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**ECONOMIC COMMISSION FOR EUROPE**

**INLAND TRANSPORT COMMITTEE**

Working Party on Customs Questions Affecting Transport

One-hundred-and-nineteenth session

Geneva, 2-5 June 2008

Item 8 (b) (ii) of the provisional agenda

**CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER  
COVER OF TIR CARNETS (TIR CONVENTION, 1975)**

Revision of the Convention

Preparation of Phase III of the TIR revision process

Note by the secretariat<sup>1</sup>

**I. BACKGROUND AND MANDATE**

1. At its one-hundred-and-eighteenth session, following discussions on WP.30 Informal document No. 3 (2008) by the government of Turkey, the Working Party requested, inter alia, the

<sup>1</sup> The UNECE Transport Division has submitted the present document after the official documentation deadline.

secretariat to submit a document clarifying the method of submission of the declaration to Customs as contained in Chapter 2 of the eTIR Reference Model for consideration at its forthcoming session (ECE/TRANS/WP.30/236, para. 21).

2. In order to facilitate the discussion by the Working Party, this document provides the requested clarification of the declaration mechanism in the eTIR system.

## **II. eTIR DECLARATION MECHANISM**

3. The text of Chapter 2.1.2.4.2. of document ECE/TRANS/WP.30/2007/16-ECE/TRANS/WP.30/AC.2/2007/15, which describes the eTIR system, stipulates “that the holder submits the declaration by electronic means to the Customs office of departure, making reference to a guarantee issued by a guarantee chain, using authentication mechanisms. The declaration shall be submitted prior to the presentation of the goods at the Customs office of departure. Customs authorities shall, if satisfied, validate and accept the declaration and transmit it to the eTIR international system. The eTIR international system forwards this information to the following Customs authorities involved in the transport.”

4. The declaration mechanism does not foresee that the holder sends his electronic declaration to each and every Customs authorities en route, as suggested by Turkey in its Informal document No. 3 (2008), para. 10. Instead, it is the eTIR system which provides the following Customs authorities involved in the TIR transport with the declaration information, together with other TIR transport information (e.g. the information on seals). This mechanism is devised to facilitate the submission procedure by the holder, without further complicating the procedure for Customs authorities that would in any case have to exchange information concerning TIR transports. This mechanism is similar to current paper based procedure, where the TIR Carnet becomes a Customs document from the moment the first Customs office of departure stamps each and every page of the TIR carnet.

5. The fact that the holder is obliged to provide Customs with advance cargo information does not relieve him from his responsibility to produce his declaration, together with the goods and vehicle, to Customs for acceptance.

### **A. The eTIR declaration at the first Customs office of departure**

6. Figure 1 describes all steps related to the declaration submission process at the first Customs office of departure. Steps are numbered and described in the text following the figure.

