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Administrative Committee for the TIR Convention, 1975

Sixty-second session

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

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## **I. Attendance**

1. The Administrative Committee (AC.2) held its sixty-second session on 8 October 2015 in Geneva.
2. The session was attended by representatives of the following countries: Azerbaijan; Belarus; Belgium; Bulgaria; Croatia; Czech Republic; Denmark; Finland; France; Germany; Greece; Hungary; Iran (Islamic Republic of); Italy; Latvia; Netherlands; Poland; Republic of Moldova; Russian Federation; Serbia; Spain; Sweden; Switzerland; Turkey; Ukraine; Uzbekistan. Representatives of the European Union (EU), as well as the Eurasian Economic Commission (EEC), were also present.
3. The following non-governmental organization was represented as an observer: International Road Transport Union (IRU).
4. 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.
5. Mr. Miodrag Pesut, Chief of the Transport Facilitation and Economics Section of the United Nations Economic Commission for Europe (UNECE) Sustainable Transport Division, welcomed the Committee and delivered the opening statement in which he congratulated the Contracting Parties on the fortieth anniversary of the TIR Convention, which was concluded on 17 November 1975. He further pointed out the recent accession of Pakistan to the Convention, on 21 July 2015, and noted the importance of this accession as a confirmation of the continued relevance of the TIR Convention. Against this background, he expressed his hope and expectation that the Committee will continue its work efficiently, bearing in mind that a well-functioning and modern TIR Convention will become a competitive and attractive option for potential new Contracting Parties.

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

6. The Committee adopted the provisional agenda as contained in document ECE/TRANS/WP.30/AC.2/126. Iran (Islamic Republic of) requested an agenda item for the next session on proposals increasing the membership and widening the geographical scope of the TIR Executive Board (TIRExB). The Committee agreed to this request.
7. Russian speaking delegations expressed serious concerns about the absence of the report of the previous session in the Russian language; reiterated the importance of the availability of documents in all working languages for efficient preparation of delegations for the sessions and requested the secretariat to undertake every effort to ensure the timely availability of all formal documents in the three working languages in advance of each session.

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

8. The Working Party was informed that, on 23 July 2015, the Secretary-General of the United Nations, acting in his capacity as depositary, had issued depositary notification C.N.420.2015.TREATIES-XIA.16, informing that on 21 July 2015 the Government of the Islamic Republic of Pakistan has deposited its instruments of accession to the TIR Convention, 1975. In accordance with Article 53, paragraph 2, the Convention will enter into force for Pakistan on 21 January 2016. With the accession of Pakistan, the TIR

Convention has sixty-nine Contracting Parties. More detailed information on this issue and on various depositary notifications is available on the TIR website.<sup>1</sup>

## **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**

9. The Committee endorsed the reports of the TIR Executive Board (TIRExB) at its sixty-second (February 2015) and sixty-third (April 2015) sessions (ECE/TRANS/WP.30/AC.2/2015/18 and ECE/TRANS/WP.30/AC.2/2015/19, respectively) and was orally briefed by the Chair of TIRExB about the major decisions and considerations at the sixty-fifth (October 2015) session.

10. At its sixty-fifth session, TIRExB, *inter alia*, finalized its assessment of various scenarios to bring more flexibility to the TIR guarantee system further to various proposals to that extent from the Russian Federation and others, which AC.2 had transferred to TIRExB. The assessed scenarios were as follows: (a) each country determines nationally the maximum guarantee amount; (b) the introduction of various guarantee amounts; (c) full guarantee coverage in all Contracting Parties; (d) general increase in the recommended maximum guarantee amount and (d) the use of additional vouchers. Although TIRExB considered that each scenario had its own benefits, it had come to the conclusion that none of the reviewed scenarios seems to benefit the TIR system in a manner that it would be possible to recommend the Contracting Parties to modify the Convention.

11. At the session, TIRExB had also spent considerable time on introducing the topic of the use of the TIR Carnet for intermodal transports. In addition, the Board had considered a detailed analysis and assessment by the secretariat of the prices of TIR Carnets, further to a request by the Committee at its sixty-first session (see ECE/TRANS/WP.30/AC.2/125, para. 38).

12. Under this agenda item, IRU informed the Committee that, pursuant to deliberations with the relevant institutions, the guarantee chain would be able to raise the maximum guarantee coverage to 100,000 euros per TIR Carnet as of 1 July 2016. The Committee took note of this information and decided to consider it in conjunction with agenda item 6(f).

