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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 eighty-third session of the TIR Executive Board (TIRExB)

I. Attendance

1. The TIR Executive Board (TIRExB) held its eighty-third session on 14 October 2019 in Geneva.

2. The following members of TIRExB were present: Mr. M. Ayati (Islamic Republic of Iran), Mr. M. Ciampi (Italy), Ms. D. Dirlik Songur (Turkey), Mr. P. J. Laborie (European Commission), Mr. H. R. Mayer (Austria), Mr. S. Somka (Ukraine), Ms. E. Takova (Bulgaria) and Mr. F. Valiyev (Azerbaijan). Mr. S. Amelyanovich (Russian Federation) was excused.

3. Mr. Y. Guenkov attended the session as observer, representing the International Road Transport Union (IRU).

4. The Board welcomed Mr. Jonathan Valdes (France), P3 Information Systems Officer, and Mr. Luigi Andrea Castorina (Italy), G4 Administrative Assistant (temporary), as the new members of the TIR secretariat.

II. Adoption of the agenda (agenda item 1)

Documentation: Informal document TIRExB/AGE/2019/83

5. TIRExB adopted the agenda of the session in Informal document TIRExB/AGE/2019/83, by including Informal document No. 15 (2019) under agenda item 14 "Other matters".

III. Adoption of the report of the eighty-second session of TIRExB (agenda item 2)

Documentation: Informal document TIRExB/REP/2019/82draft

6. TIRExB adopted the report of its eighty-second session as in Informal document TIRExB/REP/2019/82draft.



IV. Budget proposal and cost plan of TIRExB and the TIR secretariat for the year 2020 (agenda item 3)

Documentation: ECE/TRANS/WP.30/AC.2/2019/16, ECE/TRANS/WP.30/AC.2/2019/17, ECE/TRANS/WP.30/AC.2/2019/18 and ECE/TRANS/WP.30/AC.2/2019/19

7. TIRExB took note of its final accounts for the year 2018, together with a report covering the period from 1 January 2019 until 30 June 2019, prepared by the secretariat and contained in documents ECE/TRANS/WP.30/AC.2/2019/16 and ECE/TRANS/WP.30/AC.2/2019/17, respectively. Further, the Board took note of document ECE/TRANS/WP.30/AC.2/2019/18, containing the audit certificate for the year 2018 related to the account kept by IRU for the invoicing and advance transfer of the money required for the operation of the TIRExB and the TIR secretariat.

8. The Board considered and endorsed the budget proposal and cost plan of TIRExB and the TIR secretariat for the year 2020, as well as the net amount to be transferred by IRU (see ECE/TRANS/WP.30/AC.2/2019/19).

V. Audit report on the management of the TIR Trust Fund issued by the United Nations Office of Internal Oversight Services (agenda item 4)

Documentation: Informal document Nos. 4, 10 and 11 (2019)

9. The Board took note of the follow-up actions by the secretariat to the decisions taken at its previous session on the recommendations of the United Nations Office of Internal Oversight Services (OIOS) (TIRExB/REP/2019/82final, paras. 9–33). Apart from Recommendation Nos. 1 and 10 considered at the session, the Board noted following information by the secretariat:

- Recommendation No. 2: The secretariat started drafting Terms of Reference for the Focal Points to be submitted to AC.2 at its February 2020 session.
- Recommendation No. 3: A document will be submitted to AC.2 at its February 2020 session based on the report of the consultants (see TIRExB/REP/2019/82final, para. 37).
- Recommendation No. 4: The secretariat implemented the recommendation with the draft revised agreement with the international organization.
- Recommendation No. 5: ECE started drafting amendments to its directive on the management of extrabudgetary resources.
- Recommendation No. 6: The secretariat submitted the Memorandum of Understanding (MoU) on cooperation in computerizing the TIR procedure, signed by ECE and IRU on 6 October 2017 and its Contribution Agreement (CA) to AC.2 (see ECE/TRANS/WP.30/AC.2/2019/26).
- Recommendation No. 7 (a): (see agenda item IX)
- Recommendation No. 7 (b): A document will be submitted to AC.2 at its February 2020 session based on the report of the consultants (see TIRExB/REP/2019/82final, para. 37).
- Recommendation No. 8: The secretariat implemented the recommendation with the draft revised agreement with the international organization.
- Recommendation No. 9: The secretariat implemented the recommendation while preparing the 2020 budget, resulting in a budget decrease of \$ 37,064.

