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**Economic Commission for Europe****Administrative Committee for the TIR Convention, 1975****Technical Implementation Body****First session**

Geneva, 18–21 January 2022

Item 5 (b) (i) of the provisional agenda

**eTIR conceptual, functional and technical specifications:****Version 4.4****Pending issues\*****Note by the secretariat****I. Introduction and mandate**

1. In line with its mandate (ECE/TRANS/WP.30/GE.1/2021/2), the Group of Experts on Conceptual and Technical Aspects of Computerization of the TIR Procedure (WP.30/GE.1) agreed that a number of issues, while possibly useful for the eTIR system in the long run, could only be considered by the Technical Implementation Body (TIB) when preparing version 4.4 of the eTIR specifications. Furthermore, in the course of the various eTIR interconnection projects, several customs administrations as well as the secretariat have identified issues/functionalities which they felt could also be considered by TIB during the elaboration of version 4.4. of the eTIR specifications.
2. This document presents a non-exhaustive list of issues for consideration by TIB.

**II. Pending issues****A. Prescribed national itinerary**

3. When starting a TIR operation, customs authorities can prescribe a national itinerary. In the TIR Carnet; this information is written by the customs officer in box 22 of vouchers 1 and 2 as well as in box 5 of the first counterfoil.
4. In version 4.3 of the eTIR specifications, this itinerary can be specified in the form of a customs office. A short survey among TIR focal points (see Annex) clarified that, while the prescribed itinerary is often limited to the indication of a customs office of exit, several customs administrations use box 22 in a slightly different way.

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\* This document was submitted late for processing since clearance in finalizing this document took longer than anticipated.

5. Consequently, TIB might want to propose options which would allow customs administrations to prescribe the itinerary in various ways.

6. TIB might also wish to recall its discussion on document ECE/TRANS/WP.30/AC.2/TIB/2022/6, and consider that, when customs administrations use the national itinerary to prescribe a different customs office of exit, this might oblige the holder to amend the declaration data in order to indicate a new customs office of entry in the next country. Considering that the prescribed itinerary is communicated to the eTIR international system by means of the I9 message (start TIR operation) and that information on adjacent border posts is available in the International TIR Data Bank (ITDB), the eTIR international system could automatically notify the change of itinerary to countries that would require it.

7. TIB might wish to consider these two issues and, possibly, mandate the secretariat to present more detailed proposals at one of its next sessions.

## **B. Requirements of the Eurasian Customs Union**

8. For the second session to the Group of Experts on Conceptual and Technical Aspects of Computerization of the TIR Procedure (WP.30/GE.1), which took place on 25–28 May 2021, the Russian Federation transmitted a document on the Decision of the Board of the Eurasian Economic Commission (EEC) of 12.11.2013 No. 254 (as revised on 05/29/2018) "On the structures and formats of electronic copies customs documents". The document, originally submitted as an informal document, was submitted for the third session of WP.30/GE.1 as document ECE/TRANS/WP.30/GE.1/2021/50. At both sessions, the delegation of the Russian Federation introduced the document and explained that the requirements contained in the eTIR specifications are not in line with the requirements set forth in the Decision of the Board of EEC of 12.11.2013 No. 254. While taking note of the information, WP.30/GE.1 proposed to carry out a detailed analysis, similar to the NCTS-eTIR Proof of Concept (ECE/TRANS/WP.30/GE.1/2021/40 and ECE/TRANS/WP.30/GE.1/2021/41), aimed at identifying the differences in the requirements of the Eurasian Customs Union (EACU) and those contained in the eTIR specifications, in order to formulate concrete proposals, targeted at bridging identified gaps, which would be considered by TIB while preparing version 4.4 of the eTIR specifications.

### **1. Languages for text fields**

9. As stated in rule 10 (a) regarding the use of the TIR Carnet (see Annex 1 of the TIR Convention), the manifest shall be completed in the language of the country of departure, unless the customs authorities allow the use of another language. The customs authorities of the other countries transited reserve the right to require its translation into their own language. In order to avoid delays which might ensue from this requirement, carriers are advised to supply the driver of the vehicle with the requisite translations.

10. In version 4.3 of the eTIR specifications, all text fields are complemented with a language attribute that allows to specify the language used in the text field. However, since those text fields are attributes inside classes and considering that the customs administration of the country of departure will most likely only be in a position to validate text provided in its language, text fields cannot be provided in multiple languages.

11. The delegation of the Russian Federation stressed that, according to the requirements of the EACU, all textual information submitted to customs administrations of EACU shall be provided in Russian and that for TIR transports starting in a non-Russian speaking contracting party and destined for the territory of EACU, the absence of textual descriptions in Russian will pose significant problems.

