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RECOMMENDATIONS FOR THE INTRODUCTION OF A TRANSIT REGIME
IN WEST AFRICA BASED ON A MODIFIED T.I.R. CONVENTION

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RECOMMENDATIONS FOR THE INTRODUCTION OF A TRANSIT REGIME
IN WEST AFRICA BASED ON A MODIFIED T.I.R. CONVENTION

A. INTRODUCTION

1. Within the context of this paper, the expression "transit trade" means:
(a) "goods imported into one country for transport under customs control for delivery in a second or third country" or (b) "goods passing from an inland country for transport under customs control through a coastal country to a seaport for shipment for export."
2. In approaching the question of transit trade in West Africa, it is proposed to deal mainly with goods passing in transit by road or rail and road from ports to inland countries, for it is in connection with this traffic that most of the existing problems arise.
3. It is normal customs procedure throughout the world for goods on first arrival in any country from overseas to be kept under close customs surveillance in an area (e.g., a port) which is adequately policed and usually enclosed by a high wall or fence. Free access by importers to these goods is forbidden until customs formalities are finalized and duty is paid, where this is applicable.
3. This procedure applies in general to direct imports into West African countries, but an anomaly exists in respect of goods which are declared on import to be in transit by road to an inland country. For movements of this kind, consisting of goods on which duty is not paid until destination, strict security measures are maintained only within the port area concerned and not beyond such area. Once transit documents are accepted and a limited customs check of package marks and numbers completed, the goods are handed over to a transporter against no more than a written undertaking to deliver them intact to destination. For the journey itself, no physical security of any kind is demanded, packages are conveyed in open lorries without locking and sealing and there is complete access to all packages at all times. Adequate customs checks against manipulation of contents of packages, substitution or diversion en route are thus impossible.

4. For the present system to be effective, a total absence of malpractice on the part of all persons engaged in the importation and conveyance of imported goods in transit has to be presupposed - a naive assumption from any customs viewpoint. Also there must be complete confidence in the accuracy of certificates of receipt (landing) given by the customs officials of destination countries, a confidence which is lacking in view of the proved instances where false and inaccurate certificates have been returned.

5. For some time, this belief in the sufficiency of a mere documentary form of control has been queried and there is a growing and widespread criticism of existing systems. The transit trade as at present constituted is more and more regarded as one offering possibilities for extensive smuggling, particularly in some coastal countries where duty rates are high or goods are in short supply. There is an increasing awareness of a need for change and for the introduction of measures to provide for the security and through documentation which is now missing.

6. The weaknesses of the present system concern not only revenue. Losses by theft are considerable and these, together with high overhead costs of transport from port to destination result in very high prices to consumers in inland countries. Any improvement in procedure which results in less opportunity for pilferage and a reduction in the time wasted en route by avoidable customs examinations and unnecessary transfers from one vehicle to another must surely be welcomed by the trading interests of all inland countries.

7. The problems connected with the transit trade of West Africa are unlikely to resolve themselves merely by the passage of time. Indeed, as agricultural and industrial development proceeds and improvements are made to road communications, the flow of merchandise to and from inland countries

will increase, and the defects inherent in existing methods of control will be felt to an even greater degree. Unless it is accepted that the problems are intractable (or unless a true customs union of the countries concerned comes into being, thus permitting the free movement of all goods within such union) it is reasonable to suppose that a time must come when governments will be compelled to take remedial action. It would seem preferable therefore to consider carefully whether it would not be better to accept the need for immediate positive action and to introduce improved transit regimes without delay. It is also reasonable to suggest that if this were done, both the costs and the initial difficulties of changeover would be much less than at some uncertain date in the future when, in addition to increased traffic, vested interests would have become even more firmly entrenched.

8. Much has been written about the transit trade of West Africa and it is clear that the problems of control are in the main common to all countries of the region, particularly coastal countries, although of course they vary in importance according to the density of the traffic. There would seem to be no valid reason why a common solution could not be found or why a standard transit regime should not be applied to West Africa as a whole. Opinions differ as to the steps which could be taken in this regard, but it does seem clear that standardization of documents alone will not be sufficient (as is sometimes suggested) and that any new procedure must provide for the greatest possible physical security of goods in transit. This accepted, there seems little reason to look further than the well-tried and successful United Nations T.I.R. Convention^{1/} and to consider how far it could be applied.

^{1/} Customs Convention on the International Transport of Goods under cover of T.I.R. Carnets, 1959 (E/ECE/332).

B. ADVANTAGES OF T.I.R. CONVENTION PROCEDURES

9. The adoption of T.I.R. Convention procedures and in particular the use of vehicles capable of being locked and sealed would reduce:

- (a) the possibility of smuggling by diversion or by manipulation (e.g., substitution of contents of packages), a risk which is particularly present where goods are not examined in detail at ports and are allowed to be transported to destination in unsecured vehicles;
- (b) pilferage en route;
- (c) delays at:
 - (i) ports where full documentation and customs examination is now demanded, and
 - (ii) frontier posts where unloading and reloading often take place for customs identification of marks and numbers;
- (d) the need for customs guards to accompany goods from frontier to customs station of entry;
- (e) costs of transport by reduction of (a), (b) and (c) above;
- (f) administrative overheads by reduction of (c) and (d) above; and
- (g) the opportunity for delaying tactics and malpractices by customs officials themselves.

C. DIFFICULTIES TO BE OVERCOME

10. There is little reason to suppose that the advantages of a T.I.R. Convention could not be gained by West African countries, given the determination of governments to effect the changes required. It must be recognized, however, that strong opposition may be experienced from transporters who are unwilling to agree to any change which would limit their freedom

of action or involve them in capital outlay; and from importers who prefer to document fully at the ports where they have experienced staff to do the work involved and might not readily accept the use of the summary declarations normal to a T.I.R. transit system.

11. It may also be argued by importers that the volume of transit traffic is insufficient on some routes to warrant the changeover to a standardized procedure and that in these circumstances, the existing procedures might just as well be retained. To this it can be contended that future traffic may well increase in volume and in any case there are immediate material advantages to be gained by way of the greater security, the through transportation without intermediate loading and the speedier transit resulting from reduction in port and frontier formalities. Moreover, it is preferable to introduce new procedures when traffic is minimal than to wait until traffic increases and the interests vested in the existing practices become even more firmly entrenched. Costs of vehicle conversion would then be higher and opposition to change even stronger.

12. The difficulties of crossing rivers which are not yet bridged or lack ferries capable of transporting lorries are sometimes put forward as a reason for rejecting the improved transit procedures. Where such difficulties exist, it is accepted that the need to unload vehicles at river crossings precludes the possibility of conveying transit goods under lock and seal. However, much work is in hand concerning the improvement of road communications and in any case by far the majority of important transit routes are satisfactory, providing facilities for through transport at all seasons without unloading. The rare cases where international road communications are defective should not therefore be allowed to stand in the way of a general acceptance of improved transit control procedures.

13. Mention must be made of a number of administrative difficulties to be overcome before the full benefits of a new transit regime can be obtained. Because these problems demand urgent solution (and not only in connection with the transit trade), it is considered necessary to set them out in detail.

14. Firstly, the introduction of a transit system of control based on the T.I.R. Convention would involve acceptance of new documents and procedures and the provision of secure vehicles by transporters. These would obviously take time and cost money to introduce, and it has been suggested that new procedures might have to be introduced gradually, starting with documentation and permitting, for example, existing vehicles to be used unchanged until they are due for replacement. There is a risk, however, that if this is accepted, finalization might be delayed indefinitely. It is preferable, therefore, that governments should not only accept the need for a modern transit procedure but should fix a firm date for the final change-over to it, say, eighteen months after ratification of a T.I.R. (W.A.) Convention, by which time all vehicles used in the international transport of bonded goods would have to comply with the required security standards.

15. Reference must next be made to the difficulties some administrations experience over the staffing of customs stations, particularly those in outlying areas. Too low a qualifying educational standard for recruits, unattractive pay scales and an absence of suitable training facilities for junior staff are given as the principal reasons for the lack of competent officers. To this must be added a fourth, probably of greater importance, that is, the absence in many countries of middle grade officers with the experience and knowledge sufficient to give that effective in-service training so necessary for junior staff.

16. With improved educational facilities and the probability of increased competition for government and commercial posts, there is every possibility that standards for new recruits could be raised in the not too distant future so this particular problem may well resolve itself in time.

17. In regard to training facilities, it would appear that in many cases this need can only be met by external aid for the time being. In the meantime, customs procedures have to be kept as far as possible within the comprehension of the staff available and for this reason the simple transit regime offered by the T.I.R. Convention, giving through documentation and reducing the need for customs examination en route to a simple check of seals, should be welcomed by all administrations.

18. Reference has also been made in the Coquoz Report^{1/} to the existence of malpractices and indiscipline amongst customs officials in some instances. It is difficult to assess just how widespread these defects are, but whatever their extent, they constitute a danger to revenue and a serious impediment to legitimate trade. They would also tend to nullify many of the advantages to be expected from a new transit regime. It is vitally necessary therefore that everything possible should be done to eliminate or render more difficult any corrupt practices and indiscipline which may actually exist. It should be noted that a new transit regime based on the T.I.R. Convention would by reason of the simpler procedures and reduced need for detailed customs examination, reduce to some extent the opportunity for malpractices on transit routes.

1/ Rapport sur la mission de M. Maurice Coquoz, haut fonctionnaire des douanes suisses, dans divers pays de l'Ouest Africain, effectuée de mai à juillet 1964.

