



**Economic and Social
Council**

Distr.
GENERAL

ECE/TRANS/WP.30/GE.1/2006/4
3 February 2006

ENGLISH
Original: ENGLISH, FRENCH
AND RUSSIAN

ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions affecting Transport

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

Ninth session

Bratislava (Slovakia), 7-8 March 2006,
agenda item 3 (c)

ACTIVITIES OF THE INFORMAL AD HOC EXPERT GROUP

Future Projects for the Reference Model of the TIR Procedure

Transmitted by the International Road Transport Union (IRU)
and its national member associations

Note: The secretariat reproduces below a communication transmitted by the International Road Transport Union (IRU).

GE.06-20576

Comments on document ECE/TRANS/WP.30/GE.1/2005/2/Rev.1

During the eighth session of the Informal Ad Hoc Expert Group on Conceptual and Technical Aspects of Computerization of the TIR procedure, held in Geneva on 14 and 15 November 2005, the document *TRANS/WP.30/GE.1/2005/2* was presented for discussion and amended by the experts of the Customs authorities.

The Expert Group requested that the UNECE secretariat submit the revised version of this document to the WP.30 for consideration at its next session. The IRU and IRU's national Associations informed the group that, because of the late publication of document *TRANS/WP.30/GE.1/2005/2*, they were not in a position to provide comments during the session, but would provide consolidated written comments and remarks for discussion by the WP.30 at its further session¹, to be held in Geneva from 31 January to 3 February 2006 under the agenda item 9. (b). (ii): use of new technologies. The IRU provided the WP.30 with the Executive summary contained in part I of the present document.

On 28 November 2005, the UNECE secretariat published the revised version of document *TRANS/WP.30/GE.1/2005/2* under reference ECE/TRANS/WP.30/GE.1/2005/2/Rev.1, hereafter referred to as document 2.

The present note contains the full and extensive version of IRU and IRU national member Associations' consolidated comments and remarks on document 2, for consideration by the Expert Group.

These comments and remarks on document 2 will be presented in 3 parts:

- I. Executive summary (as submitted to the WP.30 at its one-hundred-and-twelfth session, 31 January – 3 February 2006, under agenda item 9 (b) (ii)).
- II. General considerations;
- III. Specific remarks on document 2.

The intention is not to criticize the UNECE secretariat or other contributors to this document. The intention is to make it clear to all Contracting Parties that the extremely important computerization of the TIR system can, in the opinion of all associations representing the road transport industry, in no way be achieved by following the ideas presented in the document.

In its strategic document on the vision of a computerized TIR system established in a private/public partnership (also submitted to the WP.30 at its one-hundred-and-twelfth session, 31 January – 3 February 2006, under agenda item 9 (b) (ii)), the IRU and its member associations have demonstrated that the computerization of the TIR system can be accomplished in a simpler and certainly more efficient way.

The present document should therefore be considered bearing in mind that there are alternatives to the system proposed in document 2.

¹ Please refer to draft summary report of the eighth session: TRANS/WP.30/GE.1/2005/5, sections 12 and 13.

I. EXECUTIVE SUMMARY

(as submitted to the WP.30 at its one-hundred-and-twelfth session, 31 January – 3 February 2006, under agenda item 9 (b) (ii)).

If the proposed “high functional specifications of the eTIR system” contained in the annex to document 2 were to be followed, *considerable amendments to the existing TIR Convention* would be needed, mainly regarding the guarantee system, the obligations of TIR Carnet Holders, the declarations and other exchange of information between customs, holders and Guaranteeing Associations. This does not correspond to the mandate given by the WP.30, the key words of which being “limited amendments to the TIR Convention” and “compatibility with existing systems”.

The eTIR system described in the annex to document 2 is totally *dependent on the so-called eTIR international system*, a centralized Guarantee database, also used for exchange of TIR transport information, if correctly understood related to the ITDB. Reliable reactions from this database are sine qua non conditions for the functioning of about 3 million international road transport operations per year, including the accomplishment of procedures needed for customs purposes. Such reliable reactions are in no way secured, and nothing is said about liability for errors, mistakes or malfunctioning of the eTIR international system. Can the UNECE accept such liabilities? Dramatic legal constraints of this nature and their financial implications have to be clearly identified and defined.

