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

Activities and administration of the TIR Executive Board:

Activities of the TIR Executive Board:

Report by the Chair of the TIR Executive Board

Report of the ninety-second session of the TIR Executive Board (TIRExB)*

I. Attendance

1. The TIR Executive Board (TIRExB) held its ninety-second session on 7 June 2022 in Geneva with the possibility of online participation.

2. The following members of TIRExB were present: Mr. M. Ayati (Iran, Islamic Republic of), Mr. M. Ciampi (Italy), Mr. R. Kabulov (Uzbekistan), Mr. P. J. Laborie (European Commission), Mr. H. R. Mayer (Austria), Ms. P. Yalcin Bastirmaci (Türkiye) and Ms. C. Zuideest (Netherlands).

3. Ms. T. Rey-Bellet attended the session as observer, representing the International Road Transport Union (IRU).

II. Adoption of the agenda (agenda item 1)

Documentation: Informal document TIRExB/AGE/2022/92

4. TIRExB adopted the agenda of the session in Informal document TIRExB/AGE/2022/92.

III. Adoption of the report of the ninety first session of TIRExB (agenda item 2)

Documentation: Informal document TIRExB/REP/2022/91 draft

5. TIRExB adopted the report of its ninety-first session as contained in Informal document TIRExB/REP/2021/91 draft.

* The present document is submitted pursuant to Annex 8, Article 11, paragraph 4 of the TIR Convention, 1975, which stipulates that the TIR Executive Board (TIRExB) "shall report on its activities to the Administrative Committee at least once a year or at the request of the Administrative Committee".

IV. Computerization of the TIR procedure (agenda item 3)

A. Interconnection of national customs systems with the eTIR international system

6. The Board took note of the latest developments of the eTIR international system and the ongoing eTIR interconnection projects, such as those of Azerbaijan, Georgia, Pakistan, Tunisia, Türkiye and Uzbekistan. The Board also took note of the progress made in preparing the conformance tests.

7. The Board further took note that the second session of the Technical Implementation Body would take place from 31 August to 2 September 2022.

B. International TIR Data Bank

8. The Board took note of the latest developments regarding the International TIR Databank (ITDB), in particular the change of the TIR Carnet holder status notification system, to be deployed in production by the end of June 2022. The Board further noted that the TIR Carnet holder web portal will be deployed for testing by the end of June 2022 and will go in production by the end of 2022. Finally, the Board also welcomed the announcement to launch the holder and customs officer mobile applications towards the end of 2022.

V. Support in the application and revitalization of the TIR Convention including amendment proposals that would increase the competitiveness of the TIR system (agenda item 4)

Documentation: Informal document No. 13 (2022) and 14 (2022)

9. The Board recalled that, at its previous session, it considered several amendment proposals submitted by IRU, as contained in Informal document No. 13 (2022) and requested the secretariat to further analyse those proposals, based on comments provided during the session. Considering Informal document No. 14 (2022), which contains the requested analysis, the Board took the following decisions regarding the various amendment proposals:

- Deletion of the last comment to Article 3 of the TIR Convention.

The Board was of the view that, if the scope of the last comment to Article 3 was unclear, it should be amended in order to remove any ambiguity and proposed the following wording to replace the current text of the comment:

TIR procedure and postal items

The TIR procedure should not apply to postal items carried under the rules of the Universal Postal Union by designated national postal operators.

- Inclusion of practical examples of the use of authorized consignor and consignee (Article 49) in the best practices of the TIR Handbook

The Board recalled that it had already welcomed this proposal at its previous session and recalled that document ECE/TRANS/WP.30/2018/5 contains numerous examples of the implementation of the concepts of authorized consignor and consignee. It also noted that the countries of the European Union were preparing a common approach on the application of the concept of authorized consignor for TIR.

Stressing that combining various national and regional practices would not result in a best practice that has proven to work in practice, the Board decided to wait for the finalization of the common approach by the countries of the European Union before considering if it could be included in the TIR Handbook as good practice, possibly

together with a procedure that also proved to work in a contracting party from outside the European Union.

- Simplification of the procedures for the approval of road vehicles (Annex 3, Point 4).

- First amendment proposal: Extension of the validity period of the certificate of approval (CoA).