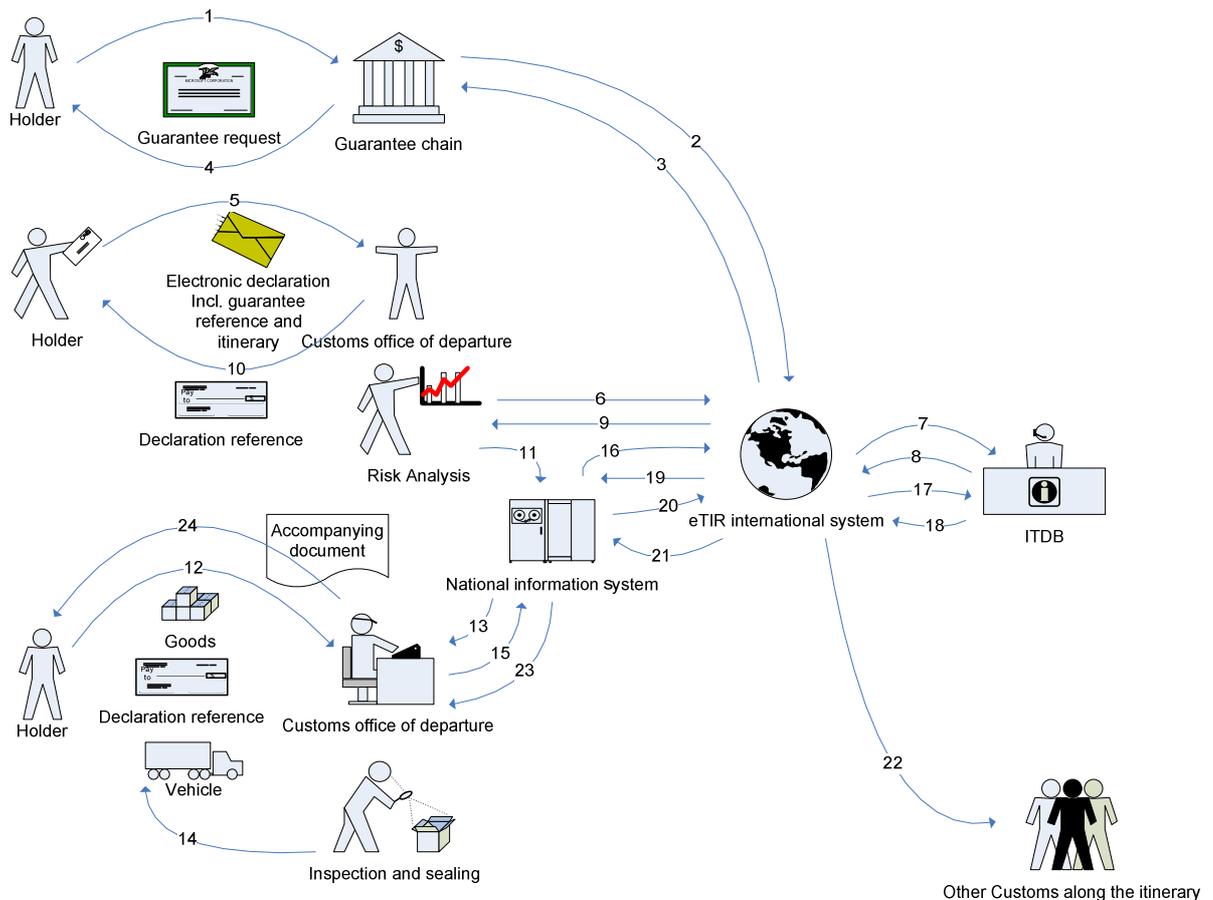


Figure 1 – Declaration at the first Customs office of departure

1. The holder requests a guarantee from the guarantee chain;
2. The guarantee chain accepts the request and registers the guarantee with the eTIR international system;
3. The eTIR international system acknowledges registration of the guarantee;
4. The guarantee chain provides the holder with a unique reference to the guarantee;
5. The holder sends the advance electronic declaration to the Customs office of departure or to a central Customs system in the country of departure, in accordance with national requirements (outside scope of the eTIR project);
6. As part of their risk analysis, Customs authorities check the validity of the guarantee in the eTIR international system;
7. The eTIR international system queries the ITDB to check that the holder is authorized;
8. The ITDB provides information on the holder to the eTIR international system;
9. The eTIR international system provides the information on holder and guarantee to Customs;
10. Customs confirm the reception and the validity of the advance declaration to the holder and provide him with a unique reference to the declaration;

11. Customs store the advance declaration in their internal system, possibly together with their risk assessment;
12. The holder presents the vehicle, the goods and the reference to the advance declaration to the Customs office of departure;
13. The Customs office of departure retrieves the declaration from the Customs system and checks vehicle, goods and Customs declaration in accordance with the appropriate risk assessment information;
14. The Customs office of departure inspects and seals the vehicle;
15. The results of the checks and the seals numbers are stored in the Customs system;
16. The Customs office of departure (national system) informs the eTIR international system that it accepts the guarantee;
17. The eTIR international system queries the ITDB on the status of the holder to whom the guarantee has been issued;
18. The ITDB returns the status of the holder to the eTIR international system;
19. The eTIR international system confirms the acceptance of the guarantee to the national Customs system;
20. The national system forwards the relevant TIR transport data (Customs declaration and the seals numbers) to the eTIR international system by means of the “Record Consignment” message;<sup>2</sup>
21. The eTIR international system confirms the reception of the information;
22. The eTIR international system provides all Customs administrations involved in the TIR transport with the TIR transport information, including the content of the holder’s declaration;
23. The Customs officer sees the results on his/her screen and prints the accompanying document;
24. The Customs officer hands out the paper accompanying document to the holder.

