



Economic Commission for Europe
Administrative Committee for the TIR Convention, 1975
Seventy-third session

Geneva, 14 and 15 October 2020

**Report of the Administrative Committee for the TIR
 Convention on its seventy-third session**
Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Attendance.....	1	3
II. Adoption of the agenda (agenda item 1)	2	3
III. Election of officers (agenda item 2).....	3	3
IV. Status of the TIR Convention, 1975 (agenda item 3).....	4–5	3
V. Activities and administration of the TIR Executive Board (agenda item 4).....	6–19	4
A. Activities of the TIR Executive Board.....	6–13	4
1. Report by the Chair of the TIR Executive Board	6–7	4
2. Election of members of the TIR Executive Board.....	8–10	4
3. International databases and electronic tools managed by the TIR secretariat	11–12	5
4. National and regional TIR workshops and seminars.....	13	5
B. Administration of the TIR Executive Board and the TIR secretariat.....	14–19	5
1. Status report on the accounts for the year 2019.....	14	5
2. Interim financial statement for the year 2020.....	15	6
3. Procedure for financing the operation of the TIR Executive Board and TIR secretariat	16	6
4. Budget proposal and cost plan for the year 2021	17–19	6
VI. Revision of the Convention (agenda item 5).....	20–29	6
A. Amendment proposals to the Convention transmitted by the Working Party.	20	6
B. Amendment proposals to the Convention transmitted by the TIR Executive Board	21–25	6
C. Accepted amendment proposals to the Convention pending formal adoption	26–27	8
D. Recommendation to Annex 3 on a code system to report defect remarks in the certificate of approval	28–29	8

VII.	eTIR (agenda item 6).....	30	9
VIII.	Agreement between the United Nations Economic Commission for Europe and the International Road Transport Union (agenda item 7).....	31–33	9
IX.	Audit of the accounts of the TIR Executive Board and the TIR secretariat (agenda item 8).....	34–41	9
X.	Other business (agenda item 9).....	42–48	11
	A. The International Road Transport Union external audit report and related matters.....	42–45	11
	B. Date of next session.....	46	12
	C. Restriction on the distribution of documents.....	47	12
	D. List of decisions.....	48	12
XI.	Adoption of the report (agenda item 10).....	49	12
Annex			
	List of decisions on main issues discussed at the seventy-third session of the TIR Administrative Committee (AC.2), 13-15 October 2020 (for the draft agenda, please refer to ECE/TRANS/WP.30/AC.2/148).....		13

I. Attendance

1. The Committee (AC.2) held its seventy-third session on 13–15 October 2020, virtually and in-person, in Geneva. The session was attended by representatives of the following countries: Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iran (Islamic Republic of), Italy, Kuwait, Latvia, Lithuania, Mongolia, Netherlands, Poland, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uzbekistan. Representatives of the European Union were also present. The following non-governmental organization was represented: International Road Transport Union (IRU). 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) – was attained.

II. Adoption of the agenda (agenda item 1)

2. The Committee adopted the agenda of the session (ECE/TRANS/WP.30/AC.2/149) and noted the availability of additional information.

III. Election of officers (agenda item 2)

3. In accordance with the Committee's rules of procedure and established practice, the Committee elected Ms. V. Raun Bøg (Denmark) as Chair for the session.

IV. Status of the TIR Convention, 1975 (agenda item 3)

4. The Committee took note that, since its previous session, the number of contracting parties had not changed. Thus, the Convention has, to date, seventy-six contracting parties (including the European Union). And, since the activation of the TIR system for Oman on 27 August 2020, TIR operations can now be established with sixty-four countries.

5. The Committee was further informed that, on 26 February 2020, the Secretary-General of the United Nations in his capacity of depositary, re-issued depositary notification C.N.71.2020.TREATIES-XI.A.16 of 25 February 2020, informing of the submission of various amendment proposals to the body of the Convention and introducing new Annex 11. In accordance with the provisions of Article 59 (3) of the Convention, the proposed amendments shall come into force with respect to all parties to the Convention three months after the expiry of a period of twelve months following the date of that communication, during which no objection to the proposed amendments has been communicated to the Secretary-General by a party. Annex 11 shall come into force in the absence of any objection to the proposal of amendments within the abovementioned twelve month period, except for those States which notify the depositary of their non-acceptance of Annex 11 between 25 February 2021 and 25 May 2021. More detailed information on depositary notifications is available on the TIR website.¹

¹ www.unece.org/tir/tir-depositary_notification.html.

V. Activities and administration of the TIR Executive Board (agenda item 4)

A. Activities of the TIR Executive Board

1. Report by the Chair of the TIR Executive Board

6. The Committee endorsed the report of the TIR Executive Board (TIRExB) at its eighty-third (October 2019) session (ECE/TRANS/WP.30/AC.2/2020/13).