D. RECOMMENDATIONS FOR THE INTRODUCTION OF A TRANSIT REGIME IN WEST AFRICA

19. This Part contains the substance of a transit regime, based on the T.I.R. Convention, which is recommended for the consideration of the Governments of West African countries. The system is presented as a series of 16 basic recommendations and under each of these, the detailed procedural requirements are given, the possible objections to them are anticipated and the suggested means of overriding these objections are indicated.

20. In submitting these proposals, careful consideration has been given to the contents of previous reports and to the opinions of the various officials and traders with whom this subject has been discussed during recent visits of Secretariat staff to West African countries. The following recommendations are made as being necessary to form the basis of a common West African transit regime:

I. BONDED GOODS IN TRANSIT TO BE CONVEYED TO DESTINATION IN A SECURE VEHICLE/CONTAINER UNDER LOCK AND SEAL, WHETHER:

- by lorry without intermediate transloading; or
- by rail; or
- in a road/rail container throughout; or
- by rail to an inland bonded transit depot for unloading there under official surveillance and reloading into lorry/container for conveyance under seal to destination.

(i) Standards of security for road vehicles engaged in the transit traffic

The standards of security for vehicles should be as far as possible those given in the T.I.R. Convention but modifications would be required. Thus, extensive employment of expanded

metal would have to be allowed. It is also considered that vehicles should be constructed not only to discourage or make obvious any attempt to tamper with cargo en route, but to give as much positive protection as possible against third party theft. The use of tarpaulins for security purposes (as envisaged by the T.I.R. Convention) should therefore be disallowed except for goods normally permitted to be carried without sealing, or as an additional safeguard against theft or solely as protection against weather.

Objection

Transporters opposed to the use of secure vehicles may argue that the cost of adapting existing vehicles or buying new ones would be prohibitive, particularly for indigenous owners.

Comments

(a) From enquiries made, it seems that the estimate given of a 25% increase in the cost of vehicles is exaggerated if extensive use were to be made of expanded metal.

(b) Transporters tend to ignore the economies which could be effected through the use of secure vehicles and which, it is considered, would more than offset the cost of adaptation.

(c) Commercial interests are often conservative and tend to resist change where some restriction of individual liberty is involved.

(ii) Mixed passenger/cargo vehicles

Special comment must be made in regard to the mixed passenger/cargo vehicles operating between certain West African countries. These vehicles are used principally for the conveyance of passengers and itinerant traders and their loads, and

are not employed extensively for the conveyance of bonded goods in transit. They do, however, pass in transit through one or more countries (e.g., from Nigeria to Ghana via Dahomey and Togo) and in the interests of the intermediate countries there is need for these vehicles to be secured if foreign manufactured goods are carried in quantity. This might be achieved by separating passengers and goods and providing for the latter a compartment capable of being placed under lock and seal. These mixed passenger/cargo vehicles should not be allowed to carry bonded goods in transit unless such compartments are provided or the goods are such that security can be dispensed with or seals can be affixed to the goods themselves.

(iii) Containers

Such containers as are likely to be used for international transit traffic are almost certain to be owned by large transporting firms and no reason can be seen for accepting any modification of the structural requirements set out in Annex 6 of the T.I.R. Convention (see also Recommendation II).

(iv) Securing with locks and seals

In present circumstances discretion must be given to responsible customs officials to dispense with sealing in regard to a wider range of goods than that covered by the definition of "bulky goods" under the T.I.R. Convention, provided they are accepted as not being susceptible to pilferage and as being of little revenue risk. This relaxation would be particularly relevant during the initial period when security concessions might have to be made to allow a gradual introduction of vehicles of the required standards.

For goods requiring maximum security, lead plombs should be used for sealing, care being taken to ensure:

- (a) the design of the seal is such as to make copying difficult;
- (b) one face of the plumbing iron bears a number so that it can be impressed on the lead seal;
- (c) plumbing irons are changed frequently;
- (d) clear impressions are given on lead plombs.

Goods in transit must also be made secure with transporters' own locks, the keys to which might be carried on the vehicle in the sealed compartment to be provided for the safekeeping of the carnet (see Recommendation IV (i)).

II. THE USE OF ROAD/RAIL CONTAINERS TO BE ENCOURAGED AND EXTENDED

The modern road/rail container provides the solution to many of the problems of transport which now beset West African transit trade with land-locked countries, particularly if goods can be imported already packed in such containers and special tractor/trailer combinations are employed for their conveyance from port to destination. The material advantages are such that it is considered that the use of containers should be encouraged (for general imports and exports as well as for goods in transit) and customs procedures adapted to suit this modern system.

Containers should be free of duty and taxes, if possible, and exempt from licencing restrictions. All countries should consider acceding to the United Nations Customs Convention on Containers.^{1/}

^{1/} See document E/ECE/251.

Advantages

(i) Import (including inward transit) cargo - In addition to the general increase in security which containers afford, the following advantages are also gained:

- (a) A whole consignment of goods packed in one container overseas can be landed in a single operation. This results in faster through-put at ports and a reduction in administrative overheads.
- (b) There is a material saving in packing, freight and insurance costs.
- (c) Transit documents can be prepared in advance, since contents of containers can be ascertained before arrival of ship. This together with a reduced need for detailed customs examination saves considerable time in regard to port and frontier formalities.
- (d) Vehicles used for transportation of transit containers to inland countries need not be adapted for locking and sealing, thus enabling a considerable saving in capital outlay on vehicles, a particularly important point for the small transporter.
- (e) Containers used in the transit trade can be transloaded en route from one mode of transport to another without unpacking the contents. The need for bonded depots or official surveillance at such points is thus avoided.
- (f) Containers afford excellent protection against weather and in many cases are fully insulated.
- (g) Repetitive handling of goods is avoided, thus reducing the possibility of their damage and theft.

(ii) Export (including outward transit) cargoes

- (a) Produce carried in containers does not risk infestation en route to ports for shipment and can be fumigated at lower cost.
- (b) Savings in overheads (packing, package marking, labour, etc.) can be effected by the transport in bulk which containers permit.
- (c) Time is saved (and shipping costs) if the container and contents can be shipped intact and not unloaded at quayside.
- (d) Damage arising from repetitive handling is avoided.
- (d) Reduced customs formalities at frontiers and at ports is possible, particularly where containers are loaded under official surveillance.

Objections

- (i) Capital outlay would be excessive.

Comment:

It is accepted that the initial costs of containers and equipment would be prohibitive unless the volume of trade justified the expenditure involved. But firms concerned with the conveyance of goods to and from inland countries are often those with much wider interests and what might prove uneconomic in regard to a limited transit trade only could be a worthwhile proposition if extended to include imports and exports generally.

(ii) Use of containers would be uneconomic in that:

- (a) the effective load per vehicle would be reduced by the equivalent weight of the container itself.

Comment:

This is not a valid point since modern containers are of light fibreglass or aluminum construction. Also, because open wagons or flat-bed lorries could be used to transport them, there is a saving of weight in the superstructure of the vehicle itself, often sufficient to compensate for the weight of the container.

- (b) containers would need to be returned empty from inland countries.

Comment:

In most areas where there is sufficient bonded traffic moving inland from ports to justify the use of containers there is also a considerable volume of produce moving in the reverse direction for export. There is seldom any need therefore for containers to return empty.^{1/}

(iii) Absence of suitable lifting apparatus away from terminals.

Comment:

This objection is considered by transporters to be particularly valid where containers have to be transferred from one vehicle to another because of vehicular breakdown en route. Apart from the fact that vehicles are often towed to a place for repair without unloading, it should always be possible to devise simple apparatus to transfer a container from one vehicle to another - a possibility would be the use of rollers or block and tackle.

^{1/} As for example in Nigeria where imported goods are conveyed to Kano in containers which are returned loaded with groundnuts.

III. ONLY SPECIFIED APPROVED ROUTES TO BE USED FOR THE TRANSIT TRADE AND A TIME LIMIT TO BE SET FOR THE COMPLETION OF THE JOURNEY

This is current practice and calls for no comment.

IV. THROUGH DOCUMENTATION TO DESTINATION WITH CUSTOMS DOCUMENTS (CARNETS AND ACCIDENT REPORTS) ACCEPTABLE AT ALL CUSTOMS OFFICES FROM COMMENCEMENT OF TRANSIT TO DESTINATION

Little difficulty should be experienced in reaching agreement over common documentation, but a problem exists in regard to the preparation of summary declarations in carnet form as envisaged by the T.I.R. Convention. Present practice, whether that obtaining in Abidjan or in Lagos (to mention two of the largest ports), involves the preparation of customs transit documents before the goods are made up into loads for on-carriage to destination. In the one case, detailed entries are prepared for each consignment imported and in the other they are prepared with as many consignments as possible appearing on a single document.

Where separate entries are prepared for each consignment and there is through transport entirely by road, documentation per vehicle is possible, each driver being handed the entries relating to the goods loaded and in normal circumstances split consignments being avoided. Although this would permit an adoption of the T.I.R. security standards without major change in existing documentation it would be very much better to avoid the excessive number of detailed documents now required and to use the summary declaration system of the T.I.R. Convention instead.

With the system to be found in most English-speaking West African countries, where documentation per vehicle is seldom if ever possible, a change to T.I.R. procedures seems essential.

