

Distr.: General  
30 January 2017

English only

---

## **Economic Commission for Europe**

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

#### **Sixty-fifth session**

Geneva, 15 and 16 February 2017

Item 4 (a) (i) of the provisional agenda

**Activities and administration of the TIR Executive Board (TIRExB)**

**Report by the Chair of TIRExB**

### **Self-evaluation**

#### **Review of the TIREXB programme of work for 2015-2016**

Note by the TIR Secretary

#### **A. Background**

1. On the basis of the TIRExB reports for 2015–2016, the secretariat has prepared for endorsement by the Committee Informal document WP.30/AC.2 (2017) No. 3, summarizing, in Annex I, the main results of the Board's activities against each work programme item (as contained in ECE/TRANS/WP.30/AC.2/2015/19, Annex). Annex II of the document reproduces the aggregate results of a self-evaluation survey among TIRExB members, together with recommendations for future compositions of TIRExB

#### **B. Considerations by the Committee**

2. The Committee is invited to endorse the activities of TIRExB during its current term of office in Annex I as well as consider the self-evaluation and recommendations in Annex II.

## 2 Annex I

### I. Activities of the TIREXB in 2015–2016

*Outputs expected in 2015 and 2016*

*Main accomplishments*

#### A. Ongoing activities

##### (1) Support the adaptation of the TIR procedure to modern business, logistics and transport requirements, including intermodal transport

- Prepare guidelines for the TIR Administrative Committee (AC.2) on how to promote the intermodal use of the TIR Carnet, in collaboration with the Working Party on Intermodal Transport and Logistics (WP.24);
- Support discussions in AC.2 on the introduction of the concepts of authorized consignors/consignees in the TIR Convention, and continue developing examples of best practice;
- Continue studying further mechanisms to modernize and strengthen the TIR system (taking into account the needs of the business sector).

- At its sixty-third session (April 2015), the Board took note of progress in the ongoing cooperation between the secretariat and IRU to facilitate the use of the TIR procedure for intermodal transports
- At its sixty-fifth session (October 2015), the Board established that the intermodal use of the TIR procedure cannot be discussed in isolation, but that issues such as computerization, the use of subcontractors and the granting of greater facilities to operators at departure or destination seem to be key factors to address in order to give the intermodal TIR procedure more relevance. IRU confirmed that most intermodal TIR transports taking place today are limited to ro–ro transports, including ferry–services. In addition, from the assessment by IRU over various years, it had been noted that difficulties encountered during an intermodal TIR transport do not relate to the TIR procedure as such, but rather to, notably, operations in ports, such as low ferry capacity, irregular ferry schedules and preferential treatment of operators of one mode of transport over another.
- At its sixty-sixth session (February 2016), the Board was presented with three examples of intermodal TIR transports:

(a) Roll-on/Roll-off (RoRo)-scenario for a TIR transport from a customs office of departure in Georgia, via the port of Baku, the Caspian Sea and the port of Turkmenbashi (Turkmenistan) to a customs office of destination in Turkmenistan;

(b) Rolling Highway (RoLa)-scenario for a TIR transport from a customs office of departure in Turkey, via the port of Istanbul, the Mediterranean Sea and the port of Trieste (Italy) and Austria to a customs office of destination in Germany, involving two non-road legs;

(c) Container-scenario for a TIR transport from a customs office of departure in Georgia, via the port of Batumi, the Black Sea and the port of Illchevsk to a customs office of destination in Ukraine, involving a change in vehicles and the use of subcontractors. TIRExB requested the secretariat, in collaboration with IRU and in consultation with the Secretary of WP.24 to further elaborate the examples, addressing, in particular, complications related to the use of a TIR Carnet as a single customs document throughout an intermodal transport and decided to revert to the issue at its next session.

- At its sixty-eighth session (June 2016), the secretariat shortly introduced the scenario of an intermodal TIR transport for the transport of a container between two inland customs offices in different Contracting Parties, involving a sea-leg. The particularity of such scenario is that it

involves more than one transport operator, thus highlighting the issue of subcontracting. In the view of one member of the Board, there was no unambiguous answer to this question, as there was a difference in the treatment of subcontractors in countries of transit and of destination. Another member recalled that the issue of subcontracting has been under discussions of various fora for many years, without, as yet, a final solution having been found.

- At its seventieth session (December 2016), TIRExB discussed the scenario of an intermodal container transport between two inland customs offices with a sea leg. A number of TIRExB members expressed their consent with the gist of the example, however wished to see more reference to the suspension of the TIR transport during the sea leg. Also the issue of the transfer of the TIR Carnet should be mentioned. Mr. S. Fedorov (Belarus), supported by Mr. S. Amelyanovich (Russian Federation), expressed the clear view that the example, in its current form, left too many issues, such as, but not limited to subcontracting, unaddressed for the document to be transferred to AC.2 for further consideration. They wished the example to contain more references to applicable provisions of the Convention, because they had doubt that the description, although taken from a practical example of an intermodal TIR transport, was in line with the provisions of the Convention. In addition, Mr. S. Fedorov wished to see clearly recorded that he was against the example as it could not be applied in practice in Belarus. In conclusion, the Board requested the secretariat to prepare an amended version of the example, reflecting, as far as possible, all considerations or reservations expressed at the current session and in the exact format as to how the final text of the example would be submitted to AC.2 for its consideration (Informal document TIRExB/REP/2016/70draft, para. 18).

- At its sixty-seventh session (April 2016), TIRExB considered examples of the practical application of the concept of authorized consignor and consignee in various countries, as collected by IRU. The Board further discussed the issue whether it would be necessary to formulate detailed conditions and requirements in the text of the Convention and whether all competent authorities of Contracting Parties should be involved in the granting of any authorization. The majority of the Board was of the view that, first of all, it was not necessary to include conditions and requirements in the text of the Convention, considering that the authorizations would be delivered as a national facilitation by competent national authorities. As a consequence, involvement of competent authorities of other countries was not required. The Board was informed that in Poland any irregularity discovered at destination should immediately be reported back to the country of departure, in order to intervene with the authorized consignor (who, in such case, could see his authorization revoked). So far, this had not happened, nor had there been major irregularities detected for cases where Poland had been the country of destination. As a first step towards further pursuing the issue, TIRExB decided to limit its discussions to the TIR Carnet holder as authorized consignor, linking the activity to the liability of the TIR Carnet holder under the TIR Convention. In such concept, the fact of being authorized TIR Carnet holder would serve as a prerequisite to become authorized consignor. The authorization could be implemented from various premises. Various TIRExB members explained that granting a 'simplification' actually did not mean the lifting of criteria or obligations for operators. On the contrary: authorized TIR Carnet holders benefiting from any simplification were obliged to fulfil stricter criteria than for the regular

application of the TIR procedure. It was further noted that the concept of AEO and mutual recognition agreements, though related to the issues at stake, go beyond the scope of the current discussions, which is focused on applying the concepts of authorized consignor/consignee as national simplifications. In conclusion of the current discussions, TIRExB agreed to pursue its discussions at a future session, based on the following aspects: (a) the application of facilitations as a national concept, with reinforced customs control; (b) limited to TIR Carnet holders only; and (c) describing a strict set of minimum conditions and requirements.

- At its sixty-ninth session (October 2016), the secretariat introduced a maximum effort to introduce further facilitations in the TIR Convention within the scope of Article 49. In a first reaction, some members explained that in their country the facilitation of authorized consignor was not necessarily limited to authorized TIR Carnet holder only and, therefore, requested the reference to be deleted or, alternatively, to be replaced by a more neutral term, such as “duly authorized person”. Other members were of the opinion that the text of the proposed Explanatory Note insufficiently addressed the liability of the TIR Carnet holder and was contrary to the provisions of Articles 19 and 21. They further stated that a facilitation granted by one country to an authorized TIR Carnet holder, created additional risks during the rest of the TIR transport. Therefore, they could not support the proposals.

- The Chair, once more explained, that the provision of Article 11 remains fully intact and that the requirements of Articles 19 and 21 are replaced by a set of customs controls, thus leaving their scope unaffected.

- In conclusion, TIRExB, (1) acknowledging that various Contracting Parties already now apply this facilitation, which is in line with modern logistics practices, (2) taking into account that there is no obligation for any Contracting Party to apply the facilitation for its own territory, (3) establishing that no amendments to other provisions of the Convention were required, (4) agreeing to replace “TIR Carnet holder” by “duly authorized person” (to keep track with the provisions of EU legislation), (5) deleting the second comment to Explanatory Note 0.49, (6) decided that the proposal could be transferred to AC.2 for further consideration. Mr. Amelyanovich (Russian Federation) reiterated not being in a position to support the proposals.

- At its seventieth session (December 2016), the Board took of document ECE/TRANS/WP.30/AC.2/2017/6, containing proposals for an Explanatory Note and comment to Article 49 of the Convention to introduce greater facilitations in the TIR Convention, such as, but not limited to, authorized consignor and consignee. The Board noted that, as yet, it still seems that not all aspects have been settled to the satisfaction of all members of the Board. In particular, there continued to be diverging opinions as to which issues should be strictly stipulated in the text of the Convention and what could be settled by legislation at the national level. On the understanding, that the issue is a ‘work in progress’ which will require further discussions both by the Board and in the TIR Administrative Committee (AC.2), members were encouraged to actively support the proposals (Informal document TIRExB/REP/2016/70draft, para 10).

**(2) To facilitate the computerization of the TIR procedure**

- Facilitate the computerization of the TIR procedure, in collaboration with the Ad hoc Expert Group on Technical and Conceptual Aspects of the Computerization of the TIR Procedure (GE.1), the Group of Experts on Legal Aspects of the Computerization of the TIR Procedure (GE.2) the International Road Transport Union and countries involved in various pilot projects;
- Offer its good offices to achieve consensus among all stakeholders on the finalization of the eTIR Reference Model and the conduct of pilot projects;
- Contribute to the preparation of the legal framework for the computerization of the TIR procedure;
- Promote the computerization of the TIR procedure as part of the Board's training and capacity building activities, including the promotion of the use of Electronic data interchange (EDI) standards;
- Supervise and promote the ITDB and the ITDBonline+ web application as building blocks of the future eTIR system;
- Expand the scope of the ITDB to include data on customs offices approved for TIR operations and on certificates of approval of vehicles;
- Review the functionalities of the ITDB.

