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Administrative Committee for the TIR Convention, 1975

Sixty-eighth session

Geneva, 18 October 2018

### Report of the Administrative Committee for the TIR Convention 1975 on its sixty-eighth session

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## **I. Attendance**

1. The Committee (AC.2) held its sixty-eighth session on 18 October 2018 in Geneva.
2. The session was attended by representatives of the following countries: Azerbaijan, Belgium, Bulgaria, China, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iran (Islamic Republic of), Italy, Latvia, Lithuania, Netherlands, Poland, Republic of Moldova, Russian Federation, Serbia, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan. Representatives of the European Union were also present.
3. The following intergovernmental organization was represented as observer: Eurasian Economic Commission (EEC).
4. The following non-governmental organization was represented as an observer: International Road Transport Union (IRU).
5. The Committee noted that the required quorum for the purposes of taking decisions of at least one-third of the States which are Contracting Parties (according to Annex 8 Article 6 of the Convention).

## **II. Adoption of the agenda (agenda item 1)**

6. The Committee adopted the agenda of the session (ECE/TRANS/WP.30/AC.2/138) and noted the availability of additional informal documents.

## **III. Status of the TIR Convention, 1975 (agenda item 2)**

7. Under this agenda item, the Committee was informed about the appointment of Mr. Konstantinos Alexopoulos as TIR Secretary.
8. The Committee recalled that the finalization of eTIR is of strategic importance for the future of the TIR system and endorsed the decision by the secretariat to proceed with the hiring of an Information Technology expert (P4) instead of a Legal Affairs Officer (P4) for the time needed to ensure that the eTIR system becomes fully operational as soon as possible.
9. The delegation of China presented itself to the Committee at the occasion of its first participation in the capacity of Contracting Party to the TIR Convention. In particular, the delegation of China looked forward to the speedy implementation of eTIR on its territory and referred to recent initiatives undertaken by the Chinese Government within the framework of the Belt and Road Initiative (BRI), hoping that these initiatives could be aligned with initiatives by other countries to support interconnectivity across the Euro-Asian landmass.
10. Various delegations (Iran (Islamic Republic of), Russian Federation, Turkey, Uzbekistan, European Union) cordially welcomed the Chinese delegation in its midst, expressed the willingness to share their experiences in the application of the TIR Convention, eTIR and looked forward to further increasing inter-connectivity and cooperation.
11. The Committee was informed about changes in the status of the TIR Convention, 1975 and the number of contracting parties. In particular, the Committee took note of depositary notification C.N.248.2018.TREATIES-XI.16 of 17 May 2018, informing of the accession of Saudi Arabia to the TIR Convention, 1975, which will enter force on 17 November 2018. With the accession of Saudi Arabia, the number of contracting parties to the TIR Convention, 1975 currently stands at 74. Furthermore, the Committee took note that various proposals to amend Annexes 6, 8 and 9, which had been adopted by the Committee at its sixty-sixth

session, held in Geneva on 12 October 2017 (please refer to depositary notification C.N.700.2017.TREATIES-XI.16 of 3 November 2017), had entered into force on 1 July 2018 for all contracting parties (please also refer to depositary notification C.N.201.2018.TREATIES-XI.A.16 of 9 April 2018). The Committee further recalled that the Secretary-General of the United Nations, acting in his capacity as depositary, had issued depositary notifications C.N.698.2017.TREATIES-XI.A.16 of 3 November 2017, informing of the submission of various proposals to amend the body of the TIR Convention, 1975 and C.N.699.2017.TREATIES-XI.A.16 of 3 November 2017 on the submission of a proposal to amend Article 2 of the TIR Convention, 1975. In accordance with the provisions of Article 59, paragraph 3 of the TIR Convention, these amendments shall enter into force on 3 February 2019, unless an objection has been communicated to the Secretary-General not later than by 3 November 2018. More detailed information on these issues as well as on depositary notifications is available on the TIR website.<sup>1</sup>

12. Under this agenda item, the Committee also took note that, on 10 April 2018, the TIR system became active for Pakistan, on 16 May 2018 for China and on 31 July 2018 for India. With these latest additions, the number of TIR operational countries was brought up to 62.

