

## **THE STATUS OF THE “TIR CONVENTION” IN PAKISTAN**

*by  
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For Pakistan to connect & trade regionally with Central Asia, with Turkey & Iran or with China we need to have in place enabling International Conventions as well as bilateral agreements to allow the movement of goods and trucks across borders. The TIR is an international transit system covered under a multilateral UN backed guarantee system already operational in 60 countries. It allows seamless transport connectivity between its member countries.

The “TIR Convention” is a United Nations Convention and is administered by IRU (The International Road Union) based in Geneva. PNC-ICC (The Pakistan National Committee of ICC) is the associate member of IRU and represents IRU’s presence in Pakistan. The PNC-ICC is also responsible for the financial guarantees covering the implementation of the Convention.

The Pakistan National Committee of the International Chamber of Commerce (PNC-ICC) also known as ICC Pakistan has been promoting Pakistan’s accession to the TIR Convention since the year 2000. In February 2002 the PNC-ICC hosted a major international foreign direct investment conference in Karachi which was attended by over 600 delegates from over 20 countries in addition to officials of the Government of Pakistan, Federal Ministers, legal experts and IGOs. It was as a consequence of this conference, the Karachi Business Declaration included in its final recommendations to the government, the ratification and implementation of the TIR Convention for transit trucking and the Istanbul Convention on ATA Carnets for temporary admission.

The Federal Cabinet in Pakistan resolved on June 15, 2002 to accede to both conventions. In its planning it was recommended to first accede to the Istanbul Convention on ATA Carnet as the pilot program restricted to exhibitionary materials and professional equipment followed by the TIR Convention for transit trucking. It was envisaged for the implementation of the Istanbul Convention to serve to familiarize the government, its regulatory authorities and the Customs with the concept of temporary admission in utilizing a WCO international guarantee system. This would then be followed by the more extensive and widely used TIR Convention overseen by the International Road Transport Union.

Prior to the conference in Karachi various organizations had already been recommending the importance of the TIR Convention in view of Pakistan’s geographic location and the benefits to the transport and shipping industry. It was also highlighted to the government of the potential for primary & secondary revenues which would accumulate for the government and the consequent improvement of transport infrastructure. The Ministry of Commerce had formed the National Trade and Transport Facilitation Commission - NTTFC on April 25, 2001 to facilitate Pakistan’s international trade. After PNC-

ICC's recommendations in 2002 followed by the Federal Cabinet's resolutions of 15<sup>th</sup> June 2002 accession to the Istanbul Convention and the TIR Convention became part of the NTTFC's agenda. (The NTTFC is the body in Pakistan which is responsible to provide government facilitation to trade and transport related initiatives. The NTTFC comprises of all relevant government authorities and relevant private sector representatives including the PNC-ICC). The Ministry of Commerce upon taking up the TIR Convention and the Istanbul Convention on its agenda confirmed on March 17, 2004 the appointment of the PNC-ICC as the National Guaranteeing and Issuing Organization for TIR Carnets. This was in addition to its appointment to be the National Guaranteeing and Issuing Organization for ATA Carnets.

In May 2004 Pakistan acceded first to the Istanbul Convention and deposited the instrument of accession for the TIR Convention 1975 at the Treaty Section of the UN on 21<sup>st</sup> October 2004. The accession to the Istanbul Convention was successful however the accession to the TIR Convention was rejected owing to a reservation made by the Pakistan Foreign Office under Article 8 Para 4 of the TIR Convention.

Meanwhile in preparation for accession of the TIR Convention the PNC-ICC with the NTTFC and the IRU, under the auspices of UNECE convened a seminar on the TIR Convention at Karachi. On 30<sup>th</sup> November 2004 and the PNC-ICC completed the necessary requirements of the IRU to become its Associate Member in Pakistan effective January 2005. In March 2005 the PNC-ICC was advised of the UN's refusal to accept Pakistan's application on grounds of the reservation mentioned earlier.

The PNC-ICC meanwhile structured within its organization the TIR Commission to facilitate the participation of organizations engaged in international and cross border road transport. The TIR Commission of the PNC-ICC is the body which oversees the development of the TIR Convention in Pakistan and specifically deals with all issues concerning the TIR Convention, its ratification, its introduction and finally its implementation including the necessary human resource training process. The TIR Commission has been working to facilitate the accession process again, in this regard the matter was first referred to the Ministry of Law on 18<sup>th</sup> February 2006 and accordingly was referred to the Attorney General of Pakistan. However following that the matter is pending at various government levels in Pakistan. In Feb 2007 PIFFA Pakistan national logistics association, organized a Logistics Conference which had participation from the highest levels of our Government, in addition to representatives from China, Kazakhstan as well as the President of FIATA and the IRU leadership who were all present and the TIR was also discussed.

By 2007 the implementation of the Istanbul Convention in Pakistan was attained and as such the ATA Carnet system has been in implementation in Pakistan for over 4 years. Renewed efforts for the TIR Convention remained ongoing not only through the NTTFC but also in direct interactions between members of the TIR Convention and senior government officials. The IRU in its international deliberations especially in the context of the ECO region started making serious efforts in recommending the TIR Convention as the singularly most important international transit system for the ECO region. The 10 member ECO states meanwhile endorsed the TIR Convention to be their main international transport convention.

Efforts in recent months in this regard have resulted in a resolution by the Government of Pakistan to solve the various impediments to accession in terms of any reservations which may be forthcoming, the high level of representation from the Pakistan Government at the IRU-ECO meeting in Istanbul on May 24, 2011 was a sign of its current intent. Furthermore in various meetings of ECO and our Government officials, the matter seems to have become a priority and we remain hopeful that the legal procedure

within the Government of Pakistan will be accomplished in the very near future in order to make Pakistan a full-fledged TIR Convention participant.

Today all member countries of the ECO region including Turkey, Iran, Afghanistan, Kazakhstan, Tajikistan, Uzbekistan, Kryzikistan and Turkmenistan are signatories of the TIR Convention "except for Pakistan." In the recent past Turkey has become the world largest user of the TIR system, it has now also become the world's largest trucking nation. Pakistan's geographical location can only be an advantage for the nation if it is properly leveraged i.e (a) by introducing the relevant transport & transit compliant laws, (b) an adequate transport infrastructure and (c) an enabling environment for the private sector logistics & freight forwarding industry to grow. The ball is in the Governments court.