- At its sixty-third session (April 2015), the Board welcomed the developments regarding the computerization of the TIR procedure. The Board noted that Italy and Turkey are reconsidering the scope of their eTIR pilot project and will possibly include additional trade facilitation elements in it. The Board noted that in the framework of the UNECE-IRU eTIR pilot project between Iran (Islamic Republic of) and Turkey, a Memorandum of Understanding (MoU) had been signed between UNECE and IRU, which, inter alia, deals with the provision, by IRU, of resources to cover the costs incurred by UNECE in the course of the pilot project. The Board finally took note that all parties concerned had reached agreement on the final text of the Terms of Reference (ToR) for the pilot project and were about to sign them. IRU informed the Board that IRU's ICT department is ready to start the first eTIR pilot transport. IRU furthermore informed the Board that IRU was ready to consider other pilots in key TIR regions, in partnership with all stakeholders.
- At its sixty-fourth session (June 2015), the Board took note that, in May 2015, at the request of the TIR secretariat the World Customs Organization Data Model Project Team (WCO-DMPT) had approved changes to the WCO Data Model to ensure that information on the Certificate of Approval (CoA) of a vehicle could be indicated on the eTIR declaration. With regard to the joint UNECE-IRU eTIR Pilot Project, the Board took note that on 24 March 2015, UNECE and IRU signed an MoU, mainly aimed at formalizing the transfer of funds to cover the costs of hiring an Information Technology (IT) expert, as well as purchasing infrastructure under the Pilot Project. As mentioned in the MoU, the total amount transferred amounts to 290, 000 USD. The signature of the Terms of Reference between the six parties involved in the Pilot Project is expected to take place in the course of the summer of 2015. All parties have already made great progress with regard to the technical work, hopefully allowing the first pilot eTIR transport to still be conducted in the summer of 2015.
- At its sixty-fifth session (October 2015), TIRExB took note that, at its June 2015 session, WP.30 had supported version 4.1 of the eTIR Reference Model, as a basis for future work of the Group of Experts on the Legal Aspects of Computerization of the TIR Procedure (GE.2) and for pilot projects. With regard to the UNECE-IRU eTIR pilot project between Iran (Islamic Republic of) and Turkey, the Board took note of the readiness of the technical infrastructure in both countries and the imminent signature of the Terms of Reference by the six parties taking part in the pilot. The first pilot eTIR transports are expected to be conducted by November 2015.
- At its sixty-sixth session (February 2016), TIRExB took note of the status quo in the eTIR Pilot Project between Italy and Turkey and of the most recent developments in the UNECE/IRU eTIR Pilot Project between Iran (Islamic Republic of) and Turkey, in particular, that, further to the completion of the test transports, four pilot transports had been successfully conducted in November and December 2015 between Izmir (Turkey) and Teheran.
- At its sixty-seventh session (April 2016), the Board took note of the most recent developments in the UNECE/IRU eTIR Pilot Project between Iran (Islamic Republic of) and Turkey, in particular, that:

(a) Since November 2015, as part of the first phase, more than twenty pilot transports have been successfully conducted between Izmir and Teheran;

(b) The light weight version of the eTIR international system has been successfully deployed at the UNOG data centre and tested on the development environment and also successfully deployed on the production environment. Both customs administrations will shortly be provided with a detailed description on how their systems can securely access the data stored in the eTIR international system;

(c) Parties are about to start the second step, for which they are actively looking for more transport operators and customs offices interested.

- The Board also took note of the progress made in the framework of the Georgia-Turkey eTIR pilot, in particular,

(a) A first version of the central exchange platform (CEP) has been successfully deployed at the UNOG data centre and tested on the development environment and also successfully deployed on the production environment;

(b) Consultants are assisting Georgia customs in developing the necessary interfaces to connect their IT system with the CEP.

- Furthermore, the Board also took note of the successful conduct of a meeting between Moldova and Ukraine in February 2016 to kick-start the work on their own eTIR pilot project.

- At its sixty-eighth session (June 2016), the Board took note of the status quo in the eTIR Pilot Project between Italy and Turkey. In view of the fact that the future of this pilot project lies embedded in broad-scale developments in trade facilitation between the two countries, it was decided that there was no need for the Board to revert to this project at future sessions. The Board took note of the most recent developments in the UNECE/IRU eTIR Pilot Project between Iran (Islamic Republic of) and Turkey, in particular, that:

(a) The light weight version of the eTIR international system, hosted at the UNOG data centre, is functioning and successfully receiving data from the IRU system. The two concerned customs administrations have also received a detailed description on how their IT systems can securely access the data stored in the eTIR international system and the secretariat stands ready to assist them in this endeavour;(b) In the course of July 2016, parties intend to start the second step of the Pilot Project, for which they are actively looking for more interested transport operators and customs offices required for their transports.

- At its sixty-ninth session (October 2016), TIRExB took note of the information provided about the UNECE-IRU eTIR pilot project between Iran (Islamic Republic of) and Turkey. It welcomed the successful results of the first step of the project, in which 31 eTIR transports had been successfully conducted, and requested to be informed about the second step. The second step had started on 20 August 2016 and broadened the scope of the project by including additional customs offices, transport companies and offering the possibility of multiple places of loading and unloading, including amendment of the declaration. TIRExB noted that the pilot project allowed, inter alia, a first important step towards a fully fledged eTIR international system and, specifically, the development and deployment at UNECE of a first lightweight version of the eTIR international

system.

- The Board also took note of the progress made in the framework of the Georgia-Turkey eTIR pilot, in particular, Georgia customs has successfully connected its IT system with the recently deployed central exchange platform (CEP) hosted at UNOG.
- At its seventieth session (December 2016), the Board took note that Step 2 of the UNECE-IRU eTIR pilot project between Iran (Islamic Republic of) and Turkey is currently taking place and will run until the end of February 2017. In order to ensure the continuation of the progress already made during the pilot project and to continue collaboration towards the complete computerization of the TIR procedure, UNECE and IRU are preparing a questionnaire to gather the views of all stakeholders for the final report of the project and have started discussions on concluding a new Memorandum of Understanding. Furthermore, the Board took note that the eTIR pilot project between Georgia and Turkey is ongoing and that technical work is continuing to ensure the seamless and secure exchange of TIR transport data. Further to concerns raised by IRU on the progress of the computerization process, the Board reconfirmed its strong support of the computerization of the TIR Convention, in particular the eTIR Reference Model, and recalled the active involvement of various TIRExB members in the work of the bodies dedicated to this work, i.e. GE.1 and GE.2. The Board also confirmed the usefulness of both pilot projects currently undertaken as well as its interest in receiving the results thereof as soon as they will be available (Informal document TIRExB/REP/2016/70draft, paras 11-14).
- At its sixty-third session (April 2015), the Board welcomed proposals to integrate the central database for Certificates of Approval (CoA) into the current ITDB framework. The Board took note of the preliminary considerations by the secretariat on the addition of CoA for containers in the database but was not yet in a position to decide if it is warranted to extend the scope of the CoA database to containers.
- At its sixty-fourth session (June 2015), the Board also confirmed the mandate of the secretariat to continue the preliminary technical work to create the database Certificates of Approval (CoA), keeping the option to, possibly, include CoA for containers. Finally, taking note that, nowadays, the TIR approval plate and the International Maritime Organization (IMO) International Convention for Safe Containers (CSC) safety approval plate are often combined, the Board requested the secretariat to prepare, for its next session, a document that would clarify if Annex 7 Part II of the TIR Convention should be amended.
- At its sixty-fifth session (June 2015), TIRExB took note of the applicable legislation and practice of combining the TIR approval plate and the International Maritime Organization (IMO) International Convention for Safe Containers (CSC) safety approval plate. Various members of TIRExB confirmed the ongoing practice of combined approval plates. Considering that the issue is addressed by the comment to Annex 7, Part II, paragraph 4 on “grouped data plate”, the Board was of the opinion the no amendment to the legal text of the TIR Convention was required. In this context, the Board, recalling that, at its fifty-ninth session, it had mandated the secretariat to start working towards the development of an electronic database on certificates of approval, requested

the secretariat to pursue this activity (Please also refer to activity No. 13).

- At its sixty-third session (April 2015), the Board took note of progress made in the United Nations Development Account (UNDA) project “Strengthening the capacities of developing countries and countries with economies in transition to facilitate legitimate border crossing, regional cooperation and integration”. In particular, it took note that a kick-off meeting for the UNECE sub-project had taken place in Tbilisi on 8 March 2015.
- At its sixty-fifth session (October 2015), the Board took note of progress made in the UNDA project, in particular, that UNECE has successfully organized a Customs-to-Customs (C2C) data exchange workshop (22–23 June 2015, Tbilisi) and that the TIR secretariat contributed to a C2C data exchange workshop organized by the Economic and Social Commission for Asia and the Pacific (ESCAP) (7–8 September 2015, in Issyk-Kul (Kyrgyz Republic), by presenting and discussing the TIR Convention and the eTIR Project.
- At its sixty-sixth session (February 2016), the Board took note of the recent progress in the implementation of the UNDA project and, in particular, of:
  - (a) the extension of the project until June 2016 (30 September 2016 for the evaluation) by the United Nations Department of Economic and Social Affairs (DESA) to allow for the completion of the remaining activities;
  - (b) the successful conduct of the Customs-to-Customs data exchange workshop organized in partnership by United Nation Regional Commission for Western Asia (ESCWA) and the United Nation Regional Commission for Africa (ECA) (2–4 December 2015, Casablanca (Morocco));
  - (c) the continuation of the work on developing the data exchange platform and on providing technical assistance to Georgian customs authorities;
  - (d) the organization of the second inter-regional expert group meeting (20 June 2016, Geneva); followed by
  - (e) a seminar on Customs-to-Customs Electronic Exchange of Transit Data and the Adoption of Standard Electronic Messages (21 June 2016, Geneva). Developing countries and countries with economies in transition, interested in participating in the seminar, were invited to request funding from UNECE.
- At its sixty-seventh session (April 2016), TIRExB took note of the recent progress in the implementation of the UNDA project, in particular, of:
  - (a) the deployment of a first version of the central exchange platform at in the ICTS data centre and the continuation of the provision of technical assistance to Georgian Customs;
  - (b) the organization of a seminar on Customs-to-Customs Electronic Exchange of Transit Data and the Adoption of Standard Electronic Messages (20-21 June 2016, Geneva); followed by
  - (c) the second inter-regional expert group meeting (22 June 2016, Geneva).



