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Economic Commission for Europe**Inland Transport Committee****Working Party on Customs Questions affecting Transport****145th session**

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Item 4 (b) (i) 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****Various other amendment proposals to the Convention****Note by the secretariat****I. Background and mandate**

1. At its previous session, the Working Party considered document ECE/TRANS/WP.30/2016/15, which outlined two options to amend Article 20. After discussions, the Working Party agreed that the alternative proposal for Article 20 seemed the most appropriate for implementation in Customs Unions, but needed further consideration on its drafting, to avoid ambiguous interpretation. To this end, the Working Party requested the secretariat to prepare a revised proposal on Article 20, based on the comments provided during the session. In line with this request, the secretariat has prepared the present document.

II. Proposals to amend Article 20

2. Article 20 refers to the task of customs authorities to fix a time-limit or prescribe a route. The amendment proposals refer to replacing the word “country” with a word or phrase that would be more suitable for the purposes of Customs Unions or non-State Contracting Parties. It appears that the reference to “country” stems from the equivalent provision of the 1959 TIR Convention which did not provide for the possibility for Customs or Economic Unions to become Contracting Parties; this became a possibility only under the 1975 Convention.

3. At present, the European Union (EU) is both a Customs Union and a non-State Contracting Party to the TIR Convention. The Eurasian Economic Union (EEU), on the other hand, is a Customs Union whose member States are individually Contracting Parties to the TIR Convention, but the EEU itself has not acceded to the Convention in its own right. Therefore, the proposals for Article 20 should, in as far as possible, accommodate both situations (see ECE/TRANS/WP.30/2016/15).

4. On the basis of the preferred proposal¹, the secretariat has introduced a new formulation for Article 20.

5. Deletions are marked in ~~strike through~~ and additions are marked in ***bold italics***:

~~“For journeys in the territory of their country, the~~ ***For TIR operations***, customs authorities may fix a time-limit and require the road vehicle, the combination of vehicles or the container to follow a prescribed route.

6. This re-wording is based on the commentary provided by the Working Party² in the course of the previous session, whereby the TIR Convention defines, in its Article 1 paragraph (b) a TIR operation as “the part of a TIR transport that is carried out in a Contracting Party from a customs office of departure or entry (en route) to a customs office of destination or exit (en route)”.

III. Considerations by the Working Party

7. The Working Party may wish to consider this proposal, taking into account that the definition of “TIR operation” refers to the portion of the journey within a “Contracting Party” and thus would not be applicable to the territory of Customs Unions that are not (yet) Contracting Parties to the TIR Convention.

¹ “For journeys in the territory of their country, the Customs authorities may fix a time-limit and require the road vehicle, the combination of vehicles or the container to follow a prescribed route from a customs office of departure or entry (en route) to a customs office of destination or exit (en route)”.

² Proposal by the delegation of the Russian Federation.