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Item 5 (h) of the provisional agenda

Strategic questions of a modal and thematic nature:

Strengthening border crossing facilitation

(Harmonization Convention, TIR Convention, eTIR Project
and other Customs transit facilitation measures)

Strengthening border crossing facilitation (Harmonization Convention, eTIR project and other customs transit facilitation measures)

Note by the secretariat

Summary

This document contains a summary of the activities of the Working Party on Customs Questions affecting Transport (WP.30) and the secretariat with a view to enhancing border crossing facilitation and relevant legal instruments under the auspices of WP.30 (Harmonization Convention, TIR Convention, etc.). This includes the computerization of the TIR system in the framework of the eTIR project.

The document is submitted to the Committee for information and endorsement of the above activities. The Committee is also invited to support the continuation of the eTIR project, and to this end to prolong the mandate of the Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (WP.30/GE.1) to the year 2015, as well as to approve the establishment of a Formal Group of Experts on the Legal Aspects of the Computerization of the TIR Procedure as mandated by WP.30.

I. Background and mandate

1. At its previous session, the Committee noted and supported the activities of the Working Party on Customs Questions affecting Transport (WP.30) with a view, in

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particular, to strengthening the Harmonization Convention, 1982 and the TIR Convention, 1975 (ECE/TRANS/240 para. 66). Among other considerations, the Committee also urged all Contracting Parties to accelerate efforts to complete and launch the eTIR project, bearing in mind that its implementation will not only enhance efficiency of the functioning of the TIR Convention in practice, but also ensure more transparency and liability (ECE/TRANS/240 para. 69). To this end, the Committee supported the continuation of the project and prolonged the mandate of the Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1) until the end of year 2014.

2. This document has been prepared in accordance with the Programme of Work of the Inland Transport Committee (ITC) (ECE/TRANS/240, para. 100; and ECE/TRANS/2014/23, programme activity 02.7: Customs questions affecting transport). It reports on the progress made in 2014 by the Contracting Parties, WP.30 and secretariat in the area of border crossing facilitation, including, among others:

- Developments in the International Convention on the Harmonization of Frontier Controls of Goods, 1982 (Harmonization Convention), as well as monitoring and capacity-building initiatives to assist in the proper application of this Convention at the national level;
- Activities and developments regarding the TIR Convention and the functioning of the TIR system;
- The entry into force of amendments to Annex 1, Annex 6, as well as Annex 9, Part I, paragraph 3 (vi) to the TIR Convention, 1975;
- Progress made in developing the technical aspects of the eTIR project, the developments in the eTIR pilot project between Italy and Turkey, the efforts towards the development of the appropriate legal instrument to frame the operationalization of the computerized TIR procedure and the initiation of a UNECE-IRU Pilot project between Iran and Turkey;
- The UNDA project “Strengthening the capacities of developing countries and countries with economies in transition to facilitate legitimate border crossing, regional cooperation and integration”.

II. Harmonization Convention

3. The Administrative Committee of the International Convention on the Harmonization of Frontier Controls of Goods (Harmonization Convention), 1982, held its tenth session on 9 October 2014 in Geneva, in accordance with Annex 7, Article 4 of the Convention.

A. Activities to facilitate the implementation of Annex 9 on rail border crossing

4. On 30 November 2011, a new Annex 9 on rail border crossings to the Harmonization Convention, which introduced key principles for the facilitation of border crossing procedures for international rail freight entered into force. Since that time, the Working Party on Rail Transport (SC.2), in cooperation with WP.30, have undertaken the development of possible mechanisms for monitoring its implementation at the national level. The Committee may wish to recall that, in 2013, the secretariat prepared a questionnaire (ECE/TRANS/SC.2/2013/6) on ways to monitor the implementation of the provisions in the new Annex 9. The questionnaire was distributed to all Contracting Parties

and, on the basis of twenty-two received replies, the secretariat prepared an analysis of preliminary results, presented to SC.2 at its sixty-eighth session on 24-26 November 2014.

B. Biennial survey on the implementation of Annex 8 on road border crossing

5. The Committee should recall that, in accordance with Annex 8, Article 7 of the Harmonization Convention, the secretariat is required to carry out a survey every second year, concerning the implementation of Annex 8 on road border crossings at the national level. In November 2014, the secretariat launched an online survey to which Contracting Parties were invited to respond by 16 January 2015.