- At its sixty-eighth session (June 2016), TIRExB took note of the recent progress in the implementation of the UNDA project, in particular, of:
  - (a) the organization of a seminar on Customs-to-Customs Electronic Exchange of Transit Data and the Adoption of Standard Electronic Messages (20–21 June 2016, Geneva); followed by
  - (b) the second inter-regional expert group meeting (22 June 2016, Geneva)
- At its sixty-ninth session (October 2016), the Board took note of the results of the United Nations Development Accounts project, in particular that the successful conduct of the closing Seminar for the Promotion of Electronic Exchange of Customs Information and the Adoption of Standard Electronic Messages in Geneva on 20-21 June 2016. Finally, the board took note that the final report of the project was sent to the United Nations Department of Economic and Social Affairs and that an external evaluation of the project had been conducted and will be made available on the UNECE web site.
- At its seventieth session (December 2016), the Board took note that the United Nations Development Account (UNDA) project was successfully concluded and that all relevant documentation about the project would be made available on the UNECE website. Therefore, the Board decided that this agenda item will be taken out future agendas (Informal document TIRExB/REP/2016/70draft, para. 30).
- At its sixty-ninth session (October 2016), TIRExB took note of the oral report of the twenty-fifth session of the Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1) on 19–20 September 2016 in Geneva. It noted that GE.1 had reviewed and welcomed the results from both eTIR pilot projects, acknowledging their contributions towards a fully fledged eTIR system. GE.1 had also assessed the first findings of the Group of Experts on Legal Aspects of Computerization of the TIR Procedure (GE.2) and acknowledged the need of close collaboration between both groups, in particular when dealing with issues such as electronic signatures. Furthermore, GE.1 had considered a number of pending amendments to the eTIR Reference Model v.4.1a.
- At its sixty-sixth session (February 2016), TIRExB was informed about the results of the Group of Experts on the Legal Aspects of Computerization of the TIR Procedure (GE.2) which held its first session on 16 and 17 November 2015 in Geneva. GE.2, inter alia, (a) adopted its work plan and its Rules of Procedure (b) discussed issues such as the compatibility of the eTIR legal framework with national legal requirements and, specifically, any elements where national legislation could create obstacles in implementing eTIR; the administration and financing of the eTIR international system; data confidentiality; identification of the holder and verification of the integrity of electronic data interchange messages; the legal status of the eTIR Reference Model and the procedure to amend it; and the administrative structure of the Protocol or any other alternative format. The complete report of the session, contained in ECE/TRANS/WP.30/GE.2/2, would be submitted to WP.30 for endorsement at its next session.
- At its sixty-sixth session (February 2016), TIRExB was informed about the outcome of the second session of the Group of Experts on Computerization of the TIR procedure (GE.2). The

session had been well attended (11 countries, EU and IRU), and the Group had identified ways forward on several issues. More specifically, GE.2 had decided to conduct a survey on electronic methods of authentication, including electronic signatures; the Group had also concluded that it would be necessary to identify the potential financing mechanisms as a matter of priority and to this end decided to develop a substantiated document that would eventually be transmitted for further consideration to the competent TIR intergovernmental bodies. Furthermore, GE.2 concluded that the eTIR Reference Model should be kept as a separate document with a relevant technical body to update, amend and maintain it with an established simplified procedure. Finally, GE.2 reviewed the possible formats of the eTIR legal framework and weighed the advantages and disadvantages of each option. In order to make progress, the main outcome of the session was that GE.2 requested to start reviewing draft legal text, to be prepared by the secretariat in both formats under discussion, in order to start concretely developing the legal framework at the next session.

- At its sixty-sixth session (February 2016), the Board took note of the first activities by the secretariat regarding the establishment of various mandated central databases and their time-line. In the context of ITDB, the TIR secretariat raised concerns about the status of data from various countries, not just with regard to (re)admission, withdrawal or exclusion, but also for contact information. The Board requested the secretariat to prepare a document for consideration at its next session, highlighting main concerns or issues that would, ultimately, warrant a final decision by AC.2.
- At its sixty-seventh session (April 2016), the Board took note of various concerns about the status of data contained in the ITDB and the usage of the tools available, i.e. the ITDBonline+ and the ITDBonline web services. The Board discussed the possible reasons that had led to the limited use of the ITDB tools and was of the view that customs administrations and national guaranteeing associations of TIR Contracting Parties should be reminded about the availability of the ITDB tools, encouraged to make use of them more actively and, possibly, asked about any obstacle they would have in using those tools. In order to improve the quality of the data contained in the ITDB, the Board was of the view that a comparison with the TIR Carnet holder data maintained by IRU would be welcome. The Board requested the secretariat to proceed with the comparison as soon as IRU would be in a position to provide the required data to the TIR secretariat. Furthermore, the Board agreed with the idea that queries made by means of the ITDB web services about TIR Carnet holders who do not exist in the database could be notified to the customs administrations concerned. Finally, the Board agreed that a test/demonstration version of the future version of the ITDB would be very useful, not only for the training of national associations but also for the training of customs officials, as well as for its promotion. Such version should, however, not be connected to the actual TIR Carnet holder data, but merely provide any interested parties with credentials to test and learn about the functioning of the ITDB.
- At the sixty-eighth session of TIRExB (June 2016), the secretariat informed the Board in detail about various features of the new ITDB. The secretariat was in the process of soliciting interest from national customs authorities and national associations to act as volunteers to test the new features as of July 2016. Members of TIRExB were equally encouraged to take part in the testing phase, which would continue until all features were functioning satisfactorily. The new ITDB is

planned to go live before the end of 2016. The secretariat underlined that the new method of presentation does, by no means, affect any of the functionalities of ITDB. Further to questions by various members and IRU on “withdrawal” versus “exclusion” of TIR Carnet holders, the Board requested the secretariat to prepare a document, clarifying the difference, for consideration at its next session, under a separate agenda item.

- At its sixty-ninth session (October 2016), TIRExB was informed about the progress in implementing ITDB online+ and other Information Technology (IT) projects managed by the TIR secretariat. It noted that all IT tools provided by the TIR secretariat were functioning well and that the first prototype of the new application was released to a group of focal points in September 2016 for testing. TIRExB thanked customs authorities and national associations who had volunteered to test the new application and looked forward to the introduction of the new ITDB for all Contracting Parties, which was expected to take place in the beginning of 2017. TIRExB further took note that the secretariat was developing, as part of the new ITDB, a database for TIR approved customs offices, which should be launched by mid-2017. TIRExB confirmed the existing legal practice, where exclusions in accordance with Article 38 of the Convention should be applied for foreign transport operators, whereas withdrawals should be used to temporarily or permanently stop the activities of national TIR Carnet holders, in accordance with Article 6, paragraph 4 and Annex 9, Part II, paragraph 1 (d).

- At its seventieth session (December 2016), TIRExB was informed about the progress in implementing the new ITDB and other Information Technology (IT) projects managed by the TIR secretariat. In particular, it noted that (a) the new ITDB is ready and that currently the migration of data from the old database to the new one is taking place; (b) a security audit will be conducted in December 2016 or January 2017, prior to the introduction of the new ITDB for all Contracting Parties as of February 2017; (c) the ITDB web service has been redesigned and modernized and that it is now being tested by the customs administration of Finland. Once ready, Contracting Parties are encouraged to link up to the webservice; (d) the secretariat envisages a comparison between the ITDB and the IRU databases, in order to assess divergences, which will then be submitted to customs authorities for further verification. . In the context of the introduction of the new ITDB and its web service, the secretariat raised the issue of the Model Authorization Form (MAF), contained in Annex 9, Part II, which still allows countries to submit ITDB data on paper. In the view of the secretariat, such practice, which is resource consuming for countries as well as the secretariat, leading to delays in keeping ITDB up to date, should be phased out and be replaced by electronic submission only. TIRExB requested the secretariat to present the new ITDB and its web service to WP.30 and AC.2 in order to promote their functionalities and practicalities. Further, TIRExB reiterated the requirement for countries to send any data or update related to authorized TIR Carnet holders to the TIR secretariat, preferably by means of the proper use of electronic applications developed to this end by the TIR secretariat under the supervision of the TIR Executive Board, as stipulated by Explanatory Note 9.II.4 and within the deadlines imposed by Annex 9, Part II (Informal document TIRExB/REP/2016/70draft, paras 16-17).

11

**(3) To supervise the functioning of the TIR international guarantee system**

- 
- Monitor the settlement of customs claims, on the
  - At its sixty-third session (April 2015), TIRExB recalled that AC.2, at its sixtieth session
-

*Outputs expected in 2015 and 2016*

basis of information provided by national customs authorities and IRU;

- Conduct a survey on Customs claims and the TIR guarantee level covering the years 2011–2014.

*Main accomplishments*

(February 2015), had been of the view that the proposals by the Russian Federation to amend Annex 9, Part I, paragraph 3 (ii) as well as Article 8, paragraph, 1 were closely related to issues on the introduction of various guarantee levels (20,000, 60,000, 100,000, 200,000 euros and, possibly, full guarantee coverage) or the use of additional guarantees, currently under discussion by TIRExB and, therefore, had mandated the Board to consider them. The Board requested the secretariat to include in the draft informal document the pros and cons for each of the envisaged options: (1) each country determines independently maximum guarantee amount valid in that country; (2) the introduction of various guarantee levels (at 20,000 euros, 60,000 euros, 100,000 euros and 200,000 euros); (3) unlimited guarantee coverage; (4) general increase of the recommended maximum guarantee amount. A final document should be presented to AC.2 at its October 2015 session.

