

TIR EXECUTIVE BOARD (TIRExB)

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COMMISSION DE CONTROLE TIR (TIRExB)

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ИСПОЛНИТЕЛЬНЫЙ СОВЕТ МДП (ИСМДП)

Administrative Committee for the TIR Convention, 1975

TIR Executive Board (TIRExB)

Ninety ninth session

Geneva, 4 December 2023

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

I. Attendance

1. The TIR Executive Board (TIRExB, also referred to hereafter as the Board) held its ninety-ninth session on 4 December 2023 in Geneva.
2. The following members of TIRExB were present: Mr. M. Ciampi (Italy), Mr. P. J. Laborie (European Commission), Mr. H. R. Mayer (Austria), Mr. A. Şenmanav (Türkiye) and Ms. C. Zuidgeest (Netherlands).
3. Ms. T. Rey-Bellet attended the session as observer, representing the International Road Transport Union (IRU). Mr. C. Moreno (consultant hired to work on legal issues and the financing of the TIR secretariat) was also invited by the chair to present its first findings under agenda item 11 (c).

II. Adoption of the agenda (agenda item 1)

Documentation: Informal document TIRExB/AGE/2023/99

4. The Board adopted the agenda of the session in Informal document TIRExB/AGE/2023/99.

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

Documentation: Informal document TIRExB/REP/2023/98 draft

5. The Board adopted the report of its ninety-eighth session, as contained in Informal document TIRExB/REP/2023/98 draft and requested the secretariat to submit the final report to the TIR Administrative Committee (AC.2) for endorsement.

IV. Budget proposal and cost plan of TIRExB and the TIR secretariat for the year 2024 (agenda item 3)

Documentation: ECE/TRANS/WP.30/AC.2/2023/15,
ECE/TRANS/WP.30/AC.2/2023/16, ECE/TRANS/WP.30/AC.2/2023/9 and
ECE/TRANS/WP.30/AC.2/2023/17

6. The Board took note of the final accounts for the year 2022, the interim status report covering the period from 1 January 2023 until 30 June 2023 and the audit certificate for the year 2022, contained in documents ECE/TRANS/WP.30/AC.2/2023/15, ECE/TRANS/WP.30/AC.2/2023/16 and ECE/TRANS/WP.30/AC.2/2023/9, respectively.

7. Furthermore, the Board endorsed the budget proposal and cost plan of TIRExB and the TIR secretariat for the year 2024, as contained in document ECE/TRANS/WP.30/AC.2/2023/17.

V. Promotion of the geographical expansion of the TIR system (agenda item 4)

Documentation: Informal document No. 8/Rev.2 (2023)

8. The Board considered the revised working draft of the roadmap on the geographical expansion of the TIR system in new regions, as contained in Informal document No. 8/Rev.2 (2023).

9. The Board took note that, due to lack of time, the secretariat could only make little progress in the preparation of the roadmap, i.e. a first draft of Chapter 2 on regional transit systems also highlighting advantages of TIR system when compared to some regional transit systems. In this respect, The Board noted that, in according to the information received by the secretariat from the World Customs Organization (WCO) secretariat, WCO does not keep an updated list of regional transit systems currently in operation.

10. TIRExB reiterated that the roadmap should remain concise in order to clearly prioritize some activities over others. It recalled that the scope of the geographical expansion includes: (a) increasing in the usage of the TIR and eTIR procedures in TIR Contracting Parties of strategic importance for the system; (b) ensuring the operationalization and usage of the TIR system in not yet operational TIR Contracting Parties along corridors of strategic importance and (c) identify UN member States, not yet contracting parties to the TIR convention, which have significant trade volumes or are "a missing link" in a potential TIR corridor.

11. The Board mandated the secretariat to continue working on the working draft and present a revised version for its next session.

VI. Adaptation of the TIR procedure to modern business, logistics and transport requirements (agenda item 5)

12. The Board took note that, due to administrative deadlines related to the end of year closing of the accounts, the secretariat had not been in a position to hire the consultant to do the graphic design and prepare the publication of the guidelines for the use of the TIR and eTIR procedures for intermodal transport. However, TIRExB requested the secretariat to circulate an amended version of the document, reflecting the comments already provided by various members of the Board.

VII. Computerization of the TIR procedure (agenda item 6)

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

13. The Board took note that contracts for consultants working on the interconnection of Kazakhstan, Kyrgyzstan and Tajikistan have already been signed and that the objective

was to make use of the eTIR National Application (NA) developed by the secretariat. It further noted that, before being able to provide the eTIR NA to the various governments, it still has to clarify a few issues related to liability.

B. International TIR Data Bank

14. The Board welcomed the status report on the International TIR Data Bank (ITDB) delivered by the secretariat. The Board was informed about the current status of data recordings and usage figures in ITDB (1,181 web application users, 30,085 authorized TIR Carnet holders, 284 customs stamps and seals records and 2,991 customs offices operational for TIR procedures). It was further informed about the recent ITDB and eTIR project related achievements, in particular, the completion of the eTIR National Application and the availability of a User Acceptance Test environment on which external users can test the application.