C. International Vehicle Weight Certificate

6. The Committee should note that on 30 September 2014, the first International Vehicle Weight Certificate (IVWC) under Annex 8, Article 5 to the Harmonization Convention was issued in the Republic of Moldova. Georgia and Ukraine were the first countries to accept the IVWC. This was an important step forward in the implementation of Annex 8 that will facilitate the processing of trucks at border crossings. In September 2014, the secretariat of the Organization of the Black Sea Cooperation (BSEC) initiated a pilot project on the use of the IVWC. Preliminary information on further implementation of the IVWC was expected to be reported by BSEC at the February 2015 session of WP.30. The Committee may wish to express its support for this good regulatory practice and invite other UNECE member States to use and accept the IVWC.

D. Benchmarking and performance measurement in the Harmonization Convention

7. The Committee should recall that, on the basis of the joint publication of UNECE and OSCE issued in 2012, "Handbook on Best Practices at Border Crossings: A Trade and Transport Facilitation Perspective", the Contracting Parties to the Harmonization Convention have considered a set of options for introducing into the Harmonization Convention, systematic benchmarking and performance indicators as tools for monitoring its implementation. Against this background, the Administrative Committee of the Harmonization Convention decided, at its tenth session in 2014, to mandate the secretariat to organize, in 2015, a workshop on best practices and performance measurement by national border authorities.

III. International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail, of 10 January 1952

8. At meetings of WP.30 and the Inland Transport Committee in 2013, several delegations, expressing the view that they consider the 1952 Convention outdated and, thus, have no wish to join it, and argued for the development of a new international agreement that they deem necessary for facilitating the crossing of national frontiers by rail transport. In this context, an informal group of experts on elaborating such a Convention met for the first time on 8-9 September 2014 in Warsaw with representatives from twelve countries. The meeting was organized at the initiative of the Organization for Cooperation between Railways (OSJD) and under the aegis of UNECE. The main outcomes of this meeting,

together with a draft structure of a new Convention were reported to WP.30 in October 2014 (see Informal Document (WP.30) 2014 No. 12) and included the following key principles:

- The new Convention must constitute a combination of agreed views and approaches to the cooperation on the facilitation of border crossing procedures for the carriage of passengers and baggage by rail;
- The new Convention should not in any way affect the obligations under other international agreements of its Contracting Parties;
- That the Convention should ensure speedy and efficient international carriage of passengers and baggage by rail, in line with industry needs and new technologies, with observance of effective controls and checks, without compromising convenience and quality of service for passengers.

9. OSJD with the assistance of UNECE, has planned two more sessions of the informal group for 2015. The Committee may wish to invite interested state bodies and private operators to contribute to this work.

IV. Customs Conventions on the Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956)

10. The Committee should note that, on 30 June 2014, the Secretary-General of the United Nations, acting in his capacity as depositary, had issued Depositary Notification C.N.315.2014.TREATIES-XI.A.8, communicating an amendment proposal to the Customs Convention on the Temporary Importation of Private Road Vehicles (1954), transmitted by the Government of the United Arab Emirates. The amendment enables the issuance of the Carnet de Passage en Douane in a combination of any two United Nations official languages as long as one of the two is English or French. At the time of this writing, it is envisaged that the amendment will enter into force on 30 March 2015, if, in accordance with Article 42, paragraph 3 of the above-mentioned Convention, no objections to the proposed amendment are deposited by Contracting Parties by 30 December 2014.

V. Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment Notes, of 9 February 2006

11. Pursuant to the Committee's decision at its last session, to request its subsidiary bodies to analyse the relevance of the old Conventions that are still not in force, the Committee should note that the Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of SMGS Consignment Notes signed in Geneva on 9 February 2006, has not yet entered into force. The Convention currently has one signatory State, while its Article 22 requires five (5) ratifications for entry into force.

12. The Committee may wish to recall that this Convention addresses the carriage of goods in transit by rail, and specifically the use/acceptance of the SMGS consignment note as a customs transit document.