#### **2. Survey on customs claims**

13. The Committee took note of the final results of the survey on customs claims and the guarantee level for the years 2009–2012, as contained in document ECE/TRANS/WP.30/AC.2/2015/3/Rev.1 that also includes the responses of Spain and Ukraine. The Committee welcomed the revised document and supported the considerations by the secretariat and TIRExB presented in the document.

14. The Committee took note that Contracting Parties have already been invited to take part in the survey on customs claims and the guarantee level for the years 2011–2014 and urged all Contracting Parties to respond to the online questionnaire before the deadline of 30 November 2015.

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

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

15. The Committee was informed about the progress in upgrading the International TIR Data Bank (ITDB), including the inclusion of a new database of Customs offices approved for TIR operations. More specifically, the secretariat, in response to a question from the delegation of EU, informed the Committee that the development of the new ITDB project started in September 2015 and is currently in the design phase. Therefore, it would be difficult to provide an estimate on the timeframe for completion. The secretariat also explained that the new ITDB would be delivered in phases, and that the first one would serve to replace the current applications (ITDBonline+ and UNECE Register on Customs Seals and Stamps) and, only at later stages, possibly at the end of 2016, new applications, such as the database of customs offices, would be introduced. The secretariat also informed the Committee that external factors, such as the security audit for the application and the readiness of the infrastructure would have to be considered prior to making the application operational. The secretariat noted that a more accurate estimate would be provided to the Committee at its next session.

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

16. The Committee was informed that, in the framework of UNDA project 1213AA, UNECE has successfully organized a Customs-to-Customs (C2C) data exchange workshop in Tbilisi on 22–23 June 2015 and that the TIR secretariat contributed to the C2C data exchange workshop organized by the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) in Issyk-Kul (Kyrgyz Republic), 7–8 September 2015, by presenting and discussing the TIR Convention and the eTIR Project. The Committee took note that, in an effort to promote the geographical expansion of the TIR Convention, the TIR secretariat presented the TIR Convention (by means of video conferencing equipment) at a meeting of Heads of Customs administrations organized by the secretariat of Central-American Economic Integration (SIECA) in El Salvador on 28 August 2015. The Committee also noted that the secretariat will be participating in the World Customs Organization (WCO) Working Group on the World Trade Organization Trade Facilitation Agreement (Brussels, 12–13 October 2015) and in the joint UNECE-IRU event planned to be held at the end of the Working Group session with the objective of promoting accession to the TIR Convention by African countries. Furthermore, in collaboration with IRU, the TIR secretariat will promote the UNECE-IRU eTIR pilot project at the fifth WCO Technology and Innovation Forum (Rotterdam, Netherlands, 26–29 October 2015). The Committee was also informed that the TIR secretariat will participate in the Asia-Pacific Trade Facilitation Forum in Wuhan (China) on 20–21 October 2015 and contribute to the panel discussion on “Enhancing regional connectivity through trade and transport corridor facilitation” by showcasing the potential benefits of TIR in the Asia-Pacific region. Finally, the secretariat informed the Committee that it is available to assist with and participate in the organization of TIR related events, and invited Contracting Parties to contact TIRExB via its secretariat, in case they would be interested in hosting such an event in 2016.

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

### **1. Interim financial statement for the year 2015**

17. The Committee took note of the interim financial statement for 2015, as contained in document ECE/TRANS/WP.30/AC.2/2015/20.

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

18. The Committee considered the budget proposal and cost plan for the operation of TIRExB and the TIR secretariat for the year 2016 (ECE/TRANS/WP.30/AC.2/2015/21). The proposed cost plan for 2016 (estimated at US\$ 1,632,850 inclusive of programme support cost), reflects a decrease of US\$ 2,260 over the approved budget and cost plan for the TIRExB and the TIR secretariat for 2015 (US\$ 1,635,110 inclusive of programme support cost). This decrease relates to the reduced costs of Project Personnel, following the conclusion of the recent recruitment procedures.

19. 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 2), the Administrative Committee approved the budget and cost plan for the operation of TIRExB and the TIR secretariat for the year 2016 as well as the net amount to be transferred by IRU to the TIR Trust Fund, as contained in document ECE/TRANS/WP.30/AC.2/2015/21.

