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Administrative Committee for the TIR Convention, 1975

**REPORT OF THE ADMINISTRATIVE COMMITTEE FOR THE
TIR CONVENTION, 1975 ON ITS THIRTY-THIRD SESSION
(24 and 25 October 2002)**

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ATTENDANCE

1. The Administrative Committee held its thirty-third session in Geneva on 24 and 25 October 2002.
2. The session was attended by representatives of the following Contracting Parties: Azerbaijan; Belarus; Belgium; Bulgaria; Croatia; Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Hungary; Iran (Islamic Republic of); Italy; Jordan; Kazakhstan; Latvia; Lithuania; Netherlands; Norway; Poland; Russian Federation; Slovakia; Spain; Sweden; Switzerland; Turkey; Ukraine; United Kingdom; Yugoslavia; European Community (EC).
3. The following international organizations were represented as observers : United Nations Conference on Trade and Development (UNCTAD); International Road Transport Union (IRU).
4. 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.2/66.

5. The Administrative Committee adopted the agenda of its present session as prepared by the UNECE secretariat (TRANS/WP.30/AC.2/66), with the addition of the following item:
Agenda item 6 bis: Sustainability of the TIR procedure.
6. The Administrative Committee reiterated that, in accordance with Annex 8, Article 1 of the Convention, competent administrations of States referred to in Article 52, paragraph 1 of the Convention which were not Contracting Parties to the Convention or representatives of international organizations could participate as observers in its sessions.

STATUS OF THE TIR CONVENTION, 1975

Documentation: ECE/TRANS/17/Amend.19/Rev.1, Amend.20 and Add.1, and Amends.21 and 22;
<http://tir.unece.org>.

7. The Administrative Committee noted that, with the accession of Mongolia coming into force on 1 April 2003, the Convention will have 65 Contracting Parties, including the European Community.

8. The Administrative Committee endorsed the list of Contracting Parties to the Convention as well as the list of countries in which TIR transports can be undertaken due to the existence of an authorized TIR guarantee system as contained in annex 1 to this report. It also contains a list of national associations issuing TIR Carnets and providing guarantee coverage.

9. The complete text of the amendments to the Convention that have entered into force on 17 February 1999 under Phase I of the TIR revision process is contained in document ECE/TRANS/17/Amend.19/Rev.1 (English, French, Russian and Spanish). Amendments with regard to vehicles and containers with sliding sheets that have entered into force on 12 June 2001 are contained in document ECE/TRANS/17/Amend.20 and Add.1 (Arabic, Chinese, English, French, Russian and Spanish). The complete text of the amendments to the Convention adopted under Phase II of the TIR revision process as well as the amendment to Article 3 that have come into force on 12 May 2002 are contained in document ECE/TRANS/17/Amend.21 and ECE/TRANS/17/Amend.22 respectively (Arabic, Chinese, English, French, Russian and Spanish).

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

ACTIVITIES AND ADMINISTRATION OF THE TIR EXECUTIVE BOARD (TIRExB)

(a) Activities of the TIRExB

(i) Report by the Chairman of the TIRExB

Documentation: TRANS/WP.30/AC.2/2002/6; TRANS/WP.30/2002/18.

11. The Administrative Committee took note of the activities undertaken by the TIRExB presented by its Chairman and endorsed the reports of the TIRExB at its eleventh, twelfth and thirteenth sessions (TRANS/WP.30/AC.2/2002/6).

12. The Chairman of the TIRExB also reported on the recent activities of the TIRExB as well as on the consideration and decisions taken at the fourteenth (June 2002) and fifteenth (October 2002) sessions of the TIRExB.

13. In this context, the Administrative Committee noted that the decisions taken by the TIRExB in line with its mandate did not always seem to be fully applied in all Contracting Parties. It was pointed out that this issue would need to be addressed by the Administrative Committee.

14. All adopted reports of the TIRExB are available at and can be downloaded from the UNECE TIR web site (<http://tir.unece.org>).

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

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

15. The International TIR Data Bank (ITDB) contains at present more than 32,000 persons/companies authorized by national Customs authorities to utilize the TIR procedure. It contains also information on persons excluded from the TIR procedure in accordance with Article 38 of the Convention. At present, only so-called “contact information” is released to facilitate inquiry procedures by Customs authorities. The requested data are provided within 24 hours on the basis of a standard request form and only to Customs TIR Focal Points furnishing their personal user code.

