



**Economic and Social
Council**

Distr.
GENERAL

ECE/TRANS/WP.30/AC.2/83
20 June 2006

Original: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

Administrative Committee for the TIR Convention, 1975

**REPORT OF THE ADMINISTRATIVE COMMITTEE FOR THE
TIR CONVENTION, 1975 ON ITS FORTY-FIRST SESSION
(1 June 2006)**

CONTENTS

| | <u>Paragraphs</u> |
|---|-------------------|
| I. Attendance | 1-4 |
| II. Adoption of the agenda | 5 and 6 |
| III. Election of officers | 7 |
| IV. Status of the TIR Convention, 1975 | 8-11 |
| V. Activities and Administration of the TIR Executive Board (TIRExB) | 12 and 13 |
| VI. Proposals for Amendments to the Convention | 14-18 |
| VII. Authorization for printing and distribution of TIR Carnets and the Organization and Functioning of the Guarantee System | 19 |
| VIII. Authorization for the conclusion of an Agreement between the UNECE and the IRU | 20 |
| IX. Other business | 21 and 22 |
| X. Adoption of the Report | 23 |

* * *

Annex : Status of the TIR Convention, 1975

REPORT

I. ATTENDANCE

1. The Administrative Committee held its forty-first session on 1 June 2006 in Geneva. The draft report was read on 2 June 2006 in conjunction with the reading of the report of the one-hundred-and-thirteenth session of the Working Party on Customs Questions Affecting Transport.
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; Jordan; Latvia; Lithuania; Netherlands; Norway; Poland; Republic of Moldova; Russian Federation; Serbia and Montenegro; Slovakia; Slovenia; Spain; Sweden; Switzerland; Turkey; Ukraine. A representative of the European Community (EC) was also present.
3. The following non-governmental organization was represented as observer: International Road Transport Union (IRU). Representatives of issuing and guaranteeing associations of Iran (Islamic Republic of), Romania and United Kingdom participated in the session as observers.
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

5. The Administrative Committee adopted the agenda of its present session as contained in document ECE/TRANS/WP.30/AC.2/2006/82, prepared by the UNECE secretariat.
6. The Committee was informed about the sad passing away of Mr. J. Byrgesen, the distinguished delegate of Denmark, on 12 April 2006 as well as Mr. D. Polovinchik, in past years the distinguished delegate of the Russian Federation. It observed a minute of silence in their memory.

III. ELECTION OF OFFICERS

7. The Administrative Committee elected Mr. S. Bagirov (Azerbaijan) as Chairperson and Mr. A. Schoenmakers (Germany) as Vice-Chairperson for its remaining sessions in 2006.

IV. STATUS OF THE TIR CONVENTION, 1975

8. The Committee was informed of the situation concerning the geographical scope and the number of Contracting Parties to the TIR Convention, 1975. The Committee noted that the Convention has 66 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 annexed to this report and is also available on the UNECE TIR web site (<http://tir.unece.org>). Contracting Parties were invited to verify these

listings. The annex also contains a list of national associations issuing and guaranteeing TIR Carnets.

9. 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>).

10. The Committee took note that the following amendments to the Convention will enter into force on 12 August 2006:

- Introduction of a new Article 42ter and the amendment of Article 60 of the Convention, together with the introduction of a new Annex 10. (Depository Notification C.N.383.2006.TREATIES-2).
- Addition of new Explanatory Notes to Article 6.2bis and Annex 8, Article 10 (b) of the Convention (Depository Notification C.N.397.2006.TREATIES-3).

11. The Committee noted that with the entry into force on 1 April 2006 of amendments to Annexes 1 and 9 of the Convention (Depository Notification C.N.1350.2005.TREATIES-6) the identification number (ID number) of the authorized TIR Carnet Holder had been introduced in the lay-out of the TIR Carnet. The IRU had informed that the new lay-out will be applied to TIR Carnets with numbers above MX51000000 and that the first TIR Carnets with the new lay-out had already been distributed by the IRU and issued by some member associations. During a transitional period until 1 October 2007, both versions of TIR Carnets, with and without the ID number, will circulate and should be accepted by Customs authorities. More information on the issue is available on: <http://www.unece.org/trans/bcf/news/wp30-120406.html>.

V. ACTIVITIES AND ADMINISTRATION OF THE TIR EXECUTIVE BOARD (TIRExB)

Financial administration of the TIRExB and the TIR secretariat

- Audit of the UN Board of Auditors

12. The Administrative Committee took note of information provided by the secretariat that the United Nations Board of Auditors (BOA) in May 2006 had carried out an audit of the UNECE following-up the audit carried out in spring 2005, which had resulted in the BOA Management Letter to UNECE dated 5 May 2005 communicated to all delegations before the fortieth session of the Committee (ECE/TRANS/WP.30/AC.2/81, paras. 27 and 28). The UNECE secretariat has provided comments to the BOA in respect of the follow-up audit. The final BOA report will be presented to the UN General Assembly in autumn 2006. The findings related to the UNECE-IRU agreement will be made available to the Committee once the report has been transmitted to the UNECE.