7. The Chair of TIRExB orally briefed the Committee about the major considerations and decisions taken at the eighty-fifth session (October 2020), which had been originally scheduled for June 2020 but which had to be postponed due to the COVID-19 pandemic. TIRExB endorsed its cost plan for 2021 and the amount per TIR Carnet to collect the necessary funds. Further, the Board considered the results of a survey on a code system to report defect remarks in the certificate of approval and requested the secretariat to submit its conclusions to the Committee. The Board also had a fruitful exchange of views on the implementation of the TIR procedure during the COVID-19 pandemic, including the recommendations of the Informal Multidisciplinary Advisory Group on Transport Responses to the COVID-19 crisis and the possibility of introducing mutually accepted measures to be applied during similar periods. The Board decided to continue discussing the issue at its next session. The Board took note of the progress in the eTIR project and the International TIR Data Bank (ITDB) and requested the secretariat to complete its work on the ITDB customs offices module and the new module on the certificates of approval until December 2020. The Board was also briefed about the studies on the intermodal use of the TIR procedure and the reasons for the decline in the number of TIR Carnets used and requested the secretariat to complete both studies until December 2020 as well. Finally, having noted the low participation of contracting parties in the 2015–2018 survey on customs claims, the Board emphasized the importance for contracting parties of replying to this as well as all surveys, in order to allow the Board to fulfil its function of supervising the application of the TIR Convention.

2. Election of members of the TIR Executive Board

8. 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 2019, the Committee must, at its next session (11 February 2021), 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).

9. The Committee authorized the ECE secretariat to issue, in November 2020, a document recalling the approved election procedures and soliciting candidates willing to stand for election as members of TIRExB for the term 2021–2022. 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 (UNOG). The deadline by which nominations would need to be received by the

ECE secretariat is 15 December 2020, 0.00 hours CET. No further candidates may be nominated following expiry of this deadline, On 16 December 2020, the ECE secretariat will circulate a list of candidates who have been nominated by their respective governments or organizations, being contracting parties to the Convention.

10. The Committee mandated the secretariat, in case no in-person election can be conducted at its February 2021 session, to organize the election by means of any on-line method, while fully ensuring that the election can take place by means of a secret ballot and that all States, contracting parties to the Convention, can take part therein.

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

11. The Committee welcomed the status report of the International TIR Data Bank (ITDB). The Committee took note of the current status of data recordings in ITDB and, in particular, of the following figures: 1,063 web application users, 32,362 authorized holders recorded, 252 stamps and seals recorded, 2,474 customs offices recorded, and of the web service usage over the past two years. The Committee was also informed about recent ITDB related achievements: the completion of security upgrades on the ITDB servers, the email communications sent to the TIR focal points inviting them to review the ITDB user accounts related to their countries, the improvements to the ITDB service desk processes, the deployment to the test environment of the customs office code validation web services, the deployment to production of the region-based notifications and other minor improvements, the tasks associated to the support of the eTIR international system development and the creation of nine read-only accounts in the ITDB web application for IRU staff. Finally, the Committee was informed about future releases and other activities planned, namely: rolling out the customs office code validation web service, the support tasks to the contracting parties wishing to import customs office data in ITDB and the certificate of approval module. The secretariat mentioned that, even though all efforts are focused on the finalization of the eTIR international system and its interconnection with national customs systems, it will do everything possible to accomplish the above-mentioned tasks, especially the long-lasting ones.

12. The Committee considered the revised data requirements for the customs offices module of ITDB and took note of a video by the secretariat, available in the three official languages², demonstrating how customs officers would manage customs offices in the new module. The Committee approved document ECE/TRANS/WP.30/AC.2/2020/3/Rev.1, containing the data requirements for the ITDB customs office module, invited contracting parties to submit data to the module and decided that the data should be published on the ITDB website once the module is finalized.

4. National and regional TIR workshops and seminars

13. The Committee agreed to be informed about TIR workshops and seminars conducted and/or planned under agenda item 8, recommendation No. 10 of the United Nations Internal Office for Oversight Services (OIOS) (see also document ECE/TRANS/WP.30/AC.2/2020/23, table No. 2).

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

1. Status report on the accounts for the year 2019

14. 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

² Please follow the links below to the various language versions of the presentation:

English:

www.youtube.com/watch?v=0Ezyfem7Wmk&list=PL4iZR0KyjSQ83OvLtykCNksScqnsM8eXC&index=22

French:

www.youtube.com/watch?v=rK-wd5LgI_I&list=PL4iZR0KyjSQ83OvLtykCNksScqnsM8eXC&index=21

Russian:

www.youtube.com/watch?v=i2cHrQwms44&list=PL4iZR0KyjSQ83OvLtykCNksScqnsM8eXC&index=23

or at the request of the Committee. The Committee was informed that the competent finance services of the United Nations had formally finalized the accounts for 2019. The Committee formally approved the status report on the accounts for 2019 as contained in document ECE/TRANS/WP.30/AC.2/2020/14.