## **B. The eTIR declaration at the Customs office of entry**

6. Figure 2 describes all steps related to the declaration submission process at the Customs office of entry. Steps are numbered and described in the text following the figure.

<sup>2</sup> Customs perform other activities in line with national or international requirements, such as sending a “Start TIR operation” message (which triggers a checking of the guarantee before the TIR operation can be started). However, as this is not directly linked to the declaration procedure, it is not further described in this document.

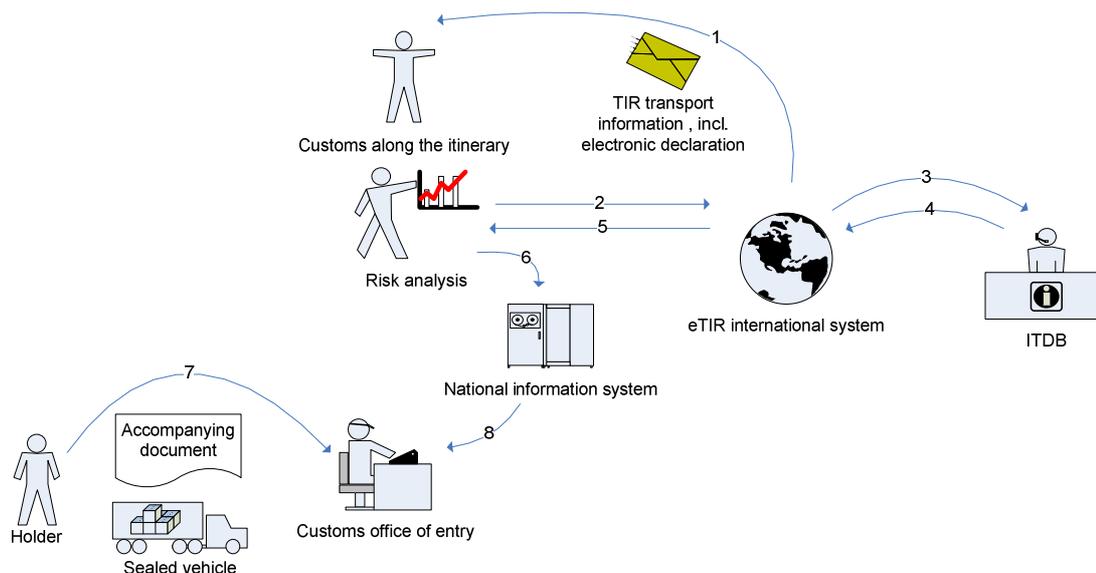


Figure 2 - Declaration at the Customs office of entry

1. Customs authorities along the itinerary receive information from the eTIR international system that a holder has indicated that he will enter their territory (see step 22 of the Customs office of departure; such information might be just a message, inviting Customs to query the eTIR international system or the TIR transport information);
2. As part of their risk analysis, Customs authorities check the validity of the guarantee with the eTIR international system;
3. The eTIR international system queries the ITDB to check that the holder is authorized;
4. The ITDB provides information on the holder to the eTIR international system;
5. The eTIR international system provides the information on holder and guarantee to Customs;
6. Customs store the downloaded advance declaration in their national system, possibly together with their risk assessment;
7. The holder presents the sealed vehicle (containing the goods) together with the accompanying document at the Customs office of entry en route;
8. The Customs office of entry en route retrieves the declaration from the Customs system, possibly together with the risk assessment.<sup>3</sup>

<sup>3</sup> Customs perform other activities in line with national or international requirements, such as sending a “Start TIR operation” message (which triggers a checking of the guarantee before the TIR operation can be started). However, as this is not directly linked to the declaration procedure, it is not further described in this document.