The building-up of the eTIR international system will demand *considerable financial resources*. Nothing is said about the financing in document 2. Is it realistic that the UNECE could find financial means for this investment as well as for the running of the operation of the system? The enormous financial consequences for national customs authorities as well as the road transport industry are untold.

The implications for *existing national IT systems* within TIR Contracting Parties should not be underestimated, even if they are not assessed by document 2.

Essential points expressed by the majority of Director Generals of Customs in answering the questionnaire were neglected by and even contradicted in document 2.

The submission of the declaration by the holder foreseen directly to the customs office of departure or through the e-TIR international system raises practical and/or legal concerns, particularly where foreign holders start a return load operation from a country where they are not established.

Document 2 implies the existence of *digital signature* for all 40,000 approved TIR operators as a pre-requisite while there is no international consensus on the (legal and technical) definition and the practical implementation of the digital signature.

Document 2 seems to foresee an unlimited access to information from the e-TIR international system for all authorities. This principle is incompatible with the indispensable and non-negotiable confidentiality of data of commercial, economic or strategic sensitivity.

Conclusion:

The continuation of the success of the TIR system very much depends on the realization of the computerization of the part of the system not yet using electronic means.

If the content of document 2 is to be accepted as the basis for the computerization of the TIR procedure, the IRU and its member associations are convinced that *no computerization will be achieved for many years*, thereby building obstacles to the facilitation of international trade and transport.

In its strategic document “Computerization of the TIR system through a private/public partnership” presented to WP.30 under the same agenda item (9 (b) (ii)), the IRU and its member associations have demonstrated that the computerization of the TIR system, if really wished, can only be achieved in a realistic and affordable way by all partners involved, in the full respect of the spirit of the TIR Convention which remains the only universal transit system in use.

II. GENERAL CONSIDERATIONS

Background:

– **IRU’s position expressed during the eighth Expert Group session**

The IRU, before the start of the discussion, made a declaration highlighting the following points:

- It has to be recalled that document *ExG/COMP/2004/23* describing “Future projects for the Reference Model of the TIR Procedure” drafted by UNECE secretariat for the sixth session held on 26 and 27 October 2004, was published only on 21 October 2004, that is to say 2 working days before the meeting.
- *Informal document No. 9 (2005)*, (hereinafter referred to as document 9), describing “the general ideas on how the eTIR system would replace all functionalities integrated in the TIR carnet” was presented for endorsement by the WP.30 at its October 2005 session, yet was only published on 28 September 2005, that is to say only 3 working days before the WP.30 session.
- Document TRANS/WP.30/GE.1/2005/2 has been circulated by e-mail on 6 November 2005, and published in a different version on the 8 November 2005, that is to say 3 working days before the Expert Group session.

For the 3rd time this recurrent late publication of important documents has impeded the IRU and its national member Associations from preparing itself and coordinating appropriately and therefore did not allow for suitable contributions to be made on behalf of the road transport industry, which is deeply concerned by this important subject.

For this reason, the IRU and its member Associations were not able to contribute valuably to the discussion and have made it clear that they will provide a written consolidated document for consideration by the WP.30 at its next session in January 2006.

In consequence, the first round of discussions on 14 and 15 November 2005 can in no way lead to the conclusion that the document TRANS/WP.30/GE.1/2005/2 was approved by the Expert Group or by the WP.30.

Expert Group Mandate:

The mandate of the group is defined by the WP.30 and recorded in document TRANS/WP.30/2001/13, paragraph 31: the Expert Group should “prepare a draft set of electronic messages to allow for an interchange of electronic data, nationally, between

Contracting Parties and with the international organizations”.

