


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

Geneva, 13 and 14 October 2021

**Report of the Administrative Committee for the TIR
Convention on its seventy-sixth session**
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I. Attendance

1. The Administrative Committee for the TIR Convention, 1975 (AC.2) held its seventy-sixth session on 13 and 14 October 2021, virtually and in-person, in Geneva. The session was attended by representatives of the following countries: Austria, Belarus, Belgium, Bulgaria, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iran (Islamic Republic of), Italy, Latvia, Lithuania, Norway, Poland, Republic of Moldova, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Turkey, Ukraine, and Uzbekistan. Representatives of the European Union were also present. The following intergovernmental organization was represented: World Customs Organization (WCO). 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.2/154 and ECE/TRANS/WP.30/AC.2/154/Add. 1) and noted the availability of additional information.

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

3. The Committee was informed about changes in the status of the Convention and in the number of contracting parties. In particular, the Committee was informed that the TIR Convention has seventy-seven contracting parties and that the TIR system is operational in sixty-five countries. In particular, the Committee recalled that the Secretary-General of the United Nations, acting in his capacity as depositary, issued the following depositary notifications (i) C.N.513.2020.TREATIES-XI.A.16, of 4 November 2020, informing of the submission of various proposals to amend the body and annexes of the TIR Convention, 1975, including those that make the electronic submission of data to ITDB obligatory. In accordance with the provisions of Article 59 (3) of the Convention, the amendments shall enter into force on 4 February 2022, unless an objection has been communicated to the Secretary-General not later than by 4 November 2021; (ii) C.N.99.2021.TREATIES-XI.A.16 of 25 March 2021, informing of the submission of a proposal to amend Article 18 and Annexes 1 and 6 of the TIR Convention, 1975. In accordance with the provisions of Article 59 (3) of the Convention, the amendments shall enter into force on 25 June 2022, unless an objection has been communicated to the Secretary-General not later than by 25 March 2022; (iii) C.N.158.2021.TREATIES-XI.16, of 3 June 2021, communicating that certain errors in the English, French and Russian texts of Annex 11, as contained in Annex I to the report of the Administrative Committee for the TIR Convention, 1975, at its seventy-second session held in Geneva on 5 and 6 February 2020 (see ECE/TRANS/WP.30/AC.2/147) and circulated in depositary notification C.N.71.2020.TREATIES-XI.A.16 of 25 February 2020 (reissued on 26 February 2020), had been brought to his attention. Objections to these corrections should be communicated to the Secretary-General no later than by 1 September 2021, (iv) C.N.268.2021.TREATIES-XI.A.16, of 8 September 2021, communicating that, by 1 September 2021, no objection to certain errors in the English, French and Russian texts of Annex 11, as circulated in depositary notification C.N.158.2021.TREATIES-XI.A.16 of 3 June 2021, had been brought to his attention. Consequently, the Secretary-General has effected the required corrections to the Convention. More detailed information on this issue as well as on depositary notifications is available on the TIR website.¹

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

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 the TIR Executive Board

4. The Committee endorsed the reports of the TIR Executive Board (TIRExB) at its eighty-fifth (October 2020), eighty-sixth (December 2020), eighty-seventh (February 2021) and eighty-eight (April 2021) (ECE/TRANS/WP.30/AC.2/2021/9, ECE/TRANS/WP.30/AC.2/2021/10, ECE/TRANS/WP.30/AC.2/2021/11 and ECE/TRANS/WP.30/AC.2/2021/12, respectively). The Committee thanked TIRExB for its excellent work, recognizing that TIRExB is available to respond to any customs-related question posed, although not always in a position to provide a consensus reply.

5. The Chair of TIRExB orally briefed the Committee about the major considerations and decisions taken at its eighty-ninth (July 2021) and ninetieth (October 2021) sessions. At its eighty-ninth session (July 2021), TIRExB adopted its draft programme of work for the years 2021–2022 and requested the secretariat to submit it to AC.2 for endorsement. The Board continued consideration of a new Explanatory Note to Article 6, paragraph 2, as mandated by the Committee. In reply to a letter by Uzbek government with an amendment proposal to Annex 10, TIRExB did not see a need to amend Annex 10, but thought it would be appropriate to enhance its enforcement. Thus, it advised IRU to apply its SafeTIR system in the best way it could do, particularly in the case of discrepancies and a lack of data. Regarding the settlement of claims, TIRExB invited the parties to communicate bilaterally to discuss the issue on a case by case basis. Further, the Board took note of progress in the eTIR project and the audit report of the United Nations Office of Internal Oversight Services (OIOS). As for the International TIR Data Bank (ITDB), the Board has launched two surveys to determine the expectations on the ITDB Certificate of Approval module, and on the status of digitalization of the Certificate of Approval by national authorities. Having noted the low number of responses to both surveys, the Chair of TIRExB reminded all contracting parties of the importance of communicating their perspective on those two topics, which would avail the development of a new module responsive to the needs of all contracting parties.