VI. The TIR Convention

13. A new package of amendments to Annex 1, Annex 6, as well as Annex 9, Part I, paragraph 3 (vi) to the TIR Convention, 1975 was approved by the TIR Administrative Committee in 2014. Among these amendments was the inclusion of the Explanatory Notes on the required professional qualifications of members of the TIR Executive Board as well as on the by-election procedure to be followed in case a member resigns or is unable to fulfil their functions. These amendments are of particular importance in light of the problems faced by the TIR Executive Board (TIRExB) in 2014 due to the resignation of three of its members. Further to the issuance of depositary notification CN.426.2014.TREATIES-XI.A.16, of 24 June 2014, on the submission of these amendment proposals, the Secretary-General of the United Nations issued depositary notification C.N.661.2014.TREATIES-XI.A.16, of 7 October 2014 informing that Contracting Parties had not raised any objection. Thus, the proposed amendments entered into force on 1 January 2015.

14. The entry into force of a new Part III in Annex 9 in 2013 led to further discussions in 2014 on the possible inclusion of three additional paragraphs on the audit requirements for an authorized international organization, in order to increase the financial transparency of the system. Consultations are ongoing but expected to be finalized in 2015.

15. In 2014, WP.30 concluded its considerations on amendment proposals to add a new design of a vehicle and container with sliding sheets and a sliding roof to the TIR Convention, and transmitted them to the Administrative Committee of the TIR Convention, which adopted the proposal in February 2015.

16. Finally, the Administrative Committee to the TIR Convention called for an extraordinary session which was held on 12 June 2014, with the attendance of high level Customs officials. The session was dedicated to the challenges faced by the TIR system since July 2013, due to the decision of the Federal Customs Service of the Russian Federation (FCS) to introduce restrictions on the use of the TIR procedure on its territory. Further information on the status of implementation of the TIR Convention on the territory of the Russian Federation is provided in section VII of the present document.

A. International TIR Data Bank and electronic tools of the TIR secretariat

17. Croatia and Serbia now transmit their TIR Carnet holders' data to the International TIR Data Bank (ITDB) by using the ITDB online+ website, bringing the total number of Contracting Parties to the TIR Convention using the application to twenty-nine. The ITDB online+ website appears to be efficiently contributing to the electronic data transmission to TIRExB and the TIR secretariat as well as to the dissemination of the ITDB contents with more than 1,500 registered users. It should be further noted that Customs users of the ITDB online+ website may also access the UNECE Register of Customs Sealing Devices and Customs Stamps website.

18. The Committee may also wish to recall that the International TIR Data Bank Web Service (ITDBWS) was successfully launched on 2 December 2013 in Finland. The Committee should note that the ITDBWS received over 33,000 automated queries from the TIR New Computerized Transit System (NCTS/TIR) from Finland since its launch.

19. In 2014, the secretariat was mandated to begin work on the establishment of a new database on TIR approved customs offices (ECE/TRANS/WP.30/AC.2/117, para 21), as well as on a database on the certificates of approval for vehicles and containers (ECE/TRANS/WP.30/AC.2/121, para. 14). Finally, pursuant to the request of Contracting

Parties, the secretariat has undertaken to ensure the online publication of data on the prices of TIR Carnets (ECE/TRANS/WP.30/AC.2/121, para. 16)

B. National and regional TIR workshops and seminars

20. In 2014, the TIR secretariat provided substantive contributions to the programme of the Border Management Staff College (Dushanbe) established by OSCE and to workshops organized under the auspices of the EuroMed Project in Algeria, Morocco and Tunisia. The secretariat was also involved in EuroMed TIR seminars organized in Brussels and Geneva where the TIR Convention was one of the topics of discussion.

21. The secretariat also organized a national TIR seminar for customs officials (5 September 2014, Ashgabat, Turkmenistan) within the framework of the High Level International Conference on the Role of Transport and Transit Corridors in Ensuring International Cooperation, Stability and Sustainable Development. The seminar was designed as a training course for Customs officials and concluded with the award of certificates of participation.

