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ECONOMIC COMMISSION FOR EUROPE

Administrative Committee for the TIR Convention, 1975

(Thirty-seventh session, 14-15 October 2004,
agenda item 10 (a))

APPLICATION OF THE CONVENTION

Comment adopted by the TIR Executive Board (TIRExB)

Note by the secretariat

A. BACKGROUND

1. The Administrative Committee, at its thirty-sixth session, considered the comment adopted by the TIRExB at its eighteenth session relating to falsified acceptance of a TIR Carnet at the Customs office of departure. The Committee was of the view that the title and the text needed to be further improved. The Committee felt that the title could be changed to “Falsification of the start of a TIR transport”. The Committee requested the secretariat to prepare a revised text for its October session, and invited Contracting Parties to transmit their comments to the secretariat (TRANS/WP.30/AC.2/73, paras. 45 and 46).

B. REVISED PROPOSAL BY THE SECRETARIAT

2. Having taken account of comments made by Contracting Parties in the course of and following the thirty-sixth session of the TIR Administrative Committee, in particular, by the delegations of France, the Russian Federation and the United Kingdom, the secretariat proposes to modify the comment as follows:

Add a new comment to Article 19 to read as follows:

" Falsification of the start of a TIR transport by using false Customs stamps and seals^{/}*

With a view to avoiding strict controls at the Customs office of departure, fraudsters may attempt to falsify the acceptance of a genuine TIR Carnet at the Customs office of departure by using false Customs stamps and seals^{}. Such malpractices are very dangerous as, according to the provisions of the TIR Convention, the Customs authorities of countries in transit and of countries of destination normally rely on checks carried out at the Customs office of departure. Therefore, the Customs office(s) of exit, located in the country(ies) of departure, play(s) a crucial role in exposing such fraudulent activities and should check the authenticity of the Customs seals and stamps^{*} and, if possible, to verify that the particulars in the goods manifest of the TIR Carnet tally with those in the accompanying documents (e.g., goods export declaration, CMR consignment note, etc.) which are normally checked by the Customs office of departure in line with Explanatory Note 0.19. If necessary, the said Customs office(s) of exit should carry out other Customs checks required in connection with a TIR operation in the country(ies) of departure."*

3. The Administrative Committee may wish to consider the above wording with a view to its possible adoption.

^{*/} In French: "tampons et scellements douaniers".