(i) Lay-out

In designing a suitable carnet, the reservations made by a number of senior customs officials in regard to the insufficiency of border staff have been kept in view. For this reason the carnet used in connection with the T.I.R. Convention is considered to be unnecessarily detailed for present West African use and an attempt has been made to produce not only a simpler document but one from which an inexperienced officer can determine exactly what action to take in any likely circumstance and what to do with the documents when this action is completed. The various alternative certificates of examination have therefore been shown and brief instructions included for the disposal of the carnet cover and vouchers.

There are many possible layouts for a transit carnet and the one which has been prepared as an annex to the draft convention accompanying this paper is only one example. Provision is made for a continuous record of customs checks on the carnet cover and for detachable vouchers sufficient for each customs office en route and at destination. The carnet is designed for transits between ports and two inland countries and could be simplified where one inland country only is involved. The actual form of a carnet could be a matter of negotiation between two or more interested countries but it would be preferable, if at all possible, to adopt a standard document for West Africa as a whole.

Objection to issue of documents in carnet form

A fear frequently expressed is that with a single document (the carnet) carried by the driver there is a great risk of loss en route. Present procedures in Nigeria for example are designed

to safeguard against the arrival of transit goods at the frontier without a covering document being available for checking (through loss or otherwise) by sending a copy by post direct to the customs station concerned, this being in addition to the copy carried by the driver.

Comment:

It is modern practice to reduce rather than increase the number of copies of forms required for official purposes, and to ensure the safety of carnets en route to destination it might be made obligatory for each vehicle to have a small sealable compartment in which the carnet can be placed by customs for safekeeping.

(ii) Issue of carnets

The T.I.R. Convention envisages the issue of carnets by an association affiliated to an international organization. There is no organization in West Africa with resources sufficient to undertake this work and it would seem that for the foreseeable future, transitors themselves must prepare (as now) the transit documents required.

(iii) Disposal of carnets

The completed carnet duly certified by the customs office of final destination should be returned to the customs office of commencement of transit. It is essential for the proper working of a T.I.R. regime that these documents are despatched promptly and customs administrations must ensure that there is no cause for the complaints of excessive delay in the return of documents which are now not uncommon.

(iv) Provision for reporting accidents and tampering

In addition to the carnet, a document is needed wherever a full official examination has to be made en route because of accident, tampering or the breaking of a seal, and for early advice to the station of entry^{1/} so that steps can be taken to ensure payment of any duty/penalties due or for the enforcement of the bond. In cases of accident in West Africa, on the spot verification as envisaged by the T.I.R. Convention and the full examination required might have to be delayed until the goods arrived at the next customs office en route. It is considered that the form used in the T.I.R. Convention to report accidents must therefore be specially adapted for West African use and a suggested layout is annexed to the accompanying draft model convention. Stocks of this form would have to be kept at all customs offices en route and copies carried by drivers. The form would be bi-lingual where necessary.

V. THROUGH BOND COVER (OR GUARANTY) TO BE PROVIDED

For the same reasons that transit documents must continue to be prepared by the transitors themselves, so must present procedures remain in regard to the furnishing of bonds or guaranties, i.e., procedures under which banks and insurance companies act as the sureties and the transporters as the principals.

Exchange control regulations of varying degrees of severity limit the possibility in some cases of through bond cover from port to destination. Such cover is essential, however, if transit procedures are to be put on an effective basis, and governments

^{1/} The actual office responsible for the collection of duty/penalties in regard to losses en route would be a matter for local arrangement and might not necessarily be the office of entry.

would have to accept that some transfer of exchange is necessary to:

- (a) pay the premium required by a foreign guarantor when bond cover is given to a country's nationals by that guarantor; or
- (b) pay such duties/penalties as may be demanded by a foreign government in cases where a local guarantor has provided bond cover effective in the foreign country.

Alternative (a) is to be preferred and it is considered that the right of foreign nationals to ply their vehicles over another country's road system might be made conditional upon such nationals taking out an adequate bond cover within that country and that the transfer of funds for this purpose should be allowed.

Bonds may be specific (i.e., covering a single transaction) or general (i.e., covering a number of transits over a fixed or an indefinite period of time). A bond may also be for a complete transit from place of first entry to destination or may cover specific stages of the transit journey. In the latter case, evidence would have to be produced at the customs office of first entry that bond cover existed for each stage to destination; or alternatively, that cover existed for the local journey to the frontier and that arrangements existed for bond cover to be verified at the frontier customs post of entry in the second or third countries into which the goods pass in transit.

In French-speaking countries it would be a simplification if bonds could be accepted and recorded by customs instead of by the Treasury as at present.^{1/}

^{1/} As for example under procedures in English-speaking West African countries.

VI. ADMINISTRATIVE CHARGES IN COASTAL COUNTRIES TO BE KEPT TO AN ABSOLUTE MINIMUM OR IF POSSIBLE ABOLISHED

This recommendation should be accepted in the interests of inland countries (i.e., in compliance with the aims of the Convention on Transit Trade of Land-Locked Countries)^{1/} and in the realization that considerable economic benefits (employment of labour, port and berthage dues, warehouse rents, use of local transport, etc.) already accrue to a coastal country through the transit trade. There is also the possibility that if administrative charges are high, alternative transit routes will be sought through other countries where such charges are not levied and the profits of the trade become lost to the country levying such charges.

VII. TRANSIT DEPOTS/WAREHOUSES TO BE ESTABLISHED WHERE REQUIRED

The use of transit documents in carnet form, each carnet relating to a specific vehicle, would entail a measure of reorganization of existing procedures in regard to the handling of transit cargoes at ports and railheads. To prepare carnets, advance knowledge of the make-up of each vehicle load is required and this suggests the extended use of transit depots with facilities for loading lorries and holding them pending completion and acceptance of carnets. Such depots would also:

- (a) achieve complete segregation of transit cargo from other goods; and
- (b) permit the customs surveillance now lacking at railheads and other points of transloading in coastal countries.

^{1/} See UNCTAD document TD/TRANSIT/9 (New York, 1965).

Goods in transit would be conveyed ex-ship to these depots sited in the port area (or at railhead) where sorting could take place and vehicle loads be made up.

A system incorporating the following procedures is recommended for the use of such depots:

- (a) Removal of goods to depots on a copy of the relevant section of the ship's manifest,^{1/} under bond and conveyed in locked railway wagons to depots up-country or outside port areas.
- (b) Receipt of such goods into depot under official control. Goods could be dealt with under ordinary or modified customs warehouse procedures and the items could thereby be discharged on ship's manifests at ports, thus enabling closure of ships' files to be effected more rapidly.
- (c) Preparation of carnets by licensed transitors or their agents, followed by delivery to secure vehicles.
- (d) Keeping of bond/vehicle records at depot.
- (e) Return of certificates of exportation and completed carnets to the officer in charge of depot for final action regarding discharge of bond and depot records and for collection of any duties payable.

The provision of these depots is important enough to merit some priority consideration in countries where transit traffic is substantial.

^{1/} Goods in transit are already required to be separately and specifically manifested in most countries.

VIII. CERTIFICATES OF EXPORTATION TO BE SENT TO THE PORT OR PLACE OF FIRST ENTRY BY FRONTIER CUSTOMS OFFICES OF EXIT

A current and frequent complaint by customs officials in coastal countries is that certificates of landing given by inland countries are often inaccurate and their return is unduly delayed. Consequently, transit items in customs records are sometimes inaccurately closed or remain open for very long periods. Many administrative problems arise as a result.

To obviate such complete reliance on certificates of landing it seems necessary to ensure that wherever possible, certificates of exportation are returned to the customs office of entry (or commencement) by a frontier customs office of exit belonging to the same administration. This would achieve a speedier closing of transit items and would ensure that any investigation into lax behaviour on the part of customs officials could be promptly made and reinforced where necessary by disciplinary action. The adoption of this procedure would depend on the existence of customs offices situated on the actual frontier on the transit routes concerned. Also the acceptance of certificates of exportation from frontier offices would not permit the writing off of bond liabilities dependent upon the satisfactory completion of a transit journey to final destination. For this, a completed carnet would be required.

IX. A PERCENTAGE CHECK ON THE ACCURACY OF CERTIFICATES OF EXPORTATION TO BE MADE

To ensure that transit documents are not discharged carelessly or fraudulently it might be advisable, particularly in areas where transit traffic is heavy, for a percentage of carnets to be referred back to the country of destination for verification

through to relevant home consumption entries or other disposal documents. Customs administrations should liaise closely in this matter even to the extent of an exchange of officers for this purpose where the traffic so justifies.

X. ALL VEHICLES USED FOR INTERNATIONAL CARRIAGE OF BONDED GOODS TO BE:

- (i) suitable for the routes they ply and well-maintained.

Objection

A reason commonly put forward against the locking and sealing of lorries is the frequency of mechanical breakdowns and the consequent need to break seals and to transfer cargo to another vehicle at points remote from official supervision. From current experience with customs, traders assert that this could involve heavy penalties.

Comment:

Apart from the point that in the many cases breakdown involves towing rather than cargo transfer, it is surely unacceptable to all countries (and particularly to inland countries) that delays and increased overheads should be incurred because there is no general insistence on the use of suitable and well-maintained vehicles.

- (ii) so constructed as to contain no hidden spaces capable of being used for smuggling.

This would involve an inspection of all vehicles before approval for international use, the issue of a licence or permit and occasional checking by port and border station officials.

(iii) built in conformity with any structural requirements in regard to security and facilities for sealing (see Recommendation I (i))

Recommendation X (i), (ii) and (iii) would necessitate the inspection and approval of vehicles and the issue of a certificate of approval by customs.

