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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions affecting Transport

(One-hundred-and-ninth session, 31 January – 4 February 2005,
agenda item 7 (b) (iii))

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

Revision of the Convention

Amendment proposals for the Convention

Transmitted by the Government of the Russian Federation

Mr. P.Hansen,
Secretary of WP.30

Dear Mr. Hansen,

Referring to the discussion of the question concerning the implementation of the art. 6.2bis of the TIR Convention, we consider it's necessary to declare the following.

In 2003 the Russian delegation by the document TRANS/WP.30/2003/11 has proposed an amendment to the art. 6.2bis dealt with the responsibility of an international organization to strictly implement the provisions of the TIR Convention and the decisions of the Administrative Committee and the TIRExB.

The EU delegation has declared that, on principle, it was agree with the Russian Federation's proposals, but considered that the question should be solved by the adoption of an explanatory note. Notwithstanding that we've considered that it would be more preferable to adopt an amendment to the a.m. article, in order to reach a compromise the Russian delegation has agreed with the EU opinion.

During the Ad hoc Expert Group in November 2004 the WP.30 Chairman Mr. G.Jacobs has proposed to adopt only a comment to the art. 6.2bis.

The Russian delegation categorically objects to Mr. Jacobs's proposal, because a comment does not have any legal force and is not obligatory to be implemented.

The adoption of this comment really brings to nought the long-term activity of the Contracting Parties aiming to revise the TIR Convention, and, first of all, makes doubtful the plenary powers of the Administrative Committee and the TIRExB, and will allow certain participants of the TIR System to continue to ignore the TIR Convention provisions.

This question is of a very high importance, and, on our opinion, shall be solved by adoption of an amendment to the text of the TIR Convention or of an explanatory note.

Will you be so kind to inform all the delegations at the WP.30 about this letter.

Best regards,

On behalf of the Russian delegation

K. Bestsenko