20. The Committee noted that IRU expects to distribute 1,550,000 million TIR Carnets in 2016 (Informal document WP.30/AC.2 No. 8 (2015)). On the basis of this forecast and calculations by the secretariat, the Committee approved the amount of US\$ 0.87 per TIR Carnet that will be required to generate the income necessary to cover the additional funds of US\$ 1,343,939 needed for the operation of TIRExB and TIR secretariat in 2016. This amount will be expressed in Swiss francs following the transfer of the above net amount to a UNECE named bank according to the prevailing US dollar-Swiss franc exchange rate on the day of the transfer.

21. The secretariat responded to a question by the delegation of Ukraine, regarding the possibility of financing TIRExB and the TIR secretariat from the United Nations regular budget, as was originally envisaged by Contracting Parties when TIRExB and the TIR secretariat were established. The secretariat clarified that, while this would, ultimately, be the preferred outcome, this decision cannot be taken by the Committee in Geneva, but must be taken by the relevant decision-making bodies dealing with the United Nations regular budget at Headquarters in New York; in this context, the involvement of the permanent missions of TIR Contracting Parties to the United Nations in New York could play a decisive role.

22. IRU informed the Committee, that although some constraints exist, notably the fact that the amount per TIR Carnet had increased over the past years due to a decrease in volumes of TIR Carnets distributed, it continues to support the work of TIRExB and the TIR secretariat aimed at promoting the TIR Convention and would, thus, be ready to continue with the methods currently foreseen.

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

23. 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 2014–2016 inclusive (ECE/TRANS/WP.30/AC.2/113, para. 28) and noted that a decision for the next period, tentatively for a period of three years (2017–2019 inclusive), should be taken at the session of the Committee in February 2016.

## **VI. Authorization for concluding an agreement between UNECE and IRU (agenda item 5)**

24. The Committee recalled that the present UNECE–IRU agreement (ECE/TRANS/WP.30/AC.2/2013/3) expires at the end of 2016 and should be renewed. As in the past, at its session in February 2016, the Committee will be invited to approve a new draft agreement and provide the secretariat with the mandate to conclude the new agreement with a view to continuing to finance the operation of TIRExB and the TIR secretariat as of the year 2017. The Committee, thus, requested the secretariat to prepare, in consultation with IRU and the competent United Nations services, a new draft agreement covering, preferably, the same period of time as the authorization, namely the period 2017–2019 inclusive, for consideration at its next session.

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

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

25. The Committee recalled that it had provisionally accepted the proposal to amend Article 42 bis with an Explanatory Note 0.42 bis (ECE/TRANS/WP.30/AC.2/125, para. 9 and Annex I), as well as the proposal for a new design of a vehicle and container to the TIR Convention (ECE/TRANS/WP.30/AC.2/125, para. 14). For ease of reference, the secretariat had consolidated these proposals into a single package, contained in document ECE/TRANS/WP.30/AC.2/2015/22. The Committee was informed by the delegation of EU that it had not yet concluded its internal approval procedures, but was expected to do so before the next session of the Committee. Furthermore, various delegations pointed out linguistic inconsistencies between the Russian and English text of the proposed Explanatory Note to Article 42 bis and requested the secretariat to ensure alignment of the language versions before adopting the package. Therefore, the Committee decided to postpone the formal adoption of these proposals until its next session in February 2016.

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

26. The Committee continued its considerations of document ECE/TRANS/WP.30/AC.2/2015/11, transmitting a proposal by TIRExB to introduce a new Explanatory Note and accompanying comment to Article 49 of the Convention, so as to widen the scope of greater facilities that Contracting Parties may grant to transport operators. The secretariat recalled that this proposal reflects a growing demand by customs and industry for further facilitations under the TIR Convention and that there are already a few successful examples of the concept of authorized consignor in various countries. It further recalled that the purpose of the proposals is to ensure that national competent authorities can independently decide on the conditions under which they would be willing to grant greater facilities within the meaning of Article 49, such as, in particular, authorized consignor and authorized consignee, in accordance with applicable provisions of national law. In other words, countries, whose national legislation does not provide for such facilities are not bound by the text of the Explanatory Note nor can they be forced by other Contracting Parties to introduce any such measure. Such countries, in accepting the proposal, only acknowledge that other countries have the sovereign right to introduce

greater facilities in the context of the application of the TIR Convention on their national territory.