## **IV. Activities and administration of the TIR Executive Board (agenda item 3)**

### **A. Activities of the TIR Executive Board**

#### **1. Report by the Chair of TIR Executive Board**

13. The Committee endorsed the reports of the TIR Executive Board (TIRExB) at its seventy-fifth (December 2017) and seventy-sixth (February 2018) sessions (ECE/TRANS/WP.30/2018/4 and ECE/TRANS/WP.30/AC.2/2018/5). In addition, the Committee was orally briefed by the Chair of TIRExB about the major considerations and decisions taken at its seventy-seventh (June 2018) and seventy-eighth (October 2018) sessions.

14. At its seventy-seventh session (June 2018), TIRExB had finalized its discussions on the mandatory use of the ITDB and had decided to submit draft amendment proposals to that extent to AC.2 for consideration and, possibly, adoption. It further took note of information provided by IRU that the International Association of Road Hauliers of Moldova (AITA) would maintain its status as the national guaranteeing association for the Republic of Moldova. The Board continued consideration of the practical implications of excluding the Romanian Association for Road Transport (ARTRI) from IRU membership. The IRU representative clarified that all business relations set out in the Deeds of Engagement between IRU and ARTRI remained intact, which meant that the responsibility of ARTRI for the use of TIR Carnets vis-a-vis the guarantee chain and the responsibility of the guarantee chain for the guarantee coverage for these TIR Carnets remained valid. The Board was also informed that all necessary measures had been taken for the validity of TIR Carnets and that TIR Carnets issued before 31 January 2018 had full guarantee coverage.

15. Further to a mandate given by AC.2, the Board held a first round of discussions on Article 6, paragraph 2 to assess whether and to what extent it would be possible to include provisions on the relation between the international organization and its national associations in the text of the TIR Convention. The Board agreed that the recent events in Romania had led to an unprecedented situation. However, this should not prevent the Board or, eventually,

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<sup>1</sup> [www.unece.org/tir/tir-depositary\\_notification.html](http://www.unece.org/tir/tir-depositary_notification.html)

contracting parties from drawing lessons from it which could provide guidance for any (similar or other) future complication in the public-private partnership. As a first step, the Board decided to analyse the current provisions in the TIR Convention, viz, Article 6, paragraph 2, Explanatory Note 0.6.2. bis 1 and the provisions of Annex 9, Part I.

16. Pursuant to the Committee's request to look further into the IRU external audit report and assess, if on the basis of its budget provisions, it would be possible to engage an expert or a consultant to review the full report on behalf of AC.2, the Board held a first round of discussions. It was highlighted that the members of the Board themselves did not have the expertise to analyse such a report. Questions such as the added value of hiring another external auditor to audit this report, funding mechanisms, possible implications of such an activity and access to the full report were raised. The Board decided to revert to this matter at its next session.

17. TIRExB concluded its discussions on the draft example agreement, to be concluded between the competent authorities and national associations and requested the secretariat to transmit the revised example of best practice to AC.2 for endorsement and subsequent inclusion in the next version of the TIR Handbook. Finally, TIRExB continued its considerations of claims for payment exceeding the maximum amount per TIR Carnet. TIRExB recalled that claims should not exceed the maximum guarantee amount pursuant to Article 8, paragraph 1 of the TIR Convention.

18. At its seventy-eighth session (October 2018), TIRExB endorsed the budget and cost plan of TIRExB and the TIR secretariat for the year 2019, as well as the net amount to be transferred by IRU. The Board called upon contracting parties to speed up the work towards finalizing and adopting Annex 11.

19. The Board continued its considerations of data requirements for the customs office module of the ITDB. The Board decided that a minimum set of mandatory data would suffice for data entry at a first stage, but that other relevant fields should also be available.

20. The Board continued its considerations of Article 6, paragraph 2 and decided that to address the issues raised by the Romanian customs authorities or similar cases, it seemed more appropriate to develop some type of early warning mechanism, in which all stakeholders (international organization, national associations and customs authorities) would be urged to inform each other and TIRExB, well in advance of any change in circumstance that could run the risk of leading, potentially, to the termination of the relation between the international organization and a national association on the one hand, and the termination of the agreement between the customs authorities and the national association on the other hand.

21. The Board also continued its considerations of the IRU external audit report. The Board was of the opinion that the disproportionality between the considerable costs, which could easily go up to \$ 50,000, as compared to the potential small chance of anything viable coming from a second audit report did not justify such act and, therefore, decided not to pursue the matter, requesting the Chair to report these findings to AC.2.

