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## Economic Commission for Europe

### Administrative Committee for the TIR Convention, 1975

#### Fifty-seventh session

Geneva, 6 February 2014

Item 4 (a) (i) 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 fifty-third session of the TIR Executive Board (TIRExB)**

#### *Summary*

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”.

## **I. Attendance**

1. The TIR Executive Board (TIRExB) held its fifty-third session on 10–11 June 2013 in Geneva.
2. The following members of TIRExB were present: Mr. M. Ciampi (Italy), Ms. D. Dirlik (Turkey), Ms. A. Dubielak (Poland), Ms. L. Jelinkova (European Commission), Mr. H. Lindström (Finland), Mr. I. Makhovikov (Belarus), Mr. V. Milošević (Serbia), and Mr. S. Somka (Ukraine).
3. Mr. K. Syaskov (Russian Federation) was excused.
4. The International Road Transport Union (IRU) attended the session as observer and was represented by Mr. M. Azymbakiev.

## **II. Opening statement on behalf of the UNECE**

5. On behalf of the United Nations Economic Commission for Europe (UNECE), Ms. E. Molnar, Director Transport Division welcomed the Board to Geneva and congratulated the members on their recent election. She stressed the important role of the TIRExB and highlighted the challenging work programme ahead of this composition of the TIRExB. She also pinpointed specific challenges, in particular, the amendment proposal allowing the application of the TIR Convention in a Customs Union within a single customs territory or even in a single country and the likely geographical extension of the TIR system to Pakistan.

## **III. Adoption of the agenda**

*Documentation:* Informal document TIRExB/AGE/2013/53

6. TIRExB adopted the agenda of the session as contained in Informal document TIRExB/AGE/2013/53 and decided that it would invite the Economic Cooperation Organization (ECO) to make a presentation about the Istanbul-Teheran-Islamabad corridor project under agenda item IX (Promotion of the geographical expansion of the TIR System).

## **IV. Election of the Chairperson**

7. The TIRExB recalled that at the short meeting of the newly elected TIRExB on 7 February 2013, Ms. A. Dubielak (Poland) was elected Chair for 2013.

## **V. Adoption of the report of the fifty-second session of TIRExB**

*Documentation:* Informal document TIRExB/REP/2013/52draft with comments

8. TIRExB adopted the report of its fifty-second session (Informal document TIRExB/REP/2013/52draft with comments), including most of the amendments proposed by TIRExB members, and requested the secretariat to submit it to the TIR Administrative Committee (AC.2) for endorsement at its autumn 2013 session.

## **VI. Programme of work 2013–2014**

*Documentation:* Informal document No. 3 (2013)

9. TIRExB extensively discussed its programme of work for the years 2013-2014 on the basis of the draft in Informal document No. 3 (2013). The approved version is attached in Annex. TIRExB requested the secretariat to submit the programme of work to AC.2 for approval at its autumn 2013 session.

## **VII. Adaptation of the TIR procedure to modern business, logistics and transport requirements**

### **A. Implementation of the intermodal aspects of the TIR procedure**

*Documentation:* Informal document No. 4 (2013)

10. TIRExB took note of the results and the conclusions of the survey on the intermodal aspects of the TIR procedure presented in Informal document No. 4 (2013), in particular that the TIR procedure is already used for intermodal transport and that the most mentioned obstacles for a wider use of the TIR procedure for intermodal transport are the lack of information for transport companies and for competent authorities, as well as the fact that the TIR procedure is still paper based.

11. While IRU expressed doubts that a paper-based system is an obstacle for a wider use of the TIR procedure for intermodal transports, TIRExB recalled that this is the single most frequently mentioned reason by the respondents to the survey that do carry out multimodal transports (22 per cent).

12. TIRExB requested the secretariat to draft an example of best practice, with possible contributions from the IRU and the respondents to the survey that have indicated interest in contributing further. Such example of best practice should not only be included in the TIR Handbook, but also be actively distributed to the stakeholders that are taking part in intermodal transport. Finally, the outcome of the discussions in AC.2 on the issue of subcontractors, if any, should also be taken into account when drafting the example of best practice.

### **B. Authorized consignors and consignees**

*Documentation:* Informal document No. 5 (2013)

13. On the basis of Informal document No. 5 (2013), prepared by Mr. H. Lindström (Finland), TIRExB had a first round of discussions on the possible introduction of the concept of authorized consignors in the TIR Convention. It felt that the concepts of authorized consignor and consignee should be studied in parallel even if, already today, some countries accept authorized consignees. TIRExB took note that, in Poland, on top of the already existing TIR authorized consignee status, a TIR authorized consignor status will be introduced later in 2013. Some participants expressed concerns on the influence of the introduction of the concept of authorized consignor before AC.2 would decide if the introduction of those concepts would require amending the TIR Convention. Pending a decision by AC.2, the treatment of TIR Carnets by others than the customs authorities of one country could pose a problem for customs authorities in other countries.

