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Inland Transport Committee

Working Party on Customs Questions affecting Transport

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Item 8 (c) (iii) of the provisional agenda

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

Application of the Convention – Application of the TIR Convention in the Customs Union of Belarus, Kazakhstan and the Russian Federation

Application of the TIR Convention in the Customs Union of Belarus, Kazakhstan and the Russian Federation

Transmitted by the Eurasian Economic Commission

The Eurasian Economic Commission invites the Working Party to consider and provide guidance on the following issues.

The first issue. Is it possible to carry out transport of goods under cover of the TIR Carnet within the single customs territory of the Customs Union when such transport starts on the territory of one Member State of the Customs Union and terminates on the territory of another Member State of the Customs Union in case of absence of customs control and customs officials at the internal borders between these States, without crossing the external customs border of the Customs Union.

The second issue. Is the TIR operation covered by TIR guarantee if it was drawn up as follows: the start of the TIR operation (white voucher) was drawn up by the customs authority of one Member State of the Customs Union and the termination of the TIR operations (green voucher) – by the customs authority of another Member State of the Customs Union.

The third issue. Will the guaranteeing association of the Member State of the Customs Union, where the TIR operation started, repay the amounts of customs duties in case of non-delivery of goods transported under Cover of the TIR Carnet through the single territory of the Customs Union, when it is not identified on the territory of which State such violation committed.

The fourth issue. Will the guaranteeing association of the Member State of the Customs Union, where the violation of the TIR procedure connected with non-delivery of

goods committed, provide repayment of customs duties in the situation when it is identified on the territory of which State such violation took place.

The fifth issue. In accordance with the Article 2 of the TIR Convention it applies to transport of goods which carried out without intermediate reloading by road vehicles, trains of vehicles or containers with crossing one or more borders from the customs office of departure of one of The Contracting Parties to the customs office of destination of another Contracting Party. The territories of the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation comprise the single customs territory of the Customs Union and do not have internal customs borders. However, the absence of internal customs borders does not mean the absence of state borders between the Member States of the Customs Union, where customs control and customs operations are not conducted.

Taking into account the above-mentioned:

- What does the term "border", used in the TIR Convention, mean and in what document is it fixed;
 - does the TIR Convention apply to the transport of goods which starts and terminates on the territory of the Member States of the Customs Union (the state border of the Member State of the Customs Union is crossed, the customs border is not crossed) and herewith the territories of third countries are not included in the route of the vehicle, for example:
 - a) the TIR procedure starts on the territory of the Republic of Belarus (Minsk) and terminates on the territory of the Russian Federation (Moscow), and herewith the transportation is carried out only through the territories of the Republic of Belarus and the Russian Federation;
 - b) the goods are transported only through the territory of the Russian Federation from Moscow to Volgograd by road vehicle.
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