2. Interim financial statement for the year 2020

15. The Committee took note of the provisional interim financial statement for 2020 as contained in document ECE/TRANS/WP.30/AC.2/2020/15.

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

16. The Committee took note of the audit certificate of 2019, as contained in document ECE/TRANS/WP.30/AC.2/2020/16.

4. Budget proposal and cost plan for the year 2021

17. The Committee considered the budget proposal and cost plan for the operation of TIRExB and the TIR secretariat for the year 2021 (ECE/TRANS/WP.30/AC.2/2020/17). The proposed cost plan for 2021 (estimated at \$1,724,860 inclusive of programme support costs), reflects an increase of \$74,834 over the approved budget and cost plan for TIRExB and the TIR secretariat for 2020.

18. 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.2/2019/24), the Committee approved the budget and cost plan for the operation of TIRExB and the TIR secretariat for the year 2021 as well as the net amount of \$1,336,964 to be transferred by IRU, as contained in document ECE/TRANS/WP.30/AC.2/2020/17.

19. The Committee noted that IRU expects to distribute 756,000 TIR Carnets in 2021 (Informal document WP.30/AC.2 (2020) No. 7). Based on this forecast, the Committee approved the amount of \$1.95 (rounded) per TIR Carnet. The amount per TIR Carnet will be expressed in Swiss francs following the transfer of the above amount to the ECE named bank account according to the prevailing United States dollar – Swiss franc exchange rate on the day of transfer.

VI. Revision of the Convention (agenda item 5)

A. Amendment proposals to the Convention transmitted by the Working Party

20. The Committee considered document ECE/TRANS/WP.30/2020/9–ECE/TRANS/WP.30/AC.2/2020/25 by IRU and agreed with the new lay-out for the TIR Carnet, Version 1 and Version 2. The Committee further considered Informal document WP.30 (2020) No. 7/Rev.1 – AC.2 (2020) No. 6/Rev.1, containing the full set of amendments to the legal text of the Convention required to introduce a maximum of eight places of loading and unloading and the new lay-out of the TIR Carnet in the legal text of the TIR Convention. The Committee accepted the set of amendment proposals and requested the secretariat to prepare a complete package of proposals related to the increase in places of loading and unloading for formal adoption at its February 2021 session.

B. Amendment proposals to the Convention transmitted by the TIR Executive Board

21. The Committee recalled that, at its seventy-second session (February 2020), it confirmed having accepted the following proposals transmitted by TIRExB, pending formal adoption at the current session (see also agenda item 5 (c)):

- (a) Proposal to change, in Article 38, “within one week” into “without delay”;
- (b) Proposal to change, in Explanatory Note 0.38.2, “is deemed to” by “shall”;
- (c) Proposal to reword, Explanatory Note 9.II.4, to read “Data, as set out in paragraph 4, shall be transmitted...”;
- (d) Proposal to change, in Annex 9, Part II, paragraph 4, “within one week” into “without delay”;
- (e) Proposal to amend the text of Annex 9, Part II, paragraph 4;
- (f) Proposal to reformulate the text of Annex 9, Part II, paragraph 5 to read “The associations shall transmit any change in the particulars of authorized persons without delay from the moment they become aware of it to the competent authorities and the TIR Executive Board;
- (g) Proposal to remove MAF and accompanying text from Annex 9, Part II.
- (h) Proposal to introduce a new Explanatory Note 0.45-1, reading: “The legal provisions to publish the list of customs offices of departure, customs offices en route and customs offices of destination approved for accomplishing TIR operations is also deemed to be fulfilled by means of the proper use of the electronic applications developed to this end by the TIR secretariat under the supervision of the TIR Executive Board” and to renumber current Explanatory Note 0.45-1 to become 0.45-2.

22. The Committee considered document ECE/TRANS/WP.30/AC.2/2020/18, presenting technological solutions to address concerns about exclusions and withdrawals in ITDB, raised by the Government of Uzbekistan and IRU. The Committee, recalling the mandate and background of this document, took note of the current status of data, the challenges for TIR Carnet holders related to the high number of exclusions and withdrawal recorded without reason/explanation, as well as of the high number of temporary exclusions and withdrawals recorded without end date. The Committee further took note of the issue caused by the fact that, at present, TIR Carnet holders have no possibility to access their holder status information. The Committee considered proposals made to improve the data quality and data availability in ITDB. The European Commission and Turkey provided several proposals for improvements (in particular: to allow for longer temporary exclusions and withdrawals; not to automate the re-instatement of TIR Carnet holders who were temporarily excluded without end date, even after several reminders; to make sure that each stakeholder only receives notifications about information that he/she has access to in the ITDB; and that a mobile application should support other languages than the ones originally supported by the ITDB web application). The Committee requested the secretariat to revise the document according to the interventions of the European Commission and Turkey and submit it for discussion to the next session of the Committee. The Committee expressed the view that it felt that the concerns raised by the Government of Uzbekistan and IRU had now been sufficiently addressed and that, thus, nothing impeded the formal adoption of the above proposals by TIRExB under agenda item 5 (c).

