

Chronicle of a crisis

TIR in Russia

On 4 July 2013, the Head of the Russian Federal Customs Service (FCS RF), Andrei Belyaninov, breached international and national law by deciding unilaterally, without prior notice to TIR stakeholders at Russian or international level, such as the United Nations TIR bodies, to restrict the application of the TIR System in Russia.

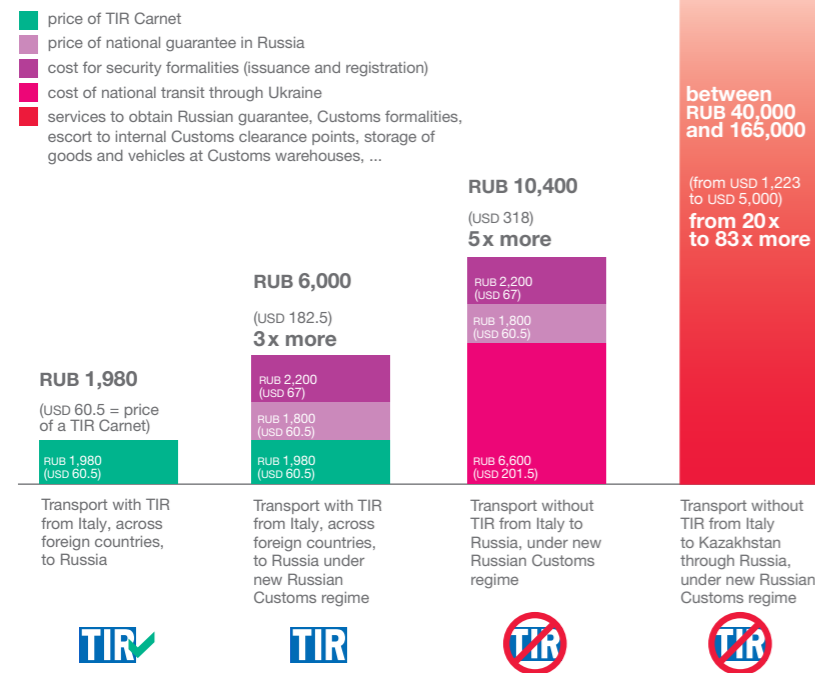
In practice, this measure means that each TIR Carnet used to transport goods to, through or from Russia is subject to a substantial additional national Customs guarantee, which does not provide any security whatsoever for traders and authorities.

The Russian Federal Customs Service has long turned a deaf ear to multiple representations and calls for withdrawal made to the highest Russian authorities including by the IRU, EU Commission President, José Manuel Barroso, EU Commissioner responsible for taxation and customs union, audit and anti-fraud, Algirdas Šemeta, and UNECE Executive Secretary, Sven Alkalaj, together with a host of national governments and the Russian business community.

This illegal and illegitimate decision to no longer accept TIR guarantees on Russian territory was to take full effect as of 1 December 2013, when ASMAP's (IRU Russian Member Association guaranteeing TIR in Russia) agreement to act as the TIR guarantor in Russia was to be cancelled by the FCS RF.

over 40% of Russian imports under TIR
USD 135 billion worth of trade impacted per year.

Costs under new Russian Customs regime



04 JUL
 FCS RF unilaterally decides to impose restrictions on TIR guarantee on its territory as from 14 August

05 AUG
 IRU calls on Russian PM to cancel unilateral illegitimate decision of FCS RF

08 AUG
 FCS RF postpones unilateral TIR decision to 14 September

14 AUG
 IRU reiterates call to withdraw FCS RF's unilateral decision at a press conference held in Moscow, after three days of high-level discussions with Russian authorities and other stakeholders

27 AUG
 UN TIRExB (TIR Executive Board, the UN body responsible for the supervision of the TIR Convention) concludes that FCS RF's decision is in breach of UN TIR Convention and requests its cancellation

09 SEP
 IRU calls on President Putin to withdraw FCS RF's decision

12 SEP
 IRU publishes recommendations to help TIR transporters defend their legal rights in Russia

18 SEP
 IRU calls on OSCE governments to ensure continuity of TIR to secure and facilitate trade

25 SEP
 IRU publishes factsheet on TIR crisis in Russia, summarising all of the unfounded allegations made by the FCS RF, and providing detailed and transparent explanations for each of the FCS RF's illegal and unilateral decisions

13 SEP
 FCS RF declares that TIR guarantee restriction in Russia will only apply to Siberian and Far Eastern regions

24 SEP
 FCS RF extends illegal and unfounded TIR restrictions to Ural Customs region

04 OCT
 In complete defiance of these calls from the international community, and in the absence of a final coordinated position of the Russian Government, FCS RF decides unilaterally, without prior notice, to immediately further extend restrictions to the large Volga region

04 OCT
 Highest United Nations TIR bodies confirm that FCS RF is breaching international law and request FCS RF to stop breaching international law and withdraw its illegal restrictions on TIR guarantees

14 OCT
 Supreme Arbitration Court of Russia - the highest judicial body in Russia - judges FCS RF's decision imposing TIR restrictions as illegal

30 OCT
 Despite Supreme Arbitration Court's ruling, FCS RF further extends TIR restrictions to the North Caucasian and Southern Customs Regions, as well as the airport Customs offices of Sheremetyevo, Domodedovo and Vnukovo

13 NOV
 FCS RF further extends illegal TIR restrictions to the Central Customs region

19 NOV
 FCS RF further extends illegal TIR restrictions to a large section of the North Western region

18 NOV
 President of the European Commission, José Manuel Barroso, sends a letter to Russian President Vladimir Putin, expressing concerns about unilateral changes to the rules governing the transit of cargo by trucks and stresses that the new rules should be in line with the commitments undertaken by Russia at the G20 summit in St Petersburg to facilitate international trade

2 DEC
 FCS RF once again disregards the TIR Convention by unilaterally issuing a list of Customs offices where TIR Carnets are still not accepted, covering 95% of all Russian Customs offices

30 NOV
 TIR System resumes in Russia as FCS RF officially notifies ASMAP of the extension of its agreement until 1 July 2014

5 DEC
 TIR Executive Board and European Commission call on Russian Government to oblige FCS RF's respect of international law

6 DEC and onwards
 IRU, together with the European Commission and United Nations, continue political and legal actions at all levels to ensure a workable solution for all parties

Please note that, at the time of going to print, the TIR crisis in Russia remains unresolved.