16. To increase security as well as efficiency in the capture, transmission and processing of relevant data by national associations, Customs authorities and the TIR secretariat, a new electronic version of a data entry mask on CD-ROM has been released by the TIR Secretary and has been transmitted to all TIR Focal Points in June 2002.

17. The Administrative Committee took note of a progress report on the application of the ITDB, administered by the TIRExB based on its mandate given in October 2001 to facilitate inquiry procedures by Customs authorities (TRANS/WP.30/AC.2/63, paras. 23-26). The Administrative Committee stressed that utmost care should be taken in order to protect the security of data in this context and requested the TIR Secretary to report in detail, at its forthcoming session, on the electronic security and encryption procedures planned to be applied for on-line access to the ITDB.

(iii) **Joint TIR secretariat/IRU Taskforce on SafeTIR**

18. The Administrative Committee welcomed the activities undertaken and the progress made by the joint TIR secretariat/IRU Task Force on SafeTIR with a view to further improving the application and coverage of this EDI-based on-line control system based on the 1995 Recommendation of the Administrative Committee and Article 42 bis of the Convention. The TIRExB and the IRU were requested to continue this work on a priority basis.

(iv) **Web site on Customs offices approved for TIR operations**

Documentation: TRANS/WP.30/AC.2/63; TRANS/WP.30/AC.2/2001/12.

19. The Administrative Committee was informed about progress made by the TIRExB on the establishment and geographical coverage of a new web site providing detailed information on Customs offices authorized to accomplish TIR operations. This web site would be operational as of November 2002 and is situated on the UNECE TIR web site (<http://tir.unece.org>).

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

20. The Administrative Committee was informed of the outcome of a Seminar on the TIR procedure, organized by the United Nations, in cooperation with the TIRExB (Kunming (China), 23-25 September 2002). The objective of the Seminar had been to inform the countries of the Mekong sub-region (Cambodia, China, Lao PDR, Myanmar, Thailand and Viet Nam) about the legal and procedural requirements to apply the TIR procedure in these countries.

21. The Administrative Committee also welcomed the convening by the TIRExB of a Regional TIR Seminar for the Baltic States (Riga, 3 and 4 October 2002) bringing together Customs authorities and national associations of the three Baltic States to consider pragmatic measures to improve the application of the TIR procedure. The Seminar focused attention on possibilities to better control access to the TIR procedure and reliability of authorized transport operators as well as on better Customs control measures at Customs office of departure, en route and of destination.

(b) **Administration of the TIRExB**

(i) **Approval of the final accounts for the year 2001**

Documentation: TRANS/WP.30/AC.2/2002/3; TRANS/WP.30/AC.2/65.

22. The Administrative Committee, at its spring session, had taken note of the final accounts of the TIRExB for the year 2001 as established by the competent Finance Services of the United Nations (Informal Document No. 3 (2002)). Since the final accounts had only been available on 13 February 2002, the Administrative Committee did only approve them in principle and decided, as in the past, to formally approve them at its forthcoming session in October 2002 (TRANS/WP.30/AC.2/65, para. 17).

23. The Administrative Committee formally approved the final accounts of the TIREXB for the year 2001 as contained in document TRANS/WP.30/AC.2/2002/3.

(ii) **Budget of the TIRExB and the TIR secretariat for the year 2002**

Documentation: TRANS/WP.30/AC.2/2002/4; TRANS/WP.30/AC.2/2001/3; TRANS/WP.30/AC.2/59.

24. The Administrative Committee recalled that, in accordance with Annex 8, Article 11, paragraph 4 of the Convention, the TIRExB shall submit audited accounts to the Administrative Committee at least once a year or at the request of the Administrative Committee. Furthermore, the agreement concluded in 2000 for a period of five years (2001-2005) between the IRU and the UNECE for the transfer of funds to the TIR Trust Fund, established by the UNECE in accordance with the decision of the Administrative Committee (TRANS/WP.30/AC.2/59, para. 42), provides for the submission of an annual report to the IRU (TRANS/WP.30/AC.2/2001/3). Since the budget year will only be completed on 31 December 2002, financial statements showing the funds received and expended for the TIRExB in 2002, in line with the internal and external auditing procedures of the United Nations, are not yet available.

25. The Administrative Committee therefore welcomed the information provided by the TIR Secretary in document TRANS/WP.30/AC.2/2002/4 providing an overview of the financial situation of the TIRExB and the TIR secretariat as of 30 June 2002.