**C. The eTIR declaration at the following Customs offices of departure**

7. Figure 3 describes all steps related to of the declaration submission process at a Customs office of departure, other than the first Customs office of departure, in case of multiple loading places. Steps are numbered and described in the text following the figure.

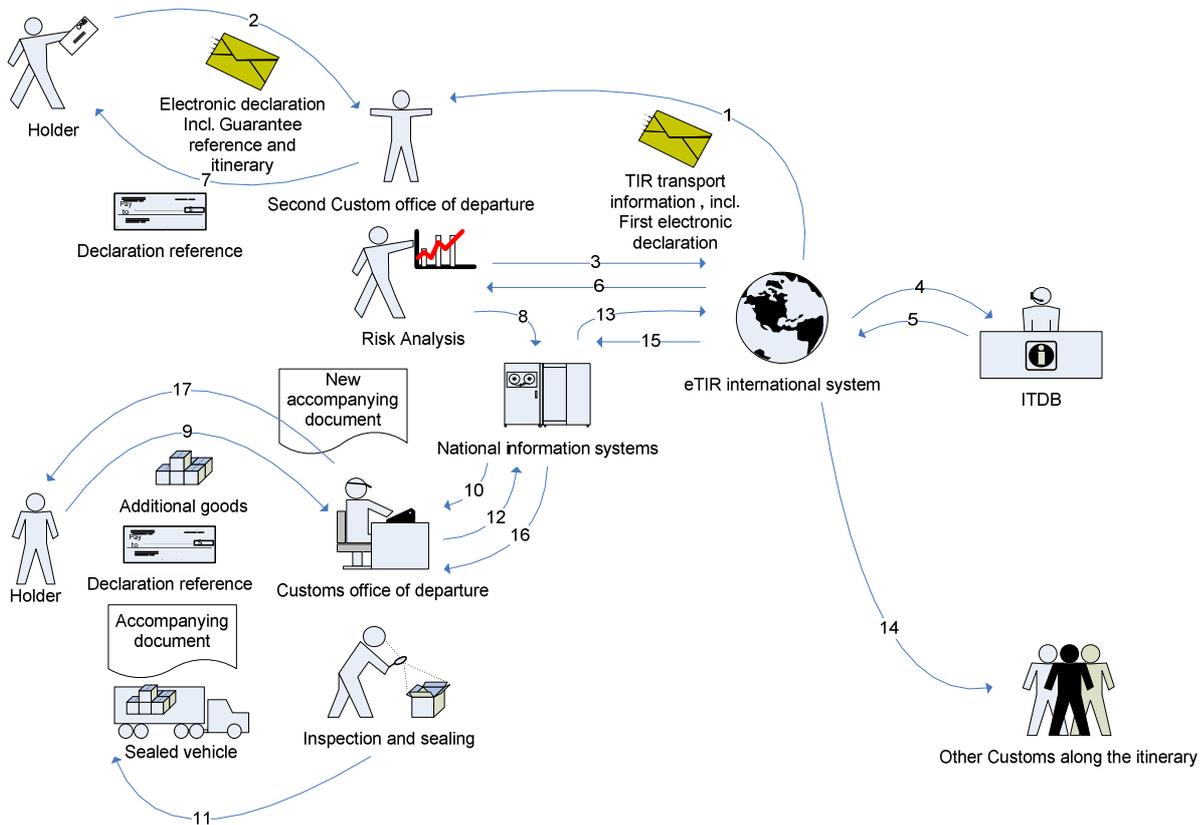


Figure 3 – Declaration at the following Customs offices of departure

1. The eTIR international system sends the TIR transport information to the Customs authorities along the itinerary (see step 22 at the first Customs office of departure)
2. The holder sends the advance electronic declaration regarding the additional goods to be loaded to the Customs offices of departure or to a central Customs system, in accordance with national requirements (outside the scope of the eTIR project);
3. As part of their risk analysis, Customs authorities check the validity of the guarantee with the eTIR international system;
4. The eTIR international system queries the ITDB to check that the holder is authorized;
5. The ITDB provides information on the holder to the eTIR international system;
6. The eTIR international system provides the information on holder and guarantee to Customs;
7. Customs confirm the reception and the validity of the advance declaration to the holder and provide him with a unique reference to the declaration;

