Director of Transit ... Govt ...
Raza 27/02/2024

The Director Transit Trade,
Directorate of Transit Trade,
12th Floor, Custom House,
Karachi.

Ref: IRTC/DTT-TIR Allow/01/2024
Date: 27.02.2024

IRT TIR
IRT CHAMBER
www.irtchamber.org.pk
International Road Transport Chamber

SUBJECT: - ALLOW FOR TRANSIT UNDER TIR REGIME FOR AFGHANISTAN & CARs

Respected Sir,

Please accept our complements and we are pleased to introduce that, (International Road Transport) IRT Chamber of Pakistan is a law advisory chamber, formed to represent its client members, TIR Operators, and to provide legal, commercial technical, professional advisory and consultancy services.

It is apprised that for Transit under TIR a **Multimodal Sea to Land Module** had been introduced in WeBoc, vide Notification. F. No. 01/TIR/2021-DTT (Part-II) Dated 05.08.2022, copy of Notification is attached at **ANNEXURE-A**.

Further apprised that, it has been reported by TIR Operator members of IRT Chamber that, TIR Operators are unable to submit "Carrier Manifest" in "TIR TRANSIT INDEX" of Multimodal Sea to Land Module in WeBoc for Transit under TIR to Afghanistan and Uzbekistan.

Through Shipping Agent via the E-mail it was requested to PRAL/WeBoc to provide guidance for submitting Carrier Manifest of Multimodal Sea to Land Module in WeBoc for Transit under TIR for Afghanistan. The "Support Weboc" replied to the shipping agent, [Importer country is Afghanistan then this check cannot be waived "Index type must be 'Afghan Transit' in the case of importer country Afghanistan]. Copy of the "Support Weboc" replying E-mail is attached at **ANNEXURE-B.**

After receiving reply E-mail from "Support Weboc" under signee personally contacted to the team leader of the "Support Weboc" at Custom House Karachi and requested to explain about the "CHECK" placed in Weboc System for restricting filing of carrier manifest for Afghanistan for the Sea to Land Transit Consignments under TIR.

The "Support Weboc" team leader replied to the under signee that, "Check" purposely has been placed in Weboc System for restricting filing of carrier manifest for Afghanistan and Uzbekistan for the Sea to Land Consignments of Transit under TIR, because the Afghanistan and Uzbekistan both countries are under Bilateral Agreement with Pakistan. Therefore, Transit under TIR for said both countries is not allowed. However, Carrier Manifest in "AFGHAN TRANSIT INDEX" of Afghan Transit Consignment under Custom Bilateral Transit can be filed.

It was requested to the "Support Weboc" team leader for providing of Law, Notification or Order of any Authority to restrict Transit under TIR for Afghanistan and Uzbekistan. But it was suggested by "Support Weboc" team leader to contact with honorable Director Transit for the satisfaction about restriction in question.

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Therefore, this representation on behalf of IRTC TIR Operator Members is Being submitted before your honor for the purpose to obtain allow for transit under TIR Regime for Afghanistan, Uzbekistan and other CARs.

The information, comparisons and arguments presented through this representation may please be considered favorable in pleading our case and for granting permission to start Transit under TIR for Afghanistan, Uzbekistan and CARs.

KEYNOTE ON AFGHAN TRANSIT THROUGH PAKISTAN:

The land locked brotherly country Afghanistan has been using the territory of Pakistan for access to sea since ancient times. Prior to the creation of Pakistan trade took place between British India and Afghanistan via Torkham-Jalal Abad and Chaman-Spin Boldak routes. There were treaties between Afghan Government and British Government dated November 22, 1921 and Anglo-Afghan Convention of 1923. Neither of these treaties talked of transit trade, however, emphasized on freedom of transit as mentioned in the League of Nations at Barcelona Conference of 1921.

After the creation of Pakistan, Afghanistan continued to use Pakistan as channel for their transit trade, with rest of world, under the provisions of above mentioned treaties. However, talks initiated between the two neighbors during 1963 and a mutual Pak-Afghan Transit Trade (ATTA) agreement was signed in March 1965.