23. Under this agenda item, the delegation of Turkey raised the issue of IRU having been granted access to ITDB, expressing that the scope of access should be determined by the Committee before implementing further changes in ITDB, taking into account the responsibilities of the various stakeholders. In reply, the TIR Secretary clarified that, at its sixty-eighth session (October 2018), the Committee had requested the secretariat to grant IRU access to ITDB (ECE/TRANS/WP.30/AC.2/139, para. 51). In the absence of information on how such access was to be granted, the secretariat and IRU held lengthy discussions, leading to the recent development, where IRU was granted the most limited form of access (through named accounts in the ITDB web application with read-only access of holder data only). The delegation of Turkey expressed the view that, since the decision to give access to the international organization was made by the Committee, it should be that same platform which should decide the scope of the access given to the international organization in order to clear any ambiguity on this matter, and requested the secretariat to include its comments in the revision of document ECE/TRANS/WP.30/AC.2/2020/18 as a request for consideration by the Committee at its next session.

24. The Committee recalled that, at its sixty-seventh session (February 2018), in relation to the exclusion of the Romanian national association, namely the *Asociatia Româna Pentru Transporturi Rutiere Internationale (ARTRI)*, TIRExB had reminded AC.2 of its findings that the TIR Convention was silent on the agreement between the international organization and its national associations except for a reference in Explanatory Note 0.6.2 bis-1. TIRExB further informed the Committee that it was considering a proposal by the Romanian customs authorities to clarify the reasons for termination of the written agreements between the international organization and its national associations in a new Explanatory Note to Article 6. The Committee requested TIRExB to study E.N. 0.6.2 bis to assess whether or to which extent it would be possible to include provisions on the relations between the international organization and its national associations in the text of the TIR Convention (ECE/TRANS/WP.30/AC.2/137, paras. 16 and 39).

25. The Committee took note of the assessment by TIRExB in document ECE/TRANS/WP.30/AC.2/2020/19. The Committee noted that TIRExB considered an early warning mechanism appropriate to address situations similar to what ARTR had experienced. The Committee also took note of Informal document WP.30/AC.2 (2020) No. 9 by the Government of Romania, in which it raised various questions. While agreeing that an early warning mechanism constitutes a first step, the Committee decided to revert to the issue at its next session, on the understanding that there is a clear wish to have the matter addressed at the level of the TIR Convention.

C. Accepted amendment proposals to the Convention pending formal adoption

26. At the request of the Committee, the secretariat prepared document ECE/TRANS/WP.30/AC.2/2020/20, for consideration and formal adoption, containing all outstanding accepted amendment proposals pending formal adoption, grouping them into various packages.

27. The Committee: (a) reconfirmed the formal adoption of the already accepted amendment proposals in ECE/TRANS/WP.30/AC.2/2020/20, Annex I; (b) formally adopted the already accepted amendment proposals in Annex II of the said document; (c) decided to send package No. 1 of amendment proposals (Annex III) to the depositary, following the provisions of Article 59; (d) decided to send package No. 2 of amendment proposals (Annex IV) to the depositary, following the provisions of Article 60; (e) to that end, decided that the proposals in Annex IV shall enter into force on 1 June 2021, unless, by 1 March 2021, at least five contracting parties have raised an objection with the Secretary-General; (f) decided regarding the adopted amendment proposals in Annex V, to keep them on hold until the formal adoption of changes to the layout of the TIR Carnet had been finalized; (g) decided to add the adopted amendment proposals contained in Annex VI of the said document to package No. 1 in Annex III.

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

28. The Committee recalled that, at its seventy-second session (February 2020), the delegations of Azerbaijan, the European Union and Turkey reported on the benefits of the code system and advocated its conversion into, possibly, an Appendix to Annex 3. In order to obtain a better understanding about the current practice in applying the recommendation, the Committee requested the secretariat to launch a short survey among contracting parties about their national experiences in this area. The results of the survey should be forwarded for review and assessment by TIRExB at its June 2020 session, after which TIRExB was invited to transmit its findings to the Committee for consideration at its next session (ECE/TRANS/WP.30/AC.2/147, para. 36).

