembourg	Luxembourg	FEBETRA
Malta	-	-
Mongolia	Mongolia	NARTAM
Morocco	Morocco	ONT
Netherlands	Netherlands	SCT/TLN - KNV - EVO/SIEV
Norway	Norway	NLF
Poland	Poland	ZMPD
Portugal	Portugal	ANTRAM
Republic of Korea	-	-
Republic of Moldova	Republic of Moldova	AITA
Romania	Romania	UNTRR
Russian Federation	Russian Federation	ASMAM
Serbia and Montenegro	Serbia and Montenegro	CCIS-ATT
Slovakia	Slovakia	CESMAD SLOVAKIA
Slovenia	Slovenia	GIZ INTERTRANSPORT
Spain	Spain	ASTIC
Sweden	Sweden	SA
Switzerland	Switzerland	ASTAG
Syrian Arab Republic	Syrian Arab Republic	SNC ICC
Tajikistan	Tajikistan	ABBAT
The former Yugoslav Republic of Macedonia	The former Yugoslav Republic of Macedonia	AMERIT
Tunisia	Tunisia	CCIT
Turkey	Turkey	UCCIMCCE
Turkmenistan	Turkmenistan	THADA
Ukraine	Ukraine	AIRCU
United Kingdom	United Kingdom	RHA - FTA
United States of America	-	-
Uruguay	-	-
Uzbekistan	Uzbekistan	AIRCU
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://tir.unece.org>).