

**TIR EXECUTIVE BOARD (TIRExB)**

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**ИСПОЛНИТЕЛЬНЫЙ СОВЕТ МДП (ИСМДП)**

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

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

**Ninety eighth session**

Geneva, 9 October 2023

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

### **I. Attendance**

1. The TIR Executive Board (TIRExB, also referred to hereafter as the Board) held its ninety-eighth session on 9 October 2023 in Geneva.
2. The following members of TIRExB were present: Mr. M. Ayati (Iran, Islamic Republic of), Mr. M. Ciampi (Italy), Mr. E. Khakimov (Uzbekistan), Mr. P. J. Laborie (European Commission), Mr. H. R. Mayer (Austria), Mr. A. Şenmanav (Türkiye), Mr. J. Sharipov (Tajikistan) 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/2023/98

4. TIRExB adopted the agenda of the session in Informal document TIRExB/AGE/2023/98 and agreed to consider additional documents under agenda items 3 (ECE/TRANS/WP.30/AC.2/2023/8/Corr.1), 10 (Informal document No. 13 (2023)) and 11.b. (Informal document No. 12 (2023), Informal document No. 14 (2023) and, Informal document No. 15 (2023)).

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

*Documentation:* Informal document TIRExB/REP/2023/97 draft

5. TIRExB adopted the report of its ninety-seventh session, as contained in Informal document TIRExB/REP/2023/97 draft and requested the secretariat to submit the final report to the TIR Administrative Committee (AC.2) for endorsement.

### **IV. Programme of work 2023–2024 (agenda item 3)**

*Documentation:* ECE/TRANS/WP.30/AC.2/2023/8 and ECE/TRANS/WP.30/AC.2/2023/8/Corr.1

6. TIRExB adopted its programme of work as contained in documents ECE/TRANS/WP.30/AC.2/2023/8 and ECE/TRANS/WP.30/AC.2/2023/8/Corr.1 and took note that it had also been submitted for endorsement by the Administrative Committee of the TIR Convention (AC.2) at its eighty-first session (11 October 2023).

## **V. Promotion of the geographical expansion of the TIR system (agenda item 4)**

*Documentation:* Informal document No. 8/Rev.1 (2023)

7. TIRExB considered the revised working draft of the roadmap on the geographical expansion of the TIR system in new regions, as contained in Informal document No. 8/Rev.1 (2023).

8. The Board confirmed that the roadmap should remain concise while at the same time justifying the reasons that would lead to prioritising some activities over others. It stressed that the scope of the geographical expansion includes: (a) increasing in the usage of the TIR and eTIR procedures in TIR Contracting Parties of strategic importance for the system that are operational but the volumes of TIR carnets sold remain low and they are not proportional to their trade volumes (such as China, India and Pakistan); (b) ensuring the operationalization and usage of the TIR system in not yet operational TIR Contracting Parties along corridors of strategic importance (such as Iraq or Egypt) and (c) identify UN member States not contracting parties to the TIR convention of strategic importance for the system either due to their trade volumes or because they are "a missing link" in a potential TIR corridor where focus should be put on promoting the ratification of the TIR Convention (such as Brazil and Nigeria).

9. The Board further suggested to contact the World Customs Organization secretariat and inquire about the existence of an updated list of regional transit systems currently in operation. In addition, the Board stressed that the roadmap should also underline the advantages of the TIR system, in particular its global outreach which provides greater flexibility to its users than regional transit systems.

10. The Board mandated the secretariat to continue working on the working draft and present a revised version for its next session.

## **VI. Adaptation of the TIR procedure to modern business, logistics and transport requirements (agenda item 5)**

*Documentation:* Informal document No. 25/Rev.1 (2022)

11. The Board considered Informal document No. 25/Rev.1 (2022), prepared as a Microsoft PowerPoint presentation, and pointed at number of minor issues, mainly linguistic. The Board requested the secretariat to prepare a revised version for its next session incorporating the comments made at the session and those which will be transmitted directly to the secretariat by the Board members. The Board took note that the secretariat, as it was already agreed, would proceed with hiring a graphic designer who will design the guidelines document and prepare it for printing. The board will further review the guidelines at that stage and provide comments, if any, on the design and the content of the publication.