Considering that Afghan Transit Trade Agreement (APTTA-1965) does not take into account the current economic realities and new international transit requirements. A re-negotiated transit trade agreement known as Afghanistan-Pakistan Transit Trade Agreement (APTTA) signed between Afghanistan and Pakistan on October 28, 2010 and became operational in June 2011. (APTTA-2010) was signed for 5 years and was automatically renewable for further 5 years. Thus the (APTTA-2010) legally lapsed in May 2021. However, neither Afghanistan not the Pakistan as terminated (APTTA-2010).

KEYNOTE ON TIR REGIME:

TIR is a French Word Acronym *"Transports Internationaux Routiers"*. TIR Convention is an UN Sponsored Convention which was signed in 1975 under the auspices of United Nation Economic Commission for Europe (UNECE). TIR Convention is a multilateral Convention with a guarantee system for one or multi borders cross movements. The Convention provides transit facility with total conditional relief from import duties and taxes, to goods and vehicles carried by road. There are 77 Contracting Parties to TIR Convention 1975, (76 Countries and 77 European Union)

➢	**Pakistan deposited its instruments of accession to the TIR Convention on 21 July 2015.**
➢	**After accepting Declaration, the UN Treaty Council fixed the date of entered into force for Pakistan, 21 January 2016.**
➢	**Pakistan framed its TIR Carnets (TIR) Rules of Pakistan, notified by FBR through S.R.O. 1066(I)/2017 dated 20th October, 2017.**
➢	**PNC-ICC becomes operational as National Issuing & Guaranteeing Association for Issuing TIR Carnets, on April 18, 2018.**
➢	**Connectivity with the IRU's Computer Data Base completed by Pakistan Customs & Automation Reforms in May 2018, and TIR Carnet's Electronic Pre Declaration (TIR E.P.D.) gets live on Pakistan Customs IT System (WeBoc) on May 27, 2018.**
➢	**Pakistan become the Sixty-Ninth (69) Contracting Party to the TIR Convention.**

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GEO SIGNIFICANCE OF PAKISTAN & OVER LAND DEPTH

Pakistan's strategic location at the intersection of **South Asia, Central Asia, and the Middle East** accounts for most of its geographic significance in commercial point of view. It acts as a crossroads for commerce and transportation, promoting land- and sea-based trade across areas. Pakistan has its road depth through Turkiye till Western Europe and via CARs-Finland till Northern Europe, both ends are just away at 10 – 12 days traveling distance.

UAE has only Sea approach, there is no surface depth available to UAE. However, UAE tactfully and wisely using their only Sea link to earn yearly billions of Dolor just through logistic handling. Whereas, since decades Pakistan is dormant over its GEO Significance position and Pakistan is losing a very handsome revenue which could be earned.

Now, the time has come to waken up and to start revenue generation by using land depth by and TIR Regime. All CARs – ECO member countries are signatory of TIR Convention and dependent on Pakistan for reaching out to Sea Ports for their up & down trade performing with rest of the world. Almost 15000 + Pakistani Trailers are engaged with cross-border transport activities, further 3 – 5000 more vehicles are likely to induct in this process under TIR Regime. Keep Operational various transit corridors will be the effective tool to retain employment of drivers, and to gain sustained development in logistic sector.

According to sources reports Pakistan is suffering significant annual financial loss from the Afghan transit trade. In October 2023, to curb the financial losses, the Federal Board of Revenue (FBR) formulated a new strategy to stop smuggling back of the transit commodities. Under this strategy following three steps were introduced;

1. **Bann on smuggling prone items in the Afghan Transit Trade.**
2. **Imposing of 10 percent processing fee on several items imported under the Afghan Transit Trade Agreement.**
3. **Under RMS Pakistan would take 100% Bank Guarantee of all luxury items in the Afghan Transit Trade.**

The above three steps taken, to curb the national financial losses, are good, praiseworthy and may be justified in accordance with **Section II, Article-3 (2) of APTTA-2010** of mutually agreed treaty between the both contracting parties Pakistan and Afghanistan.

However, the imposing of, APTTA consequential, steps on Transit under TIR is not appreciating, because TIR is not governed under APTTA. Pakistan has to respect the principal of "Freedom of Transit" in respect of other Multilateral Treaties specially the TIR Convention 1975. Therefore, as a misconnect, considering the APPTA as "Bilateral Trade Agreement" and in the grab of this, unilateral thinking, **impeding** the Transit under TIR is not good approach, because TIR Regime is future of **South & Central Asia in respect of trade, economy and prosperity of the ECO region. This unannounced and disguised impediment will disturb** not only transit of all 10 ECO member states of the region, but also harmony among people of the 10 Nations.