10. Regarding Recommendation No. 5, the Board requested the secretariat to clarify how the project approval mechanism would work with the amendments to the Directive. The secretariat mentioned that the referred recommendation was under the responsibility of the ECE Programme Management Unit (PMU) and that the secretariat had limited knowledge of

its implementation. It added that the amendments were going to be submitted to the Executive Committee (EXCOM) for approval. Further, the secretariat highlighted the impact of this issue on all ECE conventions and stated that ECE explored a regulation that would respond to the needs of all the instruments. It explained that, according to latest information, the projects related to the TIR Convention would need to be addressed first to AC.2 as recommended by OIOS. It added that this might be followed by an EXCOM review, but the practicality and the necessity of that was under consideration. The Board noted the ongoing work at ECE on the recommendation and expressed that, for the sake of transparency and to ensure in-depth discussions, any project about the TIR Convention should be considered at AC.2 level in the first place. The secretariat assured that it would share the conclusion with ECE PMU.

A. Recommendation 1 on the monitoring and evaluation of the documentation submitted by the international organization

11. The Board took note of the recommendations by the consultants in Informal document No. 10 (2019) about the monitoring and evaluation of the documentation and agreed all recommendations in principle. The Board reiterated its conclusion that the evaluation would be better fulfilled by an expert (TIREXB/REP/2019/82final, para. 16). The Board added that while the Board members could get support from their national experts while assessing the documentation, such a support would be informal since they act in their personal capacity at the Board. Therefore, it was of the view that in case the national experts would be involved, that should be via AC.2 where the government authorities were represented. Regarding the recommendation by the consultants to hire a consultant to evaluate the documentation, the Board underlined the cost of such a regular activity as a limiting factor. The secretariat drew attention also to administrative procedures for hiring consultants as a limitation. TIREXB concluded that, given the cost factor, the best option would not be hiring a consultant, but search for support from national governments.

12. TIREXB requested the secretariat to revise the document according to comments from previous and current sessions and submit to AC.2 for consideration at its February 2020 session.

B. Recommendation 10 on developing an action plan for providing the required training and support to countries that have acceded to the TIR Convention

13. TIREXB welcomed the draft action plan in Informal document No. 11 (2019) and considered that it would bring a fresh momentum to the effort to make the TIR Convention more attractive. Further, it considered that the action plan was ambitious including actions with tight timings, however warranted. The Board requested the secretariat to take into account following points while implementing the action plan:

- Activities related to eTIR and the intermodal use of the TIR procedure should be given priority.
- World Customs Organization (WCO) accredited transit experts could be benefited in delivery of the activities.
- Contracting Parties that are not operational for long time should also be paid attention.
- Countries that show interest for accession and those that are neighbouring current Contracting Parties, such as Iraq, should be given priority.
- Need for continuing capacity building activities for better application of the TIR Convention should be kept in mind.
- Cooperation with regional initiatives, particularly with corridor-based initiatives, could be beneficial.

14. Mr. Guenkov (IRU) stated that seeking synergies of what had already been developed would help saving time while realizing the action plan. He added that IRU signed an MoU with WCO and published training materials on the TIR Convention both for customs authorities and transporters at WCO e-learning platform. He also stated that, based on the workshops with the newly acceded countries, they noted the need for customs experts, particularly in the field of vehicle controls according to the TIR Convention.

15. TIRExB agreed with the action plan and requested the secretariat to submit it to AC.2 at its February 2020 session for consideration and approval as also recommended by OIOS.

VI. Application of specific provisions of the TIR Convention (agenda item 5)

Consideration of amendment proposals

Proposals to introduce more flexibility in the guarantee system

16. TIRExB reiterated its decision to commence considerations of the matter only subsequent to the deliberations of AC.2 (ECE/TRANS/WP.30/AC.2/2019/13, para. 13).

