

**TIR EXECUTIVE BOARD (TIRExB)**

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**COMMISSION DE CONTROLE TIR (TIRExB)**

**ИСПОЛНИТЕЛЬНЫЙ СОВЕТ МДП (ИСМДП)**

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## **Administrative Committee for the TIR Convention, 1975**

### **TIR Executive Board (TIRExB)**

**Ninety fourth session**

Geneva, 5-6 December 2022

### **Report of the ninety fourth session of the TIR Executive Board (TIRExB)**

#### **I. Attendance**

1. The TIR Executive Board (TIRExB) held its ninety-fourth session on 5-6 December 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. Zuidgeest (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/2022/94

4. TIRExB adopted the agenda of the session in Informal document TIRExB/AGE/2022/94, with the addition of Informal documents Nos. 28 (2022) and 29 (2022), to be discussed under agenda items 7 and 4, respectively.

#### **III. Adoption of the report of the ninety third session of TIRExB (agenda item 2)**

*Documentation:* Informal document TIRExB/REP/2022/93 draft

5. TIRExB adopted the report of its ninety-third session with a few amendments to Informal document TIRExB/REP/2021/93 draft and requested the secretariat to submit it to the TIR Administrative Committee (AC.2) for endorsement.

## **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, in particular the ongoing conformance tests with Azerbaijan, Georgia, Uzbekistan and IRU. It also took note of the ongoing efforts by the secretariat to develop a stand-alone eTIR National Application (eTIR NA) that could help contracting parties to interconnect with the eTIR international system in line with the eTIR specifications and rapidly enable the eTIR procedure.

7. The Board further took note that the third session of the Technical Implementation Body (TIB) would take place on 19-20 December 2022.

### **B. International TIR Data Bank**

8. The Board took note of the current status of data recorded in the International TIR Data Bank (ITDB), i.e., 1,160 web application users, 29,528 authorized holders, 272 stamps and seals, 2,801 customs offices, and of the web service usage over the past years. The Board also took note of the latest improvements of ITDB-related applications, in particular the readiness of the eTIR Portal to go live and the progress in the development of the two eTIR Mobile apps intended for TIR Carnet holder staff and customs officers. Finally, the Board considered and agreed with the proposal to include optional geographic coordinates for the customs offices in ITDB.

## **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 documents Nos. 13 (2022), 14 (2022), 19 (2022), 19/Rev.1 (2022), 23 (2022) and 29 (2022).

9. The Board recalled that, at previous sessions, it had considered several amendment proposals submitted by IRU (Informal document No. 13 (2022)), an analysis by the secretariat of the various amendment proposals (Informal document No. 14 (2022)) as well as concrete amendment proposals, contained in Informal document No. 19 (2022). It also recalled that, at its previous session, it requested more time to study the wording proposed for a new Explanatory Note to Annex 3, paragraph 2 and requested the secretariat to slightly amend the wording of a new Explanatory Note to Article 12.

10. With that in mind, the Board considered Informal document No. 19/Rev.1 (2022) and decided to:

- Send to AC.2 the proposed revision of the comment to Article 3 of the TIR Convention regarding the TIR procedure and postal items;
- Send to AC.2 the proposed amendments to Annex 3, paragraph 4 and Annex 4, Model Certificate of Approval of a Road Vehicle, page 4, paragraph 3, prolonging the validity of the certificate of approval from two to three years.
- Postpone any decision related to the inclusion of a new Explanatory Note to Annex 3, paragraph 2 to after WP.30 would have received and considered the results of the forthcoming survey on the certificate of approval for TIR vehicles.

- Send to AC.2 the proposed inclusion of a new paragraph 6 in Annex 4, Model Certificate of Approval of a Road Vehicle (page 4), which aims at ensuring that the certificate of approval should be accepted until the last date of validity and remain valid until the end of ~~any~~ transport started before or on that date. The Board also agreed that, further to this amendment, no Explanatory note would be required.

11. The Board also considered Informal document No. 23 (2022), containing a revision of examples of national practices regarding the concepts of authorized consignee and consignor, as well as Informal document No. 29 (2022), on the application of the concept of authorized consignee for TIR in the European Union. The Board requested the secretariat to prepare a document for its next session with the following examples of good practice: the applications of the concept of authorized consignee in the European Union and the applications of the concept of authorized consignor in Türkiye. Pending final approval at its next session., the Board intends to forward both examples of good practice to AC.2 for approval and, ultimately, to have them included in the next revision of the TIR Handbook.

12. Finally, the Board noted that IRU would transmit examples of best practices on the implementation of the concept of subcontractor, for consideration at one of its future sessions.

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

*Documentation:* Informal document No. 24 (2022).

13. The Board considered the examples of national practices about the procedure of authorization of holders, the approval of vehicles as well as the clearance of exports and imports at inland customs offices, as contained in the annexes of Informal document No. 24 (2022).

14. Pending a few corrections, the Board agreed that the good practices presented in annexes 1 and 2 could be included in the next revision of the TIR Handbook. Consequently, the Board kindly requested IRU to submit a revision of Informal document No. 24 (2022) for its next session. Regarding Annex 3, the Board was of the view that it would not only require a few corrections but that it should be considered in the context of the International Convention on the Harmonization of Frontier Controls of Goods.

