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Economic Commission for Europe**Administrative Committee for the TIR Convention, 1975****Sixty-seventh session**

Geneva, 8 February 2018

Item 5(b) of the provisional agenda

Revision of the Convention:**Amendment proposals to the Convention
transmitted by the Working Party****Amendment to Article 18 of the TIR Convention****Note by the secretariat****I. Introduction**

1. At its sixty-sixth session, the Committee considered the consolidated comments by Contracting Parties to the proposal by the delegation of the Russian Federation as reflected in document ECE/TRANS/WP.30/AC.2/2017/18 and Informal document WP.30/AC.2 (2017) No. 8. The Committee noted that the received comments appear to indicate that the proposal as submitted would not solicit the support required for its adoption at the present time. Furthermore, the Committee recalled that the TIR Executive Board (TIRExB) had completed its work on an Explanatory Note to Article 18, to accompany the original proposal as submitted by the delegation of Turkey (see Informal document WP.30/AC.2 (2017) No. 10), which was intended to be considered as a formal document at the next session of the Committee in February 2018. The delegation of the Russian Federation was of the view that further consideration of its proposal would be warranted and that, should consensus not be reached on the proposal, the Russian Federation would then be prepared to consider the Explanatory Note prepared by TIRExB. Against this background the Committee decided to consider both proposals in conjunction at its current session (see ECE/TRANS/WP.30/AC.2/135, para. 37 (b)).

II. Considerations by the Committee

2. The Committee may wish to continue its considerations of the proposal to amend Article 18 on the basis of the proposals by the Russian Federation and TIRExB.

3. In the context of its discussions, the Committee may wish to note that the second sentence of the first paragraph of Explanatory Note 0.18.3-1 by TIRExB is in square

brackets, because, in the view of some Board members, the reference to three offices of departure or destination appears arbitrary, since it refers to the applicable number under the current wording of Article 18. Furthermore, the Committee may wish to note that the second paragraph of Explanatory Note 0.18.3-1 by TIRExB refers to the use of the International TIR Data Bank (ITDB) as a possibility for Contracting Parties to notify TIRExB of any limitation in the number of customs offices of departure or destination in their territory.

Annex

I. Russian proposal¹

Article 18

A TIR transport may involve several customs offices of departure and destination. The customs authorities of Contracting Parties shall determine the number of customs offices of departure and destination for TIR operations, but the total number of customs offices of departure and destination during a TIR transport shall not exceed eight. The TIR Carnet may only be presented to customs offices of destination if all customs offices of departure have accepted the TIR Carnet.

II. Proposal by TIRExB²

Article 18

A TIR transport may involve several Customs offices of departure and destination, but the total number of Customs offices of departure and destination shall not exceed eight. The TIR Carnet may only be presented to Customs offices of destination if all Customs offices of departure have accepted the TIR Carnet.

Explanatory Note 0.18-3

0.18-3 1. Customs authorities may limit the maximum number of customs offices of departure (or destination) on their territory to less than seven. [However, customs authorities shall accept TIR Carnets indicating up to three offices of either departure or destination on their territory].

2. Contracting Parties shall make information on such limitations publicly available and inform the TIR Executive Board, including by means of the proper use of electronic applications developed to this end by the TIR secretariat under the supervision of the TIR Executive Board.

III. Considerations on the draft Explanatory Note by TIRExB at its seventy-fourth session

1. At its seventy-fourth session, TIRExB considered that, as a starting point, the increase of the number of offices of departure/destination to eight would, in practical terms, mean that the maximum number of offices of departure in one Contracting Party could be seven, as there should be at least one customs office of destination (after the transport would have crossed borders with another Contracting Party) for a TIR transport to take place. Equivalently, if there is only one office of departure, the maximum number of offices of destination could be seven. This brings the total of offices per TIR transport to eight. It

¹ See Informal document WP.30 No. 15 (2017).

² See Informal document WP.30/AC.2 No. 10 (2017).

follows that there could be other combinations of the number of offices of departure and destination, as long as the total would not exceed eight.

2. Article 18 does not exclude that a TIR transport would have only one office of departure and one office of destination, but provides the possibility to holders to carry out TIR transports with more than one office of departure/destination. As such, it is the holder who indicates, in boxes 2 and 12 of vouchers 1 and 2 of the TIR Carnet, either one or two or three offices of departure and, correspondingly, the offices of destination, as long as the total is not more than four.

3. This proposal would appear to address the call of some Contracting Parties for not increasing the number of places of loading/unloading on their territory, by allowing a smaller number to be applied on their territory. At the same time, the present day facility of up to three offices of departure or destination in one Contracting Party is maintained. Finally, the proposal to use ITDB to notify detailed information on such limitations is included, but it would be necessary for ITDB to be adapted for that.
