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### Economic Commission for Europe

#### Inland Transport Committee

#### Working Party on Customs Questions affecting Transport

##### 138th session

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Item 4 (c) (v) of the provisional agenda

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

##### **Application of the Convention: Other matters**

### Other matters

#### Transmitted by the Government of Ukraine\*

The Secretariat reproduces below a document submitted by the Government of Ukraine containing recommendations on the application of the TIR procedure in a single country.

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\* The present document contains the text submitted to the Secretariat reproduced without any changes.

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## **Recommendation**

### **Possibility of using the TIR procedure in the transportation of goods that begins and ends in the territory of a single State that is a Contracting Party to the TIR Convention**

#### **Recommendation adopted by the Administrative Committee for the TIR Convention, 1975**

The Administrative Committee,

*Bearing in mind* the areas of authority, terms of reference, functions and rules of procedure of the Administrative Committee, as set out in Annex 8 to the TIR Convention,

*Emphasizing* the need to ensure a uniform approach to the practical implementation of the provisions of the TIR Convention,

*Recognizing* that the current provisions of the Convention do not include special (stand-alone) norms and provisions that provide for or determine the application of the TIR procedure to goods transportation that begins and ends in the territory of a single State that is a Contracting Party to the TIR Convention,

*Considering* that determining the procedure and the mechanism for goods transportation in line with the TIR procedure that begins and ends in the territory of a single State that is a Contracting Party to the TIR Convention is a separate, independent (autonomous) process in terms of its objective and subjective elements, and that this both means and determines that it can and must be considered and decided separately, without reference to other issues,

*Convinced* that developing a uniform understanding and approach to the application of the TIR procedure to goods transportation that begins and ends in a single State that is a Contracting Party to the TIR Convention will make it possible to significantly expand the sphere of application of the Convention and help to increase its authority as an up-to-date and effective mechanism for organizing international goods transportation in a way that takes account of the interests of public authorities and transport operators,

*Recognizing* that the application of the TIR procedure to goods transportation that begins and ends in a single State that is a Contracting Party to the TIR Convention will offer additional advantages to transport operators and the relevant public authorities in respect of the possibility of applying the provisions of the TIR Convention to such transportation,

*Considering* the relevance of the issue and given that the need, expediency and timeliness of developing a single approach and understanding, for all States that are Contracting Parties to the Convention, of the possibility of and the appropriate mechanisms for using the TIR procedure for goods transportation that begins and ends in the territory of a single State that is a Contracting Party to the Convention have been raised a number of times by various States at the meeting of WP.30 of the Administrative Committee for the TIR Convention,

*Bearing in mind* that, according to the assessment of IRU and various States that are Contracting Parties to the TIR Convention, the practical application of the TIR procedure to the transportation of goods beginning and ending in the territory of a single State that is a

Contracting Party to the TIR Convention does not entail any risks with respect to the application and functioning of the Convention,

*Considering* the positive assessment by ECE and WP.30 of the possibilities and outlook, as well as their support for the initiatives of individual Contracting Parties to the Convention relating to the application of the TIR procedure to goods transportation that begins and ends in the territory of a single State that is a Contracting Party to the TIR Convention,

*Recognizing* the need to offer all States that are Contracting Parties to the Convention the possibility of making full use of the advantages and benefits, including additional benefits that may derive from the practical application of the provisions of the TIR Convention, on the basis of ambitious, independent decisions taken in line with the provisions and norms set out in the TIR Convention,

*Aware of the importance* of compiling and formalizing, at meetings of WP.30 and the TIR Administrative Committee, the results of a comprehensive and detailed study of the provisions and norms of the Convention carried out by the secretariat of the TIR Convention, and the results of the examination and discussion of the possibility of and the mechanism for applying the TIR procedure to the transportation of goods beginning and ending in the territory of a single State that is a Contracting Party to the TIR Convention;

(1) *Recognizes* that the provisions and norms of the current TIR Convention do not contain any prohibition or restriction preventing a State that is a Contracting Party to the TIR Convention from applying, on its own initiative and on the basis of independent decisions, the TIR procedure to goods transportation that begins and ends in the territory of a single State that is a Contracting Party to the Convention;

(2) *Recommends* that Contracting Parties to the TIR Convention should adhere to the following basic principles and provisions during the development, agreement, approval and practical implementation of a mechanism to apply the TIR procedure to the transportation of goods within the territory of a single State that is a Contracting Party, specifically:

Firstly, the decision on the possibility of applying the provisions of the TIR Convention to goods transportation that begins and ends in the territory of a single State that is a Contracting Party to the TIR Convention should be taken by each such State individually, and solely on the basis of its own independent decision concerning the need and the possibility to apply the TIR procedure to such transportation;

Secondly, application of the TIR procedure to the transportation of goods that begins and ends in the territory of a single State that is a Contracting Party to the TIR Convention shall not establish any obligations or restrictions for other States that are Contracting Parties to the TIR Convention;

Thirdly, application of the TIR procedure to the transportation of goods beginning and ending in the territory of a single State that is a Contracting Party to the TIR Convention is permitted and should be implemented on the basis of the relevant tripartite agreements between international guaranteeing associations, national guaranteeing associations of States that are Contracting Parties to the TIR Convention and the relevant public authorities of such States, on the unconditional and full guarantee of the application of the provisions of the TIR Convention in regulating such transportation of goods.