22. Noting that a number of associations still have not sent the required information for the 2018 TIR Carnet prices survey, the Board mandated the secretariat to request assistance from customs administrations to ensure that all associations comply with their obligation of Annex 9, Part I, paragraph 3 (vi) before its next session. The Board also requested the secretariat to update the TIR Carnet prices data published on the TIR website to include the latest available data. The Board further requested the secretariat to launch the new survey for the 2019 TIR Carnet prices before 31 December 2018, based on a new draft by the secretariat.

23. The Board continued its considerations of a request by the Russian Federation to clarify the application of Article 7, i.e. the meaning of the term "TIR Carnet form" in that

article. The Board assessed that its meaning was clear in that the provision explicitly stipulates that TIR Carnet forms shall not be subjected to import and export duties and taxes and be free of other import and export prohibitions and restrictions and that, thus, there was no need to adjust or amend the provision. The TIRExB members present confirmed this application in their respective countries.

24. Further to a question from the delegation of the European Union if the Board had considered the option of benefiting from national customs officials to conduct a review of the IRU external audit report, the Chair of TIRExB stated that the Board could not seek support from national customs administrations within its mandate and, therefore, had reported back its assessment for further consideration of the contracting parties, which could decide to provide support in assigning national auditors.

25. Under this agenda item, the Committee also took note of the prices of TIR Carnets for the years 2012 to 2017 communicated to TIRExB, as per the requirements of Annex 9, Part I, paragraph 3 (vi) of the TIR Convention and the analysis of the 2017 prices, as contained in document ECE/TRANS/WP.30/AC.2/2018/6. It requested the secretariat to issue a corrigendum to the said document to include some missing data in Annex VI. Finally, recalling the statement by the Chair of TIRExB, the Committee urged national associations to comply with their obligation to timely transmit the prices of the TIR Carnet they issue.

## **2. Election of members of TIR Executive Board**

26. Under this agenda item, the Committee noted that, in accordance with Annex 8, Article 9, paragraph 2 of the Convention, the term of office of each member of TIRExB shall be two years. Since the present members of TIRExB had been elected at its session in February 2017, the Committee must, at its next session on 7 February 2019, proceed with the election or re-election of the nine members of TIRExB. The Committee decided to follow the established election procedure which, so far, had been based on the following provisions:

(a) the comment adopted on 26 June 1998 to the Rules of Procedure of TIRExB on “representation”, with the exception of paragraph (c) as its provisions relate only to the initial election of Board members and are thus no longer appropriate (TRANS/WP.30/AC.2/51, annex and Corr.1);

(b) the procedure for the election of members of TIRExB adopted on 26 February 2000 by the Committee (TRANS/WP.30/AC.2/53, paras. 31 and 34). In addition, for the sake of transparency, the Committee decided at its seventy-fourth session (October 2016), to apply Rule 42 of the Rules of Procedure of ECE, which stipulates that “all elections shall be decided by secret ballot, unless, in the absence of any objection, the Commission decides to proceed without taking a ballot on an agreed candidate or slate”, even in case the number of nominated candidates equals the number of available posts (ECE/TRANS/WP.30/AC.2/131, para. 12).

27. The Committee authorized the UNECE secretariat to issue in early November 2018, a document recalling the approved election procedures and soliciting candidates willing to stand for election as members of TIRExB for the term 2019–2020. The secretariat informed the Committee that the call for candidates will be circulated, as in the past, via email to all heads of customs administrations of contracting parties, delegates of the Committee, TIR focal points and to the permanent missions of contracting parties to the United Nations Office at Geneva. The deadline by which nominations will need to be received by the UNECE secretariat is set at 14 December 2018. No further candidates may be nominated following expiry of this deadline. On the next working day, 17 December 2018, the UNECE secretariat will circulate a list of candidates who have been nominated by their respective Governments or organizations being contracting parties to the Convention.