12. In line with the provisions of rule 10 (a), it remains possible for the holder to provide a translation of the textual description, possibly in a machine-readable format, to the TIR advance data or to the advance amendment data by means of an attached document. However, for version 4.4 of the eTIR specifications, TIB might wish to consider and discuss options which would allow the holder to provide textual descriptions in various languages. While this

could resolve the issue brought forward by the Russian Federation without having to resort to the use of accompanying documents, TIB might wish to keep in mind that while those translations would be included in the declaration data (recorded by means of the I7 message), they might not have been validated by the customs authorities of the country of departure.

## 2. Additional data requirements

13. Since the beginning of the eTIR project, contracting parties to the TIR Convention have made it clear that, while the specificities of the eTIR procedure are defined in Annex 11 and in the eTIR specifications, the provisions of the TIR Convention shall also apply, *mutatis mutandis*, for the eTIR procedure. This was applied, in particular, to the contents of the eTIR messages, which, to the extent possible, have been limited to the data that are already contained in the TIR Carnet. Additionally, the data elements recommended for transit by the World Customs Organization (WCO) SAFE Framework of Standards have also been included as optional data elements in the eTIR messages.

14. The idea to include additional data elements has been discussed by the Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1), in particular at its twenty-sixth session (May 2017), where, recognizing that additional data required for transit could stem from a whole range of laws and regulations, e.g. phytosanitary or veterinary, GE.1 recommended, for the time being, to leave the responsibility of the submission of those additional data to the transport operator. GE.1 further proposed that only the data contained in the eTIR messages would be exchanged between customs administrations via the eTIR international system. At the same session, the Turkish delegation raised concerns with regard to the idea of not including all safety and security data elements in eTIR messages and the Iranian delegation made the following statement: “The objective of the TIR Convention is facilitation of transit and trade. If we leave the issue of additional information open, then it will be easy for each Contracting Party to interpret it independently. We believe that we should concentrate on simplification, standardization and unification of the data needed as additional information if need be. It means that the data exactly relevant to TIR should be targeted, defined and accepted by all. In this way, the TIR objective of facilitation of transit and trade will come true.” (ECE/TRANS/WP.30/2017/22, paras. 19 and 20)

15. During the various sessions of WP.30/GE.1, the delegation of the Russian Federation stated that, at this stage, not all data required for transit in EACU are contained in the eTIR messages and emphasised their needs for specific data elements, such as the value of the goods transported, to undertake their risk assessment. WP.30/GE.1 stressed that concrete proposals for adding data elements, with the relevant explanation on the rationale for such additions, would be necessary to consider amendments to the eTIR specifications and to eTIR messages in particular. In view of the tight timeframe given to WP.30/GE.1 to finalize version 4.3 of the eTIR specifications and the lack of detailed and concrete proposals, it recommended to postpone the considerations related to the addition of data elements to the times when TIB would be discussing version 4.4. of the eTIR specifications.

16. On the basis of document ECE/TRANS/WP.30/GE.1/2021/50 already submitted by the Russian Federation to WP.30/GE.1, TIB might wish to discuss, in general, the idea to include additional data element to eTIR messages and, possibly request the submission of detailed proposals from the member states of EACU, and, eventually, other contracting parties, for consideration at one of its next sessions.

## 3. Trusted Third Parties

17. Annex 11, Article 7 of the TIR Convention clearly specifies that competent authorities shall authenticate the advance TIR data, or the advance amendment data, and the holder, in accordance with national law. The concept of authentication is also defined in Article 2 (h) as “an electronic process that enables the electronic identification of a natural or legal person, or the origin and integrity of data in electronic form to be confirmed”. Finally, Explanatory Note 11.2 (h)-1 also states that, until a harmonized approach has been established and described in the eTIR specifications, Contracting Parties bound by Annex 11 may authenticate the holder with any process provided for in their national law, including, but not limited to, user name/password or electronic signatures.

18. At the twenty fourth (September 2014) and thirtieth (September 2019) sessions of GE.1, experts of the Russian federation presented the concept of Trusted Third Parties (TTPs) in the framework of the authentication of the holder. At the thirtieth session, the Russian Federation also made a proposal to include this concept in the eTIR concepts document (see Annex II of document ECE/TRANS/WP.30/2020/2). At the same session, GE.1, while supporting the idea to continue considering the proposal, in particular with regard to the financial impact on the overall eTIR project, was of the view that the introduction of new stakeholders, such as TTPs, would require a clarification of their roles and responsibilities in the eTIR specifications.

19. In light of the above, TIB might wish to discuss the idea to introduce the concept of TTPs in the eTIR specifications.