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PRESUMPTION OF TRANSIT AGREEMENTS AS "CUSTOM BILATERAL TRADE AGREEMENTS":

Currently the following three "Transit Agreements" are in place;

1	Afghanistan – Pakistan Transit Trade Agreement (APTTA-2010)
2	Uzbekistan – Pakistan Transit Trade Agreement (UPTTA)
3	Tajikistan – Pakistan Transit Trade Agreement.

There must be no misconception that these are Bilateral Trade Agreements of Pakistan. Just look at their Tittles **"Transit Trade Agreement"**. These are the Transit Trade Agreements wherein principally "TRADE" of the Afghanistan, Uzbekistan and Tajikistan is to be facilitated, and not the "TRADE" of Pakistan in operation. Therefore, these are not Bilateral Trade Agreements of Pakistan. A comprehensive COMPARISON between "BILATERAL TRADE" & "TRANSIT TRADE" is pleased at **ANNEXURE-C** with this representation.

ENDORCEMENT & ACCEPTANCE OF TIR REGIME BY APTTA-2010 IN ADVANCE.

APTTA – ANNEX 1

(INTERNATIONAL TRANSIT TRANSPORT CORRIDORS)

ARTICAL 3: DESIGNATION OF TRANSIT TRANSPOPRT CORRIDORS.

Abstract of the Article 3:

"for the passage of traffic in transit through Pakistan by road the two governments designate the international transit transport corridors for caring out Custom Transit Regimes and in particular TIR procedures when operational".

It is pertinent to highlight that, Afghanistan acceded to TIR Convention in September 2013, and Pakistan acceded to TIR Convention in July 2015. Whereas, APTTA was signed on October 28, 2010. This fact denotes the 3-5 years advance it has been endorsement accepted for future implementation of TIR Regime in addition to this Bilateral Transit Agreement-APTTA.

Copy of ANNEX 1, Article 3 is attached at **ANNEXURE-D.**

APTTA – SECTION XII

FINAL CLAUSES

ARTICLE 51: EFFECTIVENESS OF RELEVENT TREATIES

Text of Article 51:

Quote:

None of the provisions stipulated in this Agreement shall affect the rights and obligations of a Contracting Party arising from existing international treaties and conventions to which it is a Contracting Party.

Unquote: Copy of SECTION XII: Article 51 is attached at **ANNEXURE-E.**

TIR MULTILIATERAL TREATY & CONVENTION:

TIR Regime is a multilateral and independent treaty, convention. Both contracting parties of APTTA (Pakistan & Afghanistan) through Article 51 of APTTA has accepted to respect the TIR Convention. TIR Convention is not under the purview, ambit or orbit of Bilateral Transit Trade Agreement APTTA. For example under APTTA the Pakistani Vehicle of a Bonded Carrier/T.O. cannot go beyond the Jalalabad in Afghanistan. But Pakistani Vehicle moving under TIR Regime can go across the borders of Afghanistan. There is a vast dissimilarity in the operational modules and *modus operandi* of the Bilateral Transit Agreements and TIR Regime. A comprehensive comparison between the two regimes is appended at **ANNEXURE-F.**

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APTTA – SECTION V
GENERAL CONDITIONS FOR TRANSPORT IN TRANSIT
ARTICLE 9 (a): CHOICE OF MEANS OF TRANSPORT.

Quote:

> Shippers to select, according to their needs, the mode and means of transport to be used for traffic in transit within the territory of the other Contracting Party;

Unquote:

Under this provision for the purpose to provide a choice FBR already have prepared a separate module for TIR in Weboc vide Letter No. SI/Misc/Office/72-TIR/2013-DTT (Part-III) Dated 21.12.2020. After deployment of this module, Afghan Traders have the option to avail TIR Regime for the goods imported under APTTA. Actually this is the option for shippers to transport their transit consignment either through T.O. or through TIR Operator. But this module is also Non-Functional in WeBoc as a restriction on TIR Regime. Copy of this Module letter is attached at **ANNEXURE-G**

TIR CONVENTION
ARTICLE 49:

Quote:

> This Convention shall not prevent the application of greater facilities which Contracting Parties grant or may wish to grant either by unilateral provisions or by virtue of bilateral or multilateral agreements provided that such facilities do not impede the application of the provisions of this Convention, and in particular, TIR operations.