8. Customs store the advance declaration in their internal system, possibly together with their risk assessment;
9. The holder presents the sealed vehicle (containing goods loaded at previous loading points), together with the accompanying document. Moreover, he presents the additional goods to be loaded, together with the reference to the advance declaration;
10. Customs retrieves the declaration from the Customs system, possibly together with their risk assessment;
11. Customs remove the seals, inspect the goods and the vehicle according to the results of the risk analysis and, after the additional good are loaded, seal the vehicle;
12. The results of the checks and the seals numbers are stored in the Customs system;
13. The national system forwards the new declaration and the new seals data to the eTIR international system by means of the “Update Consignment” message;<sup>4</sup>
14. The eTIR international system confirms the reception of the information;
15. The eTIR international system provides all Customs administrations involved in the TIR transport with the TIR transport information, including the content of the holder’s declaration;
16. The Customs officer sees the results on his/her screen and prints the accompanying document;
17. The Customs officer hands out the paper accompanying document to the holder.

### **III. REMARKS BY THE SECRETARIAT**

8. In addition to the procedural aspects explained above the, the Working Party may also wish to consider the following remarks related to the eTIR declaration mechanism.

#### **A. Submission of the declaration in foreign countries**

9. A major issue with regard to the declaration procedure as contained in the eTIR Project seems to be the requirement for the holder to send an advance electronic declaration to other Customs administrations than his own national administration. The responsibility to provide an adequate submission procedure lies at the national level and is a matter between the holder and the Customs authorities, falling outside the scope of the eTIR Project. The eTIR project only prescribes a minimal set of elements which need to be included in the national submission, since these elements are also part of the registration of the TIR transport information in the eTIR international system.

4 Customs perform other activities in line with national or international requirements, such as sending a “Start TIR operation” message (which triggers a checking of the guarantee before the TIR operation can be started). However, as this is not directly linked to the declaration procedure, it is not further described in this document.

10. Although there is general agreement that the requirement of a national electronic declaration system does not pose a problem in the relationship between holder and Customs authorities of the country in which he is established or resident, there seems, however, to be confusion as to how the holder can establish communication with Customs authorities in other countries where the beginning of the TIR transport could take place, without having to call upon the paid services of a Customs broker or any other third party. In order to achieve this, Customs administrations will have to ensure that their national declaration submission system is accessible by all holders and also available, if required, in the three official languages of the TIR Convention (English, French or Russian).

#### **B. Comparison with the current paper environment**

11. The declaration mechanism contained in the eTIR Project only differs slightly from the current paper-based procedure. The declaration continues to be formally produced by the holder at the time he presents himself at the Customs office of departure or entry en route, together with the vehicle and the goods. However, the eTIR system introduces, as new requirement, that the holder submits certain data electronically to Customs prior to the physical presentation of the vehicle, goods and declaration at the Customs office of departure or entry en route. The purpose of this is to allow Customs to perform certain checks (including the validity of the guarantee) and to determine the risk profile of the transport prior to its arrival at the Customs office concerned. In continuation, the eTIR system is designed in such a way that the holder only needs to submit his declaration once, thus avoiding the multiple, unsolicited and, possibly even erroneous, submission to various national Customs systems. The Customs office of departure, by registering all relevant TIR transport information in the eTIR international system, ensures, that the declaration information and additional TIR transport information are provided to all consecutive countries involved in one and the same TIR transport prior to the arrival of the vehicle at their Customs office of entry en route, so that Customs can perform advance risk assessment. As it is the case today, the holder remains responsible for the production of the vehicle, load and the Customs declaration in accordance with the principles set out in Article 21 of the TIR Convention at each Customs office.

### **VII. FINAL CONSIDERATIONS**

12. The Working Party may wish to confirm that the declaration mechanism as contained in Chapter 2 of the eTIR Reference Model complies with the principles of the eTIR project as set out in Chapter 1.1.2 of the eTIR Reference Model and does not constitute a legal impediment for the implementation of the eTIR system.

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