26. The Administrative Committee noted that the complete and final accounts for 2002 are planned to be submitted, as far as possible, for approval by the Administrative Committee at its spring session in February 2003.

(iii) **Budget proposal and cost plan for the TIRExB and the TIR secretariat for the year 2003**

Documentation: TRANS/WP.30/AC.2/2002/5; TRANS/WP.30/AC.2/2001/11 and Corr.1.

27. The Administrative Committee took note of the budget proposal and cost plan providing for the operation of the TIRExB and the TIR secretariat in the year 2003 (TRANS/WP.30/AC.2/2002/5). It was informed that the budget proposal and cost plan for the year 2003 do not differ in substantive terms from the approved budget and cost plan for the TIRExB and the TIR secretariat for the year 2002 as contained in TRANS/WP.30/AC.2/2001/11 and Corr.1. The increase in the budget proposal is a consequence of the lower projected exchange rate of the US dollar compared to the Swiss franc in which most expenditures occur and an increase in standard salary costs. The number of regular

Customs and administrative professionals as well as General Service staff constituting the TIR secretariat, together with the TIR Secretary whose costs are born by the Regular Budget of the UNECE, remain unchanged.

28. In accordance with Annex 8, Article 13 of the Convention, the Administrative Committee approved the budget proposal and cost plan for the operation of the TIRExB for the year 2003 as contained in document TRANS/WP.30/AC.2/2002/5 prepared by the TIR Secretary and adopted by the TIRExB at its fifteenth session on 21 October 2002. Based on the very conservative number of 2.5 million TIR Carnets estimated to be distributed by the international organization in the year 2003, this would represent a levy on each TIR Carnet of US\$ 0.274.

29. The Administrative Committee took note of the suggestion made by the representative of the European Community, that, in the interest of transparency, the budget proposal should clearly show the amount brought forward from the previous years as well as the net amount to be transferred to the TIR Trust Fund by the IRU.

30. The representative of the IRU mentioned that his organization was in a difficult situation with regard to the budget 2003.

(iv) **Election of members of the TIRExB**

Documentation: TRANS/WP.30/AC.2/59; TRANS/WP.30/AC.2/53; TRANS/WP.30/AC.2/51 and Corr.1.

31. The Administrative Committee recalled that, in accordance with Annex 8, Article 9, paragraph 2 of the Convention, the term of office of each member of the TIRExB shall be two years. Since the present members of the TIRExB had been elected at its spring session in 2001, the Administrative Committee must, at its forthcoming session in spring 2003, proceed with the election or re-election of the nine members of the TIRExB.

32. The Administrative Committee confirmed that the criteria for the nomination of candidates for the election of TIRExB members at its forthcoming spring 2003 session would be the same as for the previous election in 2001 (TRANS/WP.30/AC.2/59, para. 25). It also confirmed that the procedure for the election of candidates for the TIRExB would be the same as for the election in 2001 (TRANS/WP.30/AC.2/59, paras. 25 and 26).

33. The Administrative Committee therefore authorized the UNECE secretariat to solicit candidates in November 2002, to close the list of candidates on 8 January 2003 and to issue

thereafter the official list of candidates for distribution to all Contracting Parties as described in the provisional agenda TRANS/WP.30/AC.2/66.

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

Documentation: TRANS/2002/16; TRANS/WP.30/AC.2/63; TRANS/WP.30/AC.2/59; TRANS/WP.30/AC.2/57.

34. The Administrative Committee recalled that, at an earlier session, it had decided to continue the initial funding arrangements for the TIRExB and the TIR secretariat in accordance with Annex 8, Article 13 of the Convention and to make efforts to have the costs for the operation of the TIRExB and the TIR secretariat included into the Regular Budget of the United Nations as of the next United Nations budget cycle (2004-2005) (TRANS/WP.30/AC.2/63, paras. 41 and 42; TRANS/WP.30/AC.2/59, para. 36; TRANS/WP.30/AC.2/57, paras. 23-25).

35. The Administrative Committee was informed that the UNECE Transport Division has transmitted the request of the Committee for inclusion of the cost for the operation of the TIRExB into the Regular Budget of the United Nations as of the biennium 2004-2005.

**AUTHORIZATION FOR PRINTING AND DISTRIBUTION OF TIR CARNETS
IN THE YEAR 2003**

Documentation: TRANS/WP.30/AC.2/65; TRANS/WP.30/AC.2/57; TRANS/WP.30/AC.2/53.

