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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 Finland

Questions concerning IRU's guarantee presentation during the one-hundred-and-eighth session at the Working Party:

A. In the theoretical situation where the global guarantee is overlapped, how claims are handled?

For example:

10 countries have correct or legal (accepted also by guarantors) claims for 50.000.000 euro each. Country A has send claims first to the national association and the rest of the countries two months later to their national associations.

1. How the global guarantee 300.000.000 CHF (about 190.000.000 euro) will be used in this situation and by what grounds?
2. Does in this situation the international organization (IRU) have any legal obligations because the global guarantee system did not function sufficiently and by what grounds?

B. What guarantees Zurich or Davison demands from IRU if any in order to give the global guarantee? What are the yearly costs of this international guarantee (Zurich + Davison) to IRU? What are the early incomes and costs of the global guarantee system to IRU?

Comment: If the answer is that this information is given only to the TIR Executive Board, I would ask the TIR Executive Board to give this information to WP.30. We need this information in order to have an idea what is the theoretical maximum amount of the global guarantee.