Unquote:

Pakistan and Afghanistan both are signatory to the TIR Convention and being TIR Contracting Party both countries cannot "impede" the TIR Operation in through provision of any Bilateral Agreement.

In the light of above representation, arguments and comparisons attached, the "CHECK" placed in WeBoc which is restricting the submission of "Carrier Manifest" in "TIR TRANSIT INDEX" of Multimodal Sea to Land Module in WeBoc for Transit under TIR to Afghanistan and Uzbekistan is seems to be an unannounced and disguised restrictions on Traffic in Transit under TIR Regime, and it may be hit by Chapter-6, Article 49 of the TIR Convention.

TIR IS AN EFFICTIVE TOOL TO CURB SMUGGLING.

With objective to secure national economy and to prevent the smuggling back of transit goods into Pakistan. The "Custom Transit Scheme" by various controlling methods has been devised through Bilateral Transit Trade Agreements with Afghanistan, Uzbekistan and Tajikistan. But the preventive and administrative measures taken are fruitless.

On the other hand TIR Transit Regime is comprehensive secure scheme wherein smuggling back of transit goods into Pakistan is impossible. By using TIR Transit Regime, FBR can achieve its preventive objectives. A Comparison between the "Bilateral Custom Transit Regime" and "TIR Transit Regime" is presented, this comparison will transpire the effectiveness of the TIR Transit to curb financial loses and to prevent slip back of transit cargo, then the Bilateral Custom Transit Regime. The Comparison is attached at **ANNEXURE-H.**

The Comparison between "Bilateral Custom Transit Regime" and "TIR Transit Regime" has comprehensively transpired that, if consignment is moved under TIR Transit Regime, there is no possibility of change in documents, value, and commodity or quantity at any stage. After discharge at final destination, there is mandatory to file Import GD and pay appropriate and legitimate custom duties. Therefore, no question arise about TIR Cargo to slip back.

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CONCLUSION:

Bilateral trade agreements are agreements between two countries to promote trade and commerce, to eliminate trade barriers such as tariffs, import quotas, and export restraints in order to encourage trade and investment. The main advantage of bilateral trade agreements is an expansion of the market for a country's goods. Although these objectives somehow by default slightly vested in APTTA. UPTTA and Agreement with Tajikistan. But one should not forget, principally these are Transit Trade Agreements to facilitate the trade of Afghanistan, Uzbekistan and Tajikistan.

Pakistan has signed three Bilateral Transit Trade Agreements by respecting the rights, of freedom of transit and access to the sea, of Afghanistan, Uzbekistan and Tajikistan. Pakistan is under obligation to recognize these rights under Convention on High Seas-Geneva 1958, WTO rules and provisions under GATT, 1994 - Article V, and ECO Transit Transport Framework Agreement (TTFA)-Almaty, 1998.

In the preamble of said three agreements, Pakistan reciprocally has associated its desire and right to have connectivity with Central Asia. North-South Corridor for Pakistan in relation to trade with central Asia is pivotal. But this desire have come true through Afghanistan. Therefore, Pakistan has to be careful in respect of complete impeding transit trade of Afghanistan, because this action may bounce back.

There are some unfavorable element attached with Bilateral Transit Trade Agreements. Such as these agreement are time bound, need periodical extensions, these agreements may impose some restrictions and can restrict the movements of Pakistani Vehicles. Pakistan is facing both situations with APTTA. Examples are obvious, APTTA extension issue is in place, under APTTA Pakistani vehicle cannot go beyond Jalalabad City of Afghanistan.

On the other hand TIR Agreement is international, permanent, and timeless and no contracting country can restrict Pakistani vehicle to enter or cross through. It is observed the Pakistani Vehicle under TIR can go every Custom Station of Afghanistan in other Cities and also can go across through the entire Afghan tertiary.