36. The Administrative Committee recalled that, in accordance with Annex 8, Article 10 (b) of the Convention, the TIRExB shall supervise the centralized printing and distribution to the associations of TIR Carnets which may be performed by an agreed international organization as referred to in Article 6 of the Convention. Taking account of the agreed procedures and conclusions in this respect (TRANS/WP.30/AC.2/53, para. 20), the Administrative Committee, at its spring session in 2000, had authorized the IRU to centrally print and distribute TIR Carnets for a period of five years as of the year 2001 and to finance, 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 (TRANS/WP.30/AC.2/57, para. 29).

37. In a communication received from the Secretary-General of the IRU dated 22 March 2000, the IRU had declared its acceptance of the authorization by the Administrative Committee to centrally print and distribute TIR Carnets for a period of five years (2001-2005).

38. The Administrative Committee confirmed that, as long as the conditions set by the Administrative Committee as referred above were fulfilled, the IRU would be authorized to print and distribute TIR Carnets in the year 2003.

AUTHORIZATION FOR THE ORGANIZATION AND FUNCTIONING OF THE GUARANTEE SYSTEM IN THE YEAR 2003

Documentation: TRANS/WP.30/2002/18; TRANS/WP.30/AC.2/67; TRANS/WP.30/AC.2/65.

39. The Administrative Committee recalled its deliberations on the subject at its thirty-second session (TRANS/WP.30/AC.2/65, para. 26) and took note of the provisions of Article 6, paragraph 2 bis, that had entered into force on 12 May 2002. It also took note of the expectation expressed by the TIR Contact Group, at its seventh session, that the IRU would continue to administer the international guarantee chain (TRANS/WP.30/2002/18, paras. 20 and 21).

40. The representative of the IRU recalled the discussion that took place at the one-hundred-and-second session of the UNECE Working Party (WP.30) and emphasized the need for the Administrative Committee to issue clear guidance to the TIRExB, the TIR secretariat and the IRU to ensure that the IRU could fulfil its responsibilities in full.

41. The Administrative Committee agreed with the reasons put forward and the proposals on this subject made by the secretariat in the provisional agenda (TRANS/WP.30/AC.2/67) and decided to follow the same procedure as adopted for the authorization to print and distribute TIR Carnets, the TIR Carnet being the basis for an international Customs document and, at the same time, proof of the required guarantee coverage.

42. Therefore, and in view of the fact that detailed criteria and procedures for authorization might still need to be established by the Administrative Committee and also taking account of the outcome of the work referred to in paragraph 47 of this report, the Administrative Committee authorized the IRU, on a temporary basis, to take on responsibility for the effective organization and functioning of an international TIR guarantee system as of 1 January 2003 until and including the year 2005, in accordance with Article 6, paragraph 2 bis of the Convention. On this understanding, the representative of the IRU informed the Administrative Committee that his organization accepted this authorization.

43. The Russian delegation reserved its position concerning the above authorization and emphasised that, in accordance with Article 6, paragraph 2 bis of the Convention, an international organization authorized by the Administrative Committee should unconditionally take on the full responsibility for the effective organization and functioning of an international guarantee system.

44. The representative of Belarus stressed, in this context, that the IRU should comply with the provisions of Article 6, paragraph 2 bis and should honour all legitimate claims in accordance with relevant court decisions. It was also pointed out that it was necessary to consider further measures to clarify the provisions of Article 8 of the Convention.

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

Documentation: TRANS/WP.30/AC.2/2002/5; TRANS/WP.30/AC.2/57;
TRANS/WP.30/AC.2/49.

45. In line with the decision taken at its twenty-fourth session on the procedure for the collection of a levy on TIR Carnets for the financing of the operation of the TIRExB and the TIR secretariat (TRANS/WP.30/AC.2/49, para. 31 (ii)), the Administrative Committee authorized the UNECE secretariat to negotiate and arrange with the IRU 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 2003 (TRANS/WP.30/AC.2/2002/5) and (c) in line with the requirements for authorization of an international organization to centrally print and distribute TIR Carnets (TRANS/WP.30/AC.2/57, para. 29).

46. The Administrative Committee noted that the amendment to the relevant UNECE/IRU Agreement would be transmitted, as in the past, to the forthcoming session of the Administrative Committee in spring 2003 for endorsement.

SUSTAINABILITY OF THE TIR PROCEDURE

Documentation: TRANS/WP.30/AC.2/2002/9; TRANS/WP.30/R.179.