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

A. eTIR project and eTIR pilot projects

17. The Board noted that the Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1) held its thirtieth session on 18 and 19 September 2019 in Budapest at the invitation of the Hungarian customs administration. It welcomed the participation of the Russian Federation and noted that GE.1 discussed, inter alia, some issues on which contracting parties could not reach an agreement when discussing draft Annex 11.

18. The Board took note that GE.1, while trying to clarify which customs offices should receive advance TIR data, made proposals to slightly amend Article 2 (b) and Article 6 of Annex 11 to incorporate the concepts contained in Explanatory Note 11.6.2, which could then be deleted. It also noted that further to the proposals made by GE.1, the secretariat circulated the proposals to all TIR contracting parties in preparation to the October 2019 session of AC.2, together with a suggestion for improvement and additional amendments in other articles for consistency.

19. The Board took note that on the issue of the authentication of the holder, GE.1 welcomed a presentation by the Russian Federation on the use of trusted third parties (TTP) for cross border recognition of electronic signatures. The presentation raised interest and numerous questions, in particular on the mandatory usage of electronic signatures by all contracting parties, the costs for setting up national and central TTPs as well as roles and responsibilities of the TTPs. The Board took note that GE.1 decided to continue considering this issue at its next session.

20. Moreover, regarding MoU between ECE and IRU in the field of computerization of the TIR procedure and its CA, the Board welcomed the recently launched eTIR project between Azerbaijan and Iran (Islamic Republic of). The Board took note that the first eTIR transport from Iran (Islamic Republic of) to Azerbaijan took place on 18 June 2019 and that, since then, seven more similar eTIR transports took place. The Board noted that both countries decided to follow a corridor-based approach for the future of the project.

21. The Board further noted that the eTIR project between Iran (Islamic Republic of) and Turkey was still ongoing and that both countries were still discussing to finalize an MoU, which would allow extending their eTIR pilot project to all customs offices and all TIR Carnet holders from both countries. Further, the Board noted that the eTIR pilot project between Georgia and Turkey was continuing to the satisfaction of both countries.

22. Finally, the Board took note of the progress made on the development of the eTIR international system, parallel to the eTIR pilot projects, and on the priority given by the secretariat to the reliability, security and ease of connectivity for the contracting parties to the system.

B. International TIR Data Bank

23. The Board took note that, newly recruited Information Systems Officer Mr. Valdes would commence working on pending operational and development tasks with ITDB and that he would closely work with the contracting parties to enhance the use of ITDB. The Board also noted that fifty contracting parties were registered in ITDB and, since the beginning of 2019, forty contracting parties logged in the application to update data.

C. Publishing information on customs offices using the International TIR Data Bank

Documentation: Informal document No. 6 (2019)

24. TIRExB considered the amendment proposal in Informal document No. 6 (2019) which aimed at the submission of information on customs offices to ITDB. The Board noted that the draft explanatory note to Article 45 would stipulate how contracting parties should fulfil their obligation on publishing information on customs offices. TIRExB assessed the merit of adding a deadline for the submission of this information. It concluded that, due to long administrative procedures undertaken to open or close customs offices, except in unforeseen circumstances, authorities would have sufficient time to share this information. Therefore, it decided that no fundamental need existed to amend the text of the Article, where a deadline could be reflected, for the time being. The secretariat explained that the authorities could enter data into ITDB well in advance both on the start and end date of the service and the working hours.

25. Mr. Guenkov (IRU) stated that IRU received the information on customs offices from the associations in new contracting parties. He added that this information was sent to the secretariat and the associations in other contracting parties, requesting transmission to customs authorities. He indicated that IRU supported the module on customs offices. However, he mentioned that the information on customs offices could have legal implications related to claims procedure. Therefore, he requested that the information be submitted to ITDB with the date and time of the start and end of the service. He also requested that information on customs offices be made publicly available. The secretariat clarified that, in line with Article 45 that required publishing information on customs offices, information on customs offices would be publicly available via ITDB website. Mr. Guenkov (IRU) also asked if the holders were able to access ITDB holders module to check their data or if such access was foreseen. The secretariat clarified that only customs authorities and associations had access to data on holders in ITDB and that there was no discussion on holders' accession in the past.