- At its sixty-fourth session (June 2015), the Board took note of a preliminary analysis by IRU of introducing various guarantee levels. The possible impact thereof on the TIR insurance premiums (paid by IRU to AXA Assurances SA to provide guarantee coverage) could range from –10/–5 per cent for 20,000 euros TIR Carnets, 0/+5 percent for 60,000 euros TIR Carnets, +20/+25 per cent for 100,000 euros TIR Carnets to a potential increase of +35/+40 percent for 200,000 euros TIR Carnets, depending on the number of TIR Carnets used per guarantee level and the number of vouchers per TIR Carnet (4, 6, 14 or 20), amounting up to twenty different scenarios. In the view of IRU, such complexity would increase the workload for IRU and its member associations and, thus, would undoubtedly increase the operational costs, perhaps even up to +15 per cent for the TIR Carnet distribution price, invoiced by IRU. In addition, introducing a flexible guarantee system would require a number of legal and financial adjustments, such as, but not limited to, amendments of the national guaranteeing agreements, as well as creating many practical problems for TIR Carnet holders and customs authorities in determining which TIR Carnet to use for a particular TIR transport. In conclusion, based on the described assessment, it appeared, in the view of IRU, that introducing flexible guarantee levels leads to an increased level of complexity of the system, with little or no real advantages for the public and the private sector. Based on the experiences with its TIR+ voucher pilot, IRU stated that a general global increase of the guarantee level to, for example, 100,000 euros seemed to provide an appropriate solution to safeguard the TIR system in the nearest future.

- In conclusion, the Board requested the secretariat to:

- (a) Amend the assessment with the findings of the Board at this session, in particular with regard to the various pros and cons of each option;

- (b) Refine the description of option (1) and change the wording of option (5);

- (c) To include references to the TIRExB surveys on customs claims, including the fact that major countries, among which those that advocate that changes in the guarantee level are required, had not contributed to the last survey;

- (d) To reflect that rather than imposing unlimited guarantee, solutions need be found which ensure the collection of all customs duties and taxes.

- At its sixty-fifth session (October 2015), TIRExB concluded its assessment and submitted it to

AC.2 for its consideration.

- At its sixty-sixth session (February 2016), IRU informed the Board about the availability of IRU to raise the guarantee level to 100,000 € for all Contracting Parties that would express an interest. The international insurer had already or would provide national associations with the appropriate certificates for transmission, via the competent national authorities, to TIRExB. As repeatedly requested by the Board, IRU finally provided information on the breakdown of the prices of TIR Carnets. The secretariat reminded IRU that, in case of a raise of the guarantee level, national guarantee agreements had to be amended accordingly and that such information would have to be deposited with TIRExB, in accordance with the provisions of Annex 9, Part 1, paragraph 2.
- At its sixty-seventh session (April 2016), TIRExB took note of the considerations on, namely, the financial and other possible implications of introducing full guarantee coverage as described in scenario 3 of the TIRExB assessment (either full guarantee coverage for all Contracting Parties or, alternatively, that each country is free to set its own maximum guarantee amount or could decide not to set a maximum at all) (see also ECE/TRANS/WP.30/AC.2/2016/7, Part VI). The Board was of the view that the main concern would be the impact on the prices of TIR Carnets; in this regard, the representative of IRU was requested to provide information on how the scheduled increase of the guarantee level per TIR Carnet to 100,000 euros as of 1 July 2016 would affect the prices, as this would perhaps provide an indication on the basis of which further discussions could take place. The representative of IRU clarified that, further to extensive negotiations with the insurers and mainly due to the low overall number of claims, IRU had been able to secure the increase of the guarantee level without any effect on the current TIR Carnet prices. However, IRU also indicated that, from the insurers' perspective, a calculation of risks for unlimited guarantee coverage would not be possible and that, in such a case, a dramatic increase in premiums – which would be reflected in the TIR Carnet prices – would be unavoidable. TIRExB took note of this, but invited IRU to provide, nevertheless, as much information as possible on the scenario of unlimited guarantee coverage as contribution to the Board's assessment.
- Furthermore, questions were raised with regard to the possible implications of scenario 3bis, namely that some countries may opt for not setting a maximum amount at all, while others would operate on the basis of a fixed maximum amount. In this regard, the issue at stake was that the fact that the unlimited guarantee risk would be distributed evenly over all countries and, ultimately, reflected in the TIR Carnet price for all operators, i.e. the entire system would be equally contributing to the higher risks/insurance premiums of few Contracting Parties. Against this background, questions on fairness and equitability were raised. In addition, the increased complexities of managing the guarantee chain under scenario 3bis were also highlighted. As a result, several Board members were of the view that any change in the guarantee level should follow a harmonized approach, i.e. be applicable in all Contracting Parties as per scenario 3. The Board also was of the view that it may be useful to invite insurance specialists at a future session, in order to obtain a clearer understanding of the risk calculation processes.
- The Board also considered the potential implication of full guarantee coverage compromising the principle of seeking payment from the person(s) directly liable. In this respect, the Board was of the view that this principle would not and should not be compromised, as the provisions of the

Convention in this respect are clear: customs authorities ought to direct any claim firstly to the responsible TIR Carnet holder, before seeking payment from the guarantor. On the other hand, several Board members recognized the difficulty of finding the directly liable TIR Carnet holder when he is registered/domiciled in another Contracting Party, which makes resorting to the guarantor the only realistic solution. Such difficulties, according to several members, have occurred for various reasons but mainly due to either refusal to pay/refusal to acknowledge receipt of notification, or – quite often – because the person(s) directly liable cannot be found. In this respect, TIRExB was of the view that, on the one hand, ensuring a fully updated ITDB should become a priority, whereas, on the other hand, it seemed warranted to strengthen cooperation between customs authorities in different countries and explore mechanisms to find and notify foreign TIR Carnet holders as well as to secure payment from them.

- At its sixty-seventh session (April 2016), the Board took note of preliminary results of the survey on customs claims and on the guarantee level for the period 2011–2014. The Board regretted that only 36 countries had responded to the survey and, in particular, the absence of responses from important TIR countries such as Bulgaria, Romania and Ukraine, which prevented a comparison with data from previous years. The Board noted that the reply of the Russian Federation, which had been submitted shortly before the meeting, was not included in the preliminary results. The Board requested the secretariat to send an official letter to the Director Generals of those customs administrations that have not yet replied, urging them to respond to the questionnaire before 15 May 2016 so that their data could be inserted in a revised version of the document.
- The Board welcomed the new presentation of the aggregated survey results, i.e. with no differentiation between EU and non-EU countries, as well as the detailed country data presented in the Annex of the document. The Board acknowledged that the figures from certain countries appear to contain mistakes, i.e. average claims to the associations exceeding the maximum guarantee amount and requested the secretariat to clarify those data with the respective TIR focal points.
- With regard to the results of the survey, the Board noted that the rate of withdrawn claims had reduced significantly but that still 54 per cent of payments were made after the 3 month deadline stipulated by the TIR Convention. It also noted that the differences between the IRU statistics and the data obtained by means of the survey still diverged significantly, and requested the secretariat, once again, to refer to those differences when launching the next survey.
- Finally, the Board noted that only a few countries had raised concerns about the current guarantee limit. While pointing at the forthcoming general increase of the guarantee limit announced by IRU, the Board was hopeful that the situation would further improve and that, in the future, even fewer countries would impose additional control measures, in particular additional national guarantees. In order to identify the countries that impose additional control measures, the Board requested the secretariat to indicate the country names in the part presenting the results of the survey on the guarantee level
- At its sixty-eighth session (June 2016), TIRExB continued its discussions on the financial and other possible implications of introducing full guarantee coverage as described in scenario 3 of the TIRExB assessment (either full guarantee coverage for all Contracting Parties or, alternatively, that

each country is free to set its own maximum guarantee amount or could decide not to set a maximum at all). In the context of its discussions, TIRExB also took note of proposals by IRU to conduct a survey, in order to better calculate the price of TIR Carnets in case of full guarantee coverage. In conclusion, the Board decided, for now, not to conduct a survey, as, at this stage, it was premature to consider the introduction of full guarantee coverage. At the same time, TIRExB agreed to continue discussing the issue and called upon IRU, in collaboration with national associations and the international insurers to bring any relevant data to the attention of TIRExB, for consideration at its next session. Further to the kind offer from the side of IRU, done at the 67th session, TIRExB encouraged IRU to invite an expert from the insurers (AXA) to attend part of the next session of the Board for the sake of clarifying how insurers calculate risks and determine the required amount to cover them and other related issues of interest to the Board.

- At its sixty-ninth session (October 2016) TIRExB welcomed Mr. Andreas Schiller from AXA Winterthur and Mr. Daniel Sculati from IRU in their capacity as insurance experts, who had been invited for the sake of clarifying how insurers calculate credit risks and determine the required premium to cover them. 8. Mr. Schiller explained, in a nutshell, that credit risk is defined as a calculation of exposure (= nominal guarantee value of any TIR Carnet) multiplied by the loss given default (ultimate loss after all recoveries by the policy holder) multiplied by the probability of default (probability of insolvency of the principal debtor), leading to the expected loss (or, in a simplified way: severity x frequency = loss). In addition, international insurers need to dispose of sufficient capital to cover a so-called 200 year event, in compliance with the EU directive 209/138/EC of 25 November 2009, meaning that insurers must be capitalized to withstand 99.5 percent of events which could arise over any coming year, which is a significant burden on their balance sheet.

- At that session, In conclusion of its thorough assessment, the Board considered that, for now, insufficient unequivocal justification can be found for any of the studied scenarios, including the Russian proposal not to set a maximum guarantee amount (as already submitted to AC.2 for further considerations) and decided to report to AC.2 that its assessment is inconclusive to the extent that it is not possible for TIRExB to judge the quality and the consequences of any change in the current practice, other than raising, for now, the recommended maximum guarantee amount from 60,000 euros to 100,000 euros. Any further raise could be studied at a later stage, once the consequences of the increased recommended amount become known. The Chair of the Board was requested to inform AC.2 of these findings.