### 3. International databases and electronic tools managed by the TIR secretariat

28. The Committee was informed about developments related to the International TIR Data Bank (ITDB). In this context, the Committee took note that, at the 149th session of the Working Party on Customs Questions affecting Transport (WP.30), the representative of the national association of the Republic of Moldova reported on recent problems faced by Moldovan transporters when trying to enter the territory of Romania because their authorization had apparently not been entered in the ITDB. According to the Moldovan authorities this was a consequence of the absence of a legal basis for the ITDB. In reply, the secretariat had clarified that, whereas the use of the ITDB is still optional, the legal obligation for customs authorities to inform, within one week, TIRExB of any new authorization, or withdrawal thereof, was stipulated by Annex 9, Part II, paragraph 4 of the TIR Convention and should be fulfilled by sending in the duly filled-in Model Authorization Form. IRU, from its side, confirmed problems in various countries for operators, due to the fact that their status was not correctly or timely displayed in the ITDB. The delegation of the European Union informed the Working Party that, as of 1 June 2018, all registrations from its member States should be made through the ITDB. Various other delegations called for the need to provide a legal basis for the ITDB in the TIR Convention. IRU added that, in its view, it seemed prudent, prior to making the use of the ITDB mandatory, to (a) ensure that there would be a legal basis in the TIR Convention for the use of the ITDB; (b) to foresee a transitional period to smoothly introduce all the necessary data pertaining to TIR Carnet holders in the ITDB; and (c) last but not least to have TIR customs focal points ready to make the necessary corrections to data entries to ensure that legitimately authorized TIR Carnet holders were not blocked as a consequence of errors or omissions beyond their control. The secretariat recalled that the ITDB has been functional since 1999 and that any discrepancy in or absence of data was related to problems in the obligatory submission of the Model Authorization Form (MAF), which was submitted either not on time or not at all. In conclusion, the Working Party requested the secretariat to bring the raised problems to the attention of AC.2 (see ECE/TRANS/WP.30/298, para. 22).

29. In this context, the Committee took note that TIRExB, at its seventy-seventh session (June 2018) had finalized proposals on the mandatory submission of data to the ITDB and had transmitted them to the Committee for consideration (see agenda item 6 (c)).

### 4. National and regional TIR workshops and seminars

30. The Committee was informed that the TIR secretariat had participated in the following TIR workshops or seminars: (a) eTIR-NCTS working meeting (Brussels, 20 February 2018); (b) Fourth WCO Global Authorized Economic Operator Conference (Kampala, 14–16 March 2018); (c) Electronic Customs Coordination Group (ECCG) (European Commission) (Brussels, 15 March 2018); (d) Inauguration workshop for the accession of Qatar to the TIR Convention (Doha, 10 April 2018); (e) Ukrainian e-TIR field visit (Istanbul and Izmir, 9–10 May 2018); (f) WCO Regional Transit Workshop (Asuncion, 21–23 May 2018); (g) Organization for Security and Cooperation in Europe (OSCE) Training for Border Guards and Customs Officers Serving at the Border Crossing Points on the International Railway and International Road Crossings (Ashgabat, 28 May–2 June 2018); (h) 2018 WCO IT Conference and Exhibition (Lima, 6–8 June 2018); (i) WCO Regional Workshop on Simplification and Acceleration of Customs Procedures (Baku, 20–21 June 2018); (j) eTIR-NCTS working meeting (Brussels, 18 July 2018); (k) International trade and transport facilitation through digitalization of TIR procedures (Baku, 4–6 September 2018).

## **B. Administration of the TIR Executive Board and the TIR secretariat**

### **1. Status report on the accounts for the year 2017**

31. The Committee recalled that, in accordance with Annex 8, Article 11, paragraph 4 of the Convention, TIRExB shall submit audited accounts to the Committee at least once a year or at the request of the Committee. The Committee was informed that the competent finance services of the United Nations have formally finalized the accounts for 2017. The Committee formally approved the status report on the accounts for 2017 as contained in document ECE/TRANS/WP.30/AC.2/2018/7.

32. Under this agenda item, the Committee was also informed by the secretariat about the follow-up to the decision of AC.2 at its sixty-fourth session to request the United Nations Office of Internal Oversight Services (OIOS), to carry out an audit of the accounts of TIRExB and the TIR secretariat. The Committee noted that OIOS had started its audit and requested the secretariat to keep it informed of the process.

### **2. Interim financial statement for the year 2018**

33. The Committee took note of the provisional interim financial statement for 2018 as contained in document ECE/TRANS/WP.30/AC.2/2018/8.

### **3. Procedure for financing the operation of the TIR Executive Board and TIR secretariat**

34. The Committee recalled the procedure for the collection and transfer of the amount per TIR Carnet to finance the operation of the TIRExB and the TIR secretariat (ECE/TRANS/WP.30/AC.2/89, para. 38 and Annex II).