Further guidelines were given to the Expert Group by the WP.30 within the framework of the eTIR project i.e.:

- Compatibility with existing systems (TRANS/WP.30/190, paragraph 27)
- Limited amendments to the TIR Convention (TRANS/WP.30/2001/13, paragraph 23)
- Gradual development, on existing bases (TRANS/WP.30/212, paragraph 26)

– **Document 23 (ExG/COMP/2004/23), available in English only:**

This document was attached to the questionnaire that was sent to the General Directors of the Customs Authorities of the Contracting Parties to the TIR Convention (see next section) and was presented at the Expert Group session on 26-27 October 2004.

UNECE secretariat presented document 23 as containing “a draft introduction to Chapter 2 of the Reference Model of the eTIR project and aims at providing the main principles which govern the functioning of the eTIR system and provide guidance for its step-by-step implementation.”

Nevertheless the Expert Group did not approve document 23, as it “was of the view that the document was describing a more complex system including more functionalities than originally requested by the Working Party” (see report of the seventh ExG session: TRANS/WP.30/2005/14, paragraph 15).

– **Questionnaire sent to the Director Generals of Customs Authorities of Contracting Parties to the TIR Convention, available in English only:**

A questionnaire was sent to the Director Generals on 28 February 2005 in order to receive appropriate and qualified assessments of their needs and of the constraints of the National Administrations in the frame of the computerization of the TIR procedure, so as to be able to incorporate these points in the Reference Model for the project on the Computerization of the TIR Procedure. This is the document that describes the work done by the Expert Group in a structured and methodical manner. The needs and constraints expressed by the Director Generals of those Contracting Parties who responded were only partly incorporated. Indeed, some essential points expressed by the Director Generals were not taken into account in either the Reference Model, or document 9, or document 2.

– **Guidelines: Document 9 (Informal document No 9 (2005)) available in English only**

Informal document 9 has been considered by the WP.30 without truly having the possibility of having an appropriate strategic discussion due to the late publication of the document. The WP.30 nevertheless expressed the view that the guidelines contained in the document were clear and that the Expert Group should follow them for its future discussions.

No detailed discussion related to the general philosophy of the approach presented in this document has taken place, neither in the WP.30, nor in the Expert Group.

Document 2 (ECE/TRANS/WP.30/GE.1/2005/2/Rev.1):

From a general point of view, considering all the new concepts and mechanisms introduced, this section illustrates that document 2 proposes a technical solution without a corresponding political and practical vision. The technical solution proposed is based almost

entirely on the desire to eliminate the paper TIR Carnet, indicating a state of the TIR System that no one in the Expert Group has been able to imagine, in practical terms, in the foreseeable future. Document 2 proposes to achieve this limited “vision” (eliminating the paper TIR Carnet) only by changing the TIR Convention, forcing each Contracting Party to change their national computer systems, and any new Contracting Party to build their systems to meet the needs of document 2 before joining the TIR system.

In fact, the Expert Group is still missing a well-defined, concise, transparent and widely accepted set of business objectives that any future computerized system should respect. This lack of comprehensive vision leads the solution proposed by document 2 to omit the essential components without which the TIR procedure could not work and to which any system should adapt, namely, the spirit of the TIR Convention, the strong relationship between Associations and Holders, between Customs Authorities and Associations, between Associations and the International Organization, etc.

Moreover, the solution proposed in document 2 would imply for Customs Authorities:

- Unspecified, yet significant investments;
- Loss of procedural control over their systems;
- Loss of data privacy;
- The obligation to submit their systems to audits.

Document 2 refers to *The state of the UNECE, External evaluation report, June 30, 2005* to validate its proposals.

Nevertheless, the evaluation report recommends primarily to focus on TIR expansion (see under Chapter Recommendations, page 41: “In addition, Member States maintain that the TIR Convention must be further expanded to include territories outside the UNECE region. The TIR Convention also needs to have at least some of its procedures computerized”.)

Therefore, the fully computerized system described in document 2 is not supported by the UNECE External Report recommendations which focus explicitly on computerization of some procedures.

Furthermore, document 2 presupposes a number of significant prerequisites (see below). These prerequisites are of interest far beyond the scope of TIR and are being addressed in different forums (outside of the TIR sphere).