13. The Administrative Committee also noted that the UN Office of Internal Oversight (OIOS), as recommended in BOA's Management Letter of 5 May 2005, had carried out an audit in the period March to May 2006 of the UNECE-IRU Agreement, the general functioning and operation of the TIR secretariat and the tasks carried out by the secretariat. The UNECE secretariat has provided comments to the OIOS in this respect and the OIOS has also met with

the IRU. The findings of the OIOS have at the time of the adoption of this report not yet been published. The findings will, as far as possible, be made available to the Committee once they have been finalized.

VI. PROPOSALS FOR AMENDMENTS TO THE CONVENTION

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

14. The Committee considered document ECE/TRANS/WP.30/AC.2/2006/3, prepared by the secretariat as requested by the Committee at its fortieth session, providing background information concerning the adoption of Annex 8, Article 13 and containing proposals for three alternatives aiming to solve the inconsistency which apparently exists between, on the one hand, the legal provision for the collection of the levy contained in Annex 8, Article 13 of the Convention and, on the other hand, the transfer and collection by the IRU of the amounts required for covering the operation of the TIRExB and the TIR secretariat (ECE/TRANS/WP.30/AC.2/81, para. 30). The secretariat has, as mandated by the Committee, requested the views of the UN Office of Legal Affairs, BOA, the OIOS and other relevant UN bodies on the proposals contained in the document but has received no reply so far.

15. The Committee also considered document ECE/TRANS/WP.30/AC.2/2006/4, transmitted by the IRU, containing a proposal aiming at resolving the inconsistency between the Convention, Annex 8 Article 13, and the UNECE-IRU Agreement, as approved by the Administrative Committee, mainly points 3, 4 and Annex 1. The Committee took note of the information provided by the IRU, that this organization in 2006 would collect CHF 0,35 on each TIR Carnet. The IRU also noted that, it was of the opinion that, the pre-financing of the budget for the operation of the TIRExB and the TIR secretariat is not an obligation according to the TIR Convention.

16. The Committee, after an in-depth discussion of the issues and the pros and cons of the various proposals, decided, for the time being, to postpone the decision on this issue until such a time when advice from the relevant UN bodies and the reports of the BOA and OIOS will be available. The Committee noted that many delegations had expressed their preference for alternative 1 contained in document ECE/TRANS/WP.30/AC.2/2006/3, prepared by the secretariat. The Committee also noted the views expressed by some delegations that an inclusion of the operation of the TIRExB and the TIR secretariat in the regular budget of the UNECE seemed not feasible in the immediate future and that, as a result, a sustainable solution should be found on this issue.

17. The Committee reiterated that it is a necessity that the TIRExB and the TIR secretariat must function independently and that the IRU should not be able, through the financial arrangements, to intervene in the functioning of these bodies. In this context, the Committee requested the secretariat to prepare a document for its next session to clarify IRU's role in relation to the existing pre-financing arrangement and the arrangements proposed in document ECE/TRANS/WP.30/AC.2/2006/3.

18. The Committee invited delegations to study whether, at national level, the term “levy” as it is used in Annex 8, Article 13 of the TIR Convention raises any problems, in particular, if it can be considered as a tax at national level and whether it would be preferable to clarify the term “levy” as proposed in document ECE/TRANS/WP.30/AC.2/2006/3, para. 16. Delegations are invited to transmit their views to the secretariat before 10 July 2006 bearing in mind that all replies will be consolidated in a document to be prepared by the secretariat for the next session of the Committee.

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

19. The Committee decided, further to its decision under point VI of the present report, to confirm 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, which had it had granted at its one-hundred-and-twelfth session (ECE/TRANS/WP.30/AC.2/81, para. 35).

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

20. The Committee decided, bearing in mind its decisions under points VI and VII of the present report, that the modalities contained in the UNECE-IRU agreement signed on 6 October 2005 should be continued for the year 2007. Therefore, the Committee mandated the secretariat to make the necessary preparations for the continuation of the existing UNECE-IRU Agreement 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 2007.

IX. OTHER BUSINESS

(a) Date of next session

21. The Committee decided to hold its forty-second session on 28 and 29 September 2006. The deadline for submission of official documentation to be translated in the three official languages of the UNECE is 10 July 2006.

(b) Restriction on the distribution of documents

22. The Administrative Committee decided that no documents issued for the present session should be restricted.

X. ADOPTION OF THE REPORT

23. In accordance with Annex 8, Article 7 of the Convention, the Administrative Committee adopted the report of its forty-first 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**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 | ✓ | BAIRC | 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 web site 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 |
| 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 and Montenegro | ✓ | 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 web site is restricted and only open for TIR Focal Points.