6. At its ninetieth session (October 2021), TIRExB considered and endorsed the budget proposal and cost plan of TIRExB and the TIR secretariat for the year 2022, as well as the net amount to be transferred by IRU. The Board continued its consideration of an amendment proposals for a new Explanatory Note to Article 6, paragraph 2 and decided to continue discussing the practical aspects of the proposals before presenting its conclusions to the Committee. The Board also noted, with pleasure, the contact established between the Uzbek authorities and the international organization to discuss the customs claims on a case by case basis. Further, the Board mandated the secretariat to send out a survey for the collection of the 2022 TIR Carnet prices before 31 December 2021 with a deadline for responding until 1 March 2022. Lastly, as part of its programme of work, the Board had a preliminary discussion on which aspects of the TIR Convention might need a revision, considering modern customs and business requirements and how to promote the intermodal use of the TIR procedure. The Board will continue considering these topics at its next session.

7. Under this agenda item, the Committee also took note of the prices of TIR Carnets for the years 2012 to 2021, as communicated to TIRExB per the requirements of Annex 9, Part I, paragraph 3 (vi) of the TIR Convention, and the analysis of the 2021 prices, as contained in document ECE/TRANS/WP.30/AC.2/2021/13.

2. Programme of work of the TIR Executive Board for 2021–2022

8. In line with established practice, the Committee approved the programme of work of TIRExB for the years 2021 and 2022 and endorsed its planned activities, contained in document ECE/TRANS/WP.30/AC.2/2021/14. In defining its programme of work, the Board relies on its roles and responsibilities in the Convention, mandates given by the Administrative Committee and recommendations by the former composition of the Board.

During its term, in addition to providing support in the application and revitalization of the TIR Convention, the Board will continue its efforts to promote the geographical expansion of the TIR system and adapting the TIR procedure to modern business requirements. Further, considering the entry into force of Annex 11, the Board will intensify its efforts to facilitate the implementation of the eTIR international system and its interconnection with national customs systems. Last but not the least, considering the amendments to the Convention that recently entered into force, the Board aims at updating and distributing the TIR Handbook during its terms of office.

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

9. The Committee was informed about developments related to the International TIR Data Bank (ITDB) and other information technology projects managed by the TIR secretariat. The Committee, underlining the relevance of the work of TIRExB, for the functioning and further development of ITDB or, in this particular case a module on the Certificates of Approval, stresses the importance that all contracting parties respond, timely, to any survey they receive.

4. National and regional TIR workshops and seminars

10. The Committee was informed about TIR workshops and seminars conducted and/or planned. In particular, the Committee took note of the following activities: (a) Workshop co-organized with the Economic Cooperation Organization (ECO) Secretariat on the implementation of the eTIR international system in the ECO region (14 April 2021); (b) Workshop organized by the Secretariat of the Cooperation Council of Turkic Speaking States (Turkic Council) on the eTIR international system (15 June 2021); (c) Ministerial Meeting on Cross-Border Connectivity between the European Union and the Western Balkans, organized by the Government of Slovenia (5–6 July 2021/ Slovenian Presidency of the Council of the European Union 2021); and (d) Federation Internationale de l'Automobile (FIA), third joint Sport and Mobility Conference in Monaco (7 July 2021).

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

1. Status report on the accounts for the year 2020

11. 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 had formally finalized the accounts for 2020. The Committee formally approved the status report on the accounts for 2020 as contained in document ECE/TRANS/WP.30/AC.2/2021/15.

2. Interim financial statement for the year 2021

12. The Committee took note of the provisional interim statement for 2021 as contained in document ECE/TRANS/WP.30/AC.2/2021/16.

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

13. The Committee recalled that, at its seventy-fourth session (February 2021), it was informed that, due to ongoing internal consultations at ECE about certain provisions in the engagement letter, the audit report and management letter for the year 2020 would now be submitted to its October 2021 session (ECE/TRANS/WP.30/AC.2/151, para. 27). The Committee formally took note of the audit certificate of 2020, as contained in document ECE/TRANS/WP.30/AC.2/2021/17 and noted the number of TIR Carnets distributed in 2020 (679,300) as well as resulting deficit of SwF 161,971,71 (US\$ 161,977 rounded according to the exchange rate on the day of transfer). The Committee decided to reflect this amount in the amount per TIR Carnet in 2022 in order to clear the above-mentioned deficit.