26. TIRExB endorsed the draft amendment proposals in Informal document No. 6 (2019) and requested the secretariat to submit them to AC.2 for adoption. The Board also highlighted the importance of informing TIRExB and the secretariat immediately about any changes in the application of the TIR Convention in contracting parties, including changes related to customs offices available for the TIR procedure.

VIII. Adaptation of the TIR procedure to modern business, logistics and transport requirements (agenda item 7)

Implementation of the intermodal aspects of the TIR procedure

Documentation: Informal document No. 12 (2019)

27. The Board considered the results of the study on the intermodal use of the TIR procedure in Informal document No. 12 (2019). The secretariat emphasized that the study dealt with the market conditions per transport mode, potential for the intermodal use of the TIR procedure and possible counterparts for promotion, applicable legislation to modes of transport other than road and results of the pilot projects. The secretariat requested the Board to consider especially the need for drawing conclusions and recommendations from the study.

28. The Board appreciated the work done by the secretariat and considered the study as a good starting point for its work. The Board highlighted following points from the study:

- core value of the subcontractor concept for the intermodal use of the TIR procedure, hence the urgent need for introducing this concept in the TIR Convention
- importance of completing the eTIR project to eliminate the use of the paper TIR Carnet
- importance of introducing authorised consignor/consignee concepts to facilitate the process
- dependency of some new contracting parties on the intermodal use of the TIR procedure
- need for promotion and awareness-raising, both for customs officers and holders, on the use of the TIR procedure in intermodal transport, particularly on how to handle the TIR Carnet.

29. Mr. Guenkov (IRU) supported the document and mentioned their availability to further contribute in it. He stated that the document could be improved by an emphasis on the need for promotion and, to that end, the benefits of the pilot projects could be further emphasized.

30. The Board requested the secretariat to revise the document for its next session with a focus in highlights and by including:

- Reference to the provisions of the Revised Kyoto Convention on postal items
- Information on other regions, particularly on Africa and Latin America, when possible.

31. TIRExB decided to continue discussions at its next session to identify the core issues and draw recommendations.

IX. Settlement of disputes between contracting parties, associations, insurance companies and international organizations (agenda item 8)

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

Documentation: Informal document No. 7 (2019)

32. TIRExB recalled the mandate by AC.2 to assess whether and to which extent it would be possible to include provisions on the relation between the international organization and its national associations in the text of the TIR Convention. Further, TIRExB recalled that it concluded, in order to address the issues raised by the Romanian customs authorities or

similar cases, it seemed more appropriate to develop some type of early warning mechanism or a guideline, and accordingly, requested the secretariat to draft a document in line with its conclusion (ECE/TRANS/WP.30/AC.2/2019/13, paras. 25 and 26).

33. TIREXB considered the document that comprised a draft text for an early warning mechanism and guidelines. The Board was of the view that the issue was a sensitive one and the draft by the secretariat reflected a balanced approach. The Board expressed its readiness to transmit the document to AC.2.

34. Mr. Guenkov (IRU), while noting that the document was well drafted, considered that it could be improved and accordingly, provided a paper during the session suggesting amendments to the text. The Board, as a preliminary remark, considered that the proposals by IRU were introducing too many details. It expressed its preference with the text drafted by the secretariat.