22. Finally, during the second United Nations Conference on Landlocked Developing Countries (3–5 November 2014, Vienna), the secretariat organized a border crossing facilitation side event. The side event was designed to promote the relevance and practical use of UNECE border crossing facilitation legal instruments, and more specifically, the TIR Convention and the Customs Convention on the Temporary Importation of Private Road Vehicles which are referred to as “Carnet Conventions”. The target audience included mostly officials from the Ministries of Foreign Affairs as well as from other Ministries (e.g. Transport, Trade, Finance, and Development) and agencies dealing with these matters, although Customs experts were also present. The event was coorganized with the International Road Transport Union (IRU), the Association Internationale de Tourisme and the Federation Internationale de l’Automobile.

VII. Developments in the implementation of the TIR Convention

23. On 5 July 2013, FCS announced on its website that, starting 14 August 2013, carriers transporting goods in the territory of the Russian Federation under cover of a TIR Carnet would be required to provide an additional guarantee, in accordance with provisions of the Customs Code of the EurAsEC Customs Union. On 8 August 2013, it was announced that the introduction of the measure was postponed until 14 September 2013. According to the information communicated by FCS, one of the reasons for requiring additional guarantees in connection with TIR operations on the Russian territory was the existence of a TIR-related customs debt.

24. Upon its entry into force on 14 September 2013, the requirement to provide an additional guarantee was limited to the Siberian and Far Eastern customs regions. On 24 September 2013, the measure was extended for the first time to include the Ural region.

25. Despite a judgement of the Supreme Arbitration Court of the Russian Federation dated 14 October 2013 (case number BAC-11682/2013), which confirmed that the FCS decision of 4 July 2013 was invalid, FCS continued to extend the measure.

26. Over time, other areas became affected as well, so that, by 3 December 2013, the measure was applicable in the North, Central, Southern and Far Eastern Caucasian; Ural and Volga customs regions, as well as the customs offices of Pskov, Sebezh, Kingisepp and Kaliningrad of the North-western customs district, as well as the Domodedovo, Sheremetyevo and Vnukovo airport customs.

27. On 24 February 2014, the Supreme Arbitration Court of the Russian Federation once more issued a judgement declaring the decisions of the FCS to introduce TIR restrictions as invalid (case number BAC-17458/2013).
28. As of 21 April 2014, the scope of the measures was further extended to include the Finnish-Russian customs office of Torfyanovka in the customs region of Vyborg.
29. On 26 May 2014, the Supreme Arbitration Court of the Russian Federation rendered a decision, reconfirming that the decisions of FCS to introduce TIR restrictions are invalid (case number BAC-4111/2014). In particular, the Court underlined in its judgement that the FCS measures are contrary to the provisions of the Customs Union and Customs Code of the Russian Federation.
30. On 30 June 2014, the First Deputy Prime Minister of the Russian Federation, I. Shuvalov, decided, pending the finalization of the selection of a guaranteeing association by way of a tender procedure, to prolong the agreement between FCS and the Association of International Road Carriers (ASMAP) until 30 November 2014.
31. On 15 October 2014, the Deputy Chair of the State Fiscal Service of Ukraine, Anatolii Makarenko, informed TIRExB that, starting 2 October 2014 (12 a.m.), the customs offices in Ukraine had been instructed by the competent national authorities (the State Fiscal Service) to no longer accept TIR Carnets issued by ASMAP of the Russian Federation.
32. As of September 2014, information was available that the European Commission was preparing a proposal for Council decision on a possible suspension of TIR operations between the European Union and the Russian Federation. At the time of submission of this document, the proposal was still under consideration at the European Commission and no proposal had, as yet, been submitted to the Council.
33. In 2014, TIRExB continued consideration of the situation in the Russian Federation. The Board took note of the communication of 25 November 2014 by FCS to ASMAP, informing of the extension of the existing guarantee agreement until 28 February 2015. While welcoming this information, TIRExB reiterated that FCS continues to implement measures that contradict the provisions of the TIR Convention and that lead to severe restrictions of the use of TIR Carnets in all regions and almost all customs offices of the Russian Federation.
34. At its last session (2–3 December 2014, Geneva), the Board expressed the view that the measure introduced by the competent authorities of Ukraine on 2 October 2014, instructing customs offices to no longer accept, temporarily, TIR Carnets issued ASMAP of the Russian Federation, is in contradiction with the provisions of Articles 3, paragraph (b), 4 and 6 of the TIR Convention. At the same time, while taking note that the Ukrainian authorities founded the measure on the application of the Vienna Convention on the Law of Treaties, 1969, and, in particular, its Articles 60 and 62, TIRExB was of the opinion that any assessment to that extent would exceed the mandate of the Board.

