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INLAND TRANSPORT COMMITTEE

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Working Party on Customs Questions affecting  
Transport

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Item 8 (b) (i) of the provisional agenda

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CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS UNDER  
COVER OF TIR CARNETS (TIR CONVENTION, 1975)

Revision of the Convention

Preparation of Phase III of the TIR Revision Process

Transmitted by the International Road Transport Union (IRU)

COMPUTERIZATION OF TIR (E TIR PROJECT)

The road transport industry's assessment of Chapter 2 of the Reference Model  
(ECE/TRANS/WP.30/2007/16 - ECE/TRANS /WP.30/AC.2/2007/15)

The annotated agenda for the forthcoming WP30 and AC.2 sessions to be held on 25 to 28 September 2007 foresees at item 8(b)(i) the possible adoption and endorsement of the latest version of Chapter 2 of the Reference Model (document ECE/TRANS/WP.30/2007/16 - ECE/TRANS /WP.30/AC.2/2007/15 refers).

The IRU and its Member Associations, representing the road transport industry, have studied the latest version of the Chapter 2 and firmly believes that it would be premature for the Contracting Parties to adopt and endorse the proposals in advance of the resolution of the strategic and legal issues – some of which have been identified in document ECE/TRANS/WP.30/2007/17.

In addition, the road transport industry believes there are major consequences for the Contracting Parties connected with the adoption and endorsement of the Chapter 2. These consequences have not been fully recognized, identified and measured by the Contracting Parties.

In essence the adoption of Chapter 2 foresees the establishment of the centralized database (called the eTIR international system) which will receive, store and distribute to the Contracting Parties all the TIR data required to manage the TIR operations at the national and international level. The system also envisages the separation of the TIR declaration from the TIR

guarantee and so has a profound impact on the way national Customs systems operate and on the relationships between Customs and trade.

Chapter 2 is silent on the objective information that is usually provided in major IT projects, such as the resources involved (both financial and human), the legal status, responsibilities and accountabilities of the actors involved, and the management of risks, etc. At least one Contracting Party expressed a concern about this during the previous session of the WP.30.

The costs involved in developing, managing and maintaining the eTIR international system has not been quantified. In addition, Chapter 2 now foresees the establishment of a helpdesk which would operate around the clock (paragraph 2.1.3.2.6 of the draft document refers) in order to provide the necessary fallback cover in the event of a systems failure. The physical location of the centralized database and the helpdesk are not stipulated but it is assumed they would not be co-located.

In adopting this draft of Chapter 2 the Contracting Parties accept to commit their national budgets to fund the development, management and maintenance costs of the centralized database and the parallel system managed and maintained by the helpdesk without any indication of what those costs would be. It is noted that some Contracting Parties during the previous session of the WP.30 expressed their concern about this issue.

The proposal will also impact on national computer systems and procedures. In adopting this draft of Chapter 2, the Contracting Parties accept to connect, and so modify, their national systems to the eTIR International system (paragraphs 2.1.3.1.1 and 2.1.3.1.2 refer) without knowing what this will entail technically and financially. The Contracting Parties also accept that TIR data exchanged nationally (between offices of departure/entry and offices of destination/exit) has to be compatible with the eTIR technical standards.

The Contracting Parties additionally accept to run the electronic and the paper based TIR systems in parallel for an unspecified period of time. This would oblige those Contracting Parties that are fully computerized to transmit information inscribed on the paper TIR Carnet to the eTIR international system. Moreover Contracting Parties accept that they will no longer have any direct communication between neighbouring Customs systems, instead all communications will be mediated through the Central system.

In adopting this draft Chapter 2 the Contracting Parties accept that they will no longer be responsible for the national leg of a TIR transport only but will also be responsible at the international level. Specifically Contracting Parties accept to bear the responsibility for the accurate and timely transmission of the TIR declaration data to the succeeding countries, via the Central system (paragraph 2.1.2.4.2 of the document refers). Thus they will be accountable for any errors or delays associated with this function and the Holder will not be liable in case of inconsistency between the data provided electronically and the goods contained in the sealed unit.

Moreover the Contracting Parties will have to accept TIR guarantee information from the eTIR international system which has not been validated by the TIR guarantee chain.

Finally, in adopting this draft Chapter 2 the Contracting Parties accept to subordinate their national systems and national procedures to a supranational entity (the eTIR international system) whose legal status, liability and responsibilities have not so far been defined.

In conclusion, although Chapter 2 of the Reference Model does not define which body will manage the eTIR international system, the Contracting Parties nevertheless accept to increase their liabilities, responsibilities and accountabilities.

The IRU and its Member Associations, call on the Contracting Parties to give very careful consideration to the points raised in this document and provide appropriate answers to the above mentioned fundamental issues before they formally adopt and endorse the draft Chapter 2 as set out in document ECE/TRANS/WP.30/2007/16-ECE/TRANS /WP.30/AC.2/2007/15.

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