Objection

Senior customs officials assert that there is no customs staff with the requisite technical knowledge to inspect vehicles and approve them for international use.

Comment:

This objection may be valid in some instances and it is suggested the difficulty could be resolved by a close liaison with an existing police vehicle-testing station or by adopting the methods of insurance companies and accepting engineers' reports from a reputable garage.

XI. TRANSPORTERS ENGAGED IN INTERNATIONAL CARRIAGE OF BONDED GOODS TO BE LICENSED AS APPROVED CARRIERS BY CUSTOMS ADMINISTRATIONS

The issue of licences would be conditioned upon:

(a) a clean revenue record in regard to serious customs offences; and

(b) an undertaking to provide vehicles conforming with the requirements of Recommendation X (i) and (ii) above.

Infraction of customs laws would entail the possibility of the withdrawal of a transporter's licence.

Licensing would be undertaken by the customs administration of the country in which the transporter was resident. Licences would be issued free of charge and vehicles operated by such licensed transporters would require to show prominently the name of the owner or firm, followed by the words "Licensed bonded carrier."

- XII. AGREEMENTS TO BE NEGOTIATED BETWEEN INTERESTED COUNTRIES ALLOWING THE NATIONALS OF ONE COUNTRY TO USE THE ROADS OF ANOTHER, SO THAT THROUGH TRANSPORT WITHOUT INTERMEDIATE UNLOADING AND RELOADING IS POSSIBLE

Where transport is entirely by road, this agreement should cover the entire routes approved. On the other hand, if transit goods must first be conveyed by rail to an inland depot, the agreement could be limited to the conveyance of goods from rail-head to destination.

- XIII. STAGING POINTS FOR THE SALE OF PETROL OR DIESEL OIL TO BE SET UP ON ALL ROUTES WHERE DRIVERS ARE AT PRESENT OBLIGED TO CARRY WITH THEM EXTRA FUEL IN DRUMS OR CANS

This would counteract the excuse sometimes put forward that loads cannot be put under lock and seal because there must always be ready access to the drums of fuel oil or petrol now carried. Also, it can be seen from experience in some countries that staging points are beneficial commercially in that they attract other business and become in the course of time small trading centres.

- XIV. CUSTOMS POSTS, JUXTAPOSED WITH THOSE OF NEIGHBOURING COUNTRIES IF POSSIBLE TO BE SET UP AT FRONTIERS ON ALL MAIN TRANSIT ROUTES

In a number of countries, some customs posts are sited at considerable distances from the frontier, leaving an uncontrolled "no man's land" between them and the border. This is undesirable from any customs viewpoint, but it is particularly so in regard to bonded transit traffic because there is no guarantee that goods once cleared for exportation do in fact proceed to and over the border. This hazard is particularly great if fraudulent certificates of exportation are easily obtainable.

Posts sited on or very near frontiers are therefore essential for any system regulating the transit trade. With them, satisfactory certificates of exportation can be given by customs officials who, because they are actually working on the frontier, are in a position to be reasonably certain that goods have crossed over it and left the country.

XV. WHEREVER PRACTICABLE, A TWENTY-FOUR HOUR CUSTOMS SERVICE TO BE GIVEN ON MAJOR TRANSIT ROUTES

This is particularly important not only to avoid major delays but also for the reason that in some countries it is customary to drive long distances in the cool of the evening or night and heavy vehicular traffic tends to arrive for clearance in the late evening or early morning.

XVI. T.I.R. VEHICLES TO BE SUBJECT TO CHECKS EN ROUTE BY POLICE OR CUSTOMS PATROLS; DAY OR NIGHT PARKING FOR LONG PERIODS TO BE IN SPECIFIED POLICE OR CUSTOMS COMPOUNDS

To minimize the opportunity for fraudulent practices en route, it is recommended that:

(a) transit routes should be adequately patrolled by police and customs; and

(b) drivers should be compelled to park their T.I.R. lorries, other than for short periods, in specified police or customs compounds en route.

PRINCIPAL TRANSIT REGIMES IN WEST AFRICA (EXCLUDING RIVER TRANSPORT)

Countries	Procedure at port or place of commencement of transit	Method of transport	Whether through document to destination	Whether documents relate to one vehicle/transport only	Whether removed under lock and seal	Whether removed under bond	Unsatisfactory features	Whether T.I.R. Convention procedures an advantage
Dahomey/ Niger	Full documentation and de-tailed customs checks	Rail 1/ to Parakou & thence by road	Yes	No	No	No	1. Increased administrative overheads for government of coastal country through the employment of additional customs staff required for the detailed documentation and examination of transit cargoes at port of importation.	Yes
Ivory Coast/ Upper Volta	- do -	Rail 1/	Yes	Yes	Yes	Yes	2. Absence of physical security in regard to goods carried by road transport, resulting from pilferage or manipulation. This in turn means increased costs to importers or loss of revenue.	
Ivory Coast/ Mali	- do -	Road	Yes	Yes	No	Yes	3. Delays and increased overheads occasioned by the extended customs formalities at ports and for road traffic, by avoidable customs checks at frontier posts.	
Senegal/ Mauritania	- do -	1. Road 2. Rail 1/ to P.St. Louis & thence by road	Yes	No	No	Yes		
Senegal/ Mali	Full documentation and examination with payment of Mali duties	Rail	Yes	Yes	Yes	Yes		Present procedures satisfactory
Ivory Coast/ Upper Volta	Summary declaration with check of marks & numbers only	Rail 2/	Yes	Yes	Yes	Yes		Present procedures satisfactory
Nigeria/ Niger	Summary declaration with checks of marks & numbers and percentage or nil internal customs examination of packages	1. Road 2. Rail 1/ to Kano or Maiduguri and thence by road	No	No	Yes	Yes	1. Absence of physical security of goods in transit and of effective customs control en route, resulting in pilferage, diversion and consequent increased costs to importer or loss of revenue.	Yes
Nigeria/ Chad			No	No	Yes	No	2. Delays and increased overheads caused by avoidable customs checks at frontiers.	
Chad/ Upper Volta		Road	No	Yes	Yes	Yes	3. Too great a reliance on certificates of landing.	
Liberia/ Guinea		Road	No	Yes	Yes	No	4. Facilitation of official malpractices.	
Sierra Leone/ Guinea/Mali		Road	No	Yes	Yes	No		Not needed. Existing documents can be used, with secure transport, bond, and the construction of juratransposed customs posts at each end of the Trans-Gambia Road.
Senegal/The Gambia/ Senegal	Summary declaration with check of marks & numbers only	Road	Yes	Yes	No	No	For The Gambia, there is a complete absence of security and of effective control since vehicles and goods are checked in at Fatick but are not checked out.	
							For Senegal, there is the danger of substitution of contraband goods during journey across The Gambia.	

1/ No T.I. procedures applicable.

2/ Under a modified T.I.F. procedure on rare occasions and principally for such bulk commodities as cement and sugar.

E/CN.14/STC/WPCA/7
Appendix II

MODEL CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF
GOODS BY ROAD IN WEST AFRICA UNDER COVER OF
T.I.R. CARNETS

CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT
OF GOODS IN WEST AFRICA UNDER COVER OF TIR CARNETS

THE CONTRACTING PARTIES,
ACCEPTING the principles of the Convention on Transit Trade of Land-Locked
Countries and
DESIRING to facilitate the international transport of goods by road vehicle,
HAVE AGREED as follows:

Chapter I

DEFINITIONS

Article 1

For the purpose of this Convention:

- (a) the term "import or export duties and taxes" shall mean not only customs duties but also all duties and taxes whatsoever chargeable by reason of importation or exportation;
- (b) the term "road vehicle" shall mean not only any road motor vehicle but also any trailer or semi-trailer designed to be drawn by such a vehicle;
- (c) the term "container" shall mean an article of transport equipment (lift-van, movable tank or other similar structure);
 - (i) of a permanent character and accordingly strong enough to be suitable for repeated use;
 - (ii) specially designed to facilitate the carriage of goods, by one or more modes of transport, without intermediate re-loading;
 - (iii) fitted with devices permitting its ready handling, particularly its transfer from one mode of transport to another;
 - (iv) so designed as to be easy to fill and empty; and
 - (v) having an internal volume of one cubic metre or more;

the term "container" includes neither vehicles nor conventional packing;

- (d) the term "customs office of commencement" shall mean any port, inland or frontier customs office of a Contracting Party where the system provided by this Convention begins to apply to an international transport by road vehicle of a load or part-load of goods;

- (e) the term "customs office of destination" shall mean any inland or frontier customs office of a Contracting Party where the system provided by this Convention ceases to apply to an international transport by road vehicle of a load or part-load of goods;
- (f) the term "customs office en route" shall mean any frontier customs office of a Contracting Party which a road vehicle merely passes through in the course of an international transport under the system provided by this Convention;
- (g) the term "customs office of exit" shall include any customs office which although not actually situated on the frontier, is the last point of customs control before the frontier is crossed;
- (h) the term "customs office of entry" shall mean a customs office of a second or third country where, in relation to that country, the Convention begins to apply to an international transport by road vehicle of a load or part load and shall include any customs office which, although not actually situated on the frontier, is the first point of customs control after the frontier is crossed;
- (i) the term "persons" shall mean both natural and legal persons;
- (j) the term "transitor" shall mean the person responsible for the conveyance of goods under the terms of this Convention or his authorized agent.