29. Considering that the June 2020 session of TIRExB was postponed to October 2020, due to the COVID pandemic, the Committee was orally briefed by the Chair of TIRExB about the results of the survey and the initial findings of the Board. In particular, the

Committee took note that, whereas most countries seem to be familiar with the recommendation, not many actually apply the code system. To assess the situation in more detail and, in particular, whether to continue with the code system as a recommendation or to insert it in the legal text of the Convention, the Committee requested the secretariat to prepare the results of the survey as official document for consideration at its next session, including proposals how to insert the code system in the legal text of the Convention.

VII. eTIR (agenda item 6)

30. Please refer to the report of the Working Party on Customs Questions affecting Transport (WP.30) on its 155th session (ECE/TRANS/WP.30/310, paras. 11-17).

VIII. Agreement between the United Nations Economic Commission for Europe and the International Road Transport Union (agenda item 7)

31. The Committee recalled that, at its seventy-first session (October 2019), it adopted the new draft ECE/IRU agreement for the period 2020–2022 inclusive, as contained in document ECE/TRANS/WP.30/AC.2/2019/24 and mandated ECE and IRU to proceed with signing the new agreement at the earliest convenience, but, in any case, well before 15 November 2019 (ECE/TRANS/WP.30/145, para. 57).

32. The Committee also recalled that, at its previous session (February 2020), (a) the delegation of the European Union informed about minor comments to the agreement, but that it could accept that these comments only be taken on board when drafting the new agreement for the year 2023 and beyond and that it raised, in particular, the idea of introducing a so-called “handover” clause; (b) the delegation of the Russian Federation supported the proposals of the European Union but challenged why the Committee would have to wait until the new agreement; (c) the delegation of the Russian Federation was of the view that, in Annex IV, all conditions of Annex 9, Part III should be addressed; (d) the delegation of the Russian Federation requested the secretariat to prepare, for consideration, at the current session, a document elaborating how the conditions and requirements of Annex 9, Part III could be addressed and included in the ECE/IRU agreement; and (e) the Committee requested the secretariat to issue the comments by the European Union as an official document for consideration at the current session (see ECE/TRANS/WP.30/AC.2/147, para. 38).

33. In line with the above, the Committee considered document ECE/TRANS/WP.30/AC.2/2020/21 on inserting the conditions and requirements of Annex 9, Part III in the ECE/IRU agreement and confirmed that it was standing practice to only refer to legal provisions rather than reproducing them word by word and, thus, agreed, that there was no need to reinsert the complete text of Annex 9, Part III in the text of the ECE/IRU agreement. The Committee further considered document ECE/TRANS/WP.30/AC.2/2020/22 by the European Union. The Committee agreed that the comments, some of which were purely editorial, were not critical and, therefore, decided that they only needed to be considered when drafting the text of the next ECE/IRU agreement. The secretariat, recalling the established procedure to prepare, adopt and conclude the agreement between ECE and IRU, explained that, at times, this procedure could not be fully honoured, due to time constraints in preparing the new draft. In reply to a question by IRU about the nature of the activities/services that would need to be handed over as part of the handover clause, the delegation of the European Union proposed, and IRU accepted, to discuss this bilaterally.

IX. Audit of the accounts of the TIR Executive Board and the TIR secretariat (agenda item 8)

34. The Committee recalled that, at its seventy-first session (October 2019), it noted that the audit requested by AC.2 at its sixty-fourth session (October 2016) from the competent

United Nations services on the accounts of TIRExB and the TIR secretariat (see ECE/TRANS/WP.30/AC.2/131, para. 22) had been undertaken OIOS and completed in March 2019, and that the audit report was presented in ECE/TRANS/WP.30/AC.2/2019/25.

35. The Committee further recalled that, at its previous session (February 2020): (a) documents ECE/TRANS/WP.30/AC.2/2020/8, 10 and 11 were not available in French and Russian; (b) the Committee requested that discussions on OIOS recommendations No. 1, No. 3 and No. 7 be postponed to the current session; and (c) the Committee decided that only recommendations No. 2 and No. 10 could be discussed.

36. As for recommendation No. 2 (Terms of Reference for TIR focal points, as contained in document ECE/TRANS/WP.30/AC.2/2020/9), the Committee considered Informal document WP.30/AC.2 (2020) No. 8 with the outcome of the survey on establishing terms of reference for TIR focal points from customs and national associations. While fully conscious of the importance of implementing OIOS recommendation No. 2 without delay, the Committee felt that more time was required to properly review the terms of reference and, therefore, decided to revert to the issue at its next session.

37. As for recommendation No. 10 (action plan for training and support of recently acceded countries, contained in document ECE/TRANS/WP.30/AC.2/2020/2), the Committee took of the updated status of the action plan in document ECE/TRANS/WP.30/AC.2/2020/23 and, in particular, of the fact that most activities are organized at no cost. With this additional information, the Committee considered OIOS recommendation No. 10 as approved and implemented.

