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INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions

affecting Transport

(One-hundred-and-fifth session, 23-26 September 2003,
agenda item 7 (c) (i))

**CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT
OF GOODS UNDER COVER OF TIR CARNETS (TIR CONVENTION 1975)**

Application of the Convention

**Functions and roles of the TIRExB, the TIR secretariat
and the International Road Transport Union (IRU)**

Suggestions of the Chairman of WP.30

A. INTRODUCTION

1. The Working Party on Customs Questions affecting Transport may wish to recall that, at its one-hundred-and-first session, it was informed by the IRU about the possible threat over the sustainability of the TIR procedure (TRANS/WP.30/202, para. 12). At its one-hundred-and-second session, it considered a proposal by the IRU on guidance on the functions and roles of the TIRExB, the TIR secretariat and the IRU (TRANS/WP.30/2002/30). In this context, the IRU also stressed the

importance of further developing the Agreement between the IRU and the UNECE to encompass not only the transfer of funds to the UNECE Trust Fund for the funding of the TIRExB, but also the responsibilities of the IRU in managing the TIR system, including the printing, distributing and guarantee for the TIR system, as well as determining carefully the budget for the TIRExB. The Working Party supported a proposal by its Chairman, that he would convene a small group of “Friends of the Chairman” to preliminarily explore if and how the issues raised by the IRU could be addressed (TRANS/WP.30/204, paras. 10-12).

2. The TIR Administrative Committee, at its thirty-third session, took note of the proposal by the IRU and welcomed the initiative taken by the Chairman of the Working Party (TRANS/WP.30/AC.2/67, para. 47).

3. The Working Party, at its one-hundred-and-third session, supported the conclusions of the meeting of the “Friends of the Chairman”, that took place in January 2003 (TRANS/WP.30/206, para. 39).

4. The Working Party, at its one-hundred-and-third session, considered document TRANS/WP.30/2003/10 transmitted by the Chairman on the functions and roles of the TIRExB, TIR secretariat and the IRU and decided to separate the issues contained in the document into medium and long term priorities. Concerning the issues to be considered in the long term relating to amendments of the Convention, the Working Party requested the secretariat to include these in a new document to be prepared for the present session of the Working Party (TRANS/WP.30/208, para. 41).

B. PROPOSALS FOR AMENDMENTS OF THE CONVENTION

5. To put the articles in a more logical order, article 8, paragraph 7 of the Convention should be placed before article 8, paragraph 1. This is a very important provision. In all cases, the competent authorities should do their utmost to find the directly liable person(s) and require payment from them firstly, as this is the only way to keep the TIR system payable. However, in all cases the guaranteeing association is and stays jointly and severally liable (article 8, paragraph 1);

6. It is proposed to redraft Article 6, paragraph 2 bis of the Convention as follows:

“Subject to the acceptance of the responsibility for the effective organization and functioning of an international guarantee system, an international organization, as referred to in paragraph 2, shall be authorized by the Administrative Committee”.