Chapter II

SCOPE

Article 2

This Convention shall apply to the transport of goods without intermediate reloading across one or more frontiers between a customs office of commencement of one Contracting Party and a customs office of destination of another Contracting Party, or of the same Contracting Party, in road vehicles or in containers carried on such vehicles, notwithstanding that such vehicles are carried on another means of transport for part of the journey between the offices of commencement and destination.

Article 3

For the provisions of this Convention to become applicable, transport must be:

- (a) performed by a carrier licensed under Article 29;
- (b) performed under the conditions set forth in Chapter III by means of road vehicles or containers previously approved;
- (c) guaranteed by a surety in accordance with the provisions of Article 5 and performed under cover of a document known as a T.I.R. (W.A.) Carnet.

Chapter III

PROVISIONS CONCERNING TRANSPORT IN APPROVED ROAD VEHICLES OR CONTAINERS

Article 4

Provided the conditions laid down in this Chapter and Chapter IV are fulfilled, goods carried in sealed vehicles, sealed containers or sealed packages or accepted by the customs administration in country of commencement as goods not susceptible to pilfering, substitution or manipulation and permitted to be carried unsealed -

- (a) shall not be subjected to the payment or deposit of import or export duties and taxes at customs offices en route, and
- (b) shall not as a general rule, be subjected to customs examination at such offices.

However, in order to prevent abuse, the customs authorities may, in exceptional cases and particularly when irregularity is suspected, carry out at such offices a summary or full examination of the goods:

Provided that this Article shall not preclude the levying of small administrative charges.

Article 5

1. Subject to such conditions and guaranties as it shall determine, each Contracting Party may authorize the transitor or his duly authorized agent to prepare T.I.R. (W.A.) carnets. A T.I.R. (W.A.) carnet shall be supported by one or more bonds guaranteed by a bank or other approved institution (hereinafter called "the surety"). Bonds may be general (covering a number of transactions over a fixed period of time) or specific (relating to a single transit only).

2. Each Contracting Party undertakes to facilitate the transfer of currency necessary for the payment of the duties and taxes and other charges, and any pecuniary penalties incurred by the transitor under the customs laws and regulations of the country in which an offence has been committed or for the payment of any premium or other charges made by a surety by virtue of paragraph 1 of this Article.

Article 6

1. The surety shall undertake to pay the import or export duties and taxes due, any interests due thereon, and other charges, and any pecuniary penalties incurred by the holder of the T.I.R. (W.A.) carnet and the persons participating in the performance of the transport under the customs laws and regulations of the country in which an offence has been committed. It shall be liable, jointly and severally with the persons from whom the sums mentioned above are due, for payment of such sums.

2. The fact that customs authorities authorize the examination of the goods elsewhere than at a place where the business of customs offices of commencement or destination is usually conducted shall not affect the liability of the surety.

3. The liability of the surety to the authorities of a given country shall run only from the time when the T.I.R. (W.A.) carnet is accepted by the customs authorities of that country.

4. The liability of the surety shall cover not only such goods as are enumerated in the T.I.R. (W.A.) carnet, but also goods which, though not enumerated therein, are contained in the sealed section of the road vehicle or in the sealed container. It shall not extend to other goods.

5. For the purposes of determining the duties, taxes and, where applicable, pecuniary penalties mentioned in paragraph 1 of this Article, the particulars of the goods as entered in the T.I.R. (W.A.) carnet shall be valid in the absence of proof to the contrary.

6. When the customs authorities of a country have unconditionally discharged a T.I.R. (W.A.) carnet they can no longer claim from the surety payment of the amounts mentioned in paragraph 1 of this Article unless the certificate of discharge was obtained improperly or fraudulently.

7. Where a T.I.R. (W.A.) carnet has not been discharged or has been discharged conditionally the competent authorities shall not have the right to claim from the surety payment of the amounts mentioned in paragraph 1 of this Article unless, within one year of the date upon which the T.I.R. (W.A.) carnet was taken on charge, they have notified the surety of the non-discharge or conditional discharge. The same provision shall apply where the certificate of discharge was obtained improperly or fraudulently, save that the period shall be two years.

8. The claim for payment referred to in paragraph 1 of the present Article shall be made to the surety within three years of the date when the surety was informed that the carnet had not been discharged or had been discharged subject to a reservation or that the certificate of discharge had been obtained improperly or fraudulently. However, in cases which, during the above-mentioned period of three years, become the subject of legal proceedings, any claim for payment shall be made within one year of the date when the decision of the court becomes enforceable.

9. The surety shall have a period of three months, from the date when a claim for payment is made upon it, in which to pay the amounts claimed. The amounts paid shall be reimbursed to the surety if, within a period of twelve months from the date on which the claim for payment was made, it is established to the satisfaction of the customs authorities that no irregularity took place as regards the transport operation in question.

Article 7

1. The T.I.R. (W.A.) carnet shall conform to the standard form contained in Annex 1 to this Convention.

2. A T.I.R. (W.A.) carnet shall be made out in respect of each road vehicle or container. Such carnet shall be valid for one journey only; it shall contain such number of detachable vouchers for customs control and discharge as are required for the transport operation concerned.

Article 8

Transport under cover of a T.I.R. (W.A.) carnet may involve one customs office of commencement and not more than two customs offices of destination. The customs offices of destination shall be situated in not more than two countries.

Article 9

At the customs office of commencement the goods, the road vehicle and, where appropriate, the container, shall be produced to the customs authorities together with the T.I.R. (W.A.) carnet for checking and the affixing of customs seals.

Article 10

For journeys on the territory of their country, the customs authorities may fix a time-limit and require the road vehicle to follow a stipulated itinerary.

Article 11

At each customs office en route and at customs offices of destination the road vehicle or container shall be produced with its load to the customs authorities, together with the T.I.R. (W.A.) carnet relating to the load.

Article 12

Save where they examine the goods in accordance with the penultimate sentence of Article 4, the customs authorities of the customs offices en route of each of the Contracting Parties shall respect the seals affixed by the customs authorities of the other Contracting Parties. They may, however, affix additional seals of their own.

Article 13

In order to prevent abuse, the customs authorities may, if they consider it necessary,

- (a) in special cases require road vehicles to be escorted on the territory of their country, at the carrier's expense;
- (b) require examination of road vehicles, containers and their loads to be carried out en route.

Loads shall be examined only in exceptional cases.

Article 14

If the customs authorities conduct an examination of the load of a road vehicle or of a container at a customs office en route or in the course of the journey, they shall record on the T.I.R. (W.A.) carnet vouchers used in their country and in the appropriate section of the carnet cover, particulars of the new seals affixed.

Article 15

On arrival at the customs office of destination, the T.I.R. (W.A.) carnet shall be discharged without delay. If, however, the goods are not immediately entered under another customs regime, the customs authorities may reserve the right to make discharge of the carnet conditional upon a new liability being substituted for that of the surety guaranteeing the said carnet.

Article 16

When it is established to the satisfaction of the customs authorities that goods the subject of a T.I.R. (W.A.) carnet have been destroyed by force majeure, exemption from payment of the duties and taxes normally chargeable shall be granted.

Article 17

1. In order to fall within the provisions of this chapter, road vehicles must fulfil the conditions as regards construction and equipment set out in Annex 3 to this Convention and containers those set out in Annex 6.
2. Road vehicles and containers shall be approved according to the procedures laid down in Annexes 4 and 7 to this Convention; the certificates of approval shall conform to the specimens reproduced in Annexes 5 and 8.

Article 18

1. No special document shall be required for a container used under cover of a T.I.R. (W.A.) carnet, provided the characteristics and value of the container are entered in the T.I.R. (W.A.) carnet.
2. The provisions of paragraph 1 of this Article shall not prevent a Contracting Party requiring the fulfillment at the customs office of destination of the formalities laid down by its national regulations or taking measures to prevent the container being used for a fresh consignment of goods intended for delivery within its territory.

Chapter IV

MISCELLANEOUS PROVISIONS

Article 19

1. A person engaged in the transport of goods under the terms of this Convention shall be licensed for that purpose by the customs authorities in whose territory he is resident or established. It shall be a condition of the issue and the holding of such licence that:
 - (a) the requirements of Article 17 have been fulfilled;
 - (b) the person shall not have been found guilty of any serious offence against the customs laws or regulations applicable to the international transport of goods by road vehicle.

2. The withdrawal of such licence by reason of the non-fulfillment of the conditions laid down in paragraph 1 (a) or (b) above, shall be notified immediately to the customs authorities of the Contracting Party on whose territory the person concerned is resident or established and also where applicable to the surety in the country where the offence has been committed.

Article 20

When a road vehicle, or a combination of coupled road vehicles, is carrying out the international transport of goods under cover of a T.I.R. (W.A.) carnet, a rectangular plate bearing the letters "TIR," the specifications of which are laid down in Annex 9 to this Convention, shall be affixed to the front and to the rear of the vehicle or combination of vehicles. These plates shall be so placed as to be clearly visible; they shall be removable and capable of being sealed. The seals shall be affixed by the customs authorities of the first customs office of commencement and shall be removed by the customs authorities of the last customs office of destination.

Article 21

If seals affixed by the customs authorities are broken en route otherwise than in the circumstances of Article 14 or if any goods are destroyed or damaged without breaking of such seals, the procedure laid down in Annex 1 to this Convention for the use of the T.I.R. (W.A.) carnet shall, without prejudice to the application of the provisions of national law, be followed and a certified report shall be drawn up in the form set out in Annex 2 to this Convention.