Additionally:

1. Document 2 is not in line with the initial mandate and the guidelines defined by WP.30 (see upper bullet point on Expert Group mandate):

- (a) Instead of proposing a system compatible with the existing Customs systems, document 2 proposes a new system designed so that all Customs systems must interoperate with, and subordinate themselves to it. This is well beyond the requirement of compatibility with the existing systems.
- (b) Instead of suggesting only limited amendments to the TIR Convention, document 2 proposes a system that would require fundamental changes to the Convention, new actors, and changed roles for existing actors.

2. Document 2 provides that “the e-TIR international system interfaces with the guarantor and will ensure the proper management of the guarantee system at international level by the competent customs authorities”. This provokes the question as to how national customs authorities manage an international system.

This de facto would imply:

(a) that the e-TIR international system will control the proper implementation and management by Customs Administrations, which means:

- Control procedures by eTIR system of the National administrations;
- Audit procedures for the eTIR system itself and at national level;
- Supranational power given to the eTIR system to interfere with national Administrations.

It also means that the e-TIR central international system is granted with

- A legal status, a legal representative, and a legal and financial liability/responsibility;
- Authority and power of a supranational nature.

(b) financial resources at international level

As document 2 also foresees a validation role, it seems that the e-TIR international system should have very precise and defined responsibilities and liabilities.

These fundamental aspects must be subject to deep analysis and discussions in order to ascertain that the UNECE is able legally and financially to cope with these functions, tasks, responsibilities and liabilities towards national Administrations, guarantors and operators.

In the light of the information available, it seems that UN and its bodies cannot be subject to any liability or responsibility. Therefore, such situation would not allow the proposed eTIR International system to be hosted and managed by the United Nations.

(c) financial resources at national level

Contracting Parties must modify their systems to interoperate with eTIR, sharing all data and relying on eTIR approval.

3. Document 2 is ambiguous regarding the declaration mechanism.

On the one hand, document 2 states that the declaration could be submitted individually to all Customs involved in a given TIR transport. On the other hand, it says that the declaration is made available to all subsequent Customs Offices through the e-TIR international system.

The first declaration mode would require that the declaration mechanism is standard and easily accessible to all transport operators everywhere, without necessitating an intermediary. For example, a Russian holder is provided with secured access to the Turkish customs system, with a Russian language interface.

The second declaration mode would mean that:

(a) The e-TIR system is a supranational body to which operators are liable: operators are no longer liable to national Customs.

- (b) The e-TIR system is then responsible for the correctness and the constant availability of the declaration and the integrity of its content.
- (c) The e-TIR international system is legally and financially liable to Customs Authorities and operators and guarantors in case of problems.

It appears clearly that no progress can be made until the fundamental questions mentioned under the above section 2 are clearly answered.

4. Document 2 implies major prerequisites that are far from being complete today:

- procedure for the guarantee issuance, to be compatible with eTIR;
- all national systems fully automated;
- all national systems interoperate with eTIR;
- standard declaration mechanism for all Contracting Parties available to all holders, everywhere (this is not foreseen in document 2);
- standard digital signature mechanism for all Contracting Parties.

Notwithstanding the fact that these are prerequisites, none of the above are completely available now, and none of them are defined for the purpose of eTIR.

5. Document 2 is based on principles that will modify the TIR Convention which have not as yet been decided, adopted or discussed:

- ITDB was supposed to be the cornerstone of the eTIR system (see bullet point above on the mandate given by the WP.30). It is unclear from the document if ITDB is part of the eTIR International system (database);
- new actors: operator, guarantor, eTIR International database.

6. Document 2 is in some respect in contradiction with Document 9:

Document 9 provides:

- simple formalities for both transport operators and customs officials (section B5);
- a simple and standard Customs transit declaration mechanism (Section B8).

Document 2 provides:

- additional tasks and formalities for both transport operators and Customs administrations;
- complex national based transit declaration mechanisms without any harmonization or any agreed list of data elements;
- that the eTIR international system interfaces with the guarantor and will ensure the proper management of the guarantee system at international level. This was not included in the Document 9 guidelines.