15. The Board also considered the proposal to create in the ITDB a mechanism (API or web service) which would allow private sector applications to query the customs offices database in order to obtain correct customs offices codes and use them when transmitting their advance TIR data and advance amendment data to customs administrations. This proposal has already been considered by the Technical Implementation Body (TIB) at its fifth session (October 2023), who acknowledged its feasibility and possible benefits but was of the view that any decision on that matter should be taken by TIRExB, inter alia, to ensure the necessary resources are available to develop the requested functionalities. TIRExB requested the secretariat and IRU to present a document further clarifying the scope and the functionality of such mechanism for its next session.

C. Financing of the eTIR international system

Documentation: Informal document No. 10 (2023).

16. The Board recalled having considered Informal document No. 10 (2023), containing a summary of past considerations on the financing of the eTIR international system as well as a tentative budget for its further development and maintenance. It further recalled that the forecasts of TIR Carnets and electronic guarantees to be sold in the next 10 years (business as usual and optimistic scenarios) are based on a series of assumptions on the progress which will be made with regard to the interconnection of national customs systems with the eTIR international system.

17. The Board stressed that, since the entry into force of Annex 11, the provisions of Annex 11, Article 11 paragraph 3 should have been implemented. Furthermore, taking into account that the UNECE-IRU MoU on eTIR was coming an end, the Board further stressed that it was urgent to implement a mechanism to finance the hosting and operation of the eTIR international system, and, possibly, have a budget reviewed by TIB and approved by AC.2 in October 2024.

18. Recalling the provisions of explanatory note 11.11.3 and that no alternative funding mechanism has been identified yet, the Board was of the view that an amount per TIR transport seems to be the only option to start financing the hosting and operation of the eTIR international system. The Board requested the secretariat to circulate by mid-January 2024, a concise informal document describing the proposed mechanism, with a view to submit a proposal to AC.2 at its February 2024 session.

D. Explanatory note on the use of the eTIR accompanying document

Documentation: Informal document No. 15 (2023)

19. The Board recalled having welcomed Informal document No. 15 (2023) at its eighty-eighth session (October 2023). The document, transmitted by the Government of Türkiye, presented a possible new Explanatory Note to Annex 11 introducing the usage of the eTIR accompanying document en route or at destination in countries that have not yet interconnected with the eTIR international system. The Board indicated that the proposed Explanatory Note could benefit from a few improvements which will be transmitted to the secretariat for a revision of the document.

20. The Board remained positive toward the idea underlying the Explanatory Note but also stressed that before it would be submitted to AC.2 and, possibly, included in the TIR Convention, the following issues would have to be addressed:

- The placement of the explanatory note within Annex 11 will require considerations on the nature of this new procedure. The current suggestion to have it as an Explanatory Note to Article 10 paragraph 2 assumes it will be considered as a fallback procedure, thus considering that the lack of interconnection will be considered as a technical issue.
- Possible need for multiple copies of the accompanying document allowing the customs authorities not interconnected to keep one copy of the accompanying document.
- How to resolve possible complications for customs officers in countries not yet interconnected using this procedure, including, but not limited to, the need to stamp the accompanying document(s), verification of its authenticity and manual comparison with any advance data received electronically.
- Any validation mechanism for the accompanying documents needs to be secured and will require the implementation of an authentication mechanism for customs officers as well as, possibly, the management of users (either internationally or at national level by means of dedicated “superusers”).
- Clarification on whether additional loading in countries not yet interconnected should be allowed or not.
- Whether a reservation box needs to be included on the accompanying document.
- A clear procedure regarding this new usage of the accompanying document should be included in the eTIR specifications. To that end, the Board suggested that TIB should be involved in preparing the required amendment which would clarify all the conceptual, functional and technical details that would allow to put in practice this new provision.

VIII. Support training activities on the application of the TIR Convention (agenda item 7)

21. The Board recalled that the secretariat would prepare the twelfth revised edition of the TIR Handbook after the eventual approval of the examples of good practice and comments by the Administrative Committee for the TIR Convention (AC.2).

22. In this respect, the Board adopted, pending a few editorial amendments, the revision transmitted by Türkiye on the example of best practice on authorized consignors for TIR in Türkiye, as contained in Annex II of document ECE/TRANS/WP.30/AC.2/2023/11/Rev.1.

IX. Supervision of the centralized printing and distribution of the TIR Carnets, including the monitoring of the price of TIR Carnets (agenda item 8)

23. The Board took note that the secretariat prepared the survey on the prices of TIR Carnets for the year 2023 with a new tool and sent a remainder to the associations for which TIR Carnet price information was still missing. The Board also mandated the secretariat to prepare the survey for 2024 with the new tool and sent it out before 31 December 2023.