Article 22

Each Contracting Party shall send to the other Contracting Parties facsimiles of the seals it uses.

Article 23

Each Contracting Party shall send the other Contracting Parties a list of the customs offices of commencement, customs offices en route and customs offices of destination approved by it for T.I.R. (W.A.) carnet traffic, indicating, where appropriate, those offices which are only open for traffic dealt with under Chapter III. The Contracting Parties of adjacent territories shall consult each other in determining the frontier offices to be included in this list. Wherever possible frontier posts of adjacent countries shall be juxtaposed.

Article 24

As regards customs operations mentioned in this Convention, no charge shall be made for customs attendance, save where it is provided on days or at times or places other than those normally appointed for such operations. Wherever possible frontier offices shall remain open for twenty-four hours a day or shall allow execution of customs formalities in regard to the transport of goods under the terms of this Convention, outside normal working hours.

Article 25

Any breach of the provisions of this Convention may render the offender liable in the country where the offence was committed to the penalties prescribed by the law of that country.

Article 26

The provisions of this Convention shall preclude neither the application of restrictions and controls imposed under national regulations on grounds of public morality, public security, hygiene or public health, or for veterinary or phytopathological considerations, nor the levy of dues chargeable by virtue of such regulations.

Article 27

Nothing in this Convention shall prevent Contracting Parties which form a customs or economic union from enacting special provisions in respect of transport operations commencing or terminating in, or passing through, their territories provided that such provisions do not attenuate the facilities provided by this Convention.

Chapter V

FINAL PROVISIONS

Article 28

1. This Convention shall come into force eighteen months after signature.
2. A Copy of the Convention shall be sent to the Executive Secretary of the United Nations Economic Commission for Africa.

Article 29

1. Any dispute between two or more Contracting Parties concerning the interpretation or application of this Convention shall, so far as possible, be settled by negotiation between them.
2. Any dispute which is not settled by negotiation shall be submitted to arbitration if any one of the Contracting Parties in dispute so requests and shall be referred accordingly to one or more arbitrators selected by agreement between the Parties in dispute. If within three months from the date of the request for arbitration the Parties in dispute are unable to agree on the selection of an arbitrator or arbitrators, any of those Parties may request the Executive Secretary of United Nations Economic Commission for Africa to nominate a single arbitrator to whom the dispute shall be referred for decision.
3. The decision of the arbitrator or arbitrators appointed under the preceding paragraph shall be binding on the Contracting Parties in dispute.

Article 30

1. By agreement between Contracting Parties this Convention may be modified wholly or in part. The date of entry into force of the new text resulting from such modifications shall be fixed by agreement. Where amendments have been made to Annexes, the agreement may provide that for a transitional period the old Annexes shall remain in force concurrently with the new annexes.
2. The Executive Secretary of the United Nations Economic Commission for Africa shall be notified of all amendments.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Convention.

DONE at , this day of one thousand nine hundred and , in the English and French languages, each text being equally authentic.

MODEL OF THE T.I.R. (W.A.) CARNET

FRONT COVER

WEST AFRICA

CARNET FOR GOODS

CONVEYED IN TRANSIT

BY ROAD

(T.I.R. (W.A.) CARNET)

Reverse of Front Cover

RULES FOR THE USE OF THE T.I.R. (W.A.) CARNET

1. The T.I.R. (W.A.) carnet shall be prepared in the country where the goods are first declared in transit (country of commencement).
2. The T.I.R. (W.A.) carnet and vouchers shall be completed in the language of the country of commencement. The customs authorities of the other countries traversed reserve the right to require its translation into their own language. In order to avoid unnecessary delay which might ensue from this requirement, carriers are advised to supply the driver of the vehicle with the requisite translations.
3. (a) The carnet and vouchers must be typed or multigraphed legibly.
(b) When there is not enough space on the manifest section of vouchers to enter all the goods carried, separate sheets of the same model as the manifest may be attached to the latter, but all copies of the manifests must contain the following particulars:
 - (i) a reference to the sheets;
 - (ii) the number and type of packages and goods in bulk enumerated on the separate sheets;
 - (iii) the total value and the total gross weight of the goods appearing on the said sheets.
4. Weights, volume and other measurements shall be expressed in units of the metric system, and values in the currency of the country of commencement.
5. No erasures or over-writing shall be allowed on the T.I.R. (W.A.) carnet. Any correction shall be made by deleting the incorrect particulars and adding, if necessary, the required particulars. Any correction, addition or other amendment shall be acknowledged by the person making it and visaed by the customs authorities.
6. The transitor or his agent shall sign page 2 of the carnet, the declaration on the front of each voucher and the reverse of the vouchers with odd numbers.
7. If there are two customs offices of destination, the entries concerning the goods taken under customs control at, or intended for, each office shall be clearly separated from each other on the manifest.

Reverse of Front Cover (continued)

8. The driver of the vehicle must make sure that a voucher of the T.I.R. (W.A.) carnet is detached by the customs at each customs office en route and at destination. Vouchers with odd numbers are to be used for taking the goods under customs control and those with even numbers for discharging them.
9. In the event of customs seals being broken or goods being destroyed or damaged accidentally en route the driver shall ensure that a certified report is drawn up as quickly as possible by the authorities of the country in which the vehicle is located. The driver shall approach the customs authorities, if there are any near at hand, or, if not, any other competent authorities. Drivers shall accordingly provide themselves with copies of the certified report form laid down in Annex 2 to the T.I.R. (W.A.) Convention; these forms shall be printed in English and French.
10. In the event of accident involving immediate unloading of the whole or part of the load en route, the driver may take action on his own initiative without requesting or awaiting intervention by the authorities mentioned in paragraph 9. He must then furnish adequate proof that he was compelled to take such action in the interests of the vehicle or container or of the load. Having taken such preventive measures as the emergency may necessitate, he shall at the first opportunity notify the authorities mentioned in paragraph 9 in order that the facts may be verified, the load checked, the vehicle or container sealed and a report drawn up.

Page 1 of Carnet

WEST AFRICA

Page 1

T.I.R. (W.A.) CARNET

No. _____

TRANSITOR

Name _____

Address _____

Port or place of commencement of transit _____ Country _____

Approved route _____

Time allowed _____

Customs offices en route in order of passage

1. OF EXIT _____ Country _____

2. OF ENTRY _____ Country _____

3. OF EXIT _____ Country _____

4. OF ENTRY _____ Country _____

Customs offices at places of destination

1. _____ Country _____

2. _____ Country _____

Road Vehicle registration No. _____ Country of Registration _____

Make of vehicle _____

Certificate of approval of road vehicle and/or container:

Place of issue _____ No. _____ Date _____

*Value of container _____ Description of container _____

*Bond/Guaranty Particulars _____

Total Gross Weight of goods _____ Kilos

Total value of goods _____

(to be given in the currency of the country of commencement or such other currency as may be prescribed by the customs authorities of that country)

*Strike out as necessary

Page 2 of Carnet

I, _____ of _____
acting on behalf of _____

- (a) declare the foregoing particulars to be true and complete
- (b) declare the goods specified on the vouchers Nos. 1-... attached have been loaded into the road vehicle/container for the destination(s) indicated
- (c) undertake under pain of penalties prescribed by the laws and regulations in force in the countries through or into which the goods are to be carried, to produce with this carnet the said goods in full and with seals intact, if seals have been affixed, at the customs offices en route and of destination and to observe the itinerary and the time limit set.
- (d) undertake to conform to the customs laws and regulations of the countries through or in which the goods are to be carried.

At _____ this _____ day of _____ 19 _____

Signature _____

NOTE: Signed declarations are also required on the front of all vouchers and on the reverse of odd numbered vouchers.

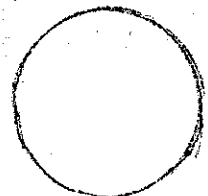
For official use at customs office of commencement of transit

- 1. Satisfied that bond is in force to _____
- 2. Bond records noted _____
- 3. Certified that goods specified on attached vouchers have been loaded into vehicle/container specified on page 1 of this carnet
- 4.* Sealing dispensed with or
* vehicle/container/package sealed with customs seal(s) No. _____
- 5. Consignment released to transitor for conveyance to destination(s)
- 6. First voucher detached and retained

This _____ day of _____ 19 _____ Officer

_____ Customs Office

*Strike out as necessary



Front of vouchers with odd numbers

Voucher No. 1

Customs Office of Commencement _____ T.I.M. (W.A.) No. _____

Importing Ship/Aircraft	Port/Airport of Arrival
-------------------------	-------------------------

Date of Report _____ No. _____

Depot Register Nos. _____

MANIFEST

Serial Nos.	Marks and Nos.	Type and Number of Packages	Description of Merchandise	Gross Weight (kilos)	Value	Country of Origin	Obser- vations
Total							

Total number of packages in words _____

This manifest covers, in all, _____ packages of which serial
Nos. _____ are consigned to _____ Customs Office and
the remainder to _____ Customs Office.

I, _____ of _____ (name of transitor
or agent) declare the above particulars to be true and complete.

At _____ on _____ Signature _____

For Official Use at Customs Office of Entry

- * Satisfied that seals intact and that there is no evidence of tampering
* Seals broken/evidence of tampering
* Contents examined as per Certified Report attached
* Additional seals added/sealed with seal No(s) _____
* Satisfied that bond is in force to

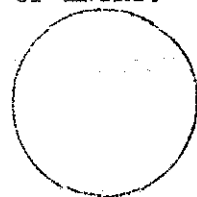
Certificate of Examination given on page 3 of carnet

Carnet returned to driver and goods released for on-carriage

Officer _____ Date _____

TO BE DETACHED AND KEPT BY CUSTOMS OFFICE OF COMMENCEMENT OR OF ENTRY.

