



**Economic and Social
Council**

Distr.
GENERAL

TRANS/WP.30/AC.4/2
7 November 2000

Original: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

Administrative Committee for the Convention

on Customs Treatment of Pool Containers

Used in International Transport

(First session, 18 and 20 October 2000)

**REPORT OF THE ADMINISTRATIVE COMMITTEE
FOR THE CONVENTION ON CUSTOMS TREATMENT OF POOL CONTAINERS USED
IN INTERNATIONAL TRANSPORT
ON ITS FIRST SESSION**

ATTENDANCE

1. In accordance with Article 19, paragraph 6 (a) of the Convention, the Administrative Committee held its first session at Geneva on 18 and 20 October 2000.
2. The following representatives of the Contracting Parties attended: Austria; Italy; Slovakia; Sweden; European Community (EC).
3. The following representatives of countries were represented as observers in accordance with Article 19, paragraph 2 of the Convention: Belarus; Czech Republic; Denmark; Finland; France; Germany; Greece; Netherlands; Romania; Switzerland; The former Yugoslav Republic of Macedonia; Jordan; Romania; Slovenia; United Kingdom.

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4. The following representative of an international organization was represented as observer in accordance with Article 19, paragraph 2 of the Convention: World Customs Organization (WCO).

5. The Administrative Committee noted that the required quorum in accordance with Article 19, paragraph 8 of the Convention has been attained.

ADOPTION OF THE AGENDA

Documentation: TRANS/WP.30/AC.4/1.

6. The Administrative Committee adopted the agenda prepared by the UN/ECE secretariat (TRANS/WP.30/AC.4/1).

ELECTION OF OFFICERS

7. In accordance with Article 19, paragraph 4 of the Convention, the Administrative Committee elected Mrs. M. Ogren (Sweden) as Chairwoman and Mrs. B. Gabriel-Lang (Austria) as Vice-Chairwoman.

ATTENDANCE OF OBSERVERS

8. In accordance with Article 19, paragraph 2 of the Convention, the Administrative Committee decided not to impose any restrictions on the attendance as observers of competent administrations of States and international organizations not Contracting Parties to the Convention.

STATUS OF THE CONVENTION

Documentation: www.unece.org/trans/new_tir/conventions/list.htm.

9. The Administrative Committee was informed that, at present, the Convention had the following Contracting Parties: Austria; Cuba; Italy; Malta; Slovakia; Sweden; Uzbekistan; European Community. The Czech Republic and Poland would become Contracting Parties to the Convention on 21 December 2000 and on 4 February 2001 respectively.

10. The Administrative Committee noted that information on the text as well as on the status of the Convention is available on the UN/ECE web site (www.unece.org/trans/new_tir/conventions/list.htm). An introduction as well as explanatory notes to the Convention have been prepared by the UN/ECE Working Party on Customs Questions affecting Transport (WP.30) already in 1993. Copies of this document, available in English, French and Russian, may be obtained from the UN/ECE secretariat or through the UN/ECE web site (www.unece.org/trans/new_tir/welctir.htm, click "Admin. Committees", "AC.4").

PROPOSALS FOR AMENDMENT OF THE CONVENTION

11. Contracting Parties to the Convention had been invited by the Executive Secretary of the UN/ECE to submit proposals for amendment of the Convention. The Administrative Committee noted that no amendment proposal has been submitted.

12. The representative of the European Community informed the Administrative Committee that the European Community and its member States have attained the objective of the Convention for transport operations within their Customs territory and thus would not see a need to propose amendments to the Convention.

(a) Model Container Pool Agreement

Documentation: TRANS/WP.30/184; TRANS/WP.30/R.128.

13. The Administrative Committee noted that the UN/ECE Working Party on Customs Questions affecting Transport (WP.30), at its ninety-second session, had decided to consider the consolidated model container pool agreement that had been prepared already in 1994 by an UN/ECE ad hoc expert group (TRANS/WP.30/R.128) with a view to facilitating the application of the Convention and the newly introduced Customs concept on "equivalent compensation" (TRANS/WP.30/184, para. 65). Due to lack of time, the Working Party has not considered the model agreement so far.

14. The Administrative Committee decided not to consider, for the time being, the model container pool agreement and to await the accession of further Contracting Parties to the Convention. Document TRANS/WP.30/R.128 may be obtained through the UN/ECE web site (www.unece.org/trans/new_tir/welctir.htm, click "Admin. Committees", "AC.4", "Official documents").

(b) Implementation of the Convention: Issues for consideration

Documentation: TRANS/WP.30/162; TRANS/WP.30/157; TRANS/WP.30/151; TRANS/WP.30/131.

15. The Administrative Committee noted that the UN/ECE Working Party on Customs Questions affecting Transport (WP.30), at its seventy-fourth session in 1992, had felt that, besides model container pool agreements, detailed comments to the provisions of the Convention needed to be prepared in order to facilitate the implementation of the Convention (TRANS/WP.30/147, para. 15). At its seventy-sixth session in 1993, the Working Party had decided that the UN/ECE secretariat should prepare such comments only after its consideration of the model container pool agreements (TRANS/WP.30/151, para. 56).

16. Since the Working Party did not continue its considerations of the consolidated model container pool agreement, such comments have not yet been prepared. The UN/ECE secretariat has however prepared, for consideration by the Working Party in 1994, a document setting out a number of practical problems which needed to be addressed for an efficient implementation of the Convention (TRANS/WP.30/131). However, this document was only briefly considered by the Working Party and its detailed review has been postponed (TRANS/WP.30/157, para. 77). At its eighty-first session in 1995, the Working Party decided again to consider the practical implications of the Convention at one of its forthcoming sessions and invited delegations to prepare relevant documentation and discussion papers. Due to lack of time, the item was, however, not taken up until today (TRANS/WP.30/162, para. 77).

17. The Administrative Committee decided not to consider, for the time being, the UN/ECE secretariat document, but to await the accession of further Contracting Parties to the Convention. Document TRANS/WP.30/R.131 may be obtained through the UN/ECE web site (www.unece.org/trans/new_tir/welctir.htm, click "Admin. Committees", "AC.4", "Official documents").

OTHER BUSINESS

(a) Date of next session

18. The Administrative Committee decided to convene its next session in accordance with Article 19, paragraph 6 (b) of the Convention, i.e. at the latest in the year 2005.

(b) **Restriction on the distribution of documents**

19. 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

20. In accordance with Article 19, paragraph 11 of the Convention, the Administrative Committee adopted the report of its first session on the basis of a draft prepared by the UN/ECE secretariat.