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

### **A. Interconnection of national customs systems with the eTIR international system**

12. The Board welcomed the positive outcome of the friends of the chair meeting organized in Samarkand (Uzbekistan) on 21-22 June 2023 at the kind invitation of the customs administration of Uzbekistan and with the support of the secretariat, the European Commission, IRU, TRACECA, the Islamic Development Bank and GIZ. Following the meeting, which was aimed at promoting the implementation of the eTIR procedure along the middle corridor, Kazakhstan, Kyrgyzstan, and Tajikistan provided national consultants which will work on the interconnection of the respective national customs systems with the eTIR international system. The contracts of the consultants for Kazakhstan and Kyrgyzstan have already been signed and, depending on the availability of funds, the consultant for Tajikistan should be able to sign his contract toward the end of the year or early in 2024.

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

13. The Board welcomed the status report on the International TIR Data Bank (ITDB) delivered by the secretariat. The Board was informed about the current status of data recordings and usage figures in ITDB (1,156 web application users, 30,089 authorized TIR Carnet holders, 282 customs stamps and seals records and 2,991 customs offices operational for TIR procedures). It was further informed about the recent ITDB and eTIR project related achievements: in particular of the final phase of development and testing of the eTIR National Application. Mr. E. Khakimov inquired about the possibility to have new web services allowing to automatically send TIR carnet holder data from national customs systems to ITDB and expressed interest in having such a feature developed in the future.

### **C. Financing of the eTIR international system**

Documentation: Informal document No. 10 (2023).

14. The Board considered Informal document No. 10 (2023), containing a summary of past considerations on the financing of the eTIR international system as well as a tentative budget for its further development and maintenance. The Board took note that the forecasts of TIR Carnets and electronic guarantees to be sold in the next 10 years (business as usual and optimistic scenarios) are based on a series of assumptions on the progress which will be made with regard to the interconnection of national customs systems with the eTIR international system.

15. The Board took note that, in the view of the IRU, the transport industry is not in a position to finance the eTIR international system, in particular since the eTIR procedure is not yet available in most countries. The Board wondered, however, if the savings made in a digital environment (i.e., the absence of printing, transportation and storage of TIR Carnets) could not suffice to finance the eTIR international system.

16. The Board decided to wait for the report of the consultant that will work, inter alia, on providing alternative options for the financing of the TIRExB and the TIR secretariat, and consider if the proposed options, including possible alternative resources, could also apply to the financing of the eTIR international system.

## **VIII. Support training activities on the application of the TIR Convention (agenda item 7)**

17. The Board took note that the secretariat will prepare the twelfth revised edition of the TIR Handbook in the course of 2024, after the approval by AC.2 of the new examples of good practice and the revision of the comment to Article 3.

## **IX. Supervision of the centralized printing and distribution of the TIR Carnets, including the monitoring of the price of TIR Carnets (agenda 8)**

18. The Board took note that the secretariat had unfortunately not regained access to the data stored in the online survey tool used to collect data on the price of TIR Carnets. It mandated the secretariat to resend the survey (in a format which would ensure that data can be collected) to the countries for which TIR Carnet price information is still missing for 2023 and explain why some countries which have already answered are requested to respond again.

19. In the absence of a proper survey tool, the Board also requested the secretariat to use any alternative format to send out the survey on customs claims. Finally, considering that the Board had to regularly send out surveys, it also requested the secretariat to enquire on the possibility to integrate or develop a survey tool in the ITDB.

## **X. Management of the TIR budget (agenda 9)**

*Documentation:* Informal documents Nos. 9/Rev.1 (2023) and 11 (2023)

20. The Board considered Informal document No. 9/Rev.1 (2023), containing a revision of the draft new Explanatory Note to the TIR Convention aimed at formalizing the decision taken by AC.2 at its twenty-eighth session, which authorized TIRExB to decide, upon proposal by the TIR Secretary, to reallocate funds between budget lines within the approved budget of TIRExB and the TIR secretariat.

21. The Board also took note of Informal document No. 11 (2023), transmitted by IRU, clarifying, on behalf of the private sector, why IRU was not in favour of introducing such Explanatory Note in the TIR Convention. The Board stated that, while such mechanism should not encourage inaccurate budgeting, the redeployment of funds between budget lines in the course of a budget year is essential for providing the required flexibility to ensure that TIRExB can fulfil its mandate.