This is important to understand which scheme is beneficial for Pakistan in between Bilateral Transit Regime and TIR Transit Regime. The characteristics of "TIR Transit Regime" expressed through comparison between the "Bilateral Custom Transit Regime" and "TIR Regime" placed at ANNEXURE-H has proved the importance of the "TIR Regime" particularly for;

i. To curb the financial losses, and to achieve objectives of the Federal Board of Revenue (FBR) set forth under formulated strategy to stop smuggling back of the transit commodities.

ii. To ensure the connectivity of Pakistan with Central Asia. North-South Corridor in relation to trade with central Asia without any interruption.

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In the wake of Convention on High Seas-Geneva 1958,
WTO rules and provisions under GATT, 1994 - Article V,
and ECO Transit Transport Framework Agreement (TTFA)-Almaty, 1998.
The impediments in the way of Afghanistan Transit Trade under TIR would be not a judicious approach.

PRAYER:

1. As the second choice parallel to the Bilateral Transit Regime, Transit under TIR for Afghanistan, Uzbekistan, Tajikistan and other Central Asian States may please be allowed.

2. Remove the "Check" in WeBoc placed on "TIR TRANSIT INDEX".

With kind regards

(RANA ASIF KHAN)
ADVOCATE HIGH COURT
TIR Consultant & AEO Advisor
IRT CHAMBER OF PAKISTAN

President Asif

Copy to IRTC Member TIR Operators

1. Pearl TCDT (Pvt) Ltd.
2. Best Trans (Pvt) Limited.
3. Saifran Logistics (Pvt) Ltd.
4. GTS Logistics (Pvt) Limited.
5. National Logistic Corporation.
6. The Chishtian Logistics (Pvt) Ltd.
7. Al Tijjar Logistics (SMC-PVT) Limited.
8. Faisal Movers Logistics (Pvt) Limited.
9. Yaseen Transport Company (Pvt) Ltd.
10. Pak Afghan Cargo Services (Pvt) Limited.
11. Haji Fateh Khan Enterprise (Pvt) Limited.

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GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF TRANSIT TRADE
CUSTOMS HOUSE
KARACHI
****

F.No. 01/TIR/2021-DTT (Part-II)

Dated: 5 .08.2022

Mr. Tariq Rangoonwala,
Chairman,
PNC-ICC,
V.M House West Wharf,
Karachi.

Subject: **NEWLY DEVELOPED WEBOC MODULES / FUNCTIONALITIES DEPLOYED.**

It is informed that the following new modules / functionalities have been developed and the same have been deployed after User Acceptance Test (UAT). The features of the modules are as under:-

Sr. No.	Module Name	Description
1.	Multimodal TIR Transit-Land Border to Sea Port Release Note:3.80 dated 29.07.2022	System can display the TIR in the folder of Gate-in role of land border station for gate in of TIR consignment TIR Carnet--> TIR Gate-In. System is allowed to mark the TIR to Weighment Officer role of land border station in the folder: TIR Carnet --> Weighment of Vehicle. After TIR Weighment, system is able to mark the TIR to Scanning Officer role of land border station in the folder: TIR Carnet--> Scanning Vehicles. After TIR Scanning, system can mark the TIR to Inspection Officer role of land border station in the folder: TIR Carnet --> Inspection of TIR Carnet. Shipping Line drop down has been added in the Inspection screen of TIR Inspection Officer. The Shipping Line drop down list is optional and will only enable/visible in case of TRANSIT type of TIR Carnet towards Sea Terminal. Upon gate-out from land border station, System is allowed to send Pass-In Authorization message to Terminal Operator to gate-in the Transit TIR consignment. Received gate-in message from Terminal as per normal export gate-in. After TIR Gate-In at Sea Terminal, system can mark the TIR to Weighment Officer role of Sea Terminal in the folder: TIR Carnet --> Weighment of Vehicle Destination System is allowed to mark the TIR to Scanning Officer role of Sea Terminal in the folder: TIR Carnet --> Scanning Vehicle Destination. System can mark the TIR to Inspection Officer role of Sea Terminal in the folder: TIR Carnet --> Inspection of TIR Carnet Destination. In case of discrepancy, system shall mark for examination. Upon receiving of ship sailing message from Terminal Operator, System is allowed to send following exit messages to IRU.

