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**Economic Commission for Europe****Administrative Committee for the TIR Convention, 1975****Seventy-second session**

Geneva, 6 February 2020

Item 4 (a) (i) of the provisional agenda

**Activities and administration of the TIR Executive Board:****Activities of the TIR Executive Board:****Report by the Chair of the TIR Executive Board****Report of the eighty-second session of the TIR Executive Board (TIRExB)****I. Attendance**

1. The TIR Executive Board (TIRExB) held its eighty-second session on 11 June 2019 in Geneva.
2. The following members of TIRExB were present: Mr. S. Amelyanovich (Russian Federation), Mr. M. Ayati (Islamic Republic of Iran), Mr. M. Ciampi (Italy), Ms. D. Dirlik Songur (Turkey), Mr. P. J. Laborie (European Commission), Mr. H. R. Mayer (Austria), Ms. E. Takova (Bulgaria) and Mr. F. Valiyev (Azerbaijan). Mr. S. Somka (Ukraine) was excused.
3. The International Road Transport Union (IRU) attended the session as observer and was represented by Mr. Y. Guenkov.
4. The Board welcomed Mr. Sébastien Galtier (France), P4 Information Systems Officer (temporary), and Mr. Guillaume Gay (France), P2 Associate Information Systems Officer, as the new members of the TIR secretariat.

**II. Adoption of the agenda (agenda item 1)***Documentation:* