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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions affecting Transport

Informal Ad hoc Expert Group on the Conceptual and
Technical Aspects of Computerization of the TIR Procedure

Tenth session
Geneva, 25 and 26 September 2006

SUMMARY REPORT OF THE TENTH SESSION

I. ATTENDANCE

1. The Informal Ad hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR Procedure (further referred to as: “the Expert Group”) held its tenth session on 25 and 26 September 2006 in Geneva.

2. Due to the absence of the Chairperson, the session was chaired by the Vice-Chairman, Mr. P. Arsić. The session was attended by experts from Customs administrations of Azerbaijan, Belarus, Czech Republic, Estonia, Finland, Greece, Jordan, Lithuania, Netherlands, Russian Federation, Serbia, Slovakia as well as from the European Community (EC). Experts from the International Road Transport Union (IRU) were also present.

II. ADOPTION OF THE AGENDA

Documentation: **ECE/TRANS/WP.30/GE.1/2006/6;**
ECE/TRANS/WP.30/GE.1/2006/6/Corr.1.

3. The Expert Group adopted the provisional agenda, prepared by the secretariat (ECE/TRANS/WP.30/GE.1/2006/6 and Corr.1).
4. The Expert Group took note of a statement by the IRU. The IRU representative mentioned that the statement did not take into account the outcome of the meeting organized on 22 September 2006 between the secretariat of the IRU and UNECE. The statement is contained in annex 3 to the report.
5. The Expert Group expressed its regret with regard to the decision by the IRU and its national associations.

III. ACTIVITIES OF THE INFORMAL AD HOC EXPERT GROUP

A. Report of the Ankara Customs Experts Group

Documentation: **ECE/TRANS/WP.30/GE.1/2006/Informal Document No. 4.**

6. The Expert Group took note of the informal report of the Group of Customs experts from Finland, Lithuania, Netherlands, Serbia, Turkey, the European Commission and the UNECE secretariat which had met in Ankara on 27-28 June 2006 (ECE/TRANS/WP.30/GE.1/2006/Informal Document No. 4).

B. Reference Model of the TIR Procedure

Documentation: **ECE/TRANS/WP.30/GE.1/2006/7** (version 1.6a).

Decision: 119¹

7. The Expert Group was informed about the latest version (1.6a) of the Reference Model. Document ECE/TRANS/WP.30/GE.1/2006/7 contains, in track changes, all amendments made at the request of the Expert Group since the previous version of the Reference Model.
8. In view of the fact that the document had not been made available until a few days before the meeting, the Expert Group decided that the secretariat should wait two weeks before considering the document to be approved. In the meantime, experts were requested to provide the secretariat with their comments, if any.

¹ The open issues and those solved in the course of the session as well as the decisions related to these issues or taken by the Expert Group during the session are contained in annex 1 (issues) and annex 2 (decisions) to this report.

C. Future projects for the Reference Model of the TIR Procedure

Documentation: ECE/TRANS/WP.30/2006/8; **ECE/TRANS/WP.30/GE.1/2006/9**;
ECE/TRANS/WP.30/2006/1.

Decisions: 116, 117

9. The Experts Group extensively discussed document ECE/TRANS/WP.30/GE.1/2006/9, containing a proposal for the e-Business Requirement Chapter of the Reference Model, as prepared by the group of Customs experts, which had met in Ankara. The Expert Group agreed that, subject to a number of specific amendments, the document provided the necessary information for inclusion as Chapter 2 of the Reference Model. It requested the secretariat to prepare and distribute a new document, containing the complete Chapter 2 of the Reference Model, which would combine and align the introduction contained in document ECE/TRANS/WP.30/2006/8 with the revised document ECE/TRANS/WP.30/GE.1/2006/9. Moreover, the Group mandated the secretariat to submit the consolidated document for consideration to WP.30, after the Expert Group would have had sufficient time to review it (deadline 15 November 2006).

10. The Expert Group felt that some of the issues raised in the course of the discussions, due to their strategical or legal nature, went beyond the Group's technical and conceptual competence and could, thus, not be addressed adequately. The Expert Group identified the following issues:

Issues of a strategical nature:

- possibility to increase the maximum number of TIR operations and places of loading and unloading per TIR transport;
- possibility to provide the guarantor with detailed data contained in the declaration;
- methods for submission of the declaration to Customs;

Issues of a legal nature:

- distinction between termination and discharge in an electronic environment;
- legal status of eTIR data as compared to data contained in the paper TIR Carnet during the transitional period where both systems will run in parallel;
- legal status of a paper accompanying document as fall-back in the eTIR system;
- establishment of transitory legal provisions.

11. Therefore, the Expert Group decided to revert these issues back to WP.30 for either discussion or further reference to the future legal Expert Group. The Expert Group requested the secretariat to submit a document to that extent to WP.30 for consideration.

12. The Expert Group also studied document ECE/TRANS/WP.30/2006/1, originally prepared for discussion by the WP.30. The Expert Group agreed that although the issue in the document was of a technical nature, it was too premature to take any decision at this stage in the project. Therefore, the Expert Group agreed to postpone the discussion on this issue until the time when the analysis or the design of the eTIR international system will be devised.