35. The Committee recalled that the audit certificate for the year 2017 recorded a deficit (i.e. less was received than initially transferred) of SwF 260,256.79 accrued for the years 2015 and 2017 and that, at its previous session, it had decided to consider the appropriate action according to item 12 of the above procedure at its current session. In this context, the Committee took note of document ECE/TRANS/WP.30/AC.2/2018/9 prepared by the secretariat and outlining the main considerations on the accumulated deficit.

36. At the request of IRU, the Committee approved that the deficit be recorded in the IRU accounts and subsequently adjusted. In this context, the Committee pointed at the relation between the deficits and the forecasts by IRU of the number of TIR Carnets to be distributed and appreciated that the forecast for the year 2019 seemed more realistic than had been the case in the past.

### **4. Budget proposal and cost plan for the year 2019**

37. The Committee considered the budget proposal and cost plan for the operation of TIRExB and the TIR secretariat for the year 2019 (ECE/TRANS/WP.30/2018/10). The proposed cost plan for 2019 (estimated at \$1,687,090 inclusive of programme support costs), reflects an increase of \$13,447 over the approved budget and cost plan for TIRExB and the TIR secretariat for 2018 (\$1,673,643 inclusive of programme support costs).

38. Having recalled the procedure for the collection and transfer of the amount per TIR Carnet to finance the operation of TIRExB and the TIR secretariat (ECE/TRANS/WP.30/AC.2/89, para. 38 and Annex II), the Committee approved the budget and cost plan for the operation of TIRExB and the TIR secretariat for the year 2019 as well as the net amount of \$1,194,039 to be transferred by IRU, as contained in document ECE/TRANS/WP.30/AC.2/2018/10.

39. The Committee noted that IRU expects to distribute 973,525 TIR Carnets in 2019 (Informal document WP.30/AC.2 (2018) No. 6). Based on this forecast, the Committee approved the amount of \$1.23 (rounded) per TIR Carnet. The amount per TIR Carnet will be expressed in Swiss francs following the transfer of the above net amount to the UNECE named bank according to the prevailing United States dollar – Swiss franc exchange rate on the day of transfer.

## **V. Authorization for printing and distributing TIR Carnets and the organizing and functioning of the guarantee system (agenda item 4)**

40. Authorization for printing and distributing TIR Carnets and the organizing and functioning of the guarantee system is granted subject to the provisions of Article 6.2 bis, Annex 8, Article 10 (b) and Explanatory Notes 0.6.2 bis-2 and 8.10 (b). The Committee recalled its previous decision to authorize IRU to centrally print and distribute TIR Carnets and to organize the functioning of the guarantee system for the period 2017–2019 inclusive (ECE/TRANS/WP.30/AC.2/129, para. 21), and that a decision for the next period should be taken at the session of the Committee in February 2019.

41. Having taken note of the request by IRU to grant a prolongation of the authorization for a period of five years, mainly to recognize its substantial current and future investments in support of eTIR, and of the information that the public prosecutor of Geneva had notified the closure of the files on allegations against two members of the IRU management, but that an objection had been lodged against this decision by the former Deputy Secretary-General of IRU, the Committee decided to agree to prolong the authorization for, provisionally, a period of 3 years (2020–2022), subject to official confirmation at its February 2019 session.

## **VI. Authorization for concluding an agreement between the United Nations Economic Commission for Europe (UNECE) and the International Road Transport Union (IRU) (agenda item 5)**

42. The Committee recalled that the present UNECE-IRU Agreement (ECE/TRANS/WP.30/AC.2/2016/3) expires at the end of 2019 and should be renewed. The Committee, mandated the secretariat to prepare, in consultation with IRU and the competent United Nations services, a new draft agreement covering, provisionally, the same period of time as the authorization, namely 2020–2022 inclusive, for consideration at its next session.

## **VII. Revision of the Convention (agenda item 6)**

### **A. Amendment proposals to the Convention with regard to the maximum level of guarantee per TIR Carnet**

43. The Committee recalled that, on 1 July 2018, a proposal to amend Explanatory Note 0.8.3. to refer to 100,000 euros rather than 50,000 United States dollars, had entered into force (see C.N.201.2018.TREATIES-XI.A.16 of 9 April 2018). The Committee also recalled that discussions at WP.30 on the guarantee for tobacco and alcohol products had come to a standstill. The Committee confirmed that it would only revert to the issue once the findings of the Working Party would be available.