- At its seventieth session (December 2016), The Board welcomed Informal document No. 26 (2016), prepared by the secretariat and containing an overview of the ATA<sup>1</sup> and CPD<sup>2</sup> Carnet systems. The Board appreciated the quality of the assessment, elaborating the main elements of the respective Conventions and the guarantee mechanisms in place. The Board was of the general view that, although similar to the TIR guarantee system, both the ATA and CPD guarantee mechanisms

<sup>1</sup> Admission Temporaire.  
<sup>2</sup> Carnet de Passage en Douane

present notable differences compared to TIR. Some examples mentioned were that: (i) the ATA Carnet is significantly more expensive than the TIR Carnet (up to three times more expensive); (ii) in most cases of temporary importation under cover of ATA Carnets the goods are of low value (iii) notably, the risks associated with ATA use are deemed manageable to the extent that there is no international insurer in the system and, in fact, a number of associations do not even deem it necessary to establish a national insurance backing; (iv) ATA Carnets are primarily used by the owners of the goods and not by the transporter/carrier; (v) CPD Carnets are used for vehicles only and (vi) each ATA Carnet issued is calculated individually on the basis of the goods declared for temporary importation, with the additional requirement that the ATA Carnet user procures an individual insurance policy. At the same time, some Board members pointed out that, despite such differences, there are positive elements relating to the attribution of liability and the payment mechanisms that could be used as a basis for further consideration of possible amendments to the TIR Convention. Against this background, Mr. S. Amelyanovich (Russian Federation) reiterated to the Board that the ATA and CPD practice, allowing for direct appeal to the guaranteeing association, i.e. consideration of the guarantor as directly liable for the debt, would merit further consideration by TIRExB. The secretariat clarified, on this point, that the issue of liability is linked to the level of risk involved and that, ultimately, any consideration on liability could not be isolated from the corresponding financial considerations. In the context of this discussion, the secretariat offered to recirculate document TRANS/WP.30/2005/15 on the distinction between surety and guarantee, for consideration by the Board at its next session. As a final point on this issue the Board – pursuant to a request by Mr. S. Amelyanovich – requested the secretariat to transmit, for the next session, information on the guarantee management system of the Common Transit Convention as this, in the view of Mr. S. Amelyanovich, would allow the Board to review additional practices that may be of use for the considerations of the Board (Informal document TIRExB/REP/2016/70draft, paras 8-9).

- At its sixty-eighth session (June 2016), The Board took note of the results of the survey on customs claims and on the guarantee level for the period 2011–2014. The Board noted that 42 countries had responded to the survey but regretted that, despite numerous reminders, important countries such as Romania and Ukraine still had not. With regard to the results of the survey, the Board noted that the rate of withdrawn claims had decreased but that still 45 per cent of payments are made after the three month deadline stipulated by the TIR Convention. It also noted that the IRU statistics and the data obtained through the survey still show differences and requested the secretariat to continue referring to those differences when launching the next survey. Finally, the Board noted that there seem to be differences in the way countries report data on claims addressed at person(s) directly liable and decided that, for the next survey, instructions should be clarified. The Board decided to transmit the summary results of the survey to AC.2, including data that will arrive before 31 July 2016, i.e. so that the document could be submitted as official document for the consideration of AC.2 at its October 2016 session, without any reference to specific countries. Furthermore, if so deemed necessary, the Board agreed to revert to the data, in case the secretariat would issue a second revision of the document.

- At its sixty-ninth session (October 2016), the Board took note of revised results of the survey on customs claims and on the guarantee level for the period 2011–2014. It welcomed the fact that 46



countries had finally responded to the survey and noted that, overall, the results are very comparable to those gathered by the 2011 survey for the period 2007–2010. However, the Board noted that the ratio of claims withdrawn by customs had fallen to 24 per cent and that more than fifty percent of claims are paid by the guaranteeing association within the three month deadline stipulated the TIR Convention. Finally, the Board noted that if, overall, the claims survey is now aligned with the IRU statistics, differences can still be seen on a country level. Therefore, the Board instructed the secretariat to continue indicating the differences between the IRU statistics and the results of the survey in the communications with national customs administrations when launching the next survey. Finally, the Board requested the secretariat and IRU to look into the possible reasons for the increase in the number and amounts of claims from 2013 to 2014 in some Contracting Parties.

- At its seventieth session, the Board considered Informal document No. 27 (2016). The Board was of the view that, in the light of the information provided, the 2014 increase was due to a set of specific events, including new patterns of serial fraud, to which the concerned customs administrations had reacted by improving controls. Despite the fact that the situation appears to have returned to normal in 2015 and 2016, the Board was of the view that customs administrations should take specific measures to prevent serial fraud by dishonest transport operators (Informal document TIRExB/REP/2016/70draft, para. 21).

**(4) To support training activities on the application of the TIR Convention, mainly in Contracting Parties where difficulties are experienced or might be expected in this area.**

- Organize and substantially contribute to regional and national workshops and seminars on the application of the TIR Convention, where possible with particular focus on topical as well as technical issues;

- Update and distribute the TIR Handbook in the official United Nations languages;

- Prepare and distribute, also via Internet, training material on the application of the TIR Convention;

- A number of regional and national workshops and seminars on the application of the TIR Convention have been conducted in the course of the current mandate (see ECE/TRANS/WP.30/AC.2/2015/19, para. 34; ECE/TRANS/WP.30/AC.2/2016/1, paras. 30–31; ECE/TRANS/WP.30/AC.2/2016/11, para. 36; ECE/TRANS/WP.30/AC.2/2016/12, para. 27; ECE/TRANS/WP.30/AC.2/2016/13, paras 38–41; ECE/TRANS/WP.30/AC.2/2017/1, paras 28–32; ECE/TRANS/WP.30/AC.2/2017/2, paras. 33–34; Informal document TIRExB/REP/2016/70, para 29);

- The Administrative Committee for the Customs Convention on Containers, 1972, at the headquarters of the World Customs Organization (WCO), in April 2015;

- WCO IT Conference and Exhibition which took place in Freeport (Bahamas) from 6–8 May 2015, where the TIR secretariat, in partnership with the IRU, had promoted the TIR Convention and its computerization;

- A TIR Regional seminar, Dushanbe (19–22 May 2015);

- Workshop in Cairo, organized in the framework of the Euro-Mediterranean Partnership (EUROMED) project, funded by the EU (May 2015);

- Mission accompanying the Executive Secretary of UNECE at his visit to Xi'an (China), on 27 and 28 May 2015, where he, as a keynote speaker, recommended the use of the United Nations legal instruments, in particular the TIR Convention, to facilitate transport and trade among

Countries of the “belt and road” to assist in promoting the TIR Convention at an international forum of Heads of customs administrations;

- The TIR secretariat participated in the Asia-Pacific Trade Facilitation Forum (20–21 October 2015, Wuhan (China)) and contributed to the panel discussion on “Enhancing regional connectivity through trade and transport corridor facilitation” by showcasing the potential benefits of TIR in the Asia–Pacific region;
- The World Customs Organization (WCO) Working Group on the World Trade Organization Trade Facilitation Agreement (Brussels, 12–13 October 2015) and in the joint UNECE-IRU event held at the end of the Working Group session with the objective of promoting accession to the TIR Convention by African countries;
- In collaboration with IRU, the TIR secretariat promoted the UNECE-IRU eTIR Pilot Project at the fifth WCO Technology and Innovation Forum (26–29 October 2015, Rotterdam (The Netherlands));
- The secretariat also took part in the twenty-sixth Forum of the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT), which was held in Marseille, France on 3-6 November 2015. The secretariat followed the discussions on the CEFACT “Transport & Logistics Domain” and presented the latest developments of the eTIR project as well as the linkages between the TIR Convention and the Trade Facilitation Agreement;
- The secretariat presented the TIR Convention and the eTIR project at the Workshop on Customs-to-Customs Electronic Data Exchange, which took place in Casablanca (Morocco) on 2-4 December 2015;
- The Second Inter-Agency Consultative Group (IACG) Meeting on the Follow-up and Implementation of the Vienna Programme of Action for LLDCs for the Decade 2014-2024 (VpoA), which was organized in New York on 10 and 11 December 2015 by the United Nations Office of the High-Representative for Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (UN-OHRLS);
- The TIR secretariat contributed to the discussions, by means of pre-recorded video conferencing, at the side event on promoting the ratification and implementation of trade and transport facilitation legal instruments in Africa at the ninth Joint African Union Commission (AUC)–Economic Commission for Africa (ECA) Annual Meeting of the AU Conference of Ministers of the Economy and Finance and ECA Conference of African Ministers of Finance, Planning and Economic Development (3 April 2016, Addis Ababa);
- The National Workshop on the Mainstreaming of the Vienna Programme of Action for landlocked developing countries (LLDCs), which took place on 27 and 28 April 2016 in Ulaanbaatar;
- Global seminar on the importance of key Trade and Transport Conventions on 9 May 2016 in New York, co-organized by UNECE and the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island States (UN-

OHRLLS). The seminar raised awareness and understanding of the process, potential benefits and implications of accession to international conventions related to facilitation of transport and trade;

- The third Global World Customs Organization (WCO)-Authorized Economic Operator (AEO) Conference (11–13 May 2016; Cancun (Mexico));
- WCO IT Conference (1–3 June 2016, Dakar) to present and promote the TIR Convention, the UNECE/IRU eTIR Pilot Project as well as other eTIR pilot projects.
- WCO transit workshop (Abidjan, 27 June–1 July);
- Informal Group of Experts on the development of a new Convention on facilitation of border crossing procedures for passengers and baggage by rail (Warsaw, 26-27 July 2016);
- Twenty-fourth OSCE Economic and Environmental Forum (Prague, 15 September 2016);
- OSCE-WCO Workshop on Enhancing Trade Facilitation through the Improvement of Regional Transit in Central Asia (Astana, 27-29 September 2016).
- International Conference on laying the foundation in the UNECE region for economic integration and sustainable development towards 2030 (Minsk, 26-27 October 2016);
- Workshop on the World Customs Organization (WCO) transit guidelines (Lusaka, 31 October-4 November 2016);
- WCO ATA/Istanbul Convention Administrative Committee (Brussels, 14 November 2016);
- International Logistics Forum for the Americas (Mexico City, 22-23 November 2016);
- Global Sustainable Transport Conference, Ashgabat (26-27 November 2016)
- See also activity 5.

**(5) To promote the geographical expansion of the TIR system**

- Promote the TIR Convention at regional and national workshops, seminars and conferences on transit, trade and transport facilitation or related issues, in particular in regions where countries have expressed an interest to accede to the TIR Convention in the near future (such as, but not limited to, Argentina, China, Pakistan and the United Arab Emirates);
- Provide technical assistance and advice to interested parties.