4. Budget proposal and cost plan for the year 2022

14. The Committee considered the budget proposal and cost plan for the operation of TIRExB and the TIR secretariat for the year 2022 (ECE/TRANS/WP.30/AC.2/2021/18). The proposed cost plan for 2022 (estimated at \$ 1,788,971 inclusive of programme support costs), reflects an increase of \$ 64,111 over the approved budget and cost plan for TIRExB and the TIR secretariat for 2021.

15. 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 2022 as well as the net amount of \$ 1,522,842 to be transferred by IRU, as contained in document ECE/TRANS/WP.30/AC.2/2021/18.

16. The Committee noted that IRU expects to distribute 752.000 TIR Carnets in 2022 (Informal document WP.30/AC.2 (2021) No. 9). Based on this forecast, the Committee approved the amount of \$2,25 (rounded) per TIR Carnet to generate the income necessary for the operations of TIRExB and the TIR secretariat for the year 2022 and the deficit in the IRU accounts for the year 2020. 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.

17. Under this agenda item, AC.2 expressed its concerns regarding the future financial situation and budget of TIRExB and the TIR secretariat, considering that the number of TIR Carnets used will continue to decline. The Committee invited the TIR secretariat, following also an OIOS recommendation on the sustainability of the operation of the TIR secretariat, to start exploring additional sources to fund the TIRExB and TIR secretariat's budget, in particular because, despite repeated efforts, financing through the United Nations regular budget seems unlikely. Such efforts should include also, if needed, activities to amend the existing TIR trust fund, in order to be able to receive, with the least administrative effort possible, earmarked and non-earmarked funds from several donors.

V. Revision of the Convention (agenda item 4)

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

18. Under this agenda item, the Committee recalled that, further to the adoption of various amendment proposals to the provisions of the Convention, there are certain (new or updated) comments that have been adopted by the Working Party and, consequently, needed to be endorsed by the Committee. These concern: (a) comment to Article 18 "Several customs offices of departure and/or destination"; (b) comment to Annex 6, Explanatory Note 0.8.3; (c) comment to Annex 6, Explanatory Note 0.49; and (d) comment to Annex 9, Part II "Model Authorization Form (MAF)".

19. The Committee endorsed the various comments, as contained in document ECE/TRANS/WP.30/AC.2/2021/19 and decided that they will be applicable only as of the moment that the corresponding amendment proposals to the Convention enter into force. Within the context of its discussions, the Committee took note that the Working Party had finalized its discussions on the text of the comment to Article 18 "Possibilities of increasing the total number of loading and unloading points to more than eight in exceptional cases" and that, consequently, it would be submitted to the Committee for endorsement at its next session.

20. Under this agenda item, the Committee took note of Informal document WP.30/AC.2 (2021) by IRU. In view of the upcoming entry into force, on 25 June 2022, of amendment proposals to Annex I of the Convention, introducing a new lay-out of the TIR Carnet, IRU requested the Committee to agree with a transitional period of eighteen months where both existing TIR Carnets (with four places of loading and unloading) and new TIR Carnets (with eight places of loading and unloading) could circulate and should be accepted by national

customs administrations. The Committee (a) decided that both TIR Carnet versions (with the current and the new lay-out) shall be valid and shall be accepted by the competent customs authorities during a transitional period of eighteen months (from 25 June 2022 until 31 December 2023) and (b) requested IRU to have this decision brought to the competent national customs authorities.

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

21. The Committee recalled that, at its seventy-fourth session (February 2021), it was informed that experts participating in the informal preparatory meeting for the Group of Experts on Conceptual and Technical Aspects of Computerization of the TIR Procedure (WP.30/GE.1) (3 and 4 November 2020) had considered a document, submitted by IRU, presenting an analysis of the messages exchanged in the framework of the eTIR specifications (see ECE/TRANS/WP.30/AC.2/151, para. 33).

22. The Committee considered document ECE/TRANS/WP.30/AC.2/2021/4, but could not reach agreement, due to the technical nature of the issues at stake. It requested the secretariat to transmit the document to TIB for further assessment, inviting the Turkish delegation, which stressed the need for full compliance of the of the proposals with the provisions of the TIR Convention, as well as others, to submit their comments to the secretariat no later than by 7 November 2021, so that they could be transferred to TIB for consideration. TIB was requested to transmit its findings to the Committee for final approval, including, potentially, issues of a legal nature that needed to be addressed by the Committee itself.