47. The Administrative Committee took note of a document transmitted by the IRU on the sustainability of the TIR procedure (TRANS/WP.30/AC.2/2002/9) and welcomed the initiative taken by the Chairman of the UNECE Working Party (WP.30) to convene a restricted group of "friends of the Chairman" with a view to analysing the present problems of the TIR system and to reviewing the functions, roles and responsibilities of the TIRExB, the TIR secretariat and the international organization (i.e. the IRU) as stipulated in the Convention. The Chairman of the UNECE Working

Party (WP.30) indicated that he intended to convene this Group in the Netherlands and to invite the Chairman and Vice-chairman of the TIR Administrative Committee, the Chairman of the TIRExB, representatives of the Russian Federation and the European Community as well as representatives of the IRU and the UNECE secretariat. This Group would report on its results to the forthcoming sessions of WP.30 and the TIR Administrative Committee.

REVISION OF THE CONVENTION

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

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

48. The Administrative Committee reiterated that all Contracting Parties and all other parties and actors involved in the TIR procedure were expected to fully comply with the provisions of the Convention, particularly those that had come into force on 17 February 1999 under Phase I of the TIR revision process with regard to controlled access to the TIR procedure for TIR Carnet holders as stipulated in Annex 9, Part II of the Convention.

49. The required information and documentation to be transmitted by Contracting Parties to the TIRExB within the stipulated time frames is contained in annex 2 to this report.

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

Documentation: TRANS/WP.30/2002/18; ECE/TRANS/17/Amend.21.

50. The Administrative Committee recalled that the objectives of the amendments under Phase II of the TIR revision process as well as their implementation had been considered at the seventh session of the TIR Contact Group in Athens (22 and 23 April 2002). The report of the session is contained in document TRANS/WP.30/2002/18.

51. The Administrative Committee was informed by the secretariat of its efforts to monitor the implementation of the amendments under Phase II of the TIR revision process at the national level that had come into force on 12 May 2002.

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

Documentation: TRANS/WP.30/201; TRANS/WP.30/2002/11.

52. The Administrative Committee was informed of progress made in the preparation of Phase III of the TIR revision process within the UNECE Working Party on Customs Questions affecting Transport (WP.30), particularly with regard to the computerization of the TIR procedure (e-TIR). It noted that the second session of an UNECE ad hoc expert group on this subject would be held on 14 and 15 November 2002 in Prague, at the invitation of the Czech Customs authorities.

OTHER PROPOSALS FOR AMENDMENTS TO THE CONVENTION

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

Documentation: TRANS/WP.30/202; TRANS/WP.30/AC.2/37.

53. The Administrative Committee recalled the Recommendation adopted on 20 October 1995 (TRANS/WP.30/AC.2/37, annex 4). The provisions in this Recommendation, as amended by the Administrative Committee in 1999 and 2000 (refer to the 2002 TIR Handbook, pages 238 -241 (<http://tir.unece.org>)) have been prepared in 1995 to safeguard the TIR procedure following the collapse of the old guarantee system. On the basis of this Recommendation, the IRU, in cooperation with Customs authorities, has built up the so-called "SafeTIR" system.

54. The Administrative Committee noted that the SafeTIR system, administered by the IRU under the 1995 Committee Recommendation on the introduction of a control system for TIR Carnets, allowed, in a large number of Contracting Parties, associations to continuously monitor compliance by authorized transport operators of the provisions of the Convention and to better calculate the risk of issuing TIR Carnets.

55. The Administrative Committee, recognizing that the quantity, quality and timeliness of data provided by many Contracting Parties were apparently not yet sufficient to allow for an effective control and risk management by the national associations and the IRU, invited the UNECE Working Party (WP.30) to consider ways and means of improving the performance of the SafeTIR system, and in particular the insertion of relevant provisions into the Convention.

56. The representative of the European Community supported, in principle, the idea to amend the Convention in order to include a generic reference in the body of the Convention and looked forward to concrete proposals in the future.

(b) Deletion of Explanatory Note 0.38.1 of Annex 6

Documentation: TRANS/WP.30/200; TRANS/WP.30/2000/14 and Corr.1.

57. The Administrative Committee adopted the proposal made by the UNECE Working Party (WP.30) and supported by the TIRExB to delete Explanatory Note 0.38.1 of Annex 6 relating to Article 38, paragraph 1 of the Convention with a view to facilitating the application of national legislation in this field.