22. Consequently, the Board approved the new explanatory note and requested the secretariat to transmit it to AC.2.

## **XI. Settlement of disputes between contracting parties, associations, insurance companies and international (agenda item 10)**

### **Regular checks on TIR transports at certain border crossing points**

*Documentation:* Informal documents Nos. 18 (2022), 22 (2022) and 13 (2023)

23. The Board recalled that, at previous sessions, it considered Informal documents Nos. 18 (2022) and 22 (2022), transmitted by IRU, presenting regular checks of TIR transports at certain border crossing points and, respectively, additional evidence about those checks.

24. The Board considered Informal document No. 13 (2023), transmitted by IRU and containing the results of a survey on the issue conducted among TIR carnet holders.

25. The secretariat informed the Board that it had sent a letter to the customs administration of Azerbaijan to raise its awareness of this issue but had not yet received a response. The response will be forwarded to the members of the Board by email as soon as it will be received.

26. In the meantime, the Board decided to propose the organisation of an online informal meeting in November 2023 to discuss the issues at stake, clarify the situation and, possibly, identify means to reduce the number of unnecessary physical controls of vehicles traveling under cover of TIR Carnets.

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

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

(a) Follow-up actions to previous decisions by TIRExB.

27. TIRExB took note that no follow-up actions were pending.

(b) Organization of TIR related events.

28. TIRExB recalled the Friends of the Chair meeting organized in Samarkand (Uzbekistan) on 21-22 June 2023 (see chapter VII.A)

(c) Status report of consultancies.

29. The Board took note that:

- The consultant for the development of the eTIR National Application was hired and has finalised his work. The eTIR National Application is currently being tested.
- Another consultant had completed the work on the eTIR data model in GEFEG.FX and that the revised tables contained in the eTIR functional and technical specifications have been generated in all the ECE working languages.
- The consultant who will be preparing the publication of the guidelines for the use of the TIR and eTIR procedures for intermodal transport will, most probably, be hired in early January, because the timelines of the UNOG administrative procedures do not allow to finalize the hiring process in the course of 2023.
- The consultant who will work on legal issues and the financing of the TIR secretariat has signed a contract and is expected to deliver his report before the end of the year.

### **B. Other matters**

*Documentation:* Informal documents Nos. 12 (2023), 14 (2023) and 15 (2023)

30. The Board took note of Informal document No. 12 (2023), transmitted by IRU, on the migration to Phase 5 of the New Computerised Transit System (NCTS) and possible problems identified by IRU. Mr. P. J. Laborie informed the Board of the following:

31. On 5 April 2023, IRU wrote to DG TAXUD about the current migration from NCTS Phase 4 to NCTS Phase 5 and its relationship with the IRU TIR-EPD application. In the email, IRU claimed that the transition phase to NCTS Phase 5 does not support multiple consignors. IRU stated that, following exchanges with EU Member states, the TIR transport with multiple consignors might require multiple NCTS TIR declarations instead of one, as in the past with NCTS Phase 4. Due to the need to internally verify

those statements at the technical level, no answer was provided by DG-TAXUD at this point.

32. In addition, with a letter dated 13 June 2023, IRU explained that another issue may arise from the transition between NCTS Phase 4 and NCTS Phase 5 for transports involving multiple loading and unloading points. On 13 and 22 of June 2023, DG TAXUD answered by letter to the question related to multiple loading scenarios. DG TAXUD confirmed that the practice in NCTS Phase 4 might be continued in NCTS P5, i.e., to only indicate in NCTS the last loading location and last unloading location in the last NCTS TIR movement.

33. In informal document No. 12 (2023), IRU referred to potential problems that may be faced by TIR Carnet holders following the introduction of NCTS Phase 5, i.e.

- submission of data on cargos related to multiple consignors;
- limitations on handling multiple loading and unloading places;
- harmonisation of data.