14. TIRExB recognized that the use of TIR authorized consignees and consignors within the TIR system would further facilitate trade but stressed a need for further clarifications, in particular, who would be entitled to obtain the status of authorized consignor or consignee, the requirements that consignees and consignors would have to comply with to be authorized, the consequences on Annex 10 as well as the consequences on and opportunities brought by computerization of the TIR procedure.

15. Mr. Lindström agreed to prepare, in cooperation with Mr. Makhovikov (Belarus), a revised version of the document covering both consignor and consignee concepts and taking into account the comments by TIRExB. He asked the Board members to submit their

comments in writing before the end of July 2013. The secretariat also offered to provide TIRExB with references to earlier documentation this topic.

## **VIII. Computerization of the TIR procedure**

### **A. Current status of the eTIR Project**

16. TIRExB took note of the progress made in the eTIR Project, in particular its Cost Benefit Analysis (CBA) and the results of the twenty-second session of the Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1) that took place on 30 and 31 May 2013 in Geneva, the "eTIR Pilot Project" between Italy and Turkey and the United Nations Development Account (UNDA) project "Strengthening the capacities of developing countries and countries with economies in transition to facilitate legitimate border crossing, regional cooperation and integration". It expressed its support towards continuing the computerization effort and, in particular, for the UNDA and eTIR pilot projects.

### **B. Legal and strategic support to the computerization of the TIR procedure**

*Documentation:* ECE/TRANS/WP.30/2013/8

17. In accordance with activity no. 2 of its programme of work and in support of the Working Party on Customs Questions affecting Transport (WP.30), TIRExB considered document ECE/TRANS/WP.30/2013/8, containing an assessment of the various options available for introducing the legal provisions required to enable a fully computerized TIR system. It discussed the pros and cons of the various options and, at first, preferred the idea of a protocol or amending the current convention. Then it also stressed that a new convention could also bring additional opportunities to further modernize transit. Finally, TIRExB agreed that a more in-depth analysis was required to be in a position to recommend any of the options.

## **IX. Functioning of the TIR international guarantee system**

### **A. Survey on Customs claims**

*Documentation:* Informal document No. 9 (2013)

18. TIRExB considered Informal document No. 9 (2013) by the secretariat, containing a revised draft survey on Customs claims for the period 2009-2012. TIRExB noted that, compared to the previous 2011 survey, the draft included additional questions 5 and 6 to which replies might require the availability of a statistical database on Customs claims with time series. Nevertheless, the Board decided to approve the survey with those questions, but to add a footnote indicating that replies to questions 5 and 6 are subject to the availability of relevant data at the national level. TIRExB noted that, as in the past, the approved survey would be conducted online before the end of 2013.

## **X. Promotion of the geographical expansion of the TIR System**

19. TIRExB took note of the information provided by the ECO secretariat in their various transport related activities and supported in principle the Islamabad-Teheran-Istanbul project, which aims at trying out the TIR procedure along that corridor.

## **XI. Supervision of the centralized printing and distribution of the TIR Carnets, including the monitoring of the prices of TIR Carnets**

### **Prices of TIR Carnets**

*Documentation:* Informal document No. 11 (2013), Informal document No. 12 (2013)

20. TIRExB took note of the information on TIR Carnet prices transmitted by national associations in line with Annex 9, Part I, paragraph 3 (vi) as presented in Informal document No. 11 (2013) and expressed great satisfaction with the fact that almost all associations issuing TIR Carnets complied with this new obligation. TIRExB pointed out that the disclaimers, included in the communications of some issuing association requesting that the information would not be disseminated beyond TIRExB and the TIR secretariat, had no validity since communicating the information on prices is an obligation for the associations and it is up to Contracting Parties to decide on what can be done with those data. Some members were of the view that there was no need to limit the dissemination of data on TIR Carnet prices, due to the fact that the prices were already available to the public, whereas others raised some concerns. Therefore, though TIRExB was of the view that an analysis of the prices would be required to understand the large differences in the prices, it decided that, before undertaking an analysis or dissemination of the prices in any form, it would ask AC.2 to clarify TIRExB's function of monitoring the prices of TIR Carnets.

21. TIRExB also took note that the different language versions of Annex 9, Part I, paragraph 3 (vi) can lead to different understandings of the deadline to transmit the TIR Carnet prices to TIRExB. As the proposal contained in Informal document No. 12 (2013) does not fully resolve the issue, it requested the secretariat to present a new proposal at its next session.