VIII. The eTIR project

33. The Committee may wish to recall that in 2003, the Contracting Parties to the TIR Convention launched the so-called “eTIR Project” with the aim of replacing the paper TIR Carnet with an exchange of electronic messages between the actors involved in the TIR regime. A computerized TIR system will offer significant additional security and risk management opportunities, thus reducing the risk of fraud. Furthermore, advanced international cooperation will allow all actors to significantly reduce their administrative burden and to maximize the benefits of integrated supply chain management. Finally, the

provision of advance cargo information and the exchange of information in real time will speed up the TIR procedure.

34. Since the beginning of the eTIR project, various initiatives had been launched by Customs administrations and the private sector to overcome some of the limitations of the paper-based TIR system. In most TIR Contracting Parties, the management of TIR operations is now ensured by Information Technology (IT) Customs systems that in some countries allow, or even require, transport operators to provide TIR related data in advance and in electronic format. The private sector, in particular the IRU, in its efforts to better manage the risks of providing guarantees covering international transit, also computerized the management of most of its TIR related activities.

35. The eTIR project certainly leverages these initiatives, however, it should be stressed that it is unique in providing all TIR Contracting Parties with a single platform to exchange Customs-to-Customs information, as well as provide Customs with the opportunity to manage data on guarantees issued by guarantors to authorized TIR Carnet holders. Various pilot projects (paras. 38 to 45 below) are ongoing to demonstrate that the TIR Convention can be implemented entirely electronically and validate the concepts laid down in the eTIR Reference Model (latest version: ECE/TRANS/WP.30/2011/4/Rev.1).

A. Developments in the Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1)

36. The Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (GE.1) held one session in 2014, during which it concluded work on version 4.1a of the eTIR Reference Model. Version 4.1a of the eTIR Reference Model is currently under consideration by WP.30. Further technical considerations are underway, following some proposals by Contracting Parties to amend the standard eTIR declaration message, e.g. to make the Harmonized System (HS) Code mandatory under the eTIR procedure. The focal points of eTIR have been consulted on these matters. WP.30 is also considering document ECE/TRANS/WP.30/2015/4 containing the draft summary of GE.1 activities.

B. Legal aspects of the eTIR project

37. In 2014, WP.30 systematically addressed the key legal aspects of the computerization of the TIR procedure by, initially, deciding to explore the benefits of an additional Protocol to the TIR Convention as the legal framework enabling computerization. Against this background, the Working Party considered documents ECE/TRANS/WP.30/2014/7 and ECE/TRANS/WP.30/2014/13, containing draft substantive provisions of the proposed Protocol. Having considered the basic starting points of designing the eTIR legal framework, WP.30 supported the establishment of a formal Group of Experts with the objective of drafting a Protocol on the basis of which Contracting Parties could negotiate and endorse the provisional Terms of Reference (ToR) and Programme of Work of such an Expert Group, as presented in document ECE/TRANS/WP.30/2014/14. The secretariat was, thus, requested to begin the process of establishing the Group of Experts in accordance with United Nations rules and procedures, the first step of which is to request endorsement, by the Inland Transport Committee, of the ToR and Programme of Work of the proposed Group of Experts.

C. UNECE-IRU eTIR pilot project

38. The Committee should recall that, at its previous session, it urged Contracting Parties to accelerate efforts to complete and launch the eTIR project (ECE/TRANS/240, para. 69). With this in mind, and taking into account that investments have already been made by both customs administrations and the private sector in the framework of the computerization of the TIR procedure, the UNECE secretariat and the IRU with the support of Contracting Parties, launched, in 2014, the so-called UNECE-IRU eTIR Pilot Project. Details may be found in documents ECE/TRANS/WP.30/2014/9 and Informal document GE.1 No.6 (2014).

39. The objective of this pilot project is to allow a rapid and minimal cost launch of a paper-less TIR procedure between two pilot countries, building on the existing investments and electronic tools. This pilot, like other pilot projects, constitutes a first concrete step towards implementing the fully fledged eTIR system, as designed by Contracting Parties and described in the eTIR Reference Model. To accelerate its implementation within a limited geographical area and timeframe, the pilot project will not encompass all eTIR concepts.