38. As for recommendation No. 1 (monitoring and evaluation of the documentation to be submitted by the authorized international organization), the Committee considered and adopted document ECE/TRANS/WP.30/AC.2/2020/8 as a basis for such activity. The Committee decided to accept the list of documents, subject to minor changes, to be submitted by IRU as contained in Annex II, on the understanding that, as in the past, most documents could be archived at the TIR secretariat on behalf of TIRExB and would be made available to contracting parties following the procedure established in document ECE/TRANS/WP.30/AC.2/2015/12. With regard to the IRU external audit report, conducted by Ernst&Young in 2016, the Committee agreed that it was sufficient that its executive summary was deposited as hard copy with the secretariat and that the full version could be consulted at various premises of IRU, respecting the procedure outlined in document ECE/TRANS/WP.30/2017/11. Furthermore, the Committee decided to amend the following recommendations in Annex I as follows: (a) in the fourth bullet point, the last sentence should be rephrased to read “Otherwise, the international organization should justify towards the Administrative Committee the legal impediment for full access, per document. The Committee is entitled to assess the grounds of such impediment and formulate its opinion.”; (b), in the fifth bullet point, the first sentence, should be reworded to read: “The Administrative Committee can request ECE to issue a report.”; (c), in the fifth bullet point, it should be clarified whether the experts should be either ‘certified’ or ‘qualified’ and the last sentence (However...etc.) be deleted. While fully conscious of the importance of implementing OIOS recommendation No. 1 without delay, the Committee felt that more time was required to properly review the evaluation mechanism and , therefore, decided to revert to the issue at its next session, requesting the secretariat to revise document ECE/TRANS/WP.30/AC.2/2020/8 according to the above instructions.

39. As for recommendation No. 7 (b) (need to develop an appropriate alternative financing arrangement to ensure the sustainability of TIR trust fund operations), the Committee considered document ECE/TRANS/WP.30/AC.2/2020/10 and decided to pursue, for now, the current financing mechanism of TIRExB and the TIR secretariat, due to the absence of any realistic alternative arrangement. With this decision, the Committee considered OIOS recommendation No. 7 (b) as approved and implemented.

40. As for recommendation No. 3 (need to develop appropriate procedures for the evaluation of qualified organizations before selection and their periodic assessment), the Committee considered and adopted document ECE/TRANS/WP.30/AC.2/2020/11, on the understanding that it only will apply in case a new organization (and not IRU) requests AC.2 to become authorized. As long as IRU continues as authorized international organization it

will have to comply with the submission of documents as decided by the Committee. With this additional information, the Committee considered OIOS recommendation No. 3 as approved and implemented.

41. As for recommendation No. 6 (the apparent conflict of interest arising from the arrangement between ECE and IRU on the eTIR project), the secretariat informed the Committee that it had held two meetings with the United Nations Ethics Office and that its advice was expected shortly.

X. Other business (agenda item 9)

A. The International Road Transport Union external audit report and related matters

42. The Committee, recalling that the IRU external audit report, conducted by Ernst&Young in 2016, now forms part of the list of documents in Annex II of document ECE/TRANS/WP.30.AC.2/2020/8, considered that there was no further reason to discuss this issue and requested the secretariat to take it out of its future agendas.

43. Under this agenda item, the delegation of the European Union informed the Committee about some articles, recently published in various Swiss newspapers,³ reporting about the monopoly of IRU for TIR and that it had made a lot of profit in the past. According to the newspaper articles, internal audits had revealed that a sum of SwF 520 000 000 had been invested in a Turkish real estate project and that most of the money was lost. In reply, IRU clarified that the two articles appeared in the press on 14 July and 10 August 2020. They referred to decisions made in 2008 by the previous IRU management on investing IRU funds. This was well before the current IRU Secretary-General took over in 2013. Since then, IRU has implemented a wide range of measures to improve governance as well as financial and management controls. Since then, members and stakeholders of IRU, including all TIR issuing associations, have obtained significantly greater transparency and accountability with regard to financial and operational decisions of IRU than twelve years ago. In conclusion, the Committee established that these business investments did not involve any public or taxpayer's money but might have relevance for AC.2, as it concerns IRU's financial management.

44. Under this agenda item, the secretariat reminded the Committee that IRU had submitted document ECE/TRANS/WP.30/2020/24, containing the audit report for the year 2019 on the records and accounts kept by IRU pertaining to the organization and functioning of the international guarantee system and the printing and distribution of TIR Carnets. The Committee requested the secretariat to include the report as a separate agenda item in its next agenda.

45. Finally, the delegation of Iran (Islamic Republic of) informed the Committee that, on 26 July 2020, 7 TIR transports had been conducted from the southern port of Bandar Abbas (on the Persian Gulf) along the Iran-Afghanistan-Tajikistan-Kyrgyzstan corridor and that, on 10 August 2020, 3 TIR transports had been conducted from Iran (Islamic Republic of) along the Iran-Afghanistan-Uzbekistan corridor. TIR Carnet holders from Afghanistan had participated in both pilots.

