Surveys by GE.1

Group of Experts on the legal aspects of the computerization of the TIR procedure (WP.30/GE.2) – Second session – Geneva

André Sceia / April 2-4, 2015
GE1 Surveys

- **2005: eTIR questionnaire**
  - Status of computerization of customs
  - Status of computerization of transit
  - Functionalities of the eTIR system
  - National constraints
  - **Legal aspects**
  - Statistics and remarks

- **2012: Survey on the use of electronic signatures**
  - Is authentication required for sending advance cargo information?
  - Current and future use of authentication and electronic signature in TIR CP?
  - Is it possible to rely on foreign certifications authorities (CA)?
  - Would it be possible to create an international CA?

► Most relevant under the agenda idem 7 ◄
44. Does your national legislation accept electronically lodged Customs declarations?

a. Yes (38) 93%

b. No (3) 7%
45. Does your national legislation accept electronic signatures?

a. Yes (32)  78%
b. No (9)    22%
2006 Survey

46. Does electronic discharge have a legal value?
   a. Yes (31) 76%
   b. No (10) 24%
2006 Survey

47. Does electronic data received / sent by your Administration have a legal value (tick boxes when "yes")?

- Received from
  - Private sector: 68%
  - Administrations from other countries: 66%
  - International bodies (UN, ..): 44%

- Sent to
  - Private sector: 71%
  - Administrations from other countries: 63%
  - International bodies (UN, ..): 41%
48. If "No", please specify the nature of the legal impediment(s) preventing your administration from accepting or sending electronic information.

   **BEL:** No
   **BLR:** The absence of a legal regulation stipulating the use of an electronic customs document.
   **CHE:** Yes only if explicitly recognized by an intergovernmental agreement.
   **EST:** Depends on the requirements established by law for the information to be transferred. Information must be processed according to the rules provided by law.
   **GBR:** We do not currently have an electronic system for TIR procedure.
   **GEO:** no
   **HRV:** Legislation is in the process of development
   **KGZ:** The law on electronic signature is not developed finally
   **MKD:** Legislation not complete
   **NOR:** There is no international agreement at present that regulates the transmission of legal information (including customer information) between our NA and other international bodies
   **POL:** International bodies are not the parts of administrative relation
   **ROM:** no legislation acts referring to
eTIR declaration mechanisms

1. Guarantee request
2. Guarantee chain
3. Advance cargo information
4. Incl. guarantee reference and itinerary
5. Customs office of departure
6. Risk Analysis
7. eTIR international system
8. ITDB
9. National information system
10. Declaration reference
11. Accompanying document
12. Goods
13. Customs office of departure
14. Inspection and sealing
15. Vehicle
16. Other Customs along the itinerary
17. Pay to
18. Advance cargo information reference
19. National information system
20. Customs office of departure
21. eTIR international system
22. Other Customs along the itinerary
23. Goods
24. Holder
25. Holder
eTIR declaration mechanisms

Declaration options

- **Customs system of the country of departure**
  - Secure system to system connection (e.g. VPN)
  - Third party system (e.g. TIR EPD)
  - eTIR international system

- **Holder**
  - Secure system to system connection (e.g. VPN)

- **Customs system of the country of departure**
  - Secure system to system connection (e.g. VPN)
  - Authentication based on national requirements (e.g. electronic signature)

- **eTIR international system**
  - Secure Web service

- **Holder**
  - Secure system to system connection (e.g. VPN)

- **Customs system of the country of residence of the holder**
  - Secure system to system connection (e.g. VPN)

- **Authentication based on national requirements (e.g. electronic signature)**
Definitions

• **Advance cargo information**: Information provided to the competent Customs authorities within the prescribed deadlines and in the prescribed form and manner of the intention of the holder to place goods under the TIR procedure or pursue a TIR transport.

• **Declaration**: Act whereby the holder, or his representative, indicates in the prescribed form and manner a wish to place goods under the TIR procedure.
2012 Survey
Is authentication required for sending advance cargo information?

- Yes: 90%
- No: 7%
- No reply: 3%
2012 Survey
Current and future use of authentication and electronic signature in TIR CP?

Today
- Yes: 83%
- No: 17%

Future
- Yes: 60%
- No: 40%
2012 Survey
Is it possible to rely on foreign certifications authorities (CA)?

Yes 24%
No 76%

In the future
Not applicable 24%
No 43%
Yes 33%
2012 Survey

Would it be possible to create an international CA?

Yes: 52%
No: 10%
No reply/Not applicable: 38%

In the TIR Convention

Yes: 53%
No: 20%
No reply/Not applicable: 27%
Thank you