7. Document 2 describes a system where all Authorities will have the possibility of querying any kind of information.

Such an approach is incompatible with the indispensable and non-negotiable confidentiality of data of commercial, economic or strategic sensitivity. It seems doubtful that

any Contracting Party would welcome a system where all details of its foreign trade can be freely accessed by any other Administration who could then use this sensitive and strategic information on traffic, operators, goods transported, consignors, consignees etc. This unlimited access could create discrimination and attempt to alter competition through, for example, restrictions on traffic rights, etc.

8. Document 2 does not respect the needs expressed by Customs Director Generals in their replies to the questionnaire: i.e. 75% of them favour direct communication amongst Customs Authorities (TRANS/WP.30/GE.1/2005/4, question 38), whereas document 2 proposes a non-direct communication, i.e. through the eTIR international database.

9. The impact of the technical description of the system proposed in document 2 on stakeholders, actors, business requirements is not portrayed.

The reader is, therefore not in a position to understand why specific changes are proposed, as the information he is provided with (the technical description) is brought in with no contextual information about the future and possibility of new roles, responsibilities, interactions of/between the stakeholders and actors. Such contextual information (e.g. what will be kept in the future, why, what will change, why, what are the benefits of the changes within the objectives that the new system should meet) is an essential step at this point. The United Nations Modelling Methodology (UMM) adopted by the Expert Group, approved by the WP.30 and followed for several years now anticipates elaborating the given information as foreseen in this step.

UMM requires continuity between the existing procedures and the future procedures: each deliverable point (e.g. vision, scope, actors, glossary, requirements list, etc) is re-examined in light of the changes proposed, to see which of them applies to the e-business area of interest, and how changes will affect them. This is critical for a transparent “buy-in” by the stakeholders.

IRU made a detailed proposal to Expert Group based on these requirements (see document ExG/COMP/2005/7).

Unfortunately, document 2 missed this important step, and is therefore, in many aspects, completely out of context.

Up until now the implementation of a clear and rigorous methodology was successful. It is surprising to note that some participants in the work of the group are distancing themselves from this indispensable approach without which any further development will fail. Moreover, the methodology adopted brings crucial transparency to the project. It is therefore regrettable that it has now been proposed to abandon this transparency. There is no justification for such an approach.

10. Document 2 mentions that the guarantor can have access on a query basis to the status of a guarantee.

This is a drastic change to the current practice where IRU and Associations are the depositary of TIR Carnets. In case of claims or of any need they are able to access to the details on the status of the guarantee, by themselves, without being dependant on anybody to find and provide alternative proofs of termination and to undertake Risk Management.

Should document 2 be validated as presently drafted, the guarantor (IRU and Associations) would not be in a position to assume its guaranteeing role, being deprived of its previous means and being placed in a completely dependant position. Such a system is not only

not in line with the existing principles, but is in contradiction with the basic ethical principles which forbid the one who claims from also being the one who handles and detains all information and evidence, leaving the one who is requested to pay with no individual means and possibilities of handling this information and evidence autonomously.

11. To end with, document 2 describes an overly ambitious and complex mechanism that will require significant investments at all levels, with no return identified. The question of who is going to pay remains. Contracting Parties highlighted the fact that their budgets are reduced or nonexistent for such purposes.

III. SPECIFIC REMARKS TO DOCUMENT 2

– Section A2:

At their first meeting, the European Commission and the secretariat were of the view that it would be more effective to devise not one but two separate documents.

This was a bilateral decision taken by the UNECE secretariat and the EU Commission without any consultation with the Expert Group.

– Section A3:

At its one-hundred-and-eleventh session, the Working Party supported that the Expert Group should follow the guidelines contained in Informal document No. 9 (2005) for its future discussions. (TRANS/WP.30/222, para. 33)

The guidelines should be clearly defined and listed. It should be agreed to what extent the new guidelines are complementary or amend the initial but still valid mandate as well as the ones in line with replies to the questionnaire by Director Generals of Customs.