## **XII. Settlement of disputes between Contracting Parties, associations, insurance companies and international organizations**

22. No issues related to this agenda item were raised.

## **XIII. Combat fraud resulting from the misuse of the TIR procedure**

23. No issues related to this agenda item were raised.

**XIV. Facilitation of the exchange of information between TIR stakeholders**

24. No issues related to this agenda item were raised.

**XV. Application of the EDI control system for TIR Carnets**

25. No issues related to this agenda item were raised.

**XVI. Central record of information on all rules and procedures prescribed for the issue of TIR Carnets**

26. No issues related to this agenda item were raised.

**XVII. Other matters**

27. TIRExB did not consider any other matters.

**XVIII. Restriction in the distribution of documents**

28. TIRExB decided to keep Informal document No. 10 (2013), Informal document No. 11 (2013), Informal document No. 13 (2013), Informal document No. 15 (2013) and Informal document No. 16 (2013) restricted.

**XIX. Postponed issues**

*Documentation:* Informal document No. 2 (2013), Informal document No. 7 (2013), Informal document No. 8 (2013), Informal document No. 10 (2013), Informal document No. 13 (2013), Informal document No. 1 (2013), Informal document No. 14 (2013), Informal document No. 15 (2013), Informal document No. 16 (2013)

29. Due to the lack of time, TIRExB decided to postpone discussions on agenda items VI.c, VI.d, VII.b, VIII, XIV, XVII and XVIII to its next session.

**XX. Date and place of next session**

30. TIRExB decided to conduct its fifty-fourth session from 30 September to 1 October 2013 in Geneva, in conjunction with the 135th session of WP.30 and the fifty-sixth session of AC.2.

## Annex

### Programme of work for 2013-2014

#### I. Introduction

1. With a view to improving transparency among the TIR bodies, at the beginning of each two-year period of its mandate the TIRExB develops a prioritised work programme and presents it to the TIR Administrative Committee (AC.2) for endorsement. The Chair periodically reports to AC.2 on its activities and the results achieved within the work programme.

2. The programme below is not exhaustive. TIRExB is sufficiently flexible to enable itself to consider any unforeseen issue that might arise. Furthermore, it does not include some ongoing activities as part of the mandate of TIRExB carried out by the TIR secretariat, which do not require the direct involvement of the Board (e.g. maintenance of the ITDB, etc.).

#### II. Overall aims

3. Supervision of and support in the application of the TIR Convention at the national and international levels (Article 1**bis** of Annex 8 to the Convention).

#### III. Activities

##### 1. Support the adaptation of the TIR procedure to modern business, logistics and transport requirements, including intermodal transport

*Priority:1*

*Output expected in 2013–2014:*

- Analyze the results of the survey on the intermodal application of the TIR Procedure.
- Prepare guidelines for approval by the TIR Administrative Committee on how to promote the intermodal use of the TIR Carnet, including the clarification of the use of subcontractors.
- Study the possibility to introduce the concepts of authorized consignors and/or consignees in the TIR Convention, and, if necessary, prepare proposals for the TIR Administrative Committee.

##### 2. To facilitate the computerization of the TIR procedure

*Priority: 1*

*Output expected in 2013 and 2014:*

- Facilitate the computerization of the TIR procedure by means of supporting the activities undertaken by the Ad hoc Expert Group on Technical and Conceptual Aspects of the Computerization of the TIR Procedure (GE.1), including but not limited to, the:
  - Finalization of the eTIR Reference Model;
  - Recommendations on the financial aspects of the eTIR Project.

- Offer its good offices to achieve consensus among all stakeholders on the finalization of the eTIR Project.
- Contribute to the preparation of the legal framework for the computerization of the TIR procedure, possibly, by means of recommendations.
- Promote the eTIR Project as part of the Board's training and capacity-building activities, including the promotion of the use of EDI standards.
- Encourage IT experts to participate, either as eTIR focal points or as national representatives, in the activities undertaken by the Ad hoc Expert Group on Technical and Conceptual Aspects of the computerization of the TIR procedure.
- Supervise and promote the ITDB and the ITDBonline+ web application as building blocks of the future eTIR system.
- Expand the scope of the ITDB to include data on Customs offices approved for TIR operations and, possibly, on certificates of approval of vehicles.