C. Accepted amendment proposals to the Convention pending formal adoption

23. The Committee took note that, for the time being, there were no outstanding accepted amendment proposals pending formal adoption by the Committee.

VI. eTIR (agenda item 5)

24. With regard to the latest developments in the field of computerization of the TIR procedure (eTIR), the Committee decided to refer to the report of the Working Party on Customs Questions affecting Transport (WP.30) on its 158th session (please refer to ECE/TRANS/WP.30/316, paras. 17–21).

25. The Committee took note that, further to the entry into force of Annex 11, the secretariat has taken the necessary measures to ensure the organization of meetings of the Technical Implementation Body (TIB) in 2022. The first session of the TIB will take place from 18 to 21 January 2022, i.e. before the seventy-seventh session of the Committee. It further noted that Annex 11, Article 4 paragraph 4 foresees that TIB shall, at its first session, adopt its rules of procedure and submit them to the Committee for endorsement by the contracting parties bound by Annex 11.

26. Therefore, to ensure that TIB could start working as of its first sessions, the Committee decided that TIB, pending the adoption of its own rules of procedure and their endorsement by the Committee, shall use, *mutatis mutandis*, the relevant provisions of Annex 8 of the TIR Convention. In this context, the secretariat called for particular attention to the fact that TIB will require a quorum of not less than one third of the States bound by Annex 11 for the purpose of taking decisions.

VII. Authorization for printing and distributing TIR Carnets and the organizing and functioning of the guarantee system (agenda item 6)

27. 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 decided to agree to prolong the authorization for, provisionally, a period of 3 years (2023–2025), subject to official confirmation at its February 2022 session.

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

28. The Committee recalled that the present UNECE-IRU Agreement (ECE/TRANS/WP.30/AC.2/2019/24) expires at the end of 2022 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 (as contained in Informal document WP.30/AC.2 (2021) No. 10) covering, provisionally, the same period of time as the authorization, namely 2023–2025 inclusive, for consideration and, possibly, adoption, at its next session. At the proposal of the delegation of Turkey, the Committee agreed that point V of the preamble should be reformulated to read: “Whereas the term “TIR Carnets” shall also refer to guarantees, distributed by the authorized international organization to national associations, under application of the eTIR procedure, as stipulated by Annex 11 of the Convention.”

29. Under this agenda item, the Committee took note of Informal document WP.30/AC.2 (2021) No. 12, with the audit report for the year 2020 on the records and accounts kept the international organization pertaining to the organization and functioning of the international guarantee system and the printing and distribution of TIR Carnets, as prepared by the independent external auditor of IRU. The Committee requested the secretariat to issue the audit report as official document for consideration at its next session.

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

30. The Committee recalled that, at its seventy-fifth session (June 2021), it supported, with the exception of the delegation of the Russian Federation, the draft Memorandum of Understanding (MoU) between ECE and IRU and requested the secretariat to transmit it to the Executive Commission (EXCOM) of ECE for information. With this decision, the Committee considered recommendation No. 6 of the Office of Internal Oversight Services (OIOS) as approved and implemented (see ECE/TRANS/WP.30/AC.2/153, para. 10).

31. The secretariat briefed the Committee that OIOS had informed that it would close the recommendation as being implemented upon receipt of a signed copy of the MoU.

X. Other business (agenda item 9)

A. Date of next session

32. The Committee noted that the ECE secretariat had made tentative arrangements to hold the seventy-seventh session of the Committee on 9 (full day) and 10 a.m. February 2022, subject to potential adjustments due to the ongoing COVID pandemic and the United Nations liquidity crisis. Prospective participants were encouraged, within the existing sanitary and organizational restrictions, to consider attending the session in person.

B. Restriction on the distribution of documents

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

C. List of decisions

34. The list of adopted decisions will be attached as Annex to the final report.

XI. Adoption of the report (agenda item 10)

35. In accordance with Annex 8, Article 7 of the convention, the Committee adopted the report of its seventy-sixth session on the basis of a draft prepared by the secretariat.