– Section B5:

The high level functional specifications of the eTIR system provide an overview of the system on which the future functional and technical specifications of the project will be based. They provide not only a general view, but also establish guidelines allowing for a smooth transition from the paper-based system to a computerized system.

The transition period is key to the sustainability of the system and should therefore be clearly described.

Moreover, the high level functional specifications were not agreed, and the guidelines are not listed.

– Section B6:

Before addressing the steps which will guide the transition between the two systems, the general principles of the fully implemented eTIR System should be identified.

These principles need to be defined and agreed on first at the appropriate level, after an extensive discussion has taken place.

– Section C7:

The outcome of the review, which was carried out by a group of consultants mandated by the UNECE Member States, is contained in the report "the State of the UNECE - External Evaluation Report". This report was published on 30 June 2005. The report stresses the importance of the TIR Convention and specifically mentions the "needs to have at least some of its procedures computerized." This stresses the relevance of the eTIR project and the importance to establish quickly an efficient and reliable eTIR system.

As already mentioned in Part II of this document, the report "The state of the UNECE – External evaluation report" clearly states that a first priority should be on expansion of TIR: "member states maintain that the TIR Convention must be further expanded to include territories outside the UNECE region". Further computerization appears as an after thought and is limited to "some" procedures. The report is, therefore, not an endorsement of eTIR as it is wrongly promoted in document 2. Such shortcuts are just misleading the decision makers. Indeed, the External evaluation report pleads in favour of a realistic and step by step approach of computerization by focusing on some elements and procedures.

– Section C8:

The Expert Group may wish to have a first discussion on Annex 1 and possibly request its inclusion into the Reference Model as an introduction to the eBusiness requirements Chapter.

Document 2 should not be included into the Reference Model as an introduction to the eBusiness requirements chapter. eBusiness requirements must conform to the United Nations Modeling Methodology (UMM). At this point, this would mean matching, section by section, the differences, improvements, de-optimizations (if required) of the current state defined in chapter 1 of the Reference Model.

– Section 1.2: Actors and roles, eTIR international system

eTIR international system is presented under this section as an Actor.

In the context of TIR, how can eTIR international system be an actor?

The eTIR international system interfaces with the guarantor and will ensure the proper management of the guarantee system at international level by the competent customs authorities.

National customs authorities' liability and responsibilities have to be defined in the context of their management of the international guarantee chain.

Moreover, in view of the fact that, within the eTIR system, electronic direct exchange of information between the Customs administrations located in the different Contracting parties is neither currently feasible nor enforceable, it will facilitate the secure circulation of standardized information between Customs administrations.

Nevertheless, direct electronic exchange of information between the customs administrations was requested by 75% of the Customs General Directors who responded to the questionnaire.

– Section 1.3

The operator performs the TIR transport and is responsible for providing the related declaration data electronically and for presenting the goods to the relevant Custom offices referred to in Section 1.1 above.

The data the operator has to provide in the frame of the declaration has to be defined in the light of the dataset discussed in Reference Model Chapter 1.

This Section implies that all authorized transport operators have access to every Customs National system and that they can submit valid declarations to these systems. The prerequisite, therefore, is that the declaration mechanism is standard as far as:

- The data set,
- The declaration mechanism,
- The format of the file,
- The availability in all TIR languages,
- Harmonized security requirements

Footnote number 2 says that “*the role of the operator is comparable to the one of the TIR Carnet holder in the paper-based system*”:

What are the differences? A clear definition of the differences of the roles and responsibilities of the actors should be given prior to defining the system.

– Section 2.1:

The eTIR international system is devised primarily for allowing the management of the guarantee by Customs and the exchange of Customs information related to the international transit of goods, vehicles and/or containers according to the provisions of the TIR Convention.

Where has this primary objective been defined? It has never been discussed, let alone agreed, by the Expert Group.

It is important to recall, at this stage, that the management of claims is outside the scope of the eTIR project.

How can claims be out of the scope of the guarantee management?

Who manages the eTIR system? This is a key question.