58. The Administrative Committee noted that the amendment procedure in accordance with Article 60 of the Convention would apply. It decided in this context to apply a six-month deadline for objections.

(c) Draft amendments on the inclusion and attribution of voting rights to Regional Economic Integration Organizations (REIO)

Documentation: TRANS/WP.30/AC.2/2002/8; TRANS/WP.30/198; TRANS/WP.30/AC.2/2001/15; TRANS/WP.30/196; TRANS/WP.30/AC.2/2001/8.

59. The Administrative Committee recalled that amendment proposals, prepared by the European Community (EC) aiming at the introduction of the concept of Regional Economic Integration Organizations (REIO) into the Convention and to attribute voting rights to such organizations, had already been discussed by the UNECE Working Party (WP.30) at its ninety-eighth and ninety-ninth sessions (TRANS/WP.30/198, paras. 50-54; TRANS/WP.30/196, paras. 45-47).

60. The Administrative Committee considered this matter on the basis of a report made and explanations provided by the representative of the European Commission. It decided to continue its discussions on this issue at its forthcoming session with a view to arriving at a consensus on the adoption of the relevant amendment proposals to Article 52, paragraph 3 and Annex 8, Article 5 of the Convention.

(d) Other amendment proposals

Documentation: TRANS/WP.30/AC.2/63.

61. The Administrative Committee noted that no other proposals for amendments to the Convention have been submitted.

62. The Administrative Committee recalled that, at its thirty-first session, it had adopted an amendment to Article 26, paragraph 1 of the Convention. It had been agreed not to transmit this proposal immediately to the Legal Office of the United Nations for depositary action, but to await the adoption of other amendment proposals (TRANS/WP.30/AC.2/63, paras. 59-61).

APPLICATION OF THE CONVENTION

(a) Comments prepared and adopted by the UNECE Working Party on Customs Questions affecting Transport (WP.30)

Documentation: TRANS/WP.30/200.

63. The Administrative Committee endorsed the comments to the provisions of the Convention that had been prepared and adopted by the UNECE Working Party (WP.30) at its one-hundredth session as contained in annex 3 to this report. These comments relate to Article 38, paragraphs 1 and 2 and Annex 9, Part II of the Convention as well as to Annex 1 of the Convention.

(b) Comments prepared and adopted by the TIR Executive Board (TIRExB)

Documentation: TRANS/WP.30/AC.2/2002/6.

64. The Administrative Committee endorsed a comment to the provisions of the Convention that have been prepared and adopted by the TIR Executive Board (TIRExB) at its thirteenth session as contained in annex 4 to this report. This comment relates to the use of the TIR procedure in case a part of the journey is not made by road.

(c) Modification of the Recommendation adopted on 20 October 1995

Documentation: TRANS/WP.30/AC.2/2002/7; ECE/TRANS/17/Amend.21.

65. The Administrative Committee noted that, with the entry into force of the amendments contained under Phase II of the TIR revision process (ECE/TRANS/17/Amend.21), new definitions concerning the terms “termination of a TIR operation” and “discharge of a TIR operation” have become an integral part of the Convention.

66. In line with these amendments, the Administrative Committee adopted modifications to the Recommendation as proposed by the secretariat (TRANS/WP.30/AC.2/2002/7) subject to some minor clarifications. The adopted modifications are contained in annex 5 to this report.

TIR HANDBOOK

Documentation: TIR Handbook (UNECE Publication).

67. The Administrative Committee noted that the updated 2002 TIR Handbook is now available in Chinese, English, French and Russian, both on the UNECE TIR web site (<http://tir.unece.org>), also for easy down-loading and as hard-copy versions. The Arabic, German and Italian versions are planned to be available by the end of 2002.

68. A limited number of copies of the TIR Handbook may be obtained free of charge from the secretariat (also in CD-ROM format).

TIR WEB SITE

Documentation: <http://tir.unece.org>

69. The Administrative Committee was informed by the secretariat about a new and easier to remember address of the UNECE TIR web site. The new address is <http://tir.unece.org>. In addition to numerous language versions of the TIR Handbook and the TIR Newsletter, the TIR web site provides up-to-date information on the administration and application of the TIR Convention. It contains the latest information on legal interpretations of the TIR Convention, on Depositary Notifications and national and international control measures introduced by Customs authorities, the TIR Administrative Committee and the TIRExB. Furthermore, the TIR web site provides detailed information on all TIR Focal Points who may be contacted regarding questions on the application of the Convention at the national level. The TIR web site also contains all documents and reports issued in connection with the sessions of the Administrative Committee and the UNECE Working Party (WP.30). These documents may be viewed and downloaded (PDF format) in English, French and Russian.