**3. To supervise the functioning of the TIR international guarantee system** *Priority: 1*

*Output expected in 2013 and 2014:*

- Monitor constantly the settlement of Customs claims, on the basis of information provided by national Customs authorities and the IRU.
- Conduct a survey on Customs claims and the TIR guarantee level covering the years 2009–2012

**4. To support training activities on the application of the TIR Convention, mainly in Contracting Parties where difficulties are experienced or might be expected in this area** *Priority: 1*

*Output expected in 2013 and 2014:*

- Organize, possibly in cooperation with the IRU, and substantially contribute to regional and national workshops and seminars on the application of the TIR Convention, where possible with particular focus on technical issues such as the approval of vehicles.
- Update and distribute the TIR Handbook in the official UN languages.
- Prepare and distribute, also via Internet, training material on the application of the TIR Convention.
- Preparation and dissemination to Customs Officials of training material (possibly a handbook) on the approval of road vehicles.

**5. To promote the geographical expansion of the TIR system** *Priority: 1*

*Output expected in 2013–2014:*

- Promote the TIR Convention at regional and national workshops, seminars and conferences on transit, trade and transport facilitation or related issues.
- Provide technical assistance and advice to interested parties.

**6. To facilitate the settlement of disputes between Contracting Parties, associations, insurance companies and international organizations without prejudice to Article 57** *Priority: 1*

*Output expected in 2013 and 2014:*



- Analyse and monitor disputes referred to the Board and make recommendations (if necessary) to facilitate their settlement.

**7. To study specific measures (both legal and practical) to combat fraud resulting from the misuse of the TIR procedure** *Priority: 1*

*Output expected in 2013 and 2014:*

- Identify possible weaknesses in the legal basis of the TIR Convention which could make it prone to fraud and recommend appropriate solutions.

**8. To facilitate the exchange of information between competent authorities of Contracting Parties, national guaranteeing associations, IRU and other Governmental and non-governmental organizations. To coordinate and foster the exchange of intelligence and other information among competent authorities of Contracting Parties** *Priority: 1*

*Output expected in 2013 and 2014:*

- Elaborate adequate instruments and find measures to improve international cooperation among Contracting Parties to the TIR Convention and their national associations, and the international organization in order to prevent and combat fraud.
- Taking into account the views of other international governmental and non-governmental bodies, and in consultation with the IRU, identify fraud prevention measures, including risk analysis tools.
- On the basis of information provided by the TIR international guarantee chain, study the situation with regard to the new trends of fraud, the notifications of non-discharge and TIR infringements as a contribution to an "early-warning system" for identification and prevention of fraud.

**9. To supervise the national/regional Customs control measures introduced in the framework of the TIR Convention** *Priority: 1*

*Output expected in 2013 and 2014:*

- Identify national/regional Customs control measures introduced in Contracting Parties to the TIR Convention and check their conformity with the provisions of the TIR Convention.
- Address the respective national authorities in order to modify or abolish measures which are in contradiction to the TIR Convention.
- Consider the need to clarify the use of the TIR procedure in Customs and Economic Unions, and prepare a proposal for the TIR Administrative Committee, if appropriate.

**10. To supervise the centralized printing and distribution of the TIR Carnets, including the monitoring of the price of TIR Carnets** *Priority: 2*

*Output expected in 2013 and 2014:*

- Monitor the annual numbers of TIR Carnets distributed to various Contracting Parties, broken down by type (i.e. 4-, 6-, 14- or 20-voucher TIR Carnets).
- Monitor the price of TIR Carnets at international level (i.e., ex-IRU price) on the basis of information to be reported by IRU annually or when modified.

- Analyze the data on prices of TIR Carnets at the national level, as provided by National Associations in line with to Annex 9, Part I, paragraph 3 (vi), and decide how to make the best use of these data.

**11. To monitor the application of the EDI control system for TIR Carnets** *Priority: 2*

*Output expected in 2013 and 2014:*

- Continue activities, in cooperation with IRU, towards the full implementation of an international EDI control system for TIR Carnets, as foreseen by Annex 10 to the TIR Convention.
- Monitor performance and give feedback to the Contracting Parties.
- Study, with the support of IRU, how the EDI control system for TIR Carnets is being used by the national issuing associations and Customs authorities for the purposes of fraud prevention.

**12. To maintain the central record for dissemination to Contracting Parties of information on all rules and procedures prescribed for the issue of TIR Carnets by associations, as far as they relate to the minimum conditions and requirements laid down in Annex 9** *Priority: 2*

*Output expected in 2013 and 2014:*

- Input to be provided by IRU in case of changes.

**13. To provide support on the application of specific provisions of the TIR Convention** *Priority: 2*

*Output expected in 2013 and 2014:*

- When required, draft recommendations and/or examples of best practice on the application of specific provisions of the TIR Convention.

**14. Self-evaluation** *Priority: 1*

*Output expected in 2014*

- Prepare a quantitative and qualitative assessment of the Board's achievements during its 2013–2014 term of office in relation with its programme of work and mandate for endorsement by the TIR Administrative Committee.

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