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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions

affecting Transport

(Ninety-ninth session, 23-26 October 2001,
agenda item 7 (b) (i))

Administrative Committee for the TIR

Convention, 1975

(Thirty-first session, 25-26 October 2001,
agenda item 2)

**CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS
UNDER COVER OF TIR CARNETS (TIR CONVENTION 1975)**

Revision of the Convention

**Adoption of amendment proposals and examples of best practices under
Phase II of the TIR revision process**

Authoritative text of the TIR Convention

Explanatory Note by the UNECE secretariat

1. The Working Party, at its ninety-eighth session, was informed that corrections to the amendment proposals contained in document TRANS/WP.30/AC.2/59, Corrs.1 and 2 will be issued in due course by the Legal Office of the United Nations in New York and transmitted to all Contracting Parties. The Working Party requested the secretariat to provide for an explanatory note on the corrections to the amendment proposals in order to clarify the national legal procedures for Contracting Parties that had based their national legislation on the text of the UNECE TIR Handbook instead of the official legal text of the TIR Convention (TRANS/WP.30/196, para. 26).

2. On 24 July 2001 the Secretary-General of the United Nations has issued Depositary Notification C.N.688.2001.TREATIES-4. This notification contains corrections to Depositary Notification (C.N.37.2001.TREATIES-2 dated 12 February 2001) containing the amendment proposals in document TRANS/WP.24/AC.2/59. Both notifications refer to amendments to Annex 2 (vehicles with sliding sheets) and Annex 7 (containers with sliding sheets) of the TIR Convention, which had come into force on 12 June 2001 (Depositary Notification C.N.503.2001.TREATIES-4 dated 23 May 2001).

3. The corrections have become necessary due to the fact that the TIR Handbook, maintained by the UNECE secretariat and containing the consolidated text of the TIR Convention, contained an error in the numbering of the sketches appended to Annexes 2 and 7 of the Convention. As the TIR Handbook has been used to prepare and adopt the above amendment proposals concerning sliding sheets, the amendments relating to these Annexes also contained the same error, which is now corrected by the issuance of Depositary Notification C.N.688.2001.TREATIES-4.

4. The Legal Office of the United Nations in New York could not accept the inclusion of an explanatory note to the relevant Depositary Notification as requested by the Working Party. The Legal Office of the United Nations argued that the proposed corrections are subject to correction procedures in accordance with established depositary practice and international treaty law. The UNECE secretariat therefore stresses that the TIR Handbook, particularly the consolidated text of the TIR Convention and its 20 amendments contained therein, does not constitute the authoritative text of the TIR Convention. Only the text, which is kept in custody by the depositary of the Convention, i.e. the Secretary-General of the United Nations constitutes the authoritative text of the TIR Convention. For that reason Contracting Parties to the TIR Convention are advised to base their national legislation on the official legal text of the TIR Convention.