13. Finally, the Expert Group mandated the secretariat to start working on the following Chapter of the Reference Model (Analysis) in order to allow discussions on this item at the forthcoming session.

IV. OTHER BUSINESS

14. The Expert Group took note of the forthcoming session of the DMPT, which will take place at the WCO headquarters in Brussels from 9.10.2006 to 13.10.2006. It also took note that, among the items to be discussed at this session, the elaboration of a WCO standard transit data model was of utmost importance for the eTIR project. Therefore, it welcomed the participation of the secretariat in the meeting.

V. DATE AND PLACE OF NEXT SESSION

15. In view of the positive contribution of having interpretation available at the meeting, in particular for those experts from Russian speaking countries, the Expert Group requested to have its next session organized in conjunction with the forthcoming session of WP.30. Consequently, the eleventh session is tentatively scheduled to be held on 29 January 2007 and 30 January 2007 (morning).

Annex 1 – Open and discussed issues

No	Subject	Description	Date	Source	Related decision(s)	Solved
41	Chapter 2	Following WP.30 decision regarding the step-by-step approach for the development of the project, ExG underlines the necessity to elaborate a detailed description of the final product in order to be able to split the work into various steps.	1-2 Mar. 04	ExG (Geneva)	78, 94, 100, 108, 109, 117, 111, 60	✓
64	2. E-Business Requirements	Proposal: alternative Chapter 2, E-Business Requirements of the Reference Model (document ExG/COMP/2005/7).	17 Jan. 05	IRU	105, 118	✓
65	Intro to Chapter 2	ExG wonders what is the best option to provide advance cargo information (push or pull information?)	14-15.Nov.05	ExG (Geneva)	107, 116	✓
66	Intro to Chapter 2	Is it necessary to have digital signatures as data elements?	7-8 Mar. 06	ExG (Bratislava)	115	
68	Intro to Chapter 2	An efficient and cost-effective procedure for the submission of the declaration is necessary	7-8 Mar. 06	ExG (Bratislava)	112, 113	
69	Reference Model	ExG requested the secretariat to prepare a new version of the Reference Model with the following changes: correcting inconsistencies, updating the introduction and including a new annex with data elements.	7-8 Mar. 06	ExG (Bratislava)	119	✓

Annex 2 – Decisions

Decision No.	Issue No.	Description	Date	Source	Version¹
116	65	ExG decided, for the time being, not to distinguish between the push and pull approaches and to revert to the issue when the more technical analysis would start.	25-26 Sep. 06	ExG (Geneva)	
117	41	ExG approved that documents ECE/TRANS/WP.30/2006/8 and ECE/TRANS/WP.30/GE.1/2006/9 should be the basis for Chapter 2 of the Reference Model, including the description of the step-by-step implementation of the eTIR Project. It requested the secretariat to merge the two documents and to circulate the consolidated document among the participants for final comments, until 15 November 2006.	25-26 Sep. 06	ExG (Geneva)	
118	64	See decision 111.	25-26 Sep. 06	ExG (Geneva)	
119	69	ExG decided to leave until 15 October 2006 to the Expert Group to provide the secretariat with comments on version 1.6 of the Reference Model.	25-26 Sep. 06	ExG (Geneva)	

¹ This column indicated in which version the results of the decision will be included for the first time.

Annex 3 - IRU statement

“Having carefully studied the annotated provisional agenda for this meeting and the documents presented for consideration under agenda item 2, the IRU must conclude that the purpose of this meeting is not to elaborate the computerization of the TIR procedure, but rather to develop a new e-Transit system not at all based on the TIR Convention.

The provisional agenda and the documents presented show that the purpose of the e TIR project is to develop a system whereby the Customs manage the guarantees, disregarding existing Information Systems. These systems, which have been developed and managed by the private sector in close and fruitful partnership with the national Customs authorities in almost all of the 55 Contracting Parties, mean that 90 per cent of TIR system is already computerized. Moreover the constructive proposals for the computerization of the TIR procedure presented by the IRU and its Member Associations have been systematically ignored. This fact, combined with the private sector’s exclusion from the Ankara meeting demonstrates that the Public-Private Partnership in TIR no longer exists.

Against this background, and taking into account that the IRU’s remarks and contributions would certainly be interpreted by the Expert Group as matters of political, strategic or financial nature that would be proper to the Working Party and not the Expert Group (in line with the decision of the 112th meeting of WP. 30, ECE/TRANS/WP.30/224.39), IRU understands that despite its historic and unique experience of the TIR system its contribution and involvement in the work of the group is unwanted.

As the authorized national and international organizations referred to in TIR Convention art. 6, IRU and its member associations are obliged to announce that they cannot be bound by the decisions taken by meetings organized by the UN Secretariat which contradict the Mandate given by the ITC (“ Computerization of the TIR procedure..., document ECE/TRANS/166 paragraph 100) and which are in conflict with the contractual arrangements established between the national Customs authorities and the member associations, even if such decisions are subsequently endorsed by the WP.30 or the Administrative Committee.”