70. 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.

OTHER BUSINESS

(a) Date of next session

71. The Administrative Committee decided to hold its next session in Geneva on 6 and 7 February 2003, in conjunction with the one-hundred-and-third session of the UNECE Working

Party (WP.30) (4-7 February 2003) and the fifth session of the Administrative Committee for the "Harmonization" Convention (6 and 7 February 2003).

72. The Administrative Committee took note of an invitation from the delegation of Azerbaijan proposing to organize in Azerbaijan a seminar on the application of the Convention.

(b) Restriction on the distribution of documents

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

ADOPTION OF THE REPORT

74. In accordance with Annex 8, Article 7 of the Convention, the Administrative Committee adopted the report on its thirty-third session on the basis of a draft prepared by the UNECE secretariat. During the adoption of the report, the French and Russian speaking delegations deplored that part of the report was not available in all three official languages.

Annex 1**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	-
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	SCT/ACF - 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	-
Malta	-	-
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	ASMAP
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	-	-
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
Yugoslavia	Yugoslavia	ATC - YCCI
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>).

Annex 2

**INFORMATION AND DOCUMENTATION TO BE TRANSMITTED BY
CONTRACTING PARTIES TO THE TIRExB**

International guarantee system

- (a) A certified copy of the written agreement or any other legal instrument between the competent authorities (Customs) and the national association as well as any modifications thereto (Deadline: as soon as possible);
- (b) A certified copy of the insurance or financial guarantee contract as well as any modifications thereto (Deadline: as soon as possible);
- (c) A copy of the (annually to be renewed) insurance certificate (Deadline: as soon as possible).

Controlled access to the TIR procedure

- (a) The particulars of each person authorized by the competent authorities to use TIR Carnets or whose authorization has been withdrawn (Deadline: within one week);
- (b) A complete and updated list of all persons authorized by the competent authorities to use TIR Carnets or whose authorization has been withdrawn (Deadline: as per 31 December each year and as soon as possible);
- (c) The particulars of each person excluded from the operation of the Convention in accordance with Article 38 (Deadline: within one week).

National control measures

The details of any national control measures planned to be undertaken by the competent national authorities in accordance with Article 42 bis (Deadline: as soon as possible).

Annex 3

COMMENTS FOR INCLUSION INTO THE TIR HANDBOOK

Prepared and adopted by the TIR Administrative Committee on 25 October 2002

Comments to Article 38

Add a new comment to Article 38, paragraph 1 to read as follows:

“Exclusion of a domestic transport operator from the TIR procedure

In order to exclude from the TIR regime a national transport operator guilty of a serious offence against the Customs laws committed on the territory of the country where he is resident or established, the Customs authorities are recommended to use the provisions of Article 6, paragraph 4 and Annex 9, Part II, paragraph 1 (d) rather than the provisions of Article 38, paragraph 1. TRANS/WP.30/AC.2/67, para. 63; TRANS/WP.30/200, para. 68}”

Add the same comment to Annex 9, Part II, “Procedure”.

Add a new comment to Article 38, paragraph 2 to read as follows:

“Cooperation between competent authorities

With regard to the procedure of authorization of a person to utilize TIR Carnets in line with Annex 9, Part II of the Convention the competent authorities of the Contracting Party where the person concerned is resident or established should take into due account any information notified by another Contracting Party in accordance with Article 38, paragraph 2 on serious or repeated offences against Customs legislation committed by that person. In order to allow for efficient consideration of the case by the Contracting Party where the person concerned is resident or established, such notification should contain as many details as possible. {TRANS/WP.30/AC.2/67, para. 63; TRANS/WP.30/200, para. 68}”

Add the same comment to Annex 9, Part II, “Procedure”.