³ Camionneure verschleudern Millionen, Berner Zeitung 2020-07-15: www.derbund.ch/wie-die-camionneure-ein-vermoegen-in-den-sand-setzten-372067550999; Gescheiterter Putschversuch - Streit bei den Camionneuren eskaliert: www.tagesanzeiger.ch/streit-bei-den-camionneuren-eskaliert-492117465735

B. Date of next session

46. The Committee decided to conduct its seventy-fourth session in the week of 9–12 February 2021, subject to potential adjustments due to the ongoing COVID pandemic and the United Nations liquidity crisis.

C. Restriction on the distribution of documents

47. The Committee decided that there would be no restriction in the distribution of documents issued in connection with its current session.

D. List of decisions

48. The Committee reviewed the list of decisions without further comments. The list of decisions is attached as Annex to the final report.

XI. Adoption of the report (agenda item 10)

49. The Committee instructed the secretariat to issue the listed decisions, preceded by a succinct summary of the discussions, as official report of its seventy-third session. The report should be circulated among registered participants for final adoption.

Annex

List of decisions on main issues discussed at the seventy-third session of the TIR Administrative Committee (AC.2), 13-15 October 2020 (for the draft agenda, please refer to ECE/TRANS/WP.30/AC.2/148)

The Committee:

1. Decides that there is a quorum to take decisions (agenda item 1).
2. Decides to accept the nomination of Ms. V. Raun Bøg (Denmark) as Vice-Chair for the year 2020 and takes note that she will chair the session, due to the absence of Ms. L. Jelinkova-Harantova (Czech Republic) for personal reasons (agenda item 2).
3. Decides to follow the well-established procedure for the (re)election of members of TIRExB and authorized the secretariat to issue, in November 2020, a document recalling the approved election procedures and soliciting candidates willing to stand for election for the term 2021–2022; decides that the deadline by which nominations need to be received by the ECE secretariat is 15 December 2020, 0.00 hours CET and requests the secretariat to circulate, on 16 December 2020, a list of candidates, who have been nominated by their respective governments or organizations, being contracting parties to the Convention (agenda item 4 (a) (ii)).
4. Mandates the secretariat, in case no in-person election can be conducted at its February 2021 session, to organize the election means of any on-line method, while fully ensuring that the election can take place by means of a secret ballot and that all States, contracting parties to the Convention, can take part therein (agenda item 4 (a) (ii)).
5. Approves document ECE/TRANS/WP.30/AC.2/2020/3/Rev.1, containing the data requirements for the ITDB customs office module; invites contracting parties to submit data to the module; decides that the data should be published on the ITDB website (agenda item 4 (a) (iii)).
6. Approves the status report on the accounts for the year 2019 (ECE/TRANS/WP.30/AC.2/2020/14) and takes note of the interim financial statement for the year 2020 (ECE/TRANS/WP.30/AC.2/2020/15) and audit certificate of 2019 (ECE/TRANS/WP.30/AC.2/2020/16); approves the budget and cost-plan for the operation of TIRExB and the TIR secretariat for the year 2021 in document ECE/TRANS/WP.30/AC.2/2020/17; approves, based on the forecast by IRU, the amount of \$ 1.95 per TIR Carnet (agenda item 4 (b)).
7. Approves the new layout of the TIR Carnet in document ECE/TRANS/WP.30/2020/9-ECE/TRANS/WP.30/AC.2/2020/25 in combination with the concerned amendment proposals to the Convention in Informal document WP.30 (2020) No. 7/Rev.1 – AC.2 (2020) No. 6/Rev.1, and requests the secretariat to prepare a complete package of proposals related to the increase in places of loading and unloading for formal adoption at its February 2021 session (agenda item 5 (a)).
8. Decides that the proposals to the Convention transmitted by the TIR Executive Board (see ECE/TRANS/WP.30/AC.2/148, agenda item 5 (b), items (a)-(h)), which it had accepted at its seventy-second session (February 2020) could be put forward for formal adoption at the current session, in view of the fact that the considerations by the Government of Uzbekistan and the International Road Transport Union (IRU) on the exclusion and withdrawal of holders in the International TIR Databank (ITDB) were duly addressed in document ECE/TRANS/WP.30/AC.2/2020/18 by the secretariat (agenda item 5 (b)).
9. Considers document ECE/TRANS/WP.30/AC.2/2020/18 as a basis to improve the reliability of the data contained in ITDB and provides various proposals to improve the proposed technological solutions; requests the secretariat to revise the document according to the interventions of the European Commission and Turkey and submit it for discussion to the next session of the Committee (agenda item 5 (b)).