27. While some delegations were not opposed, in principle, to granting greater facilities, as long as they are in line with the TIR Convention, other delegations expressed grounded reservations, pending further clarification of the proposals by TIRExB and the secretariat. In the discussions, the following issues were raised: (a) the relationship between the proposed Explanatory Note and the existing provisions of the TIR Convention, including the possibility of introducing contradictions in the application of the Convention; (b) the impact of the acceptance of the concept of authorized consignor on the general principle of mutual recognition of customs controls; (c) the treatment of TIR Carnets for TIR transports started at the premises of authorized consignors in countries en route and destination; (d) the relationship between authorized TIR Carnet holders and authorized consignors under the TIR Convention; (e) the justification that such important issue could be addressed by an Explanatory Note to an existing provision rather than requiring the drafting of a (or several) new provisions; (f) the risk increase for customs authorities, as a consequence of the fact that TIR transports would start directly from the premises of an authorized consignor rather than from a customs office of departure; (g) the alignment of the proposed text with the coverage of the concept of authorized consignor in other legal instruments, such as the Revised Kyoto Convention, or the World Customs Organization SAFE Framework of Standards.

28. In reply to a request from the delegation of EU, IRU informed the Committee that it had distributed among its member associations examples of the implementation of the concept of authorized consignor/consignee in various countries and expressed its readiness to share this information with the Committee.

29. In view of the great number of outstanding questions, the Committee requested the secretariat to prepare a document for consideration at the next session elaborating its assessment of the raised questions. Contracting Parties were also invited to submit their questions or position in writing to the secretariat, not later than by 16 November 2015, so that they could also be addressed in the aforementioned document. In addition, the secretariat was requested to prepare a document, outlining in a succinct way the course of discussions of TIRExB in preparation for the proposed Explanatory Note and accompanying comment.

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

30. The Committee recalled that TIRExB completed its assessment of various options to amend the level of the guarantee at its sixty-fifth session on 5 October 2015 and would submit its final observations for the consideration of the Committee at its next session. At the same time, the Committee noted that the issue of possibly amending the provisions concerning the level of the guarantee per TIR Carnet are also, currently, discussed under agenda item 6(f), in the context of the proposals submitted by the Government of the Russian Federation. As such, the Committee decided that it would be preferable to continue its discussion on this issue under that agenda item.

### **D. Amendment proposals to the Convention: Audit requirements for an authorized international organization**

31. The Committee continued its considerations of document ECE/TRANS/WP.30/AC.2/2015/12, transmitted by the Working Party and containing the



checklist of all documents submitted by IRU to fulfil its obligations under Annex 9, Part III and welcomed document ECE/TRANS/WP.30/AC.2/2015/23, prepared by the secretariat and IRU and containing various ways by which these documents could be distributed to interested Contracting Parties, while at the same time, safeguarding the applicable confidentiality requirements. The delegation of EU was of the view that the distribution of the documents should only take place via the UNECE secretariat rather than IRU, and proposed that it should be possible to transmit requests for the documents both electronically as well as by hard-copy. Furthermore, the delegation of EU indicated that if such requests are transmitted to the secretariat via official channels, it would suffice to indicate the name of the requesting governmental authority, while the name of the individual recipient and any justification of the request would not be a necessary requirement. The Russian Federation supported this proposal. Furthermore, additional questions were raised in relation to whether or not a notification could be sent to IRU whenever such documents are distributed and the extent to which, if any, the secretariat could disclose any information pertaining to such requests and distributions. IRU noted that it would appreciate a system of notifications for the documents distributed by the secretariat, as some of these documents may include information provided by contractual partners of IRU. The delegation of EU noted, on this point, that IRU should notify its contractual partners that the relevant documents may be distributed to TIR Contracting Parties, pursuant to obligations arising for IRU under the TIR Convention. Finally, the Committee was of the view that requesting authorities would not be required to make any statement of confidentiality but, rather, the secretariat could despatch the documents with a note that these are to be treated as confidential. In conclusion the Committee requested the secretariat to prepare a revised document, reflecting the comments received, as well as outlining the relevant procedural guidelines, for consideration and final decision at its next session.

#### **E. Proposal to amend Article 1, paragraph (q), lines 1–2**

32. The Committee considered the amendment proposal as contained in document ECE/TRANS/WP.30/AC.2/2015/24, pertaining to the definition of the term “guaranteeing association”. The Committee was informed that this proposal was originally tabled by the Russian Federation, and was transmitted to the Committee by the Working Party for adoption. Various delegations expressed the view that they could provisionally agree with the proposal, but that they would prefer that it be part of a package rather than sending it separately to the Secretary-General of the United Nations for circulation to and acceptance by Contracting Parties. Others delegations argued that it seemed warranted to keep the proposal either on hold until the Working Party had finalized its considerations on various editorial matters, which also included terminology as used in the present proposal, or, alternatively, ask the Working Party to reconsider the proposal in the context of all editorial matters. In conclusion, the Committee agreed to provisionally accept the proposal and requested the secretariat to include it in a package of accepted amendment proposals to the Convention pending formal adoption, for consideration at the next session.