TRANS/WP.30/AC.2/67

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Annex 3

Comment to Annex 1

Add a new comment to Annex 1 to read as follows:

“Filling-in of a TIR Carnet

No. 10 (b) of the Rules Regarding the Use of the TIR Carnet does not forbid the filling-in of the TIR Carnet by hand or by any other means, as long as the particulars on all sheets are clearly legible. {TRANS/WP.30/AC.2/67, para.63; TRANS/WP.30/200, para. 77}”

Annex 4**COMMENTS FOR INCLUSION INTO THE TIR HANDBOOK**

Prepared and adopted by the TIR Administrative Committee on 25 October 2002

Comment to Articles 2 and 26

Add a new comment to Articles 2 and 26 to read as follows:

"Use of the TIR procedure in case a part of the journey is not made by road

According to Article 2 of the Convention, as long as some portion of the journey between the beginning and the end of a TIR transport is made by road, other modes of transport (railways, inland waterways, etc.) can be used. During a non-road leg, the holder of a TIR Carnet may either:

- *ask the Customs authorities to suspend the TIR transport in accordance with the provisions of Article 26, paragraph 2 of the Convention. In order to resume the suspended TIR transport, Customs treatment and Customs control should be available at the end of the non-road leg. If the whole part of the journey in the country of departure is not made by road, the TIR operation may start and be immediately certified as terminated at the Customs office of departure by tearing off both vouchers No. 1 and No. 2 of the TIR Carnet. Under these circumstances, no TIR guarantee is provided for the remainder of the journey inside this country. However, the TIR transport could be easily resumed at the Customs office situated at the end of the non-road leg in another Contracting Party in accordance with the provisions of Article 26 of the Convention; or*
- *use the TIR procedure. However, in this case the holder should take into account that a TIR operation in a given country may apply only in case the national Customs authorities are in a position to ensure the proper treatment of the TIR Carnet at the following points (as applicable): entry (en route), exit (en route) and destination. {TRANS/WP.30/AC.2/67, para. 64}"*

Annex 5

MODIFICATION OF THE RECOMMENDATION ON THE “INTRODUCTION OF A CONTROL SYSTEM FOR TIR CARNETS” ADOPTED BY THE ADMINISTRATIVE COMMITTEE ON 20 OCTOBER 1995

Paragraph 1

At the end of point (1) replace the words "Article 1 (g)" by the words "Article 1 (l)".¹

Modify the text of data element (d) to read as follows:

“(d) Date and reference number indicated in the certificate of termination of the TIR operation (boxes 24-28 of voucher No. 2) at the Customs office of destination (if different from (b));”

Modify the text of data element (e) to read as follows:

“(e) Partial or final termination;”

Modify the text of data element (f) to read as follows:

“(f) Termination of the TIR operation certified with or without reservation at the Customs office of destination without prejudice to Articles 8 and 11 of the Convention;”

Annex

Replace the Model Reconciliation Form (MRF) by the following new Model:

¹ This modification has already been included in the English and Russian versions of the 5th edition of the TIR Handbook; thus, only the French text of the TIR Handbook will need updating.

**Annex to the Recommendation adopted by the Administrative Committee
for the TIR Convention, 1975 on 20 October 1995 ^{*/}**

Model Reconciliation Form (MRF)

<i>To be filled-in by the initiator of the request for reconciliation</i>							
Destination:							
Regional Customs office (optional): Name:				Customs office of destination: Name:			
Received on:				Received on:			
Date:				Date:			
Stamp				Stamp			
Data to be confirmed							
Data source: ? TIR Carnet ? SafeTIR data							
TIR Carnet reference number	Name or number of Customs office of destination	Reference number indicated in the certificate of termination of the TIR operation (boxes 24-28 of voucher No. 2) at the Customs office of destination	Date indicated in the certificate of termination of the TIR operation at the Customs office of destination	Page number	Partial / final termination	Termination of the TIR operation certified with or without reservation at the Customs office of destination	Number of packages (optional)
Attachments: ? Copy of TIR Carnet counterfoils Other: _____							

<i>Response from Customs office of destination</i>							
? Confirmation		? Correction (please insert the corrections below)		? No reference found on the termination of the TIR operation			
TIR Carnet reference number	Name or number of Customs office of destination	Reference number indicated in the certificate of termination of the TIR operation (boxes 24-28 of voucher No. 2) at the Customs office of destination	Date indicated in the certificate of termination of the TIR operation at the Customs office of destination	Page number	Partial / final termination	Termination of the TIR operation certified with or without reservation at the Customs office of destination	Number of packages (optional)
Comments:							
Date:			Stamp and signature of Customs office of destination:				
<i>Central Customs office (optional)</i>							
Comments:							
Date:			Stamp and/or signature				

*/

Amended on 25 February 2000 by the TIR Administrative Committee, {TRANS/WP.30/AC.2/57, paragraph 36}.