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

24. The Board noted that the secretariat will prepare the survey on customs claims and the TIR guarantee levels covering the years 2019–2022 with the same new tool used for the survey on TIR Carnet prices and sent it out before 31 December 2023.

XI. Settlement of disputes between contracting parties, associations, insurance companies and international (agenda item 10)

Regular checks on TIR transports at certain border crossing points

Documentation: Informal documents Nos. 18 (2022), 22 (2022) and 13 (2023)

25. The Board recalled that it had considered Informal document Nos. 18 (2022), 22 (2022) and 13 (2023), transmitted by IRU, presenting regular checks of TIR transports at certain border crossing points, additional evidence about those check, and the results of a survey on the matter, conducted by IRU among TIR Carnet holders, respectively, as well as a response letter received from the customs administration of Azerbaijan. As a consequence, at its ninety-eighth session (October 2023), Board decided to propose the organisation of an online informal meeting in November 2023 to discuss the issues at stake, clarify the situation and, possibly, identify means to reduce the number of unnecessary physical controls of vehicles traveling under cover of TIR Carnets.

26. The Board welcomed the organization of the informal meeting on 30 November 2023. The informal meeting was attended by representatives from the Customs administrations of Azerbaijan, Iran (Islamic Republic of) and Türkiye. The following members of TIRExB were present: Mr. M. Ciampi (TIRExB Chair), Mr. P. J. Laborie, Mr. A. Şenmanav and Ms. C. Zuidgeest. Representative of the International Road

Transport Union (IRU) and the Iran Chamber of Commerce, Industries, Mines & Agriculture (ICCIMA) also attended.

27. The Board noted that the informal meeting provided a favourable platform for open and transparent discussions, which clarified that the issues at stake are more complex than originally presented and will require further bilateral discussions for the situation to further improve. The IRU indicated that they will reinforce the training of Iranian operators to further improve the quality of the TIR-EPD information they submit.

28. The Board concluded that, while they would welcome information on further development related to this issue and that they stand ready to further assist the parties, if required, no further actions would be taken by the Board at this stage. The Board also mandated the secretariat to prepare, for its next session, a document presenting a summary of the outcomes of the informal meeting.

XII. Miscellaneous (agenda item 11)

A. Activities of the secretariat

(a) Follow-up actions to previous decisions by TIRExB

29. The Board recalled that at its last session it had considered a proposed response to the letter from the German association Bundesverband Güterkraftverkehr Logistik (BGL) related to the “the latest developments related to the International TIR Data Bank (ITDB) and other information technology projects managed by the TIR secretariat”. It requested the secretariat to wait for one more week before sending it, allowing the members of the Board to provide their comments to the secretariat, if any. In line with the decision taken at the previous session, the letter will also be transmitted to WP.30 as an informal document for its 165th session (February 2024).

(b) Organization of TIR related events

30. The Board took note that the secretariat actively participated in the Seventeenth Meeting of Council of the Regional Customs Transit Guarantee (RCTG) Scheme (Lusaka, Zambia - 14-15 November 2023) as well as in the 2023 SPECA Economic Forum (Baku, Azerbaijan - 21-22 November 2023).

(c) Status report of consultancies

31. The Board took note that the consultant who will be preparing the publication of the guidelines for the use of the TIR and eTIR procedures for intermodal transport will, most probably, be hired in early January.

32. In a closed session without the observer present, the Board took note of a presentation by Mr. C. Moreno on his first considerations regarding legal issues and the financing of TIRExB and the TIR secretariat.

33. The Board took note that he suggested an alternative financing mechanism for the TIRExB and the TIR secretariat based on a lumpsum payment from (the) authorized international organisation(s). The amount transferred would then be recovered by the international organization(s) from the activities related to management of the guarantee chain(s) as authorized by AC.2. This would avoid the need for AC.2 to deal with forecasts, calculations of the amount by TIR Carnet as well as deficits or surpluses. The Board further noted that, in his view, such change would not only require amending the UNECE-IRU agreement but also of the TIR Convention, in particular Article 13 of Annex 8. Mr. C. Moreno also suggested to open the TIR trust fund to accept earmarked and non-earmarked contributions from governments, IGOs and NGOs, the private sector, philanthropic organizations and individuals. Such donations would require the signature

of contribution agreements between the donors and UNECE, in line with the relevant United Nations financial rules and regulations.

34. The Board welcomed the general idea to have a simplified financing mechanism, but was of the view that clarifications were still required on the practical implementation of such a financing mechanism as well as on the practicalities related to the acceptance of donations in the TIR trust fund.

B. Other matters

35. No issues were raised under this agenda item.

C. Restriction in the distribution of documents

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

D. Date and place of next session

37. The Board was informed by Mr. A. Şenmanav that the Government of Türkiye intends to invite TIRExB and host the 100th session in Istanbul, pending official confirmation. The Board welcomed the idea as well as the possible organization of a side-event, to which representatives of the customs authorities and other competent authorities of Iraq would be invited, aimed at assisting them rapidly making the TIR system operational in their country.