The guarantee management and the exchange of TIR transport information are therefore the two major fundamental principles. For the time being, guidelines will be also provided to promote harmonization, especially in the context of the dialogue between the operator and Customs authorities. Other aspects might be dealt with at a later stage. Agreement on communication, security and fallback solution will be other pillars of the system.

The pillars and the basic principles should be defined and agreed at the appropriate level before describing the whole system.

– Section 2.2

The international organization receives from its national affiliates information on the guarantees issued to the operators and sends this information to the Guarantee database, managed by the eTIR international system. The recording of this information in the Guarantee database is conditional on checks made against the International TIR database (ITDB) concerning authorized holders.

Only the guarantor is able and entitled to validate a guarantee, especially in a system where the guarantee and issuance management is centralized to (currently) one International Organization and its affiliated members. Duplication of databases has often proven to be source of errors and data corruption/alteration.

– Section 2.3.2.1.1:

Electronic signature (M)

Element ensuring the identity of the Customs office registering the start of the TIR operation and certifying its contents has not been updated since the signature has been created.

This implies that National authorities should adopt the electronic signature for their internal communications: is this clear to Contracting Parties?

As a prerequisite, the electronic signatures logically would have to be standardized amongst all Contracting Parties: this is not mentioned in the document and is not politically feasible in the foreseeable future.

– Section 2.4.1

The operator requests the guarantee from the guarantor, who will, on the basis of international, national and internal rules, decide if the guarantee can be issued to the operator. The guarantor will then complete the guarantee reference number (GRN) for that specific guarantee, associate an access code to it, and provide them to the operator. This procedure is outside the scope of the development of the eTIR international system but is a prerequisite for the functioning of the eTIR procedure. The guarantor registers the guarantee internationally as foreseen in point 2.2.1.

The procedure described by document 2 is complicated: it requires a guarantee reference number, an access code. What is the benefit for a system that, according to document 9, should remain simple?

How can the issuance of guarantees be at the same time out of the scope of the project, but at the same time a prerequisite?

– Section 2.4.2

The operator submits the eTIR declaration by electronic means to the Customs office of departure, making reference to a guarantee issued by a guarantor. At the same time, he may inform all following Customs offices of

entry that he will perform one or more TIR operations under cover of the above-mentioned guarantee.

How can this key action remain optional?

– Section 2.4.2.1:

Elements composing the declaration: operator (M), guarantee (M), goods (M), vehicles/containers (M), accompanying documents (O), consignee (O), itinerary (country level) (M), electronic signature (M), consignor (M), subcontractors.

The data elements described here should be compared with the ones defined in Reference Model Chapter 1. The new data elements versus the current system should be first agreed upon and the format defined (GRN, value of the goods, consignee, consignor...)

Some of these elements might change during the TIR transport, such as itinerary or consignee: will any modifications be forbidden in future?

Moreover some elements are currently not admitted in various Contracting Parties, such as subcontractors.

– Section 2.6.1.1

Controlled access is a major principle of the TIR system. The ITDB will be fully used to ensure that only authorized operators use the TIR system.

Mandatory and 100% real time update of ITBD would be the prerequisite here, which is not defined nor agreed yet.

– Section 2.6.2.

Security data elements. In line with international recommendations concerning supply chain security, a number of data elements may have to be added to increase the security of the eTIR system.

These elements have to be defined

– Section 2.7

Fall-back solutions and certified report.

In case of problems in the course of a TIR transport, an accompanying document, printed by the Customs office of departure, provides all information regarding the TIR transport.

Fall-back document should be printed by the operator himself under some simplified but yet secured methods

– Sections 3.2.4 to 3.2.6

Technical documentation, User Manuals and training for trainers, Helpdesk.

These developments are prerequisites to eTIR. At a certain stage the question of the costs and financing of these developments will have to be clarified.

Helpdesk should not be limited to the implementation phase but extended also to support the operational problems.

– Section 3.4

In case of textual descriptions, the language of the country where the information has been provided shall be used. Nevertheless, translations in other languages can also be provided and are sometime required.

Who makes the translation and at what costs?