44. At the initiative of the delegate of the Czech Republic, the Committee decided to request the secretariat to include the item again in future agendas of the Working Party, soliciting that the Working Party resume its considerations.

## **B. Amendment proposals to the Convention transmitted by the Working Party**

45. The Committee recalled that, at its previous session, it had considered document ECE/TRANS/WP.30/AC.2/2018/3, containing both the Russian and TIRExB proposals to amend Article 18, together with the considerations of the Board. Against this background, the Committee noted that the Working Party, at the request of AC.2, had informally discussed Informal document WP.30(2018) No. 7, containing proposals to amend Article 18 to increase the number of places of loading or unloading to maximally eight and its accompanying Explanatory Note 0.18.3. obliging contracting parties to make any limitation in the application of the said article publicly available, as well as to TIRExB. Subject to a small correction in the Russian text, delegations could agree with the text proposal and requested the secretariat to table the proposals for final consideration at the current session of AC.2.

46. The Committee adopted the proposal in ECE/TRANS/WP.30/AC.2/2018/11 to amend Article 18 and to introduce Explanatory Note 0.18.3 and requested the secretariat to add them to the list of accepted amendment proposals pending formal adoption.

## **C. Amendment proposals to the Convention prepared by the TIR Executive Board**

47. The Committee was informed that TIRExB, at its seventy-sixth session (June 2018) had finalized a set of proposals introducing the mandatory submission of data to the ITDB. The Committee started consideration of these proposals, contained in document ECE/TRANS/WP.30/AC.2/2018/12. In the context of its discussions, the Committee also took note of Informal document WP.30/AC.2 (2018) No. 7 by IRU that contains its proposals to amend the TIRExB proposals.

48. The secretariat informed the Committee that the amendment proposals aimed at eliminating the paper work in notifying TIRExB by making data submission via the ITDB mandatory. Further, the Committee recalled that the submission of data using the ITDB was already provided as an option since the entry into force of Amendment 32 on 1 January 2015 (see ECE/TRANS/17/Amend.32).

49. The Committee felt that it was time to eliminate the paper work and make full use of the electronic means in communicating with TIRExB. Several Contracting Parties expressed their appreciation for the work by TIRExB and stated their readiness to adopt the proposals in their current form.

50. The representative of IRU called upon competent authorities to pay attention to the status checks with the ITDB during actual TIR transports. IRU requested that the absence of data in the ITDB should not constitute grounds for the refusal of acceptance of TIR Carnets and that customs authorities should, in such case, consult additional data as the data validation from the ITDB is not yet mandatory. Additionally, he was of the view that sharing information about exclusions should be limited to the actors mentioned in Article 38, para. 2 (i.e. country of residence, national association, TIRExB) and claimed that TIR Carnet holders were denied the use of TIR Carnets by third countries. Accordingly, IRU requested that its amendment proposals, contained in Informal Document No. 7 (2018), be incorporated in the amendment proposals drafted by TIRExB. IRU further requested to be granted access to the ITDB so that it could also contribute to its proper application. The representative of the

Moldovan association expressed his support for the proposals by IRU. The representative of Iran (Islamic Republic of) requested that, until the ITDB is fully operational in all contracting parties, the competent authorities show flexibility with regard to the fact that information in the ITDB was, at times, not fully complete. IRU stressed the difference between the mandatory use of the ITDB for the submission of data and the mandatory consultation of the ITDB in the course of a TIR transport.

51. With regard to the amendment proposals submitted by IRU, the secretariat and various contracting parties drew attention to the difference between the submission of data to the ITDB – the object of the amendment proposals by TIRExB – and checking the data in the ITDB, to which the IRU proposals relate. The Committee underlined that the use of the ITDB to validate the authorization was not yet mandatory, despite being a precondition for eTIR, which means it will be done for every TIR operation in the eTIR system. The Committee concluded that there would be merit in further consideration of the problems encountered during the TIR procedure and requested TIRExB to consider the issue and report its findings to the next session of the Committee and have the issue also tabled at the forthcoming session of WP.30. Moreover, the Committee requested the secretariat to grant IRU access to the ITDB. Contracting parties were invited to submit comments or suggestions to the secretariat no later than by 22 November 2018, if any. Against the background of its discussions, the Committee called upon all contracting parties to fulfil their legal obligation to transmit the particulars of each authorized person (or whose authorization has been withdrawn) to TIRExB, pursuant to the provisions of Annex 9, Part II, article 4.

