Economic and Social Council

Economic Commission for Europe

Administrative Committee for the TIR Convention, 1975

Seventieth session
Geneva, 14 June 2019
Item 4 (c) of the provisional agenda
Revision of the Convention:
Amendment proposals to the Convention
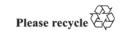**prepared by the TIR Executive Board**

Proposals by Uzbekistan for amendments to the TIR Convention*

Transmitted by the Government of Uzbekistan

The secretariat reproduces below as an official document a text transmitted by the Government of Uzbekistan containing proposals for amendments to the TIR Convention.

---

* The present document contains the text submitted to the secretariat, reproduced without any changes.

Please recycle

Annex

Proposals by Uzbekistan for amendments to the TIR Convention

1.   Add the following to the explanatory note to article 38 (2) (0.38.2):

"*Information on the temporary or permanent exclusion from the operation of this Convention of any person shall be notified and made available in electronic annexes developed by the TIR secretariat under the supervision of the TIR Executive Board only to the competent authorities of the country in which the person concerned is established or resident, to the association(s) in the country or customs territory where the violation occurred and to the TIR Executive Board.*"

Justification:

In accordance with article 38, in particular article 2 and its explanatory note, information on exclusions from the TIR Convention are to be notified to the competent authorities of the country in which the person concerned is established or resident, to the association in the country or customs territory where the offence was committed and to TIRExB.[1] At the same time, however, this information will also have become accessible in ITDB[2] to third country customs authorities, in clear violation of the existing provisions of article 38, and, consequently, TIR carnet holders have unreasonably been denied acceptance of TIR carnets in third countries.

2.   Add the following to the explanatory note in paragraph 4 of part II of annex 9 (9.II.4):

"*The lack of data in the electronic annexes developed by the TIR secretariat under the supervision of the TIR Executive Board regarding the authorization of a person to use TIR carnets does not constitute grounds for refusal to accept TIR carnets by the customs authority. In the absence of relevant data, customs authorities are to verify alternative sources of information (e.g., the control system for the use of TIR carnets established by an international organization authorized under article 6.2 bis).*"

Justification:

The proposal relates to the verification of the status of the TIR carnet holder in the customs office of entry or departure, in particular the availability of information on the carrier's access to the TIR system. In the absence of any information in ITDB, the customs authority refuses to accept the TIR carnet (often without giving an explanation to the TIR carnet holder), and this has already happened for some TIR carnet holders from Uzbekistan. It should be noted that the issuance of the TIR carnet and the availability of information on its status, validity, etc. in the IRU information systems (to which all customs authorities have access) already indirectly attests to the availability of the carrier's access to the TIR system. Difficulties with data transfer to ITDB (technical, administrative, etc.) should not create obstacles for TIR carnet holders, as they do not have the possibility of checking their status in ITDB, much less ensuring that it is available in the databank.

In view of the foregoing, we request that the above-mentioned proposals be included in the agendas of the forthcoming sessions of WP.30 and AC.2 as an official position of the competent authority of Uzbekistan for their consideration and further adoption, taking into account the amendments proposed by the TIR Executive Board in document ECE/TRANS/WP.30/AC.2/2018/12.

---

[1] TIR Executive Board
[2] International TIR Data Bank