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		• Terminal Exit – EPD • Discharge – EPD
2.	Multimodal TIR Transit- Sea Port to Land Border Release Note:3.80 dated 29.07.2022	2 new BL index types have been added in the Sea Manifest for identification of "TRANSIT" movement of TIR Carnet consignment & other transit consignment where destination country is other than "Afghanistan" meant for entry in Pakistan territory through main sea terminal and exit from country through land border station. Upon receiving of EPD or Transit movement from IRU, System can hold/block the BL for the normal GD filing. After identification of TIR Transit consignment, system is able to mark the TIR for vehicle gate-in in the folder of Gate-in Officer at sea port/off-dock. System is allowed to send scanning EDI message to Terminal Operator and mark the TIR consignment to Scanning Officer at main sea terminal/off-dock. After Sealing and tracker mounting, system is able to mark the TIR to AC/DC MIS role of Directorate of Transit in the following folder for release of TIR consignment for transit movement: • TIR Carnet Release TIR Transit upward Consignment.

2. This is for your information and necessary action.

(Khalid Umar)
Assistant Director

Copy to:

The Director, Directorate of Transit Trade, Karachi.

ANX—B

2:40 PM

Support W... 2:37 PM
to m.shayan(Imp,...

Sir,

Importer country is Afghanistan then this check cannot be waived """"Index type must be 'Afghan Transit' in the case of importer country Afghanistan

Support Officer (WeBOC)
Pakistan Revenue Automation (Pvt.) Limited
www.pral.com.pk
(051) **111-772-772** Extension: **2**

From: m.shayan(Imp dept.)
<imp.khi@pearltcdt.com.pk>
Sent: Tuesday, January 23, 2024 7:29:44 PM
To: Support Weboc
Cc: Tayyab@altijjargroup.com;
tirconsultant92pk@gmail.com;
pncicc@cyber.net.pk;
fawadalishah@hotmail.com;

[ANNEXURE – C - OF REPRESENTATION REF NO. IRTC/DTT-TIR ALLOW/01/2024 DATED 27.02.2024]

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ANNEXURE-C
COMPARISON

Point	BILATERATE TRADE AGREEMENT	TRANSIT TRADE AGREEMENT
1	Bilateral means agreement between two countries	It is multilateral agreement between minimum three or more countries
2	Bilateral trade focuses on the direct exchange of goods between two countries	While transit trade involves the movement of goods through one or more countries to reach their final destination.
3	Bilateral trade movements starts from one contracting country and ends in other contracting country.	Transit trade, on the other hand, refers to the movement of goods or commodities across one or more countries to reach their final destination.
4	Bilateral Trade Agreement is a direct trade relationship where both countries engage in importing and exporting goods to and from each other's markets for their own consumption.	In transit trade, the goods pass through one or more countries without being consumed or altered in those countries. It involves the transportation of goods through a particular country or region to reach another destination.
5	Bilateral trade agreements are agreements between countries to promote trade and commerce. They eliminate trade barriers such as tariffs, import quotas, and export restraints in order to encourage trade and investment.	Transit Trade Agreement is to facilitate the safe movement of goods, luggage, and passengers through the territories of contracting parties while providing facilities for transit, transport, and promoting coordination

Amplifying Notes:

<table>
<tr><td>a</td><td>APTTA is not Bilateral Trade Agreement</td><td>APTTA is Bilateral Transit Trade Agreement</td></tr>
<tr><td>b</td><td>UPTTA is not Bilateral Trade Agreement</td><td>APTTA is Bilateral Transit Trade Agreement</td></tr>
<tr><td>c</td><td>Agreement with Tajikistan is not Bilateral Trade Agreement</td><td>Agreement with Tajikistan is for Bilateral Transit Trade Agreement</td></tr>
<tr><td colspan="3">In above three Countries principally Pakistan has to facilitate Trade of Afghanistan, Uzbekistan and of Tajikistan.</td></tr>
<tr><td colspan="3">Quadrilateral Traffic in Transit Agreement (QTTA) is a transit trade deal between China, Pakistan, Kyrgyzstan and Kazakhstan</td></tr>
<tr><td colspan="3">ECO Transit Transport Framework Agreement (TTFA) is between 10 member countries of ECO, including Pakistan, Afghanistan, Uzbekistan, and Tajikistan.</td></tr>
<tr><td colspan="3">TIR Convention 1975 is International Transit Transport Agreement</td></tr>
</table>