- At its sixty-fifth session (October 2015), TIRExB took note that, in an effort to promote the geographical expansion of the TIR Convention, the TIR secretariat, on 28 August 2015, had presented (by means of video conferencing equipment) the TIR Convention at a meeting of Heads of customs administrations, organized by the Secretariat of Central–American Economic Integration (SIECA). The Board also noted that the secretariat will be participating in the World Customs Organization (WCO) Working Group on the World Trade Organization (WTO) Trade Facilitation Agreement (12–13 October 2015, Brussels) and in the joint UNECE–IRU event planned to be held at the end of the Working Group session, with the objective of promoting accession to the TIR Convention by African countries
- See also activity 4.

**(6) To supervise the centralized printing and distribution of the TIR Carnets, including the monitoring of the price of TIR Carnets**

- Monitor the annual numbers of TIR Carnets distributed to various Contracting Parties, broken

- At its sixty-fourth session (June 2015), TIRExB was informed that, as of number XF 79 400 001, the cover page of TIR Carnets are printed on a new type of paper, giving it a slightly lighter colour.

*Outputs expected in 2015 and 2016*

down by type (i.e. 4-, 6-, 14- or 20-voucher TIR Carnets);

- Monitor the price of TIR Carnets at international level (i.e., ex-IRU price) on the basis of information to be reported by IRU annually or when modified;
- Analyse the data on prices of TIR Carnets at the national level, as provided by National Associations in line with to Annex 9 Part I, paragraph 3 (vi), and decide how to make the best use of these data.

*Main accomplishments*

The thickness (150 gm<sup>2</sup>), watermark and quality of the paper, as well as all other security features remain unchanged, however there might be a slight difference to the touch.

- At its sixty-fifth session (October 2015), the Board considered the data received from fifty issuing associations with the prices of each type of TIR Carnet it issues. The Board noted, with pleasure, that, each year, more associations observe this requirement. The Board also welcomed the preliminary analysis by the secretariat and took note that the prices of TIR Carnets generally follow the principle of economies of scale and that the secretariat could not find any variable that explains the great variability of the cost of a TIR Carnet, in particular the variables used as proxies for the costs of running the associations. Finally, the Board noted that only eight associations have a different issuing price for their members or national transporter compared to non-members or foreign transporters and that the associations in Kyrgyzstan, Sweden and Tajikistan charge premiums significantly higher than the average and exceeding 100 USD. The Board requested the secretariat to submit the document to AC.2 for consideration.
- At its sixty-seventh session (April 2016), IRU informed the Board that, in order to simplify the administration and to reduce costs for the printing and handling of TIR Carnets, IRU had decided to issue, for the future, only two types of TIR Carnet, viz. 6 and 14 vouchers. There would be no influence on the price, the price for a 6-voucher TIR Carnet having been set at 25 Swiss francs and for a 14-voucher TIR Carnet at 59 Swiss francs. In addition, some minor visual changes would be applied: (1) introduction of the new IRU logo; (2) the embossed truck in the red circle at the top right was replaced by a printed globe with the words “TIR” in the middle; (3) boxes 4 and 5 had been slightly restructured in to order to increase the space below box 11. Finally, IRU informed the Board that its auditors had obliged IRU to find a second printing company in order to reduce dependency of a single printing source, while maintaining a single standard of quality. The new TIR Carnets would be put into circulation when the existing stocks would be exhausted. In reply to a question from the Board, IRU confirmed that the TIR secretariat and WP.30 would be officially informed of these changes, as well as all TIR focal points. Finally, IRU informed the Board that internal discussions about reintroducing – in one form or other– the so-called Tobacco-Alcohol TIR Carnet (for high value goods, in particular alcohol), was still ongoing.
- At its sixty-eighth session (June 2016), the Board took note of considerations by the secretariat on changes to the size of boxes 4, 5 and 11, as proposed by the IRU for the new layout of the TIR Carnet, as well as on the signature by the secretary of the international organization in box 5. In this context, the Board recalled that Annex 1 of the TIR Convention describes the model of the TIR Carnet and provides the rules regarding its use. However, it does not contain any provisions on issues such as, but not limited to, size of the TIR Carnet, exact dimensions of the boxes, colour of the cover page, font or letter type of the text, etc. With regard to the signature of the secretary of the international organization, the Convention does not contain any provisions or instructions either. However, considering that Swiss law allows the signatures of individuals who represent organizations or businesses on whose behalf documents are signed to be printed or stamped, the printed signature of Mr. Umberto de Pretto in his capacity of Secretary General of IRU meets all applicable legal requirements. TIRExB also took note of all changes in the new layout of 6 and 14 Voucher TIR Carnets, gradually to be brought into circulation as of 1 July 2016. IRU indicated that

customs administrations will be fully informed of the new layout and will receive specimens.

- At its seventieth session, the Board recalled that, at its previous session, it took note of Informal document No. 22 (2016) containing the data received from national issuing associations on the prices of TIR Carnets and mandated the secretariat to issue a revision of the document including an analysis of the prices. The Board welcomed Informal document No. 22 (2016)/Rev.1, in particular the analysis part, which shows that (i) TIR Carnet prices had gone down in a majority of Contracting Parties, (ii) the principle of economies of scale is generally respected in the price setting for TIR Carnets and (iii) there is no statistical evidence that associations in countries with higher Gross Domestic Product (GDP) per capita charge higher premiums. The Board requested the secretariat to transmit the prices to AC.2 and to publish them on the TIRExB website. Furthermore, the Board was of the view that, due to the general nature of the requirement of Annex 9, Part I, para. 3 (vi), stipulating that national associations provide TIRExB, annually, before 1 March with 'the price' of each type of TIR Carnet it issues, the prices as reported by national associations might vary in composition (including, for example, or not, Value Added Tax (VAT), insurance fees, etc.). As a consequence, the Board agreed with the draft disclaimer contained in Informal document No. 22 (2016)/Rev.1. and requested the secretariat to include it on the web page where prices are reproduced as well as in future AC.2 documents with TIR Carnet prices. The Board requested the secretariat to prepare, for the next session, a draft survey aimed at collecting data on the composition of TIR Carnet prices, which would further harmonize the prices reported and ensure a timely provision of TIR Carnet prices by national associations (Informal document TIRExB/REP/2016/70draft, paras. 22-23).

**(7) To facilitate the settlement of disputes between Contracting Parties, associations, insurance companies and international organizations without prejudice to Article 57**

- Analyse and monitor disputes referred to the Board and make recommendations (if necessary) to facilitate their settlement.

- At its sixty-third session (April 2015), TIRExB discussed a request from the national association of the Republic of Moldova to the TIR governing bodies to consider a problem faced by Moldovan transporters when transiting Ukraine with wine-making materials and wine in bulk under cover of a TIR Carnet. Mr. Somka (Ukraine) explained the Board that the transport of alcohol and tobacco products on the territory of Ukraine had been facing restrictions since the entry into force of a new customs code in 2012. However, a draft new law had just been passed by the cabinet of ministers of Ukraine and it was expected that the restrictions be lifted within one month.

- At its seventieth session (December 2016), Mr. Somka informed the Board that the Parliamentary Committee for Tax and Customs Policy of Ukraine had approved a draft new law, lifting restrictions for the transport of alcohol and tobacco products on the territory of Ukraine under cover of TIR Carnets. However, the adoption of the law could remain forthcoming (Informal document TIRExB/REP/2016/70draft, para. 20).

- At its sixty-fifth session (October 2015), TIRExB considered questions with regard to a list of thirty-four border crossing points where the Russian Federation would accept TIR Carnets. According to complaints lodged by transport operators, the said border crossing points still refuse to accept TIR Carnets. The Board also considered a letter from the Government of Ukraine, informing

the Board that the State Fiscal Service (SFS) of Ukraine, despite repeated attempts over a period of various months, by 8 August 2015, still had not received a list of border crossing points on the territory of the Russian Federation that accepted TIR Carnets, in accordance with the provisions of Article 45 of the Convention.

- In conclusion, the Board took note of the information, in particular the status of the draft Decree and decided to revert to the issue at its next session.
- At its sixty-sixth session (February 2016), TIRExB took note of a letter by the First Deputy Ministry of Infrastructure of Ukraine to the Chair of TIRExB. The letter, dated 3 September 2015, recapitulates the situation at the border between the Russian Federation and Ukraine since the announcement by the Federal Customs Service (FCS) of the Russian Federation on the determination of a list of border crossing points open for TIR transports. In particular, the letter informs that, until that date, no such points had been established. Mr. Amelyanovich (Russian Federation) informed the Board that, in an official decree from 14 December 2015, a list with forty-five border crossing points open for TIR transports, had been established and that the decree had entered into force on 22 January 2016. The list had been established after consultations with legal experts from neighbouring countries. In conclusion, the Board took note of the progress made in the application of the TIR Convention on the territory of the Russian Federation further to the establishment of the list with forty-five border crossing points open for TIR transports, while noting, at the same time, that problems in the application of the TIR Convention at some border crossing points still remain.

**(8) To study specific measures (both legal and practical) to combat fraud resulting from the misuse of the TIR procedure**

- Identify possible weaknesses in the legal basis of the TIR Convention which could make it prone to fraud and recommend appropriate solutions.

- No specific measures were reported to TIRExB during the current mandate. One Fraud Report Form (FRF) was posted at the restricted TIR customs focal point webpage.

**(9) To facilitate the exchange of information between competent authorities of Contracting Parties, national guaranteeing associations, IRU and other Governmental and non-governmental organizations. To coordinate and foster the exchange of intelligence and other information among competent authorities of Contracting Parties**

- Elaborate adequate instruments and find measures to improve international cooperation among Contracting Parties to the TIR Convention and their national associations, and the international organization in order to prevent and combat fraud;
- Taking into account the views of other international governmental and non-governmental bodies, and in consultation with the IRU, identify fraud prevention measures, including risk analysis tools;
- On the basis of information provided by the TIR

- At its sixty-fifth session (October 2015), the Board took note of information about defects of a vehicle with sliding sheets approved for transport under cover of TIR Carnets by the customs authorities of Croatia. The Board welcomed the prompt response by the Croatian customs authorities, in which they confirm that they revoked the certificate of approval of that vehicle.
- At its sixty-seventh session (April 2016), TIRExB took note of articles in the Swiss press and emails that had been circulated, also among some members of TIRExB, with accusations of financial wrongdoings at the address of the management of IRU. IRU categorically rejected all the accusations, stressing that the General Assembly, at its session of 8 April 2016, had expressed its full support of the IRU management and Secretary-General. The IRU Presidential Executive had instructed an external audit to clarify the situation. IRU could not provide further information on the submission of an official complaint with the Swiss State Prosecutor. TIRExB invited IRU to

international guarantee chain, study the situation with regard to the new trends of fraud, the notifications of non-discharge and TIR infringements as a contribution to an "early-warning system" for identification and prevention of fraud.