#### **F. Proposals transmitted by the Government of the Russian Federation**

33. The Committee continued its consideration of the proposals tabled by the Russian Federation to amend various provisions of the body of the Convention as well as of Annex 9 and contained in documents ECE/TRANS/WP.30/AC.2/2014/14, ECE/TRANS/WP.30/2015/1/Rev.1–ECE/TRANS/WP.30/AC.2/2015/7/Rev.1, and ECE/TRANS/WP.30/AC.2/2015/17–ECE/TRANS/WP.30/2015/16.

34. The Committee recalled that, at its sixty-first session, it had decided not to address those proposals that are currently under parallel discussion at WP.30 to avoid duplication of work but, rather, to wait for the Working Party to transmit its findings. The Committee, thus, continued its discussions of the amendment proposals, as follows:

(a) The proposal to amend Article 2 to specify that the word “frontier” refers to a customs frontier: the Committee recalled that it had accepted the proposed text of the amendment, and instructed the secretariat to include it in the package of accepted amendment proposals to the Convention pending formal adoption, for consideration at its next session.

(b) The proposal to amend Article 8, paragraphs 1 and 3, pertaining to the possibility to claim the full amount of duties and taxes at stake in the event that no maximum amount is set by the Contracting Party: the Committee recalled the assessment of TIRExB on this issue whereby several scenarios with their corresponding pros and cons have been identified, as well as the information provided by IRU, namely that, pursuant to deliberations with the relevant institutions, the guarantee chain would be able to raise the maximum guarantee coverage to 100,000 euros per TIR Carnet, as of 1 July 2016. The Committee was of the view that it would be preferable to continue its discussions at its next session, on the proposal to amend Article 8, paragraphs 1 and 3, on the basis of the final assessment by TIRExB, which would be made available as a formal document. Furthermore, various delegations provided their preliminary comments to the information provided by IRU; the delegation of EU was of the view that Explanatory Note 0.8.3 on the maximum recommended amount may need to be amended to reflect this change and requested further information from IRU on the impact, if any, of the change in the guarantee level on the distribution price of TIR Carnets. Against this background, the delegation of the Russian Federation reiterated its request to IRU for detailed information on the elements that determine the price of TIR Carnets, as an important factor in the consideration of these issues. IRU informed the Committee that the prices currently include the insurance premium as well as a set of fixed costs, and that further information relating to the specific elements comprising the distribution prices, as well as on how distribution prices will be affected – if at all - by the increase in the guarantee level, will be provided at the next session. The delegation of Turkey was of the view that the increase in the guarantee level per TIR Carnet is, initially, a positive development for customs administrations, but questioned whether this development would have an impact on guaranteeing associations that issue a low number of TIR Carnets, but have a large number of TIR transports terminating in their territory. The delegation of Turkey also requested further information on the impact of this change on costs and on the distribution price of TIR Carnets. In conclusion, the Committee decided to revert to this issue at its next session and looked forward to receiving further information at its next session from IRU on the questions raised during the discussions.

(c) The proposal to amend Article 11, paragraph 3, so as to reduce the earliest moment at which a claim to the association can be made: the Committee welcomed the statistical information provided by IRU on this issue (Informal document WP.30/AC.2 No. 10 (2015)). The Committee, took note of the document and was of the view that, since the guarantee chain is in a position to operate efficiently with an earlier deadline, and bearing in mind that this deadline of one month will not prohibit customs administrations from submitting their claims at a later date, the proposal could be provisionally accepted. The Committee requested the secretariat to include it in the package of accepted amendment proposals to the Convention pending formal adoption, for consideration at the next session.

(d) The proposal to amend Article 11 by adding a new paragraph 4 bis, stipulating that claims for payment can be sought through court proceedings within deadlines prescribed in the national guarantee agreement: the delegation of EU was of the

view that the corresponding Explanatory Note 0.11.4 already provides for a substantive equivalent to this proposal. As such, the delegation of EU proposed that the conversion of the existing Explanatory Note into a new paragraph 4bis may be a possibility for consideration. The delegation of Switzerland was of the view that the existing text is sufficient, and that further detailed provisions in this regard can be incorporated in the national guarantee agreement between customs authorities and national guaranteeing associations. After extensive discussions, the Committee was of the view that Explanatory Note 0.11.4 cannot be looked at in isolation from the rest of article 11 and that, in light of this amendment proposal, it would be advisable for all Contracting Parties to review Article 11 in conjunction with their current practices and legislation, as well as to revisit Chapter 5.4 of the TIR Handbook on enquiry and recovery procedures. Against this background, the Committee decided to revert to its discussions on this issue at its next session.

