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Working Party on Customs Questions affecting Transport

Informal Ad hoc Expert Group on Conceptual and
Technical aspects of Computerization of the TIR Procedure

Tenth session
Geneva, 25-26 September 2006
Item 2 (a) of the provisional agenda

ACTIVITIES OF THE INFORMAL AD HOC EXPERT GROUP

Summary report of the Ankara Customs Experts Group

Transmitted by Customs Experts from the European Commission, Finland, Lithuania,
Netherlands, Serbia and Turkey

I. BACKGROUND

1. At the kind invitation of the Undersecretariat for Customs of the Republic of Turkey, Customs and IT Experts from the European Commission, Finland, Lithuania, Netherlands, Serbia and Turkey met in Ankara on 27-28 June 2006. The UNECE TIR secretariat also attended the meeting.

II. SUMMARY REPORT

2. The Experts stressed the importance of discussing the future of the eTIR Project from a Customs perspective, in view the fact that it is the task of Customs to take decisions on the

design and functioning of those parts of the eTIR Project which, according to the instructions provided by the WP.30, belong to the competence of Customs.

3. In particular, the Experts referred to the decision of the WP.30 at its 112th session, that the management of the data on guarantees, once the guarantor(s) issued a guarantee to an operator, should lie with Customs. The Experts felt that this was a fundamental requirement for the well-functioning of the eTIR system. Customs require a computerized environment which is characterized by independency and the security of data for Customs purposes. It would not be viable for Customs to achieve this objective when having to depend on third parties for the provision of certain data. Nor would it be possible for Customs to assume responsibility of data in the eTIR system, if these data have not been aggregated in an objective, independent and Customs secure manner. The independent status of the eTIR system also implies that the guarantor(s) has no possibility to cancel a guarantee, once it has been accepted by the Customs office of departure, without the consent of Customs. Finally, the fact that the TIR system allows more than one guarantor underlines the importance for Customs to dispose of an own system.

4. For the sake of clarity, the Expert proposed to refer, in the future, to the management of guarantees by Customs as “the Customs management of guarantees” in order to create a clear distinction with the international guarantee system, managed by the international organization in accordance with Article 6.2bis of the Convention.

5. The Experts stressed the importance for Customs that the guarantor(s) register any issued guarantee well in advance before the operator submits the declaration by the operator to the Customs office of departure, without setting a specific time-frame. Thus, Customs obtain the opportunity to set up or check the guarantee profile of the concerned operator. This decision does not interfere with the liability of the guarantor(s), which, in accordance with Article 8, para. 2 of the current text of the Convention, only starts when the TIR Carnet is accepted by the Customs office of departure.

6. The Experts agreed that the establishment of a centralized international database under Customs control would not jeopardize the general philosophy of the TIR system, being a chain of national Customs procedures. The centralized international database will only be able to trigger a set of prefixed messages, which do not require human involvement. Any active decision to be taken will remain with the competent Customs authorities.

7. The Expert discussed whether it would be practical to merge the termination and the discharge of a TIR operation into one, single use case and corresponding message. However, the Experts considered that, although in an electronic environment termination and discharge may coincide or follow one another within seconds, there still remains a formal need for Customs to distinguish between the two activities, in order to provide Customs with the opportunity to intervene in case of termination with reservation.

8. The Experts stressed that the submission of the declaration is the responsibility of the individual operator, in line with national requirements. Therefore, there is no basis to include a centralized declaration submission system in the eTIR project. Any development of this kind should be left to private initiative.

9. Taking into account its general findings, the Experts extensively discussed and a draft document, containing the guarantee management use case, and another draft, containing the data exchange use case. The Experts decided that, with a view to make tangible progress in the computerization process, the two use cases could be presented as one single step. During the meeting, the Experts made various amendments to the use cases. The Experts particularly felt that the fall-back scenarios required further analysis. On a general note, it was agreed that the more important the data, the transmission of which failed, the more strict the requirements for the fall-back scenario needed to be. Taking account of this, the Experts elaborated specific fall-back scenarios for the guarantee management module. With regard to the data declaration module, the Experts considered that the fall-back to a paper document as only viable solution.

10. The Experts requested the secretariat to prepare an amended draft of the merged documents for finalization and approval. The Experts decided to submit the approved text as a working document for discussion at the forthcoming meeting of the Informal ad Hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure and requested the secretariat to undertake the appropriate steps to achieve this.

11. The Experts agreed that full alignment between the eTIR data model and the WCO Data Model was required. The Experts raised some issues were there seemed to be divergences between the data use in eTIR and the data in the WCO Data Model. The Experts requested the secretariat to submit the eTIR data to the forthcoming meeting of WCO to ensure their inclusion into the WCO data model.

12. The Experts agreed that the Chairperson would provide an oral report of the meeting to the forthcoming sessions of the Informal ad Hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure and the WP.30.

13. The Experts thanked the Turkish Undersecretariat for Customs for the organization of the meeting and the warm hospitality.
