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Working Party on Customs Questions

affecting Transport

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

Application of the Convention

CITES

Transmitted by the European Community (EC)

A. BACKGROUND

1. The Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES) has some 164 Contracting Parties. Under the terms of Article XI of the CITES Convention, a meeting of the Conference of the Parties shall take place at least every two years. The tenth meeting of the Conference of the Parties was held in Harare (Zimbabwe) from 9 to 20 June 1997.

*/ The UNECE Transport Division has submitted the present document after the official documentation deadline due to resource constraints.

2. At that meeting, the Conference to the Parties adopted Resolution 10.5 concerning the transport of specimens of CITES species under cover of the ATA or TIR carnet. Specifically, the Resolution included the following statements:

"CONSCIOUS that many shipments of specimens of CITES species travelling on an ATA or TIR carnet without the appropriate CITES documentation have been refused entry into either the importing country or the country of (re-) export upon return.", and

"RECOMMENDS that all Parties ensure that their Management Authorities issue the appropriate documents for shipments travelling on ATA and TIR carnets; and

"URGES all Parties to communicate with their Customs and other CITES enforcement officials to ensure that all CITES shipments travelling on these carnets comply with the applicable provisions of CITES."

B. RECENT DEVELOPMENTS

3. Under the auspices of the World Customs Organization, the Administrative Committee of the Istanbul Convention met to discuss the possible amendment to Annex A of the Convention in order to put into effect Resolution 10.5 in respect of the ATA procedure. At the fifth meeting of the Administrative Committee on 17-18 March 2003, it was agreed to insert a general statement concerning the need for documentation required under international Conventions to always accompany the goods concerned and for there to be a specific reference to CITES specimens. Accordingly, the following new comment to Article 19 of Annex A to the Istanbul Convention was agreed:

"Documentation (permits or certificates) required under international Conventions (such as the Convention on international trade in endangered species of wild fauna and flora, 1973) should always accompany the goods concerned.

In such cases a cross reference to this documentation on the carnet could facilitate customs clearance."

C. EUROPEAN COMMUNITY PROPOSAL

4. It would now seem both appropriate and necessary for the TIR Convention to be amended in a similar manner. To this end, the European Community proposes the creation of a new Comment to Article 47, to read as follows:

"Documentation (permits or certificates) required under international Conventions (such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora, 1973) should always accompany the goods concerned."

5. In addition, the European Community proposes to amend Annex 1 of the Convention as follows:

Rule 10: add new subparagraph (f) to read:

"When goods include specimens covered by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), each specimen, the name of the animal or plant species and, where applicable, a description of the mark used to identify the specimen (for example, the tag, ring or tattoo, etc.) will be indicated separately on the manifest".

Rule 11bis: add new rule to read:

"When the goods include specimens covered by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), box 8 should include the indication 'CITES', the name of the authority which issued the permit, and the number and date of issue of the CITES documents accompanying the specimens.

Documents (permits or certificates) required under the CITES Convention shall be endorsed by the Customs authorities and attached to page 2 of the cover of the carnet."

D. FURTHER CONSIDERATIONS

6. The European Community looks forward to discussing this proposal at the February 2004 session of the WP.30.