Taking into consideration the information that various members of the Board had collected within their administration or from their national association, the Board decided that, as a first step, it would propose to extend the validity of the certificate of approval from two to three years and requested the secretariat to prepare an amendment proposal in that sense for its next session.

- Second amendment proposal: Renewal of the CoA in a country different from where the vehicle is registered.

The observer brought to the attention of the Board that, in the Gulf region, most vehicles are registered in the United Arab Emirates (UAE) even those that are used by transport companies from Oman or Saudi Arabia. However, the Board recalled that, at its previous session, it had already taken a decision against this proposal and decided to reiterate its position.

- Third amendment proposal: Publication of the authorities responsible for issuing and renewing CoA's.

The Board agreed that having a list of authorities responsible for issuing and renewing CoA's would be very useful for transport operators, in particular if included in the recently developed ITDB TIR Carnet holder application. The Board further recognized the need to insert a new provision in the TIR Convention, in the form of an Explanatory Note, to ensure that all contracting parties would provide the required information and maintain it over time.

The Board mandated secretariat to prepare a draft Explanatory Note for its next session.

- Fourth amendment proposal: CoA accepted on the last day of its validity (Annex 4, point 3 – Model of the CoA) should be considered valid for the rest of the journey.

The Board welcomed the draft Explanatory Note proposed by the secretariat and requested the secretariat to prepare an amendment proposal for its next session, choosing the most appropriate part of the TIR Convention to which the Explanatory Note should apply.

VI. Support training activities on the application of the TIR Convention (agenda item 5)

10. The Board took note that the eLearning platform on TIR and eTIR has been prepared and that the secretariat will be ready to provide a demo to the Board at its next session. The secretariat will share the link to the eLearning platform with username and password for the members to have the opportunity to navigate on this before the next session, in October 2022.

11. Regarding the preparation of the TIR Handbook, the secretariat informed the Board that an update is under preparation. The secretariat expressed the view that it would be useful to include more good practices in the TIR Handbook. The Board agreed with this proposal and requested the secretariat to inform the Board members about the topics where good practices should be prepared and the time by which the text of these good practices should be submitted.

VII. Adaptation of the TIR procedure to modern business, logistics and transport requirements (agenda item 6)

12. The Board took note and approved the concept note for the organization of a workshop on the intermodal aspects of the TIR procedure, in the course of the second half of 2022, as contained in Informal document No. 15 (2022). It requested the secretariat to proceed with the organization of the workshop and inform the Board about possible dates of the workshop, in order to coordinate and ensure the participation of members of the Board.

13. Furthermore, the Board considered Informal document No. 16 (2022), containing the draft structure and content of future guidelines for the usage of the TIR and eTIR procedures for intermodal transport, including sample scenarios with illustrations, processes to be followed and documents required, possibly translated in different official United Nations languages. The Board requested the secretariat to start preparing these guidelines, based on the structure described in Informal document No. 16 (2022) and inform the Board about developments of these guidelines at its next session.

VIII. Settlement of disputes between contracting parties, associations, insurance companies and international organizations (agenda item 7)

A. Draft new Explanatory Note to Article 6, paragraph 2 of the TIR Convention

Documentation: Informal document WP.30/AC.2 (2021) No. 6, Informal document Nos. 9 (2021) and 11 (2022)

14. Recalling previous discussions on -, the Board took note of the below improved wording proposed by IRU regarding the proposal for an “early warning mechanism” to be introduced by means of a new Explanatory Note 8.10 (e) and suggested to delete “in a positive, cooperative and responsible spirit” as it was of the opinion that that the word “spirit” lacked legal significance.

8.10 (e) In case of disputes, potentially impacting the functioning of the guarantee chain between the international organization and the national association(s) or customs administration, which could lead to the termination of any of the agreements between the parties involved, the parties shall inform each other without delay. The parties shall ~~in a positive, cooperative and responsible spirit~~ initiate negotiations for settling the dispute in order to ensure the uninterrupted guarantee coverage in the customs territory concerned.

At any point in time, any of the parties may officially inform the TIR Executive Board and request its assistance to facilitate the settlement of the dispute.

15. The Board was of the view that more time was required to study the improved wording and requested the secretariat to circulate the original and improved wordings of the proposal for Explanatory Note 8.10 (e), first by email and then as an informal document, with the aim of taking a decision at its next session.