### **C. Distribution of eTIR code lists**

20. The eTIR technical specifications contain a detailed description of the management of code lists by means of using “update cycles” (see document ECE/TRANS/WP.30/AC.2/TIB/2022/5, paras. 306–317). At this moment, eTIR code lists are published on the eTIR website and each update cycle will require manual work from all eTIR stakeholders to update their information systems when new versions of eTIR code lists are approved by TIB.

21. With that in mind, a centrally hosted service, allowing to automatically update eTIR code lists, could not only facilitate the work of eTIR stakeholders but also ensure that all eTIR stakeholders use the latest version of the eTIR code lists.

22. TIB may wish to consider this proposal, suggest and discuss alternative mechanisms and, possibly, mandate the secretariat to present a detailed description of one or more automatic update mechanism(s) at one of its next sessions.

### **D. Generation of the accompanying document**

23. In line with Annex 11, Article 2 (g), customs authorities are required to generate an accompanying document which will be used in case of fall-back and in case of accident or incident. In Annex IV of version 4.3 of the eTIR functional specifications, chapter IV.1.1.1 contains a template that customs authorities should follow in order to generate the accompanying document.

24. In order to ensure that the layout of the accompanying document is harmonized across all contracting parties and to facilitate the development of eTIR applications by customs administrations, a service or a module could be made available to customs administrations. This service or module, once provided with the declaration data, would generate an accompanying document in PDF format, aligned with the layout described in chapter IV.1.1 of the eTIR functional specifications. Furthermore, the source code of this service or module could be made available on a collaboration platform to all customs administrations, not only to ensure collaboration between IT experts of various customs administrations and the secretariat to further improve it, but also to allow customs administrations to reuse the source code in their own systems if they wish.

25. TIB may wish to consider this proposal, discuss possible options and mandate the secretariat to present a detailed proposal at one of its next sessions.

### **E. Exchanging attached documents**

26. The eTIR procedure allows holders to attach, or provide links to, additional documents in messages E9 (advance TIR data) and E11 (advance amendment data). These documents or links are then registered by customs administrations in the eTIR international system by means of the I7 message (record declaration data) and forwarded to countries along the itinerary using message I15 (notify customs). The documents or links can also be extracted from the eTIR international system by means of the I5 and E5 messages (query guarantee).

27. Currently, when a holder decides to attach an additional document to an eTIR message (instead of providing a link to a document which is stored in a third-party repository and its hash code), the document is included in the message as a binary object, thus greatly increasing the size of the messages exchanged and increasing the load on the eTIR international system.

28. A mechanism/service allowing eTIR stakeholders to upload attached documents could, on the one hand, reduce the possible costs for holders which would have to use third-party repositories and, on the other hand, significantly reduce the size of messages E9, E11, E7, I6 and E6 and, consequently, improve the efficiency of the eTIR system. It would also reduce the scale of the infrastructure required to host the eTIR international system and, thus, limit its costs.

29. TIB may wish to consider and discuss this idea and possibly mandate the secretariat to propose a detailed description of such mechanism/service at one of its next sessions.

## **F. Notifications to countries when the transport will not reach a country**

30. Both the TIR and the eTIR procedure, being based on the provisions of the TIR Convention, allow the holder to change itinerary in the course of a TIR transport. In the eTIR procedure, these amendments, in particular if it changes the list or the order of the countries involved in the itinerary of the TIR transport, have to be notified by means of the E11 message before being accepted by the relevant customs administration and registered in the eTIR international system by means of the I7 message. In case an amendment removes a country from the itinerary contained in the original declaration data, version 4.3 of the eTIR specifications does not foresee that any notification will be sent to that country despite the fact that it had originally been notified by means of an I15 message that it was part of the originally approved itinerary. Consequently, would that country query the guarantee (using the I5 message) after the change of itinerary has been accepted, they would receive an error indicating that they are not part of the itinerary.

31. Moreover, further to an accident or incident that would not allow the TIR transport to continue, customs authorities terminate that specific TIR operation indicating the termination type "Incident or accident". However, none of the countries remaining along the itinerary will be notified that the TIR transport was interrupted and will not reach them. However, these countries have the possibility to query the eTIR international system by means of the I5 message and retrieve the relevant TIR operation information, which would indicate that the TIR transport was terminated because of an accident or incident.

32. TIB may wish to consider if, in either of those cases, customs authorities would benefit from receiving notifications when the eTIR international system would be informed that the TIR transport will not reach their country. TIB may also wish to mandate the secretariat to prepare a detailed proposal for one of its next sessions.