10. Considers document ECE/TRANS/WP.30/AC.2/2020/19 by TIRExB and Informal document WP.30/AC.2 (2020) No. 9 by the Government of Romania on the introduction of an early warning mechanism in case of the possible termination of the relationship between the international organization and one of its member associations; while agreeing that an early warning mechanism constitutes a first step, the Committee decides to revert to the issue at its next session, on the understanding that there is a clear wish to have the matter addressed at the level of the TIR Convention (agenda item 5 (b)).

11. Reconfirms the formal adoption of the already accepted amendment proposals in ECE/TRANS/WP.30/AC.2/2020/20, Annex I; formally adopts the already accepted amendment proposals in Annex II of the said document; decides to send package No. 1 of amendment proposals in Annex III to the depositary, following the provisions of Article 59. Decides to send the package No. 2 of amendment proposals in Annex IV to the depositary, following the provisions of Article 60. To that end, the Committee decides that the proposals in Annex IV shall enter into force on 1 June 2021, unless, by 1 March 2021, at least five contracting parties have raised an objection with the Secretary-General. Regarding the adopted amendment proposals contained in Annex V, the Committee decides to keep them on hold until the formal adoption of changes to the layout of the TIR Carnet have been finalized. The Committee decides to add the adopted amendment proposals contained in Annex VI of the said document to package No. 1 (agenda item 5 (c)).

12. Takes note of the findings by TIRExB about a survey on the application of a recommendation to Annex 3 of the Convention, introducing a code system to report defect remarks in the certificate of approval, in particular that, whereas most countries seem to be familiar with the recommendation, not many actually apply the code system. To assess the situation in more detail and, in particular, whether to continue with the code system as recommendation or to insert it in the legal text of the Convention, the Committee requested the secretariat to prepare the results of the survey as official document for consideration at its next session (agenda item 5 (d)).

13. Considers Informal document WP.30/AC.2 (2020) No. 8 with the outcome of the survey on establishing terms of reference for TIR focal points from customs and national associations. While fully conscious of the importance of implementing OIOS recommendation No. 2 without delay, the Committee feels that more time is required to properly review the terms of reference and, therefore, decides to revert to the issue at its next session (agenda item 7)).

14. Takes note of the updated status of the action plan to promote accession to and implementation of the TIR Convention and the eTIR international system in ECE/TRANS/WP.30/AC.2/2020/23 and, in particular, of the fact that most activities are organized at no cost. With this additional information, the Committee considers Recommendation No. 10 of the United Nations Office of Internal Oversight Services (refer to document ECE/TRANS/WP.30/AC.2/2019/25) as approved and implemented (agenda item 7).

15. Considers document ECE/TRANS/WP.30/AC.2/2020/8 as a basis for ongoing monitoring and evaluation of the documentation to be submitted by the authorized international organization, subject to the following:

(a) To accept the list of documents, subject to minor changes, to be submitted by IRU as contained in Annex II, on the understanding that, as in the past, most documents could be archived at the TIR secretariat on behalf of TIRExB and would be made available to contracting parties following the procedure established in document ECE/TRANS/WP.30/AC.2/2015/12.

(b) To amend some recommendations in Annex I along the lines proposed by the European Commission.

While fully conscious of the importance of implementing OIOS recommendation No. 1 without delay, the Committee feels that more time is required to properly review the evaluation mechanism and , therefore, decides to revert to the issue at its next session, requesting the secretariat to revise document ECE/TRANS/WP.30/AC.2/2020/8 (agenda item 7).

16. Considers document ECE/TRANS/WP.30/AC.2/2020/10 and decides to pursue, for now, the current financing mechanism of TIRExB and the TIR secretariat, due to the absence of any realistic alternative arrangements. With this decision, the Committee considers Recommendation No. 7 (b) of the United Nations Office of Internal Oversight Services (refer to document ECE/TRANS/WP.30/AC.2/2019/25 as approved and implemented (agenda item 7)).

17. Considers and adopts document ECE/TRANS/WP.30/AC.2/2020/11, on the understanding that it only will apply in case a new organization (and not IRU) requests AC.2 to become authorized. As long as IRU continues as authorized international organization it will have to comply with the submission of documents as decided by the Committee. With this additional information, the Committee considers Recommendation No. 3 of the United Nations Office of Internal Oversight Services (refer to document ECE/TRANS/WP.30/AC.2/2019/25) as approved and implemented (agenda item 7).

18. Decides to conduct its seventy-fourth session in the week of 9–12 February 2021, subject to potential adjustments due to the ongoing COVID pandemic and the United Nations liquidity crisis (agenda item 9 (b)).

19. Instructs the secretariat to issue the list of adopted decisions, preceded by a succinct summary of discussions as official report of its seventy-third session (agenda item 10).