40. The pilot project will be implemented between Iran (Islamic Republic of) and Turkey, both are Contracting Parties to the TIR Convention that have already computerized the management of TIR operations at the national level and are already connected to the Real-Time SafeTIR (RTS) and TIR-EPD (electronic pre-declaration) systems of IRU.

41. The main benefits of this pilot project will be:

- To demonstrate that the TIR procedure can function without the paper TIR Carnet within a short timeframe;
- To allow dealing with the current specificities of national and regional customs' Information Technology (IT) systems (e.g. NCTS);
- To use the IRU and customs infrastructure and connections already developed (TIR-EPD and Real-Time SafeTIR);
- To have pre-declarations include country specific requirements, such as safety and security requirements;
- To implement and test some standard eTIR messages and procedures;
- To provide feedback on possible issues and to correct them before the launch of the fully functional eTIR international system.

42. The ToR of the project will be signed by the two volunteering pilot countries as well as UNECE and IRU secretariats. Furthermore, in parallel to the ToR, UNECE and IRU will conclude a Memorandum of Understanding whereby additional financial support will be provided to UNECE to cover for the additional costs of the pilot project, including an additional IT expert.

D. eTIR pilot project between Italy and Turkey

43. Italian and Turkish customs administrations discussed this pilot project several times in the course of 2014 but have not been in position to finalize the ToR for the project. In a letter to the Italian authorities the UNECE secretariat confirmed its availability to continue assisting both countries for this pilot project.

E. UNDA project: “Strengthening the capacities of developing countries and countries with economies in transition to facilitate legitimate border crossing, regional cooperation and integration”

44. The Committee should recall that, under the eighth tranche of the United Nations Development Account Project (2012–2013), a global project closely related to eTIR is being implemented. The objective of the project is to strengthen the capacities of developing countries and countries with economies in transition to facilitate legitimate border crossing through increased exchange of secure electronic information between Customs administrations and an increased use of internationally standard electronic messages.

45. The Committee may wish to note that, in 2014, the ECA, ESCWA and UNECE “gap analyses” were finalized. In addition, the first interregional Expert Group meeting for this project took place in Geneva on 8 December 2014.

IX. Considerations by the Committee

46. The Committee may wish to take note of and support the above activities of Contracting Parties, WP.30 and the secretariat. It is also invited to support the continuation of the eTIR project, to prolong the mandate of WP.30/GE.1 to the year 2015, and to endorse the ToR and Programme of Work of the Group of Experts on the Legal Aspects of the Computerization of the TIR Procedure, as approved by WP.30 and reproduced in the Annex for ease of reference.

Annex

Workplan and Terms of Reference of the UNECE Group of Experts on Legal Aspects of the Computerization of the TIR Procedure

Work Objectives of the Expert Group

A. Draft Terms of Reference

1. The Group of Experts on the Legal Aspects of Computerization of the TIR Procedure is established in line with the policies of the United Nations and the United Nations Economic Commission for Europe (UNECE) and subject to the general supervision of the WP.30 and the ITC, to provide a specialized and dedicated international platform with the objective of developing the eTIR legal framework.
2. The Group of Experts will, in the process of developing the eTIR legal framework, prepare a draft Protocol to the TIR Convention.
3. The Group of Experts shall prepare the draft Protocol by carrying out the below activities:
 - (a) Undertake a study of the TIR Convention with a view towards concretely identifying and analysing the provisions that may be affected by the introduction of eTIR;
 - (b) Carefully examine the issues pertaining to the administration of the eTIR international system, including, but not limited to, international data protection requirements and confidentiality requirements, as well as legal aspects of financing and draft the relevant legal provisions accordingly;
 - (c) Provide legal provisions on the role and functions of the TIR intergovernmental bodies under the eTIR legal framework;
 - (d) Identify and analyse the most efficient and legally acceptable method for incorporating the functional and technical specifications as contained in the eTIR Reference Model into the legal framework, as well as design an expedient amendment procedure.
4. In the process of its deliberations and work, the Expert Group may:
 - request and collect from competent national authorities all the relevant information to assist the Expert Group in describing and assessing the situation;
 - conduct surveys of prevailing national legislation and/or legal arrangements that may be of relevance to its work;
 - develop and maintain a network of contacts, including key stakeholders such as governments, customs authorities, academia and the transport industry, with a view to exchanging information that may be of use for its work.
5. The Group of Experts shall carry out its work based on existing resources of the secretariat, as well as on, potentially, additional financial and in kind voluntary support provided by the participating countries and other international organizations, bodies and stakeholders.
6. The Group of Experts shall base its considerations on:

- (a) The principles of eTIR as agreed upon by WP.30 and AC.2;
- (b) The functional and technical specifications of eTIR as contained in the eTIR Reference Model;
- (c) The guidance of WP.30.

7. The Group of Experts may, in the course of its work, identify additional elements or areas in the design of the eTIR legal framework that merit attention, and in such case, these additional elements shall be brought to the attention of WP.30.

B. Method of Work

8. The Group of Experts shall be established and function in accordance with the UNECE Guidelines for teams of specialists approved by the Executive Committee of UNECE on 31 March 2010 (ECE/EX/2/Rev.1). At its first meeting, the Group of Experts will adopt a workplan, clearly defining its objectives and activities, including a time schedule for their implementation.

9. The Group of Experts could envisage to meet once in 2015 (second half) and at least twice in 2016 and at least twice in 2017 at the Palais des Nations in Geneva or elsewhere depending on the support provided by the participating countries and other parties, before concluding its activities with the transmission of a set of proposals in the form of a working document to WP.30. This working document shall contain concrete proposals for an appropriate legal framework for eTIR, to be discussed and approved by the Working Party and further transmitted to AC.2 for adoption. The Group of Experts shall also regularly report on its progress to WP.30, in order to ensure that the final product is as much as possible in line with the expectations of the Working Party and meets a high level of consensus and approval.

10. Translation of documents in English, French, and Russian shall be provided by UNECE. Simultaneous interpretation of its sessions in English, French, and Russian shall be provided by UNECE for the sessions held at the Palais des Nations in Geneva.

11. Participation in the Group of Experts is open to Contracting Parties to the TIR Convention and to UNECE member States, but also to all United Nations member countries and experts that would wish to contribute to the work. Concerned intergovernmental and non-governmental organizations are invited to participate and provide expert advice in compliance with United Nations rules and practices.

C. Secretariat

12. UNECE shall provide secretariat services for the Group of Experts and shall ensure close cooperation with all stakeholders.

D. Draft Programme of Work

13. Taking into account that the Expert Group will be formally established at the earliest in the spring of 2015, the first session will only take place in the second half of 2015. The Working Party may wish to note that it is likely that the work on the development of the eTIR legal framework may progress significantly before the formal establishment of the Expert Group. Nonetheless, for the purpose of obtaining formal approvals, the timeline and related activities are formulated on the assumption that the work will commence in the second half of 2015.

<i>Objectives</i>	<i>Activities</i>	<i>Timeline</i>
(A) Preparatory work for the development of the eTIR legal framework	<p>(i) Undertake a study of the TIR Convention with a view towards concretely identifying and analysing the provisions which may be affected by the introduction of eTIR;</p> <p>(ii) Carefully examine the issues pertaining to the administration of the eTIR international system including, but not limited to, international data protection requirements and confidentiality requirements, as well as legal aspects of financing;</p> <p>(iii) Provide legal provisions on the role of the TIR intergovernmental bodies;</p> <p>(iv) Identify and analyse the most efficient and legally acceptable method for incorporating the functional and technical specifications as contained in the eTIR Reference Model into the legal framework, as well as design an expedient amendment procedure;</p>	Starting point of the work, to be assessed within the first 12 months of activities (2015-2016).
(B) The development of a draft Protocol	Draft provisions of the Protocol to be prepared on the basis of the preparatory work. These will cover the entire scope of the envisaged eTIR procedure and international system, including for example, formulations on the scope of application, definitions, administration of the system, amendments as well as all standard formulations required for international legal instruments such as entry into force, settlement of disputes etc.	This process should begin as early as possible and, in any case, within the first 18 months of activities . Realistically this would mean that initial drafts should start becoming available at the latest in the first half of 2017.

E. Tentative timeline