35. TIREXB asked the secretariat to distribute the proposals by IRU to comment on them at its next session.

X. To provide support in the application and strengthening of the TIR Convention (agenda item 9)

Study the reasons resulting in the decreasing number of the TIR Carnets used and make recommendations to improve the TIR system

Documentation: Informal document Nos. 8 and 13 (2019)

36. TIREXB welcomed the document drafted by the secretariat based on the survey conducted with the Board members and IRU. The Board noted that the study provided substantial input to discuss the reasons of decline; however, the document contained too much emphasis on alternative systems, mainly the New Computerised Transit System (NCTS). The Board considered that the focus should be shifting preferences of transporters, thus looking for answers to “why” question instead of explaining “how” the decline happened. The Board underlined that, without identifying and addressing the reasons for shifting preferences, the expansion of the TIR system to other regions would not help reversing the decline. Nevertheless, the Board emphasized the ongoing relevance of the TIR Convention as a global transit tool and the complementary nature of alternative systems. Further, the Board requested the secretariat to review the structure of the document, especially to eliminate duplications and set links between inputs. The Board also considered it an asset if further data could be accessed about the quality of the movement to alternative systems such as the size of enterprises.

37. The secretariat mentioned the importance of complementing the study with an action plan initially to stop and then reverse the decline. In this regard, referring to difficulties in introducing new concepts to the TIR Convention, TIREXB underlined the need for a more simplified decision-making process for the Convention.

38. TIREXB requested the secretariat to revise the document taking into account its comments and circulate via email for feedback. The Board further decided that depending on the results of informal contacts, the document would then be submitted either to TIREXB for further consideration or to AC.2.

XI. Prices of TIR Carnets (agenda item 10)

Analysis of the prices of TIR Carnets

Documentation: Informal document No. 14 (2019)

39. The Board took note of 2019 TIR Carnet prices and their analysis in Informal document No. 14 (2019). Further, in connection with the previous agenda item, the Board

stressed that, while in numerous countries the prices of TIR carnets went down in the past five years, the number of TIR Carnets issued kept declining, thus indicating that the price did not seem to be a key factor in the declining usage of TIR Carnet. The Board pointed out that Part III of the analysis was rather technical and, for the analysis of the 2020 TIR Carnet prices, some additional explanation for non-economists could be beneficial. The Board also requested the secretariat to publish 2019 TIR Carnet prices on the TIR website and transmit them to AC.2 together with the analysis for consideration at its February 2020 session.

40. Finally, for the collection of the 2020 TIR Carnet prices, the Board requested the secretariat to launch a survey before 31 December 2019.

XII. Functioning of the TIR international guarantee system (agenda item 11)

41. The Board requested the secretariat to distribute to the competent authorities the survey on customs claims for the years 2015–2018 in English, French and Russian, requesting them to reply before 15 December 2019.

XIII. Problems reported by transport companies from the Republic of Moldova in Ukraine (agenda item 12)

Documentation: Informal documents Nos. 37 (2014) and 8 (2015)

42. TIRExB noted that there was no new information on the agenda item.

XIV. Activities of the secretariat (agenda item 13)

General activities of the secretariat

43. The Board was informed about TIR workshops or seminars that had been conducted or were planned. Further to a request from the Government of Mongolia, the secretariat, in cooperation with IRU, had organized a capacity-building workshop in Ulaanbaatar on TIR, eTIR and the European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport (AEGR) (18 and 19 June 2019). The secretariat would participate in the twenty-fifth Border Management Staff Course organized by the Organization for Security and Cooperation in Europe (OSCE) (24 October 2019, Dushanbe). Furthermore, a side event during the United Nations General Assembly in New York would be organized by the secretariat in cooperation with the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States on the eTIR international system and the benefits that its application would bring to landlocked countries (5 and 6 December 2019, New York).

XV. Other matters (agenda item 14)

New measures introduced by the Republic of Belarus

Documentation: Informal document Nos. 9 and 15 (2019)

44. TIRExB noted that the issue was also at the agenda of WP.30 at its 153rd session on 15–18 October 2019 (see ECE/TRANS/WP.30/305, item 3(c)(v)). The issue was not considered due to a lack of time.

XVI. Restriction in the distribution of documents (agenda item 15)

45. TIRExB decided to keep documents issued in relation to the current session, excluding Informal document No. 10 (2019), restricted.

XVII. Date and place of next session (agenda item 16)

46. The Board decided to conduct its eighty-fourth session on 3 February 2020 in Geneva and requested the secretariat to make the appropriate arrangements.