Annex

List of decisions taken at the seventy-sixth session of the Administrative Committee

<i>Reference in final report (para.)</i>	<i>Short description of decision</i>	<i>Actor</i>
8	In line with established practice, the Committee approved the programme of work of TIRExB for the years 2021 and 2022 and endorsed its planned activities, contained in document ECE/TRANS/WP.30/AC.2/2021/14.	Committee
11	The Committee formally approved the status report on the accounts for 2020 as contained in document ECE/TRANS/WP.30/AC.2/2021/15.	Committee
13	The Committee formally took note of the audit certificate of 2020, as contained in document ECE/TRANS/WP.30/AC.2/2021/17 and noted the number of TIR Carnets distributed in 2020 (679,300) as well as resulting deficit of SwF 161,971,71 (US\$ 161,977 rounded according to the exchange rate on the day of transfer). The Committee decided to reflect this amount in the amount per TIR Carnet in 2022 in order to clear the above-mentioned deficit.	Committee
15-16	<p>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 2022 as well as the net amount of \$ 1,522,842 to be transferred by IRU, as contained in document ECE/TRANS/WP.30/AC.2/2021/18.</p> <p>The Committee noted that IRU expects to distribute 752.000 TIR Carnets in 2022 (Informal document WP.30/AC.2 (2021) No. 9). Based on this forecast, the Committee approved the amount of \$2,25 (rounded) per TIR Carnet to generate the income necessary for the operations of TIRExB and the TIR secretariat for the year 2022 and the deficit in the IRU accounts for the year 2020. 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.</p>	
19	The Committee endorsed the various comments, as contained in document ECE/TRANS/WP.30/AC.2/2021/19 and decided that they will be applicable only as of the moment that the corresponding amendment proposals to the Convention enter into force. Within the context of its discussions, the Committee took note that the Working Party had finalized its discussions on the text of the comment to Article 18 “Possibilities of increasing the total number of loading and unloading points to more than four in exceptional cases” and that, consequently, it would be submitted to the Committee for endorsement at its next session.	Committee
20	Under this agenda item, the Committee took note of Informal document WP.30/AC.2 (2021) by IRU. In view of the upcoming entry into force, on 25 June 2022, of amendment proposals to Annex I of the Convention, introducing a new lay-out of the TIR Carnet, IRU requested the Committee to agree with a transitional period of eighteen months where both existing TIR Carnets (with four places of loading and unloading) and new TIR Carnets (with eight places of loading and unloading) could circulate and should be accepted by national customs administrations. The Committee (a) decided that both TIR Carnet versions (with the current and the new lay-out) shall be valid and shall be accepted by the competent customs authorities during a transitional period of eighteen months	Committee

<i>Reference in final report (para.)</i>	<i>Short description of decision</i>	<i>Actor</i>
	(from 25 June 2022 until 31 December 2023) and (b) requested IRU to have this decision brought to the competent national customs authorities.	
22	The Committee considered document ECE/TRANS/WP.30/AC.2/2021/4, but could not reach agreement, due to the technical nature of the issues at stake. It requested the secretariat to transmit the document to TIB for further assessment, inviting the Turkish delegation, which stressed the need for full compliance of the of the proposals with the provisions of the TIR Convention, as well as others, to submit their comments to the secretariat no later than by 7 November 2021, so that they could be transferred to TIB for consideration. TIB was requested to transmit its findings to the Committee for final approval, including, potentially, issues of a legal nature that needed to be addressed by the Committee itself.	Committee/TIB
26	Therefore, to ensure that TIB could start working as of its first sessions, the Committee decided that TIB, pending the adoption of its own rules of procedure and their endorsement by the Committee, shall use, mutatis mutandis, the relevant provisions of Annex 8 of the TIR Convention. In this context, the secretariat called for particular attention to the fact that TIB will require a quorum of not less than one third of the States bound by Annex 11 for the purpose of taking decisions.	Committee/TIB
27	The Committee decided to agree to prolong the authorization for, provisionally, a period of 3 years (2023–2025), subject to official confirmation at its February 2022 session.	Committee
28	The Committee, mandated the secretariat to prepare, in consultation with IRU and the competent United Nations services, a new draft agreement (as contained in Informal document WP.30/AC.2 (2021) No. 10) covering, provisionally, the same period of time as the authorization, namely 2023–2025 inclusive, for consideration and, possibly, adoption, at its next session.	Committee/secretariat/ IRU
29	The Committee requested the secretariat to issue the audit report as official document for consideration at its next session.	Secretariat
32	The Committee noted that the ECE secretariat had made tentative arrangements to hold the seventy-seventh session of the Committee on 9 (full day) and 10 a.m. February 2022, subject to potential adjustments due to the ongoing COVID pandemic and the United Nations liquidity crisis. Prospective participants were encouraged, within the existing sanitary and organizational restrictions, to consider attending the session in person.	Committee/secretariat Deadlines: Agenda: 17 November 2021 Documents: 1 December 2021