#### **D. Accepted amendment proposals to the Convention pending formal adoption**

52. Under this agenda item, the Committee recalled that, so far, it had accepted proposals to amend Article 6, paragraph 1, Explanatory Note 0.6.2 and Annex 9, Part I, paragraph 1, adjusting the existing wording to include the term “customs authorities or other competent authorities”, but had also agreed to only transmit these accepted amendments to the depositary at a later stage when a new package of amendments was formed (see ECE/TRANS/WP.30/AC.2/137, para. 33). The Committee requested the secretariat to add the amendments to Article 18 and new Explanatory Note 0.18.3 to the list of accepted amendment proposals pending formal adoption. The secretariat was requested to prepare a new document, listing all accepted amendment proposals so that the Committee, at its next session could proceed with their formal adoption and consecutive transmission to the Secretary-General of the United Nations for circulation among all TIR contracting parties.

#### **E. Proposals to increase the membership and widen the geographical scope of the TIR Executive Board (TIRExB)**

53. The Committee recalled proposals, submitted by Iran (Islamic Republic of) on increasing the membership of TIRExB from nine to fifteen, and to apply new criteria of geographical representation in its composition (see ECE/TRANS/WP.30/AC.2/2016/22). The delegation of Iran (Islamic Republic of) informed the Committee that, after careful analysis and further to recently introduced amendments to the Convention and pending finalization of other important proposals, it had concluded that the composition, scope and mandate of TIRExB may have to be completely re-structured in due course. Thus, at the request of the delegation of Iran (Islamic Republic of), the Committee agreed to only revert to this issue when revised and more comprehensive proposals from the delegation of Iran (Islamic Republic of) were available. In the meantime, the Committee requested the secretariat to remove this item from its future agendas.

**F. Recommendation to Annex 3 on a code system to report defect remarks in the certificate of approval**

54. The Committee recalled that, at its sixty-first session (June 2015), it had decided to adopt a Recommendation on a code system to report defect remarks in the certificate of approval. The Committee had decided that the Recommendation would come into effect on 1 October 2015 and would be reviewed two years following that date, together with the possibility of converting the Recommendation into amendment proposals to Annex 3 (see ECE/TRANS/WP.30/AC.2/125, para. 13). Although after the intended deadline for review, the Committee had a first exchange of view of the Recommendation, contained in Annex III to the said report.

55. The delegation of Azerbaijan reported that the Recommendation had been translated in its national language as well as about the positive feedback received from various customs offices as to its practical use. The Committee invited other delegations to enquire with their competent authorities about national experiences, if any, with the Recommendation and report back to the Committee at its next session.

**VIII. Phase III of the TIR revision process - Computerization of the TIR procedure (agenda item 7)**

56. Due to time constraints, the Committee agreed to refer to the relevant paragraphs of the report of WP.30 at its 150th session for information on developments in the computerization of the TIR procedure.

57. The Committee, recalling the adoption of the Joint statement on the computerization of the TIR procedure at its sixty-first session (June 2015), stressed the importance of expediting the work and adopting Annex 11 to ensure further progress towards operationalizing eTIR.

**IX. Best practices (agenda item 8)****Example agreement**

58. The Committee was informed that, at its seventy-sixth session (June 2018), TIRExB had finalized its discussions to update the text of the example agreement, as contained in Chapter 6.2. of the TIR Handbook. The Committee accepted the updated text, contained in document ECE/TRANS/WP.30/AC.2/2018/13, pending final endorsement.

**X. Other business (agenda item 9)****A. IRU external audit report and related matters**

59. Further to the statement made by the Chair of TIRExB when reporting on the Board's activities at its seventy-eighth session (see paragraphs 18–25), the delegation of the European Union proposed that TIRExB explores the possibility of inviting external experts from the audit services of the customs administrations of TIRExB members to support the Board in further assessing the IRU external audit report. The delegation of Turkey did not support this proposal at this stage and expressed that it would like to hear the opinion of other contracting parties before taking a decision.

## **B. Exclusion of Romanian national association ARTRI**

60. Under this agenda item, the Committee took note that, on 4 May 2018, the IRU General Assembly had decided to uphold the decision of the IRU Presidential Executive of 8 November 2017 to exclude Asociația Română Pentru Transporturi Rutiere Internaționale (ARTRI) from its membership. Consequently, ARTRI was no longer an IRU member and had no contractual affiliation via the Deeds of Engagement, which had terminated on 31 January 2018.