*Strike out as necessary



Reverse of vouchers with odd numbers

I, _____ of _____
acting on behalf of _____

- (a) declare that the goods specified on the vouchers Nos. 1-.....
attached have been loaded into the road vehicle/container for
the destination(s) indicated
- (b) undertake under pain of penalties prescribed by the laws and
regulations in force in the countries through or into which
the goods are to be carried, to produce with this carnet the
said goods in full and with seals intact, if seals have been
affixed, at the customs offices en route and of destination
and to observe the itinerary and the time limit set.
- (c) undertake to conform to the customs laws and regulations of the
countries through or in which the goods are to be carried.

At _____ this _____ day of _____ 19____.

Signature

Voucher No. 2

Depot Register Nos.

Serial Nos.	Marks and Nos.	Type and Number of Packages	Description of Merchandise	Gross Weight (kilos)	Value	Country of Origin	Observations
			Total				

This manifest covers, in all, _____ packages of which Serial Nos. _____ are consigned to _____ Customs Office and the remainder to _____ Customs Office.

At _____ on _____ Signature _____

Certificate of Examination given on page 3 of carnet
Carnet returned to driver and goods released for on-carriage

TO BE DETACHED BY CUSTOMS OFFICE OF EXIT AND RETURNED TO CUSTOMS OFFICE OF COMMENCEMENT OR TO IMMEDIATELY PREVIOUS CUSTOMS OFFICE OF ENTRY.

* Strike out as necessary

Page 3 of Carnet

FOR OFFICIAL USE ONLY

CERTIFICATES OF INSPECTION AND SEALING EN ROUTE

NOTE: Where examination of contents is necessary because of accident or evidence of tampering a Certified Report is to be prepared in triplicate.

1. Customs office of EXIT en route

- * Satisfied that seal(s) intact and that there is no evidence of tampering or
- * Contents examined as per Certified Report attached
- * Additional seal(s) added/resealed with seal No. _____
Voucher No. _____ detached

_____ Officer _____ date _____ Customs Office

2. Customs office of ENTRY en route

- * Satisfied that seal(s) intact and there is no evidence of tampering or
- * Contents examined as per Certified Report attached
- * Additional seal(s) added/resealed with seal No. _____
Satisfied that bond is in force to _____
Voucher No. _____ detached

_____ Officer _____ date _____ Customs Office

3. Customs office of EXIT en route

- * Satisfied that seal(s) intact and there is no evidence of tampering or
- * Contents examined as per Certified Report attached
- * Additional seal(s) added/resealed with seal No. _____
Voucher No. _____ detached

_____ Officer _____ date _____ Customs Office

4. Customs office of ENTRY en route

- * Satisfied that seal(s) intact and that there is no evidence of tampering or
- * Contents examined as per Certified Report attached
- * Additional seal(s) added/resealed with seal No. _____
Satisfied that bond is in force to _____

Voucher No. _____ detached
_____ Officer _____ date _____ Customs Office

* Strike out as necessary

Page 4 of Carnet

FOR OFFICIAL USE ONLY AT DESTINATION(S)

Customs office of destination

* Satisfied that seals intact and that there is no evidence of tampering
Seal(s) removed and items to Serial Nos. _____ unloaded. Packages
produced, identified to marks, numbers and descriptions and received
into official custody under No. _____

* Certified Report prepared

* Vehicle/container resealed under seal(s) No. _____

Voucher No. _____ detached

Officer _____ date

Customs Office _____

Final Customs office of destination

* Satisfied that seals intact and that there is no evidence of tampering
Seal(s) removed and items Nos. _____ unloaded. Packages produced,
identified to marks, numbers and descriptions and received into official
custody under No. _____

* Certified Report prepared

Voucher No. _____ detached

Officer _____ date

Customs Office _____

ON COMPLETION OF TRANSIT THIS CARNET IS TO BE RETURNED WITHOUT DELAY TO
THE CUSTOMS OFFICE OF COMMENCEMENT SHOWN ON PAGE 2 OF THIS CARNET

* Strike out as necessary.

Front of Report Form

CERTIFIED REPORT OF EXAMINATION OF CONTENTS OF T.I.R. (W.A.) VEHICLE/CONTAINER

1. T.I.R. (W.A.) CARNET No. _____ Issued at _____

2. Particulars of vehicle/container examined

Vehicle Reg. No. _____ Country of Registration _____

Certificate of Approval of vehicle/container No. _____

3. Reasons for Examination

- * Seals broken/missing or
- * Evidence of tampering, or
- * Vehicle involved in accident

4. Examination Account

Contents of vehicle/container checked against carnet manifest

- * Satisfied that packages intact and that no goods are missing, or
- * The following goods/packages are missing or damaged

Serial Nos.	Marks & Nos.	Type & number of packages	Description of goods	Remarks

5. Transitor's/Driver's Explanation in regard to deficiencies - to be given on reverse

6. Details of vehicle/container to which goods may be transferred

Vehicle Registered No. _____ Country of Registration _____

* Certificate of Approval of vehicle/container No. _____ or

* Vehicle/container not approved

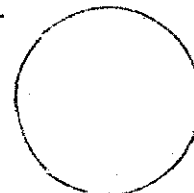
7. Seals Nos. _____ affixed

8. Goods released for on-carriage to _____

9. I certify the above particulars to be correct

Officer

Office



* Strike out as necessary

Reverse of Report Form

Transporter's/Driver's Explanation

NOTE: This form is to be prepared in triplicate and copies are to be disposed of as follows:

Original - to be attached to page 4 of T.I.R.(W.A.) carnet

Duplicate - where examination takes place at office of exit the duplicate is to be attached to relevant voucher and returned, where applicable, with that voucher to office of entry.

Triplicate - to be retained at office at which examination takes place.

REGULATIONS ON TECHNICAL CONDITIONS APPLICABLE TO
ROAD VEHICLES WHICH MAY BE ACCEPTED FOR INTER-
NATIONAL TRANSPORT OF GOODS UNDER CUSTOMS SEAL

Article 1

General

1. Approval for the international transport of goods by road vehicle under customs seal may be granted only for vehicles constructed and equipped in such a manner that:
 - (a) customs seals can be simply and effectively affixed thereto;
 - (b) no goods can be removed from or introduced into the sealed part of the vehicle without obvious damage to it or without breaking the seals;
 - (c) they contain no concealed spaces where goods may be hidden.
2. The vehicles shall be so constructed that all spaces in the form of compartments, receptacles or other recesses which are capable of holding goods are readily accessible for customs inspection.
3. Should any empty spaces be formed by the different layers of the sides, floor and roof of the vehicle, the inside surface shall be firmly fixed, solid and unbroken and incapable of being dismantled without leaving obvious traces.

Article 2

Structure of loading compartment

1. The sides, floor and roof of the loading compartment shall be constructed of plates, boards or panels of sufficient strength and of adequate thickness. As an alternative, expanded metal or welded metal or welded metal lattice-work may be used in the construction of the sides and roof of the loading compartment provided:
 - (a) the metal is of sufficient strength;
 - (b) the diameter of the holes measured in any direction shall not exceed 30 m.m.
2. All material used in the construction of loading compartments shall be welded, riveted, grooved or jointed in such a way as not to leave any gaps in the structure through which access to the contents can be obtained, other than those permissible under paragraph 1 (b) of this Article, and the various parts shall fit each other exactly and be so arranged that it is impossible either to move or remove them without leaving visible traces or damaging the customs seals.

3. Where assembly is effected by means of rivets, the latter may be seated on the outside or the inside; the rivets used for the assembly of essential parts of the sides, floor and roof must pass through the assembled parts. Where assembly is effected otherwise than by means of rivets, the bolts or other joining devices holding the essential parts of the sides, floor and roof shall be seated on the outside, protrude on the inside and be properly bolted, riveted or welded in a satisfactory manner. Bolts and other joining devices, not holding the above-mentioned essential parts, may be seated on the inside, provided that the nut is welded in a satisfactory manner on the outside and is not covered with non-transparent material. Vehicles of which the floor, roof or sides are formed of metal plates or panels, or of expanded metal the edges of which are curved or folded inwards and assembled inside by means of rivets, bolts, or a similar system, shall also be accepted provided that the rivets, bolts or other joining devices pass through the curved or folded edges of the plates, panels or expanded metal and through the device (if any) which connects these edges and that, when the compartment is closed, it is impossible to move or remove the plates, panels, or expanded metal thus assembled.

4. Apertures for ventilation and windows shall be allowed. They shall be covered with welded metal lattice-work or expanded metal (maximum dimension of holes :30mm). It shall not be possible to remove these devices from outside without leaving visible traces.

5. Openings made in the floor for technical purposes, such as lubrication, maintenance and filling of the sand-box shall be allowed only on condition that they are fitted with a cover capable of being fixed in such a way as to render the loading compartment inaccessible from the outside.

Article 3

Closing systems

1. Doors and all other closing systems of vehicles shall be fitted with a device which shall permit simple and effective customs sealing. This device shall either be welded to the sides of doors where these are of metal, or secured by at least two bolts, riveted or welded to the nuts on the inside.