## **G. Access to TIR transport data by holders**

33. In version 4.3 of the eTIR specifications, while it is envisaged that holders have the possibility to submit their advance TIR data and advance amendment data via the eTIR international system, they do not have direct access to the declaration data or TIR operation data, stored in the eTIR international system. Instead, it is assumed that, on top of the paper accompanying document generated by customs and handed over to the driver, this information would be made available electronically by the guarantee chain, which has access to this type of data for all the guarantees it issues, to its holders.

34. TIB might wish to consider if, in version 4.4 of the eTIR specifications, and more specifically in the next version of the eTIR international system, a service should be envisaged to allow holders to obtain the data related to their TIR transports directly from the eTIR international system. If considered useful, TIB may wish to mandate the secretariat to propose a detailed description of such service at one of its next sessions.

### **III. Considerations by TIB**

35. TIB may wish to consider the issues above and decide which ones should be further explored, with the aim to include them in version 4.4 of the eTIR specifications. TIB may also wish to mandate the secretariat to present more details of the proposals presented above at one of its future sessions.

## Annex

### Survey on the prescribed itinerary

#### I. Background

At the second session of WP.30/GE.1 (May 2021), it was recalled that, at the thirty-first session of GE.1 (March 2020), one issue remained unresolved, namely the cardinality of the national itinerary which can be imposed at the start of a TIR operation (see Informal document WP.30/GE.1 No. 1 (2021), page 32). This issue had been raised at a TIRExB session, but TIRExB had not been in a position to clarify the issue. Consequently, WP.30/GE.1 decided that the issue should be raised during a meeting of WP.30 or addressed at TIR focal points.

#### II. Question

On 25 June 2021, the secretariat addressed the following questions to TIR focal points, with a deadline to reply before 1 July 2021.

*In your experience, at the office of departure or entry (en route), when the Customs officer needs to stipulate an itinerary or requests the load to be presented at (a) specific customs office(s) (i.e. using Box 22 of vouchers 1 and 2 and box 5 of the voucher 1's counterfoil), can the customs officer indicate more than one customs office to be part of the stipulated national itinerary?*

#### III. Results

The following table summarizes, when possible, the replies received from TIR focal points.

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##### *Replies*

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When prescribing an itinerary, we usually indicate which route to take (e.g. highway) and countries on the way to destination.

When necessary, we indicate the routes by cities or highways.

Indicating more than one customs office is not part of the stipulated national itinerary.

It is the next national customs office, which can either be an office of exit or an internal office, where a partial loading or unloading takes place.

We indicate the customs of destination (or the country of destination) and, if the customs consider it necessary, the route of movement of the goods is indicated. Theoretically, you can specify more than one customs (country) of destination, but in practice this almost never occurs.

It would be more transparent and secure if the customs office of departure and en route would indicate all relevant customs (one or more) in the national itinerary.

Customs officers indicate in box 22 the customs office of exit/destination.

We usually indicate just one customs office of destination.

National itinerary allows for the premises of authorized consignee. In this case the register code of the warehouse is included in the system and relevant customs office territorially responsible for that place is also assigned in the system and the vehicle directly arrives at the warehouse. However, one important peculiarity should be noted. The green channel system is rather about authorized importer or authorized exporter than consignor or consignee. This means it is strictly monitored that they can only receive and dispatch goods that belong to them as importer or exporter. Such a mechanism excludes the possibility of having other goods in the same truck, which, for

example, had not been unloaded in that customs territory but have continued their journey to another country.

According to EU regulations, the TIR procedure in the member states of the EU is handled IT-supported within the NCTS (placing, termination and discharge of the transit procedure). The TIR procedure in NCTS is carried out in the same way as the transit in the European Union transit procedure/common transit procedure. This means that no customs office of destination is specified. However, not all customs offices are authorized to accept all goods. For example, only certain customs offices can accept goods that are subject to regulations regarding prohibitions and restrictions.

When the TIR procedure is mapped in NCTS, some special features apply.

One special feature, for example, is that in the TIR procedure, loading and partial unloading are possible (i.e. events happen en route). In this case, the TIR procedure must be terminated for the arriving goods at the customs office of destination. The person involved must make a new TIR transit declaration for the goods to be further dispatched with all the goods on the means of transport. This means that we cannot enter in the system a next or next but one customs office, just as we cannot enter a customs office of transit.

In order to establish the link between the IT procedure and the paper TIR Carnet, the printed version of the Transit Accompanying Document is generated after the release and is firmly attached to sheet 2 of the paper TIR Carnet, which accompanies the goods during the transport.

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#### **IV. Preliminary conclusions**

The replies provided to the survey tend to show that, while in many cases the itinerary is used to indicate the destination or exit of the country, in customs unions, the itinerary can be prescribed at the level of countries within that customs union. Also in a few cases, the itinerary is even prescribed at the level of towns and roads.

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