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

15. The Board took note that a TIRExB workshop on the intermodal aspects of the TIR procedure had taken place on 17 October 2022. The Board further noted that, due to a lack of time, the guidelines for the usage of the TIR and eTIR procedures for intermodal transport would only be finalized and submitted for consideration at the next session of the Board in February 2023.

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

### **Draft new Explanatory Note to Article 6, paragraph 2 of the TIR Convention**

*Documentation:* Informal documents Nos. 9 (2021), 21 (2022), 26 (2022) and 28 (2022).

16. The Board recalled that, at its last session, it welcomed the improved wording for a new Explanatory Note 8.10 (e) (as contained in Informal document No. 21 (2022)) and agreed to slightly improve the wording of an amendment to Explanatory Note 0.6.2 bis-1. Considering that the new wording of both amendments was not only providing a clearer process to be followed but was also removing repetitions and avoiding possible diverging legal interpretations, it had requested the secretariat to prepare a document for the current session containing the improved wording of both Explanatory Notes.

17. The Board took note of IRU's comments on the proposed revision of the Explanatory Note to Article 6, paragraph 2 of the TIR Convention, as contained in Informal document No. 28 (2022), but, considering that the elements brought forward by IRU had already been discussed, decided not to reopen the discussion.

18. In conclusion, the Board approved the improved wording of new Explanatory Note 8.10 (e) and of the amendment to Explanatory Note 0.6.2 bis-1, as contained in Informal document No. 26 (2022), and requested the secretariat to transmit them to AC.2. In addition, the Board stated that the original amendment proposal to Explanatory Note 0.6.2 bis-1, as contained in Informal document No. 9 (2021), while less clear, was also acceptable and requested the secretariat to include it in the document to be transmitted to AC.2.

## **IX. Issues transmitted by the Administrative Committee (agenda 8)**

*Documentation:* ECE/TRANS/WP.30/AC.2/2021/4

19. The Board recalled that, at its previous session, it had considered an issue transmitted by AC.2 on the legal aspects of the addition of a pair of messages to allow the application used by associations to issue eGuarantees, to check the status of TIR Carnet holders (originally proposed by IRU in document ECE/TRANS/WP.30/AC.2/2021/4) and who should register eGuarantees in the eTIR international system, further to their issuance by issuing associations (issue raised by the delegation of Türkiye at the seventy-sixth session of AC.2 (October 2021). Taking into consideration the doubts expressed by one of its members, the Board had decided to postpone this discussion to its next session and to continue its considerations, based on a presentation of the application used by associations to issue eGuarantees, to be organized by IRU.

20. Consequently, the Board welcomed a presentation by a representative of the Union of Chambers and Commodity Exchanges of Türkiye (TOBB) on the application used by associations to issue eGuarantees (ASKTIRweb) and made full use of the opportunity to clarify the processes that lead to the registration of eGuarantees in the eTIR international system. In conclusion, the Board was of the view that, taking into account that the registration of eGuarantees in the eTIR international system is only done further to the issuance of the eGuarantee by the issuing association, the sending of E1 messages (Guarantee Registration) by the ASKTIRweb application to the eTIR international system is fully in line with the provision of Article 6 of the TIR Convention.

21. Furthermore, the Board was of the view that nothing in the TIR Convention seems to prevent the addition (in the next version of the eTIR specifications) of a pair of messages to allow holders and issuing associations to check the status of the holder directly in the applications that they use to order/use and issue eGuarantees.

22. Finally, the Board requested the secretariat to transmit its conclusions to AC.2 and advise both AC.2 and TIB to assess how to take maximum advantage of the addition of the new pair of messages.

## **X. Self-evaluation (agenda 9)**

*Documentation:* Informal document No. 27 (2022)

23. The Board considered and, provisionally, approved Informal document No. 27 (2022), containing a quantitative and qualitative assessment of the achievements of the Board in relation to its program of work as well as the consolidated replies and proposals from the self-evaluation form, distributed to Board members.

24. The Board noted that, in line with the expected outputs under activity 8 of the program of work, the secretariat will prepare an ITDB governance document for consideration and possible approval at its next session. Finally, the Board requested the secretariat to include the relevant decisions made during the current session in a revised version of Informal document No. 27 (2022) which it will consider at its next session.

## **XI. Miscellaneous (agenda item 10)**

### **A. Activities of the secretariat**

25. The secretariat informed the Board that it is planning to take part in a workshop organized by the Islamic Development Bank (ISDB) in January 2023.

### **B. Other matters**

*Documentation:* Informal documents Nos. 18 (2022) and 22 (2022)

26. The Board recalled that, at its previous sessions, it had considered Informal documents Nos. 18 (2022) and 22 (2022), transmitted by IRU, about regular checks on TIR transports at certain border crossing points and, respectively, additional evidence on the actual cases. The Board had recommended that the parties involved should first discuss the various cases among themselves, possibly with evidence of the use of TIR-EPD, when available.

27. The Board noted that, while bilateral meetings have been organized (including with the private sector), the situation had only slightly improved at some border crossings but remained unchanged at others. IRU informed the Board that, since advance data is

mandatory in Türkiye and Iran (Islamic Republic of), TIR-EPD had been used in all reported cases to send advance data.

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

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

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

29. The Board decided to conduct its ninety-fifth session on 6 February 2023, in Geneva, and requested the secretariat to make the appropriate arrangements.

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