34. As general preliminary remarks:

- TIR transports will not be restricted by the transition from NCTS Phase 4 to NCTS Phase 5. NCTS will continue to allow the dematerialisation of the exchanges of the vouchers of the TIR carnets within the EU. In case of doubt or controls, the TIR carnet will continue to prevail over the data in NCTS.
  - DG TAXUD received the confirmation from several EU Member States who have already deployed NCTS P5 that holders can send NCTS TIR data, and that customs offices do receive them and print the accompanying documents.
- If exceptional restrictions on data and/or processes might temporarily occur in NCTS Phase 5 transition compared to NCTS Phase 4, it is to ensure business continuity and the communication between EU Member states in different phases of NCTS.
- TIRExB is not the appropriate forum for technical discussions, especially when the issues mentioned by IRU are already under examination within DG TAXUD. As mentioned previously to IRU during last TIB meeting, TAXUD B1 is open to have a meeting with the relevant IRU technical experts for the NCTS P5 implementation.

35. Regarding the provision of advance cargo information related to transports with multiple consignors:

- During the transition phase to NCTS Phase 5, IRU, via TIR-EPD, might send TIR data either to an EU Member state operating in NCTS Phase 5 or to an EU Member state operating in NCTS Phase 4. TIR EPD should be in a capacity to handle both systems.
  - If the holder uses IRU TIR EPD to send TIR data, with or without safety/security data, to the customs office of departure in an NCTS Phase 5 EU Member state, the data on consignor is optional. In case the holder wants to include it, he/she will only have the possibility to mention one consignor at “consignment level”. Consequently, as it is not possible to include it at “house consignment level” only one consignor might be indicated. This limitation will be in place during the transition period which should last until 21 January 2025, and it applies to all transit declaration types (not only to TIR). After acceptance by the customs office of departure, the declaration data (with or without information on the consignor), will be transmitted to the customs office of destination in

the EU, via a converter if the EU Member state of destination is operating NCTS Phase 4.

- If the holder uses IRU TIR EPD to send TIR data with safety/security data (“consignor security”) to the customs office of departure in an NCTS Phase 4 EU Member state, the “consignor” information is mandatory. It is optional if safety data are not included. As in NCTS Phase 4, the NCTS Phase 5 declaration can include the consignor at consignment level (it is left empty if the consignor is the same as the holder). In case of multiple consignors, this information is not required to exit the EU via a Customs Office located in a NCTS Phase 5 country. If the customs office of destination is in a NCTS Phase 4 country, the converter used by the NCTS Phase 5 country will ensure that acceptable NCTS Phase 4 message are received by the NCTS Phase 4 country and ensure that the TIR operation within the EU is properly managed.

36. In the letter of 22 June 2023, the European Commission responded to the concerns of IRU on the limitations on handling multiple loading and unloading places.

37. The Board also considered Informal document No. 14 (2023), containing a proposed response to the letter from the German association Bundesverband Güterkraftverkehr Logistik (BGL) related to the “the latest developments related to the International TIR Data Bank (ITDB) and other information technology projects managed by the TIR secretariat”. The letter was read out by IRU on behalf of BGL at the 163rd session (June 2023) of the Working Party on Customs Questions affecting Transport (WP.30). The Board decided it would leave the members until 30 October 2023 to provide comments to the secretariat, after which the letter could be sent and also transmitted to WP.30 as an informal document for its 165<sup>th</sup> session (February 2024). The IRU recalled the importance of taking into account feedback from the private sector during the development of applications intended for associations and holders.

38. Finally, the Board welcomed Informal document No. 15 (2023), transmitted by the Government of Türkiye, on a possible new Explanatory Note to Annex 11 introducing the usage of the eTIR accompanying document en route or at destination in countries that have not yet interconnected with the eTIR international system.

39. While the Board expressed general support for the idea, which would bring further benefits to countries which have not interconnected their system to the eTIR international system, it also recalled that the functional, procedural and potential legal changes that this would imply might need to be further analysed before the new explanatory note can be submitted to AC.2. The Board underlined the need to clarify how contracting parties not yet interconnected with the eTIR international system could ensure the authenticity of the accompanying document as well as how they could handle potential claims.

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

40. The Board decided to lift the restricted status of Informal documents Nos. 18 (2022), 22 (2022) and 13 (2023), in order to share them with the customs administrations concerned, and to keep other documents issued in relation to the current session restricted.

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

41. The Board took note that the ninety-ninth session of the Board is scheduled to take place on 4 December 2023 and invited its members to share ideas regarding the organization of the 100<sup>th</sup> session.