**(10) To supervise the national/regional customs control measures introduced in the framework of the TIR Convention**

- Identify national/regional Customs control measures introduced in Contracting Parties to the TIR Convention and check their conformity with the provisions of the TIR Convention;
- Address the respective national authorities in order to modify or abolish measures which are in contradiction to the TIR Convention;

provide more information on the issue at the forthcoming sessions of TIRExB and WP.30.

- At its sixty-eighth session (June 2016), TIRExB reverted to the allegations of financial mismanagement by IRU as reported in the Swiss press and circulated by email. IRU referred in this regard to a statement that Mr. Umberto de Pretto, Secretary-General of IRU would deliver to the Working Party on Customs Questions affecting Transport (WP.30) on 31 May 2016. IRU informed the Board that the Presidential Executive of IRU had commissioned an external audit and that, according to his knowledge, court proceedings following the deposition of a complaint by a former staff member of IRU with the General prosecutor of Geneva, had not yet started.
- At the seventieth session of the Board( December 2016), IRU informed of the outcome of the independent external audit. The Board reminded IRU of its commitment to share more extensive information on the final results of the audit with TIR governing bodies (see ECE/TRANS/WP.30/2016/289, Annex). IRU replied that it will do so, but that the final form of the report is still under preparation (Informal document TIRExB/REP/2016/70draft, para. 32).

- At its sixty-fourth session (June 2015), IRU informed the Board that on 29 May 2015, members of the Eurasian Intergovernmental Council had signed Order No. 12, which, inter alia, stipulated that the member States of the Eurasian Economic Union (EEU) should ensure uninterrupted application of the TIR Convention on the territory of the EEU and that the order would enter into force ten days after the date of its official publication. Mr. Amelyanovich (Russian Federation) confirmed the existence of Order No. 12, adding that it also instructed member States to closely cooperate to support the proposals by the Russian Federation to amend the provisions of the TIR Convention.

- At its seventieth session (December2016), the Board, at the request of the Chair of WP.30, addressed the issue of application of the TIR Convention on the territory of Belarus. In this context, Mr. S. Fedorov (Belarus), stated that in Belarus, as in the other Member States of the Eurasian Economic Union, the TIR Convention was applied without any limitations, meaning that TIR transports with a level of customs duties and taxes up to 60,000 euros were accepted for transit. In case of an excess, such transports were refused. In his view, supported by Mr. S. Amelyanovich (Russian Federation), this approach was justified by the fact that, in line with the provisions of the Convention, national associations only provide guarantee up to the recommended maximum amount. Other TIRExB members stated not to share this view, as it seriously impacted the relevance of the TIR Convention, to the detriment of the transport industry. They further stated that, in their view, countries should accept TIR Carnets for transit, irrespective of the level of customs duties and taxes, because, first of all, as a rule such level was not calculated for transit transports and, secondly, because the TIR Carnet holder, as primary debtor would be charged for the full amount. The international insurance chain would only be called upon in cases where the person(s) directly liable was unable to pay the amount due. In reply to a comment from TIRExB members and IRU, pointing at the possibility for competent authorities to raise the recommended maximum guarantee amount, Mr. S. Fedorov informed the Board that this currently was under consideration. TIRExB requested the secretariat to prepare, for discussion at its next session, providing its

considerations with regard to the issue (Informal document TIRExB/REP/2016/70draft, para. 19)<sup>3</sup>.

**(11) To monitor the application of the EDI control system for TIR Carnets**

- Continue activities, in cooperation with IRU, towards the full implementation of an international EDI control system for TIR Carnets, as foreseen by Annex 10 to the TIR Convention;
- Monitor performance and give feedback to the Contracting Parties;
- Study, with the support of IRU, how the EDI control system for TIR Carnets is being used by the national issuing associations and Customs authorities for the purposes of fraud prevention.

**(12) To maintain the central record for dissemination to Contracting Parties of information on all rules and procedures prescribed for the issue of TIR Carnets by associations, as far as they relate to the minimum conditions and requirements laid down in Annex 9**

Input to be provided by the IRU in case of changes.

**(13) To provide support in the application of specific provisions of the TIR Convention**

- Consider, at the request of AC.2, options to introduce more flexibility in the use of guarantees in the TIR Convention and, in particular, at the request of AC.2, on proposals to amend Annex 9, Part I, para. 3 (ii) and impact thereof on other provisions of the TIR Convention;
- When required, draft recommendations and/or examples of best practice on the application of specific provisions of the TIR Convention.
- As of its sixty-third session (April 2015), the Board considered a letter from the Bulgarian Ministry of Finance with a request for clarification of the temporary exclusion of a Bulgarian TIR Carnet holder on the territory of Turkey, due to irregularities that had occurred when conducting a common transit procedure, as well as further background information on the exclusion from the TIR secretariat and a letter of reply from the Ministry of Customs and Trade from Turkey. According to the Turkish customs administration, the concerned Bulgarian TIR Carnet holder had failed to present the transported goods at the customs office of destination. Instead, the goods had been directly delivered at the premises of the consignee. Further to an ongoing investigation by the chief public prosecutor on the suspicion of violation against Turkish customs legislation, Turkish customs authorities decided to apply the provision of Article 38 of the TIR Convention. Although the company concerned had appealed against the exclusion, the court had ruled in favour of the Turkish customs administration and the exclusion has since been resumed. In a first reaction, various TIRExB members confirmed that countries are authorized to exclude TIR Carnet holders from the TIR system, even in case the offence was committed under a different customs regime. At the same time, such decision should not be taken by authorities as an automatic mechanism of sanction in any circumstance, but should be justified according to the gravity of the infringement (See the Example of Best Practice with regard to the application of Article 38). According to some members of the Board, non-termination, in combination with the subsequent payment of the duties and taxes by the

<sup>3</sup> Subject to finalization of the draft report.



TIR Carnet holder, would usually not lead to exclusion. TIRExB also noted that judicial process was still ongoing in Turkey.

- At its sixty-fourth session (June 2015), TIRExB considered a request by the Government of Turkey to obtain clarification of the provisions of Article 11 of the TIR Convention. . In particular, Turkey had raised three questions:

- (a) What happens in case the TIR Carnet holder (for whatever reason) does not receive the notification of discharge?

- (b) Which language(s) should be used to send notifications to foreign TIR Carnet holders?

- (c) Which method of notification should be used to notify foreign TIR Carnet holders?

- In a consolidated reply to question (1) the letter should be considered delivered after a certain amount of time, regardless whether the recipient had actually received the letter or collected it from the mail services; to question (2) that either the official language of the country sending the notification should be used or, alternatively, one of the three official languages of the Convention. With regard to (3) it was noted that, according to a comment to Article 11, paragraph 1, the requirement of notification of the TIR Carnet holder could be fulfilled by way of transmission of a registered letter, meaning that for the fulfilment of this provision the reception of the notification letter was not relevant. In conclusion of the issue, the Board reminded the Contracting Parties of the TIR Convention of their responsibility to ensure the correctness of the data in the ITDB, including regularly updating.

- At its sixty-fourth session (June 2015), Mr. Somka (Ukraine) reported on problems in the application of Article 45 of the TIR Convention, viz. the absence of border crossings points between Ukraine and the Russian Federation that accepted TIR Carnets. Despite various official requests for clarification, through diplomatic channels, no reply had as yet been received. The Board was informed that, further to the measures applied by the State Fiscal Service of Ukraine against Russian TIR Carnet holders, the border crossing points with Ukraine are closed for all goods. A list with functioning border crossing points was under preparation and would be brought to the attention of interested parties, including posting on the website of the Federal Customs Service (FCS) of the Russian Federation.

- At its sixty-seventh session (April 2016), the Board considered a proposal for a new comment to Article 23, specifically aimed at promoting the use of tracking systems as an alternative to escorts. The majority of the Board supported the new comment. Two Board members, however, were of the view that the current text of the comment does not prevent the use of tracking systems or e-seals and that the new comment would broaden the scope of Article 23. Therefore, they were of the view that the new comment was not necessary. In conclusion, the Board requested the secretariat to transmit the new comment, together with the remarks made, to AC.2 for consideration.

- At that session, TIRExB Board considered the Russian proposal to amend Annex 9, Part I, paragraph 5. Mr. Amelyanovich (Russian Federation) explained that the application of the term “duties” in Annex 9, Part I, paragraph 3 versus the use of the term conditions and requirements in the title of Annex 9, Part I, as well as in paragraphs 5 and 7, had led Russian courts to the

---

conclusion that the non-compliance with the duties as set out in paragraph 3 would not (automatically) lead to the revocation of the authorization, as stipulated by paragraph 5. Mr. Fedorov (Belarus) supported this view. Other TIRExB members disagreed with this interpretation and, after having consulted with legal experts, confirmed that Annex 9, Part I should be read in its full context, as was supported by the use of the word “above” in paragraph 7 of the text of Annex 9, Part I. Thus, the term “conditions and requirements” referred to all provisions of Annex 9, Part I, including paragraph 3. Therefore, there was no need to include a specific reference to it in paragraph 5. On the contrary, such inclusion could frustrate the understanding that the provision of paragraph 5 referred to Annex 9, Part I as a whole and not just to some of its provisions. Finally, such understanding of the text was supported by the wording of paragraph 1 (d) of Annex 9, Part I, which stipulated that the conditions and requirements as contained in that sub-paragraph (as well as in the rest of that paragraph) included the unequivocal acceptance by the national associations of its duties as set out in paragraph 3. In conclusion, the Board agreed to transmit the above assessment as a majority opinion back to AC.2, with the proposal that, possibly, AC.2 could clarify the understanding of the text of Annex 9, Part I in its report. Mr. Amelyanovich was invited to submit examples of court decisions, based on a different understanding of Annex 9, Part I, paragraph 5, to the Board for further assessment.