(e) The proposal to amend Article 38 so as to unequivocally entitle the Contracting Party to assess whether a customs offence is serious enough to constitute grounds for exclusion: the Committee was of the general view that such an entitlement exists in the current wording of the provision. While the Committee was generally not opposed to the addition of the phrase “or repeated” to Article 38, some delegations questioned the necessity for the remaining part of the proposed amendment, as it was generally understood that such competence exists for Contracting Parties under the current text of Article 38. The delegation of the Russian Federation clarified that, in order to ensure that there is no interpretative ambiguity in as far as mandate is concerned in the national law-making processes of the Russian Federation, it would be necessary to include such a reference in the text of Article 38. As an alternative proposal, the delegation of EU suggested that a comment or Explanatory Note, clarifying the rights of Contracting Parties under Article 38, would provide sufficient interpretative guidance. The Committee was not ready to decide on this proposal and decided, due to a lack of time, to revert to this issue at its next session. The Committee requested the secretariat to make prior considerations by the Committee and TIRExB available for its next session.

(f) The set of proposals to amend Article 19 and its Explanatory Note would result in the requirements: (i) that the documents presented at the customs office of departure are drawn up by the customs authorities; (ii) that customs authorities at the office of departure always physically inspect the goods; and (iii) that the vehicle, the goods and the TIR Carnet are presented exclusively by the TIR Carnet holder. The Committee recalled that it is often the case that the presentation of the goods at the office of departure is done by the driver of the vehicle, who is a representative or employee of the holder, and that the holder is often a legal (company) rather than a natural person. Furthermore, various delegations were of the opinion that, currently, customs authorities employ a wide range of practices and risk management/assessment tools in order to determine which physical checks should be performed. In conclusion, the Committee decided that there was not enough support for amending Article 19 and, therefore, would not revert to this issue at future sessions.

(g) The proposal to amend Article 21, so as to make the presentation of the vehicle, the load and the TIR Carnet by the TIR Carnet holder a mandatory requirement en route: the Committee briefly considered the proposed text but, due to a lack of time, decided to revert to this issue at its next session.

35. The Committee decided to revisit its consideration of the amendment proposals for which discussions have not been concluded, as contained in document ECE/TRANS/WP.30/AC.2/2014/14 and comments thereto as contained in document ECE/TRANS/WP.30/2015/1/Rev.1–ECE/TRANS/WP.30/AC.2/2015/7/Rev.1, at its next session.

**G. Proposal to amend Annex 9, Part I, paragraph 5**

36. This item was not discussed due to a lack of time.

**H. Phase III of the TIR revision process – Computerization of the TIR procedure**

37. This item was not discussed due to a lack of time.

**VIII. Comments transmitted to the Committee for adoption (agenda item 7)**

38. The Committee continued its discussions of documents ECE/TRANS/WP.30/AC.2/2015/16 and Corr. 1, elaborating a new comment to Article 23 of the Convention, providing for other options than escorts, such as Global Positioning System (GPS) tracking devices or the use of e-sealing in order to enhance security of goods transported under the TIR procedure. Various delegations pointed out the fact that GPS was not the only available satellite system and requested the secretariat to revise the document, so that it would either accommodate all possible systems or refer to such systems with a generic all-encompassing term for consideration at the next session.

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

**Use of subcontractors**

39. This item was not discussed due to a lack of time.

**X. Other business (agenda item 9)**

**A. Application of Article 45 of the Convention**

40. This item was not discussed due to a lack of time.

**B. Report of the third meeting of an informal group of countries discussing in detail the various aspects of an increased number and a wider geographical representation of membership of the TIR Executive Board**

41. This item was not discussed due to a lack of time.

**C. Date of next session**

42. The Committee decided to hold its sixty-third session on 11 February 2016.

**D. Restriction on the distribution of documents**

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

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

44. In accordance with Annex 8, Article 7 of the TIR Convention, 1975, the Committee adopted the report of its sixty-second session. During the adoption of the report, the French and Russian speaking delegations deplored that the report was not available in all three official languages and underscored the importance of ensuring that the report be made available in all three working languages in advance of the next session in February 2016.

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