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## **Economic Commission for Europe**

### **Administrative Committee for the TIR Convention, 1975**

#### **Sixtieth session**

Geneva, 8 October 2015

Item 6 (f) of the provisional agenda

#### **Revision of the Convention**

**Proposals transmitted by the Government of the Russian Federation**

### **Proposal to amend Article 11, paragraph 3, of the TIR Convention 1975**

**Submitted by the International Road Transport Union (IRU)**

## **I. Background**

1. At its sixty-first session held of 11 June 2015, the TIR Administrative Committee considered the proposal to amend Article 11 paragraph 3 of the Convention so as to reduce the earliest moment at which a claim to the association can be made. The Committee was of the general view that the deadlines prescribed in the Convention provide adequate time to first seek payment from the directly liable party. While some delegations recognized that the proposed deadline of one month could potentially be sufficient, the Committee agreed that it would be necessary to assess the statistical information available on this issue before taking a decision. To this end, the Committee welcomed the offer of IRU to provide data for discussion at its next session. Against this background, the IRU has prepared the present informal document, and submitted it in English and Russian languages, for the consideration of the Committee.

## II. Analysis

2. The IRU has for this purpose analyzed the electronic data concerning claims received between 2009 and July 2015. The results of the analysis are summarised in the table below:

<i>Period of time between date of Notification and claim for payment as per article 11.3 of the TIR Convention</i>				
<i>Year</i>	<i>Average</i>	<i>Region</i>	<i>Days</i>	<i>Months</i>
<b>2009</b>	<b>261 days</b>	EU	208	6.8
	(8.5 months)	CIS	139	4.6
		OTHER	622	20.4
<b>2010</b>	<b>360 days</b>	EU	282	9.2
	(11.8 months)	CIS	168	5.5
		OTHER	642	21.0
<b>2011</b>	<b>353 days</b>	EU	399	13.1
	(11.5 months)	CIS	228	7.5
		OTHER	397	13.0
<b>2012</b>	<b>255 days</b>	EU	264	8.7
	(8.3 months)	CIS	188	6.2
		OTHER	449	14.7
<b>2013</b>	<b>192 days</b>	EU	198	6.5
	(6.2 months)	CIS	173	5.7
		OTHER	258	8.5
<b>2014</b>	<b>195 days</b>	EU	298	9.8
	(6.3 months)	CIS	152	5.0
		OTHER	213	7.0
<b>2015</b>	<b>251 days</b>	EU	227	7.4
	(8.2 months)	CIS	310	10.2
		OTHER	189	6.2

3. The following actions were undertaken to perform the analysis in question:
- The analysis was carried out based on the information on TIR Claims available in the IRU internal database;
  - Analyses were only carried out in regard of cases where Customs had duly notified the guaranteeing Association of the non-discharge of a TIR operation prior to the issuance of the claim for payment.

### III. Conclusions

- The analysis show that in practice, Customs authorities send the claims for payment in most cases more than 3 months after the date on which the Association was notified of the non-discharge of the TIR operation.
  - From the IRU perspective, the reduction of the earliest time in which a claim for payment can be made against an Association after notification has been sent in line with TIR Convention, should not have any operational impacts on the functioning of the TIR guarantee chain. The IRU would not be opposed to this amendment proposal as suggested by the Russian Federation.
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