## **C. Inland Transport Committee strategy until 2030**

61. The Chair briefed the Committee about the latest developments in preparing a strategy for the ITC until 2030, which involves the Chairs of Working Parties and Administrative Committees under the purview of ITC. In their joint comments, the Chairs of AC.2 and WP.30 raised, inter alia, the following issues: (a) more attention to the TIR Convention and, in particular, the need for its speedy digitalization; (b) start developing a harmonized approach for the use of e-signatures, maybe in the form of a convention, which allows persons that are not permanent residents of a given country to use an e-signature; (c) more focus on border crossing facilitation and, in particular, the relevance of its main legal instruments: the TIR Convention (1975) and the International Convention on the Harmonization of Frontier Controls of Goods, 1982; and (d) the need to find resources or provide services (translation of the text of conventions, documents and publications or interpretation at sessions) also in the other three official United Nations languages: Arabic, Chinese and Spanish. The secretariat informed the Committee that, upon request, government delegates could receive a restricted copy of the ITC strategy document.

## **D. Date of next session**

62. The Committee noted that its sixty-ninth session would take place on 7 February 2019.

## **E. Restriction on the distribution of documents**

63. The Committee decided that there would not be any restriction on the distribution of documents issued in connection with its current session.

## **F. List of decisions**

64. The Committee recalled that a list of decisions will be attached to the final report.

## **XI. Adoption of the report (agenda item 10)**

65. In accordance with Annex 8, Article 7 of the Convention, the Committee adopted the report of its sixty-eighth session on the basis of a draft prepared by the secretariat. During the adoption of the report, the French and Russian speaking delegations deplored that the report was not available in all three official languages and underscored the importance of ensuring that the report be made available in all three working languages well in advance of the next session in February 2019.

## Annex

### List of decisions taken at the sixty-eighth session of the Administrative Committee

<i>Reference in final report (para.)</i>	<i>Short description of decision</i>	<i>Actor</i>	<i>Deadline</i>
8	Endorsement of decision secretariat to proceed with hiring a P4 IT expert	secretariat	a.s.a.p.
13	Endorsement of TIRExB reports at seventy-fifth and seventy-sixth session	Committee	
25	Issue a corrigendum to document ECE/TRANS/WP.30/AC.2/2018/6	secretariat	a.s.a.p.
	Urge national associations to comply with legal obligation	Committee	
27	Launch process election TIRExB members and set deadline at 14 December 2018	secretariat	Early November 2018
	Distribute names of candidates	secretariat	17 December 2018
32	Keep Committee informed about OIOS audit	secretariat	
36	Approval that IRU records deficits 2015 and 2017 in its accounts	Committee	
39	Approval budget and costplan TIRExB and TIR secretariat; amount per TIR Carnet \$1 1.23	Committee	
41	Decision to prolong authorization for, provisionally 3 years, subject official confirmation	Committee	7 February 2019
42	Mandate to secretariat and IRU to prepare new draft agreement 2020-2022	Secretariat/IRU	7 February 2019
44	Request to WP.30 to revert to guarantee discussions	secretariat	Agenda WP.30
46	Accept proposals to amend Article 18 pending formal adoption	Committee	
51	Request to TIRExB to further consider proposals for mandatory use ITDB	secretariat	Agenda TIRExB
	Request to WP.30 to discuss application issues ITDB	secretariat	Agenda WP.30
	Decision to grant IRU access to ITDB	Secretariat/IRU	a.s.a.p
	Solicit comments by delegations	Delegations	22 November 2018
	Call upon Contracting Parties to fulfil legal obligations, pursuant to Annex 9, Part II, article 4	Committee	ongoing
52	Prepare document with accepted amendment proposals pending formal adoption	Secretariat	29 November 2018

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<i>Reference in final report (para.)</i>	<i>Short description of decision</i>	<i>Actor</i>	<i>Deadline</i>
53	Remove item from future agendas	Secretariat	15 November 2018
55	Solicit feedback from delegations on Recommendation to Annex 3	Delegations	22 November 2018
58	Decision to accept new Example Agreement pending formal endorsement	Committee	7 February 2019
59	Explore options to invite experts from audit services	TIRExB	Agenda TIRExB

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