



## Economic and Social Council

Distr.: General  
28 July 2014  
English  
Original: Russian

---

### Economic Commission for Europe

#### Inland Transport Committee

#### Working Party on Customs Questions affecting Transport

##### 138th session

Geneva, 7–10 October 2014

Item 4 (b) (v) of the provisional agenda

#### Customs Convention on the International Transport of Goods under Cover of TIR carnets (TIR Convention, 1975):

#### Revision of the Convention – Amendment proposals to the Convention

### Proposals transmitted by the Government of the Russian Federation

#### Transmitted by the Government of the Russian Federation\*

The Secretariat reproduces below as an official document informal document WP.30 (2014) No. 9, which was transmitted by the Government of the Russian Federation and contains proposals for amendments to the TIR Convention with the aim of reactivating the TIR system in the Russian Federation.

---

\* The present document contains the text submitted to the Secretariat reproduced without any changes.

GE.14-09662 (E) 290814 010914



\* 1 4 0 9 6 6 2 \*

Please recycle The recycling symbol, consisting of three chasing arrows forming a triangle.



## **List of proposals from the Russian Federation for improving the Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975)**

1. Exemption of the Contracting Party from the obligation to set the maximum amount of customs duties for which payment may be claimed under a single TIR Carnet from the guaranteeing association, in order to recover payment of the customs duties in full from the guaranteeing association.

There have recently been many cases in which the amount of customs duties payable on goods transported under a TIR Carnet has exceeded the maximum amount that could be claimed from the guaranteeing association under a TIR Carnet. Such situations result in additional customs operations on such goods, including those of customs convoy. Furthermore, if the goods are lost, there are then significant difficulties in collecting the full amount of customs duties payable, which is prejudicial to the budget of the Russian Federation.

If the Contracting Parties are allowed to decide themselves whether it is necessary to set a maximum amount of customs duties to be covered by the relevant guaranteeing association, the average duration of customs operations at the customs border of the Customs Union will decline, and the full amount of customs duties will be secured for the budget of the Russian Federation.

Annex 9, part 1, paragraph 3 (ii):

“Accept the maximum sum per TIR Carnet determined by the Contracting Party which may be claimed from the association in accordance with Article 8, paragraph 3 of the Convention.”

Amend as follows:

“Accept the maximum sum per TIR Carnet which may be claimed from the association, if a maximum sum is determined by the Contracting Party in accordance with Article 8, paragraph 3 of the Convention.”

2. Delegation of authority to the TIR Administrative Committee to conduct periodic examinations of all records and accounts of the International Road Transport Union relating to application of the Convention, with subsequent disclosure of the results of such examination to the Contracting Parties.

Annex 8, article 1 bis:

“1. The Committee shall consider any proposed amendment to the Convention in accordance with Article 59, paragraphs 1 and 2.

“2. The Committee shall monitor the application of the Convention and shall examine any measure taken by Contracting Parties, associations and international organizations under the Convention and their conformity therewith.

“3. The Committee, through the TIR Executive Board, shall supervise and provide support in the application of the Convention at the national and international levels.”

We propose adding the following subparagraphs 4 and 5 to Annex 8, Article 1-bis:

“4. The Committee shall conduct regular examinations of all records and accounts of the international organization in order to ensure the effective organization and functioning of the international guarantee system relating to the

application of the Convention, with subsequent disclosure of the results of such examinations to the Contracting Parties. Such examinations shall be conducted at least once a year.

“5. As part of the examination mentioned in subparagraph 4, the Committee shall carry out independent audits of the activities of the international organization and guaranteeing associations, with subsequent disclosure of the results to the Contracting Parties.”

3. Modifications to harmonize terminology in the Convention:

Bring Article 1, paragraph (q), into conformity with Article 6, paragraph 1:

Article 1, paragraph (q):

“The term ‘guaranteeing association’ shall mean an association authorized by the Customs authorities of a Contracting Party to act as guarantor for persons using the TIR procedure.

{ECE/TRANS/17/Amend.30; entered into force on 13 September 2012}”

We propose deleting the phrase “Customs authorities” from Article 1, paragraph (q).

Bring Article 3, paragraph (b), into conformity with Article 6, paragraph 1:

Article 3 (b):

“The transport operations must be guaranteed by associations approved in accordance with the provisions of Article 6 and must be performed under cover of a TIR Carnet, which shall conform to the model reproduced in Annex 1 to this Convention.

{ECE/TRANS/17/Amend.22; entered into force on 12 May 2002}”

We propose replacing “approved” by “authorized by the Contracting Parties” in Article 3 (b).

Annex 9, Part I, paragraph 3 (vii):

“Allow the competent authorities to verify all records and accounts kept relating to the administration of the TIR procedure.”

We propose amending Annex 9, Part I, paragraph 3 (vii) as follows:

“Allow the competent authorities to verify all records and accounts kept relating to the application of the Convention.”

Annex 9, Part I, paragraph 5:

“The Contracting Party in which the association is established shall revoke the authorization to issue TIR Carnets and to act as guarantor in case of non-compliance with these conditions and requirements. Should a Contracting Party decide to revoke the authorization, the decision shall become effective at the earliest three (3) months after the date of revocation.”

We propose amending Annex 9, Part I, paragraph 5, as follows:

“The Contracting Party in which the association is established shall revoke the authorization to issue TIR Carnets and to act as guarantor in case of non-compliance with these conditions and requirements or with the duties of the association as set forth in paragraph 3. Should a Contracting Party decide to revoke the authorization, the decision shall become effective at the earliest three (3) months after the date of revocation.”

Annex 9, Part I, paragraph 7:

“The conditions and requirements laid down above are without prejudice to additional conditions and requirements Contracting Parties may wish to prescribe.”

We propose amending Annex 9, Part I, paragraph 7, as follows:

“The conditions and requirements laid down above are without prejudice to additional conditions and requirements a Contracting Party may wish to prescribe.”

4. Expansion of the membership of the Executive Board of the Convention and establishment of a rule whereby the Board should consist predominantly of experts from the Contracting Parties to the Convention that have the largest trade turnover under the TIR regime.

---