- At its sixty-eighth session (June 2016), the Board took note of the text of the example authorization and agreement from Chapter 6 of the TIR Handbook, together with a question to TIRExB whether an update seemed warranted. IRU reported that it regularly received questions on the application of the examples from new or recent accession countries. IRU further stressed the need for more legal expertise to assist countries in (re) drafting their customs law in order to meet the requirements of the TIR Convention. The Board mandated the secretariat to liaise with IRU for the purpose of improving or amending the text of the example agreement.
- At its sixty-eighth session (June 2016), the Board took note an incident with a vehicle with loose floorboards. The Board recalled that, in 2008–2009, it had requested Mr. Bent Rasmussen from the Danish customs authorities, to provide his expert opinion if a specific type of vehicle, whose floors are equipped with troughs to facilitate and secure the transport of sheet metal coils, meets the requirements of the TIR Convention, in particular the provisions of Annex 2, Article 1 (c) and (d). Mr. Rasmussen was of the opinion that such vehicle could be approved for the transport of sheet metal coils. However, when transporting other goods, the V-shaped trough could hold goods and could, even be considered as a ‘concealed space’. Thus, the dual use of the concerned vehicle, prevented it from being customs secure and, therefore, could not be approved for transport under TIR. The incident reported by Mr. Rasmussen exactly referred to an infringement where drugs were found in the concealed spaces of the through. Although there was no information that, in this particular case, the vehicle had been approved for TIR transport, TIRExB was of the opinion that it was important to bring the matter to the attention of Contracting Parties and requested the secretariat to submit the document to AC.2 for its consideration.
- At its sixty-ninth session (October 2016), TIRExB considered an enquiry by the Government of Ukraine about the use of subcontractors in the territory of a Contracting Party and the liability of the national associations in such situation. In this context, the secretariat recalled document

ECE/TRANS/WP.30/AC.2/2012/13, in which the secretariat elaborated all TIRExB considerations on the issue of subcontracting. In short, the acceptance of subcontractors depends on whether or not national legislation allows it. If so, the use of subcontractor does not affect the liability of the TIR Carnet holder in application of the provisions of the TIR Convention. IRU confirmed that subcontracting is widely applied in many TIR Contracting Parties, that the liability remains with the TIR Carnet holder. Nor does it change the liability of the national association vis-à-vis customs, regardless the origin of the TIR Carnet holder concerned. IRU further clarified that the name of the subcontractor is inserted in box 11 of the cover of the TIR Carnet and that a specific entry in TIR-EPD has been created to provide the name of the subcontractor. Mr. Amelyanovich (Russian Federation) challenged the aforementioned practice as violating the provisions of Article 11 of the Convention.

- At its seventieth session (December 2016), the Board welcomed Informal document No. 28 (2016), prepared by the secretariat and containing an updated example agreement for inclusion in Chapter 6.2 of the TIR Handbook. TIRExB generally agreed that the updated example agreement should incorporate the requirements stemming from the provisions of the TIR Convention. Furthermore, the Board agreed with the comments of Mrs. B. Gajda that (i) it is not necessary to include a reference to the implementation of Annex 10; (ii) the alternative formulation on the non-coverage of tobacco and alcohol products should be excluded as long as it does not reflect the current provisions of the TIR Convention but an acquired practice on account of the decision of the international guarantee chain; (iii) the example agreement could also include the obligations of customs vis-à-vis associations and not exclusively focus on the sole responsibilities of the association and (iv) the paragraph referring to the acceptance, by the association, of a dispute settlement procedure should include the entire sentence as is currently contained in the TIR Convention, namely by adding the phrase “whenever possible without recourse to courts”. The Board took note of a proposal by IRU to include, as Annex to the example agreement, a recommended procedure for settling disputes and handling claims and agreed to review such draft Annex at the next session. Concerning the maximum guarantee amount per TIR Carnet, the Board agreed that the example agreement should, in the end, reflect the amount as indicated in the corresponding provision of the Convention, while noting that AC.2, at its next session, would be considering the amendment to E.N. 0.8.3 to increase the amount from 50,000 USD to 100,000 euros per TIR Carnet. As a conclusion, TIRExB requested the secretariat to take note of all the comments received and to use them as a basis for the preparation of a revised draft for further consideration at its next session (Informal document TIRExB/REP/2016/70draft, para. 24).

- Prepare a quantitative and qualitative assessment of the Board’s achievements during its 2015–2016 term of office in relation with its programme of work and mandate for endorsement by the TIR Administrative Committee.

- Number of meetings: 2015: 3, 2016: 5, 2017: 1
- Number of participants: 2015: 27, 2016: 45 (70<sup>th</sup> session);
- Number of meeting days: 2015: 4, 2016: 7, 2017: 1
- Number of Informal documents: 63<sup>th</sup>: 6, 64<sup>th</sup>: 8; 65<sup>th</sup>: 12; 66<sup>th</sup>: 7; 67<sup>th</sup>: 10; 68<sup>th</sup>: 9; 69<sup>th</sup>: 9; 70<sup>th</sup>: 8, : 71<sup>st</sup> --.
- Number of Explanatory notes adopted: 69<sup>th</sup> 1

- Number of comments adopted: 67<sup>th</sup>: 1
  - Number of recommendations adopted: 0
  - Number of best practices adopted: 70<sup>th</sup>: 1
  - Number of national control measures analysed: 2
  - Number of surveys conducted: 1
  - Number of seminars organized or attended: 25 (December 2016)
  - Number of authorized TIR Carnet holders registered with the International TIR Data Bank (ITDB): 34,043 (December 2016)
  - The Board prepared this self-evaluation report for endorsement by AC.2.
-

## Annex II

### Self evaluation and recommendations

#### Question 1

*If you could highlight individual activities, what would you consider the major achievements of the TIRExB during its 2015-2016 term of office (please, indicate max. 3)?*

- |  |                          |
|--|--------------------------|
| Assessment of proposals to introduce more flexibility in the guarantee system                      | <input type="checkbox"/> |
| Assessment of the prices of TIR Carnets at national level  | <input type="checkbox"/> |
| Discussions on the intermodal use of the TIR Carnet  | <input type="checkbox"/> |
| Progress made in the discussions on authorized consignor/consignee                                 | <input type="checkbox"/> |
| Survey on the TIR guarantee 2011–2014  | <input type="checkbox"/> |
| Clarifications in the application of Article 11 of the Convention                                  | <input type="checkbox"/> |
| Assessment of Annex 9, Part I, paragraph 5   | <input type="checkbox"/> |
| Other: Renewal of the functioning of the TIR Convention on the territory of the Russian Federation | <input type="checkbox"/> |

#### Consolidated reply:

All TIRExB members considered the assessment to introduce more flexibility in the guarantee system as the most important activity of the current term of office, followed by progress made in the discussions on authorized consignor/consignee and on the intermodal use of the TIR Carnet.

#### Question 2

*In your view, what are the areas of strength of the TIRExB and which areas could benefit from improvement?*

*Areas of strength:*

#### Consolidated reply:

Members all agree that the possibility of having in-depth discussions between experts in a small setting to discuss major current issues and future challenges constitutes the main asset of TIRExB as a body.

*Areas for improvement:*

#### Consolidated reply

Members agree that more efforts should be undertaken to avoid repeating discussions and to achieve tangible, but well-balanced results.

**Question 3**

30 *Are you satisfied with the support and assistance provided by the TIR secretariat to the TIRExB? If not please indicate in which areas you would like to see improvement.*

**Consolidated reply:**

Members are fully satisfied with the support of and assistance by the TIR secretariat.

**Question 4**

*Do you think the TIRExB resources are sufficient to fulfil its functions? If not please provide information which additional resources would be required.*

**Consolidated reply:**

TIRExB is satisfied with the current level of resources, but would welcome if more funds could be allocated to promoting of the TIR system and supporting eTIR.

**Question 5**

*Taking account of the fact that, in accordance with the provision of Explanatory Note 8.13.1-2, the respective government should finance the work of their TIRExB member:*

Yes/No

You think that DSA should not be paid:

You could accept further restriction in DSA:

You could accept to return to the previous procedure (only DSA for TIRExB sessions not in conjunction with WP.30/AC.2 sessions):

You are satisfied with the current DSA procedure (DSA for all TIRExB sessions):

**Consolidated reply:**

The Board is satisfied with the current DSA procedure (DSA for all TIRExB sessions).

**Question 6**

*In your view, are there any changes required which would improve the effectiveness of TIRExB?*

**Consolidated reply:**

TIRExB should only focus on technical issues, leaving politically sensitive issues to AC.2. More efforts should be made to find consensus, in accordance with the provisions of Annex 8, Article 11, paragraph 2.

**Question 7**

*In your view, does TIRExB communicate well with the other parties in the TIR system, and, in particular, with IRU, which participates in TIRExB sessions as observer? Please elaborate your answer.*

**Consolidated reply:**

In general, TIRExB is satisfied with the way it communicates with other fora as well as with IRU. However, there is some reservation with regard of the quality of the information provided by IRU,

spontaneously or per request. TIRExB would like to be better informed about the intersessional joint activities of the TIR secretariat and IRU.

**Question 8**

*In your view, which goals would be interesting for the next TIRExB to work towards?*

**Consolidated reply:**

TIRExB recommends the next composition to continue focussing on issues such as, but not limited to, the introduction of simplifications (in particular authorized consignor), the intermodal use of the TIR procedure and activities towards computerization. In order to be able to closely follow all TIR related issues, TIRExB recommends that members attend, to the extent possible, sessions of WP.30, AC.2, GE.1 and GE.2

**Question 9**

*In general, how would you rate the TIRExB at its current term of office?*

- Dissatisfied:
- Somewhat dissatisfied:
- Neither dissatisfied nor satisfied:
- Somewhat satisfied:
- Fully satisfied:

**Consolidated reply:**

Most TIRExB members are fully satisfied with the current term of office of TIRExB.

---