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Economic Commission for Europe

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Item 4 (a) of the provisional agenda

Revision of the Convention:

Phase III of the TIR revision process –

Computerization of the TIR Convention

Further revised draft Annex 11 of the TIR Convention

Transmitted by the Government of the People's Republic of China

In Annex, the secretariat reproduces comments by the customs authorities of the People's Republic of China to draft Annex 11 of the TIR Convention, received on 21 August 2019, after the deadline for submission of comments for translation. The document should be read and understood in connection with document ECE/TRANS/WP.30/AC.2/2019/9/Rev.2.

Annex

Comments

1. Comment to Article 59, paragraph 23, Article 60 bis, paragraphs 2 and 4 and Annex 11, Article 5, paragraphs (b) and (c):

Article 59, paragraph 2 talks about “two-thirds majority”, whereas the other provisions simply refer to “majority”. Should the wording not be more specific in order to avoid ambiguity?¹

2. Comment to Annex 11, Article 7, paragraph 1 and Article 8:

It is our understanding that the customs authorities of contracting parties shall establish their own authentication system for advance data and the holder, which may result in differences in the requirements and procedures of various customs authorities. This may be inconsistent with the spirit and uniformity of the TIR Convention and deviates too much from the paper TIR system, which has rigorous authentication procedures and a unified authentication system. Therefore, it is proposed that the paper TIR Carnet authentication requirements be taken into account when revising Articles 7 and 8.

3. Comment to Annex 11, Article 9, paragraph 1:

It is proposed that this provision be further revised to read: the eTIR system shall fully consider additional data that may be requested by competent authorities according to national legislation and the possible additional data list shall be exhaustive.”

This because the request for additional data by competent authorities should be limited to an appropriate level.

¹ Comment by the secretariat: the distinction between “two-thirds majority” (qualified majority) in Article 59, paragraph 2 and “majority” (simple majority) in the other provisions is intentional.