16. Regarding the changes to the draft new Explanatory Note to Article 6, paragraph 2, on top of the issues listed under para. 8 in Informal documents No. 11 (2022), the IRU added that they would be willing to extend the notification period for the termination of their agreements with national associations, from three to six months and that this would not require any changes to the TIR Convention.

17. In response to the issues listed by IRU under paragraph 8 in Informal documents No. 11 (2022) and to the additional information provided, the Board confirmed the private nature of the contractual relation between the international organization and the national associations and that the period to notify of the termination of the agreement should be freely decided by the parties concerned. The Board further clarified that the idea to differentiate

between the date of termination and the effective date of termination is inspired by text already present in the TIR Convention under paragraph 5 of Annex 9 Part III. Finally, regarding the last point raised under paragraph 8 of Informal documents No. 11 (2022), the Board acknowledged that the proposed amendment should be further improved to accommodate for an urgent transfer of duties between associations. The Board stressed that it agrees with 4 of the points raised by the IRU in Informal documents No. 11 (2022) but that differences in opinion remain on the last issues raised. Finally, the Board decided that that it will continue its discussion to this issue at its next session, recalling the exact mandate given by the TIR Administrative Committee.

B. Letter by the government of Uzbekistan on customs claims

Documentation: Informal document Nos. 4 and 7 (2021)

18. The Board noted that a meeting between the government of Uzbekistan and IRU had been organized in October 2021, where the claims at stake had been discussed and during which IRU asked for proof that the TIR Carnets had been accepted by customs. While 14 claims have been clarified, 14 others are still under investigation.

IX. Prices of TIR Carnets (agenda item 8)

Documentation: Informal document Nos. 17 (2022)

19. The Board, took note of Informal document No. 17 (2022), containing the analysis of the TIR Carnet prices for 2022. It requested the secretariat to publish the 2022 prices on the TIR website and transmit the analysis to the TIR Administrative Committee (AC.2).

X. Functioning of the TIR international guarantee system (agenda item 9)

Documentation: Informal document Nos. 12/Rev.1 (2022)

20. The Board welcomed the revised results of the survey on customs claims and on the guarantee level for the years 2017–2020, as contained in Informal document No. 12/Rev.1 (2022). It regretted that major users of the TIR system still had not replied to the survey but stressed that, on the basis of the results, the TIR system seems very secure with very few claims.

21. The Board requested the secretariat to transmit the document to AC.2 for its October 2022 session and appealed to AC.2 to urge all contracting parties to respond to future surveys.

XI. Miscellaneous (agenda item 10)

A. Activities of the secretariat

22. The secretariat informed the Board that it had participated in the UNCTAD webinar on the “Future of Transit in Mongolia: Challenges and Opportunities” (25 May 2022).

23. The secretariat also informed the Board that, aligned with the Board’s workplan, especially the activity on the promotion of the geographical expansion of the TIR system, it would organize, in collaboration with the Islamic Development Bank and the Islamic Centre for Development of Trade, a training workshop on 28 and 29 June 2022. The workshop would take place in Casablanca, and transport/trade and customs experts from 22 sub-Saharan countries had been invited. Accommodation and travelling expenses would be covered by the Islamic Development Bank. The United Nations Economic Commission for Western Asia (ESCWA) and Africa (ECA) would be present at the workshop and present the current status of border crossings in their regions.

B. Other matters

24. The Board considered Informal document No. 18 (2022), transmitted by IRU, about regular checks on TIR transports at certain border crossing points. It noted that the transport volumes through the Caucasus are increasing but that transport companies experience very long waiting times (up to 40 days) and complain about the rate of full inspections and that seals are sometimes not applied to vehicles. The Board noted that Azerbaijan, Iran (Islamic Republic of) and Türkiye had already started discussing the matter and had requested IRU for additional evidence on the actual cases.

25. In view of the fact that the term of office of the current composition of the Board would soon draw to an end, with only two scheduled regular sessions left, and in preparation of the self-evaluation, the Board revisited its programme of work (TIRExB Informal document No. 2 (2021)/Rev. 1) and expressed satisfaction with the progress made so far.

C. Restriction in the distribution of documents

26. TIRExB decided to keep documents issued in relation to the current session restricted.

D. Date and place of next session

27. The Board decided to conduct its ninety-third session on 10 October 2022, in Geneva and requested the secretariat to make appropriate arrangements.