2. Hinges shall be so made and fitted that doors and other closing systems cannot be lifted off the hinge-pins, once shut; the screws, bolts, hinge-pins and other fasteners shall be welded to the outer parts of the hinges. These requirements shall be waived, however, where the doors and other closing systems have a locking device inaccessible from the outside which, once it is applied, prevents the doors from being lifted off the hinge-pins.

3. Doors shall be so constructed as to cover all interstices and ensure complete and effective closure.
4. The vehicle shall be provided with a satisfactory device for protecting the customs seal, or shall be so constructed that the customs seal is adequately protected.

Article 4

Vehicles for special use

1. The foregoing conditions shall apply to insulated vehicles, refrigerator vehicles, tank vehicles and furniture vehicles in so far as they are not incompatible with the technical requirements which such vehicles must fulfil in accordance with their use.
2. The flanges (filler caps), drain cocks and manholes of tank wagons shall be so constructed as to allow simple and effective customs sealing.

PROCEDURE FOR THE APPROVAL OF ROAD VEHICLES COMPLYING
WITH THE TECHNICAL CONDITIONS SET FORTH IN THE
REGULATIONS CONTAINED IN ANNEX 3

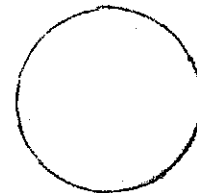
The procedure for the approval of vehicles shall be as follows:

- (a) Vehicles shall be approved by the competent authorities of the country in which the owner or carrier is resident or established.
- (b) The date and serial number of the approval decision must be specified.
- (c) A certificate of approval conforming to the standard form of Annex 5 shall be issued for approved vehicles. This certificate shall be printed in English and French and shall be covered on both sides by hermetically sealed transparent plastic sheets.
- (d) This certificate shall be kept exhibited in the cab of the relevant vehicle.
- (e) Vehicles shall be produced every two years to the competent authorities for purposes of inspection and renewal of approval where appropriate.
- (f) Approval shall lapse if the essential features of the vehicle are altered or on change of owner or carrier.

Certificate of Approval of a Road Vehicle

1. Certificate No. _____ Valid to _____
2. Attesting that the vehicle specified below fulfills the conditions required for admission to international transport of goods under customs seal
3. Name and address of holder (owner or carrier)

4. Make of vehicle _____
5. Type of vehicle _____
6. Engine No. _____ Chassis No. _____
7. Registration No. _____
8. Other particulars _____
9. Issued at _____ (place) on _____
_____ (date) 19____.
10. Signature and stamp of issuing office at _____



NOTE:

This licence must be framed and exhibited in the cab of the vehicle to which it relates and must be returned to the issuing office when the vehicle is taken off the road, or on a change of owner or carrier, or on expiry of the period of validity of the certificate, or if there is any material change in any essential particulars of the vehicle.

REGULATIONS ON TECHNICAL CONDITIONS APPLICABLE TO CONTAINERS
WHICH MAY BE ACCEPTED FOR THE INTERNATIONAL TRANSPORT OF
GOODS BY ROAD VEHICLE UNDER CUSTOMS SEAL

Article 1

General

1. Approval for the international transport of goods by road vehicle under customs seal may be granted only for containers durably marked with the name and address of the owner, with particulars of the tare and with identification marks and numbers, and constructed and equipped in such a manner that -
 - (a) customs seals can be simply and effectively affixed thereto;
 - (b) no goods can be removed from or introduced into the sealed part of the container without obvious damage to it or without breaking the seals;
 - (c) they contain no spaces where goods may be hidden.
2. The container shall be so constructed that all spaces in the form of compartments, receptacles or other recesses which are capable of holding goods are readily accessible for customs inspection.
3. Should any empty spaces be formed by the different layers of the sides, floor and roof of the container, the inside surface shall be firmly fixed, solid and unbroken and incapable of being dismantled without leaving obvious traces.
4. Containers to be approved in accordance with the procedure referred to in Annex 7 shall have on one of their outside walls a frame to hold the certificate of approval, which shall be covered on both sides by transparent plastic sheets hermetically sealed together. This frame shall be so designed as to protect the certificate of approval and to make it impossible to extract the certificate without breaking the seal that will be affixed in order to prevent the removal of the certificate; it shall also adequately protect the seal.

Article 2

Structure of container

1. The sides, floor and roof of the container shall be constructed of plates, boards or panels of sufficient strength, of adequate thickness, and welded, riveted, grooved or jointed in such a way as not to leave any gaps in the structure through which access to the contents can be obtained. The various parts shall fit each other exactly and be so arranged that it is impossible either to move or remove them without leaving visible traces or damaging the customs seals.

2. Essential joints, such as bolts, rivets, etc. shall be seated on the outside, protrude on the inside and be bolted, riveted or welded in a satisfactory manner. If the bolts holding the essential parts of the sides, floor and roof are seated on the outside, the other bolts may be seated on the inside, provided that the nut is properly welded on the outside and is not covered with non-transparent paint.

3. Apertures for ventilation shall be allowed provided their longest side does not exceed 400 mm. If they permit direct access to the interior of the container, they shall be covered with metal gauze or perforated metal screens (maximum dimension of holes: 3 mm in both cases) and protected by welded metal lattice-work (maximum dimension of holes: 10 mm). If they do not permit direct access to the interior of the container (for example, by means of multiple-bend air ducts), they shall be provided with the same protective devices but the dimensions of the holes may be increased to 10 mm and 20 mm respectively (instead of 3 mm and 10 mm). It shall not be possible to remove these devices from outside the container without leaving visible traces. Metal gauze shall be of wire at least 1 mm in diameter and so made that single strands cannot be pushed together and that the size of individual holes cannot be increased without leaving visible traces.

4. Apertures for drainage shall be allowed provided their longest side does not exceed 35 mm. They shall be covered with metal gauze or perforated metal screens (maximum dimension of holes: 3 mm in both cases) protected by welded metal lattice-work (maximum dimension of holes: 10 mm). It shall not be possible to remove these devices from outside the container without leaving visible traces.

Article 3

Closing Systems

1. Doors and all other closing systems of containers shall be fitted with a device which shall permit simple and effective customs sealing. This device shall either be welded to the sides of doors where these are of metal, or secured by at least two bolts, riveted or welded to the nuts on the inside.

2. Hinges shall be so made and fitted that doors and other closing systems cannot be lifted off the hinge-pins, once shut; the screws, bolts, hinge-pins and other fasteners shall be welded to the outer parts of the hinges. These requirements shall be waived, however, where the doors and other closing systems have a locking device inaccessible from the outside which, once it is applied, prevents the doors from being lifted off the hinge-pins.

3. Doors shall be so constructed as to cover all interstices and ensure complete and effective closure.
4. Containers shall be provided with a satisfactory device for protecting the customs seal, or shall be so constructed that the customs seal is adequately protected.

Article 4

Containers for special use

1. The foregoing conditions shall apply to insulated and refrigerator containers, tank containers, furniture containers and to containers specially built for carriage by air in so far as they are not incompatible with the technical requirements which such containers must fulfil in accordance with their use.
2. The flanges (filler caps), drain cocks and manholes of tank containers shall be so constructed as to allow simple and effective customs sealing.

Article 5

Folding or collapsible containers

Folding or collapsible containers are subject to the same conditions as non-folding or non-collapsible containers, provided that the locking devices enabling them to be folded or collapsed allow of customs sealing and that no part of such containers can be moved without breaking the seals.

PROCEDURE FOR THE APPROVAL AND IDENTIFICATION OF
CONTAINERS COMPLYING WITH THE TECHNICAL CONDITIONS
SET FORTH IN THE REGULATIONS CONTAINED IN ANNEX 6

The procedure for the approval of containers shall be as follows:

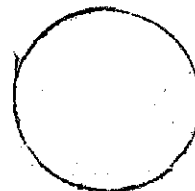
- (a) Containers may be approved by the competent authorities of the country in which the owner is resident or established or by those of the country where the container is used for the first time for transport under customs seal.
- (b) The date and serial number of the approval decision must be specified.
- (c) A certificate of approval conforming to the standard form reproduced in Annex 8 shall be issued for approved containers. This certificate shall be printed in English and in French, and shall be covered on both sides by hermetically sealed transparent plastic sheets.
- (d) The certificate shall accompany the container; it shall be inserted in the protective frame mentioned in Article 1 of Annex 6 and so sealed that it cannot be extracted from the protective frame without breaking the seal.
- (e) Containers shall be produced every two years to the competent authorities for purposes of inspection and renewal of approval where appropriate.
- (f) Approval shall lapse if the essential features of the container are altered or on change of ownership.

Certificate of Approval of a Container

1. Certificate No. _____ Valid to _____
2. Attesting that the container specified below fulfils the conditions for transport under customs seal.
3. Kind of container _____
4. Name and business address of owner _____

5. Identification marks and numbers _____
6. Tare _____
7. External dimensions in centimetres
 cm x cm x cm.
8. Essential particulars of structure (nature of materials, nature of construction, parts which are reinforced, whether bolts are riveted or welded, etc.) _____

9. Issued at _____ (place) on _____ (date) 19 _____
10. Signature and stamp of issuing office _____



NOTE: This Certificate must be returned to the issuing office when the container is taken out of service, or on change of ownership, on expiry of the period of validity of the certificate or if there is any material change in any essential particulars of the container.

T.I.R. (W.A.) PLATES

1. The dimensions of the plates shall be 250 mm by 400 mm.
2. The letters TIR in capital Latin characters shall be 200 mm high and their strokes at least 20 mm wide. The letters shall be white on a blue ground.