[ANNEXURE – F - OF REPRESENTATION REF NO. IRTC/DTT-TIR ALLOW/01/2024 DATED 27.02.2024] ANT

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ANNEXURE-F
COMPARISON

Dissimilarity in the operational modules and *modus operandi* of the Bilateral Transit Agreements and TIR Regime.
A comprehensive comparison between the two regimes

Feature	BILATERAL CUSTOM TRANSIT REGIME	TIR INTERNATIONAL TRANSIT REGIME
Dealing	Bilateral Transit	Multilateral Transit
Law	Bilateral Transit Agreement - APTTA	Multilateral Treaty – TIR Convention
Destination	Only Country of Bilateral Agreement	Multiple destinations of any TIR Contracting Country
Operating Rules	APTTA is regulated through Chapter XXV of Custom Rules 2001	There are Separate and independent TIR Rules of Pakistan Notified vide S.R.O. 1066(1)/20217 Dated 20-10-2017
Operator	Bonded Carrier of Pakistan, under Customs Act 1969	TIR Operator of any Country under TIR Convention
Eligibility of Operator	Licensing Authority, Eligibility Criteria and operational requirements are exclusive under Chapter XXV of Custom Rules 2001	There is National Authorization Committee for approving Admission of TIR Operators and qualifying eligibility criteria, and operation requirements are completely different from Bonded Carrier.
TIN No.	"Tax Identification Number" means the 10-digit unique number issued by Ministry of Finance, Islamic Republic of Afghanistan to identify a specific taxpayer	Only Importer name and Address is required.
User ID	User ID is allocated to an importer of Afghanistan to access PACCS; and Processing of Afghan Transit cargo at various custom office.	For Transit under TIR "User ID" of Afghan Importer is not required. Connectivity with WeBoc is performed through IRU Data Base by the TIR Operator.
Clearing Agent	Both at office of Departure and Office of Exit a custom clearing agent is required to process documents	Through EPD every particulars are predeceased and discriminated to every office of departure, en-route, exit and final destination. So assistance of clearing agent is not required.
GD Filing	AT-GD is required to be submitted by importer or his authorized Custom Agent.	No GD is required to be submit for transit under TIR
RMS	"Customs security" an encashable financial guarantee is submitted by the traders or authorised agents or brokers on transit goods for an amount equivalent to the import levies.	Under TIR no financial guarantee is submitted on transit goods for an amount equivalent to the import levies. This risk is secured through Carnet Guarantee of IRU
TAD	Temporary Admission Document is require to vehicles registered in the territory of the other contracting party to enter or exit or transit through its territory.	TIR Operator's registered vehicles in IRU Fleet Data Base needs not TAD for their entry or exit for transit under TIR.

ANX – G

GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF TRANSIT TRADE
CUSTOMS HOUSE
KARACHI
****

No.SI/Misc/Office/72-TIR/2013-DTT (Part-III)

Dated: 21 .12.2020

Mr. Tariq M. Rangoonwala,
Chairman, PNC-ICC,
V.M. House,
West Wharf Road,
P.O.Box-4050,
Karachi.

Subject: **NEWLY DEVELOPED WeBOC MODULES / FUNCTIONALITIES DEVELOPED IN DECEMBER 2020 - CIRCULATION OF RELEASE NOTES 3.36**

Please refer to letter No. WeBOC/Release Notes/315/2019/935 dated 11.12.2020 of Directorate General of Reforms & Automation (Customs), on the subject cited above (**copy enclosed**).

2. The Directorate General of Reforms & Automation vide above referred letter has informed that the multi-modal TIR module for containerized cargo arriving/departing by sea has been developed and deployed in the WeBOC system with the following features:

i. System allows user to select TIR cargo arriving by sea for attachment of valid TIR – EPD issued electronically by IRU and transmitted to WeBOC during filing of 'AT' GD.

ii. System shall allow GD submission where TIR-EPD is attached without request of security and EDI message to tracking company will be generated for mounting of tracking device on containers/vehicles.

iii. System marks the GD to staff for Gate-out and cross-border activity and system is able to send relevant EDI message to IRU for acknowledgement/reconciliation.

