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**ECONOMIC COMMISSION FOR EUROPE**

Administrative Committee for the  
TIR Convention, 1975

(Thirty-fourth session, 6 and 7 February 2003,  
agenda item 9 (b))

**OTHER PROPOSALS FOR AMENDMENTS TO THE TIR CONVENTION**

**Draft amendments on the inclusion and attribution of voting rights to  
Regional Economic Integration Organizations (REIO)**

**Transmitted by the European Community**

Note: The secretariat reproduces below a communication transmitted by the European Community.

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EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
TAXATION AND CUSTOMS UNION  
CUSTOMS POLICY  
**Economic aspects of customs and transit**

Brussels, 27 January 2003  
TAXUD, Unit B3 D(2003)

TAXUD/1209/2003

**PROPOSAL OF THE EUROPEAN COMMUNITY FOR AMENDMENT OF THE TIR  
CONVENTION IN ORDER TO ATTRIBUTE VOTING RIGHTS TO REGIONAL  
ECONOMIC INTEGRATION ORGANISATIONS**

**1. INTRODUCTION**

Document TRANS/WP.30/AC.2/2002/8 was considered by the AC.2 during its session of October 2002. At that session certain delegations raised further questions about the European Community's proposed amendment.

The European Community has reflected on those comments and has decided to slightly modify its original proposal.

**2. MODIFIED PROPOSAL**

The text of the proposed amendment essentially remains unchanged. The European Community now proposes to leave the existing Article 52, paragraph 3 unchanged and to establish a new article, Article 52.3 bis, to accommodate the proposed text.

It follows that the proposed amendment to Article 5 of Annex 8 will also need to be modified.

It will also be necessary to amend Article 48 so as to apply the provisions of that article to regional economic integration organisations.

The modified proposals may be found as Annex 1 to this document.

**Annex 1**

**Article 52.3bis of the TIR Convention to read as follows:**

“Article 52.3 bis

(a) Any regional economic integration organisation, constituted by and composed of States, which has competence to adopt its own regulations that are binding on those States in respect of matters governed by this Convention, and has competence to decide, in accordance with its internal procedures, to sign, ratify or accede to this Convention, may become a Contracting Party to this Convention in accordance with the provisions of paragraphs 1 and 2 of this Article. Such an organisation shall inform the depositary of its competence with respect to the matters governed by this Convention. It shall also inform the depositary of any substantial modification in the extent of its competence.

(b) A regional economic integration organisation which is a Contracting Party to this Convention shall, for the matters within its competence, exercise in its own name the rights, and fulfil the responsibilities, which the Convention confers on the Members of such an organisation which are Contracting Parties to this Convention. In such a case, the Members of such an organisation shall not be entitled to individually exercise these rights, including the right to vote.”

**Article 48 of the TIR Convention is amended as follows:**

“Article 48

Nothing in this Convention shall prevent regional economic integration organisations or Contracting Parties which form a Customs or Economic Union from enacting special provisions in respect of transport operations commencing or terminating, or passing through, their territories, provided that such provisions do not attenuate the facilities provided for by this Convention.”

**Article 5 of Annex 8 of the TIR Convention is amended as follows:**

"Article 5

1. Proposals shall be put to the vote. Each State which is a Contracting Party represented at the session shall have one vote. Proposals other than amendments to this Convention shall be adopted by the Committee by a majority of those present and voting. Amendments to this Convention and the decisions referred to in Articles 59 and 60 of this Convention shall be adopted by a two-thirds majority of those present and voting.

2. Where Article 52, paragraph 3 bis of this Convention applies, the regional economic integration organisations which are Contracting Parties shall have, in case of voting, only a number of votes equal to the total votes allotted to their Members which are Contracting Parties."

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