3. After deployment of this module, Afghan Traders have the option to avail TIR regime for the goods imported under Afghanistan Pakistan Transit Trade Agreement (APTTA-2010).

Encl: (As above)

(Feroze Alam Junejo)
Director

Copy to:

1. The Director General, Directorate General of Transit Trade, Customs House, Karachi.
2. The Director General, Directorate General of Reforms & Automation, Customs House, Karachi.

[ANNEXURE – H - OF REPRESENTATION REF NO. IRTC/DTT-TIR ALLOW/01/2024 DATED 27.02.2024]

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ANNEXURE - H
COMPARISON

ACTION	BILATERAL CUSTOM TRANSIT REGIME	TIR TRANSIT REGIMR
Visibility of Cargo & Vehicle	Visibility is till inside border of Pakistan. After crossing Pakistani Border visibility finished.	From custom office, start of operation and after crossing the border till custom office of finish operation. Visibility remain intact. Through IRU and cross border custom authorities.
Sanctity of Seal	Sanctity of Pak Custom Seal is till Border. After crossing Border sanctity of Seal is finished. Because Cargo is shifted into other vehicle.	Sanctity of Pak Custom Seal remain intact after crossing of border(s) till the last custom station of destination.
Legal Control of Vehicle	Legal control of Pakistan Custom over T.O. vehicle is vanished after border crossing.	Legal common control of Pak Custom over TIR vehicle after border crossing remain continue, with IRU and cross border custom authorities, till last custom station of destination in other country.
Operation of RMS	The operation of RMS adopted by Pakistan Custom remain operative till borders of Pakistan.	The Guarantee under TIR Carnet is remain operative from the office of benign till the office of final destination.
Change of Destination	After crossing Pakistani Border, status of transit cargo is converted from Custom Transit Regime to ASYCUD T-II. Whereby change of destination is possible.	In EPD of TIR Carne itinerary of complete transit route from beginning to end station is pre-declared. Therefore, change of destination in TIR Regime is not possible.
Discharge Status of Cargo	After crossing Pakistani Border, control of transit cargo is converted from Custom Transit Regime to ASYCUD T-II due to intermediate discharge. Therefore, under T-II control discharge status remain open as "Transit Cargo". The option to move cargo to other destination is remain open till the filing of Import GD.	After crossing Border, control of transit cargo from TIR is not changed and remain under TIR Regime. Cargo is not discharged intermediately. The journey of transit cargo remain continue under same TIR Transit Regime. Cargo is discharged only at pre- declared final destination as Import Discharge. Whereby filing of Import GD and duty payment is mandatory.
Misdeclaration	After crossing border, while preparing documents for T-II, change of documents, quantity, commodity and value is possible. This practice is in progress. Due to possibility of highly under value declaration, very low duty is paid. This character or flaw of T-II strength possibility of cargo to slip back.	In TIR value, commodity, quantity is pre-declared, documents are upload. This declaration remain same till destination. All the particulars are available and visible to all custom stations right from the office of origin, entry-exit, en-route, and to destination office. No chance of change in commodity, quantity and documents. Change in value or low value declaration is not possible. After discharging the next step is filing of import GD and Payment of appropriate and legitimate custom duty. No possibility or chance of cargo to slip back.
Back Reporting	No information about any change in quantity, commodity and value is reported back to Pakistan Custom. Discharge status is not reported back to Pakistan Custom. It is not informed back to Pakistan custom that either Import GD Has been filed or not, import duty has been paid, collected or not. Cargo has moved to other destination or not.	Through IRU it is reported back to Pakistan Custom' i. Reaching of cargo at final declared destination. ii. Import discharge of Cargo at declared destination. iii. Completion of Transit Operation under TIR at destination. iv. Termination of TIR Carnet and operation of Guarantee.
Curb of Cargo Slip	After change of control from Custom Transit Regime to T-II and intermediate discharge and change of seal and ability to further move. Cargo have characteristic to slip back in Pakistan.	It is mandatory for cargo moving under TIR to reach at its final destination without intermediate discharge and with throughout visible control. Therefore, cargo under TIR regime does not have characteristic to slip back into Pakistan.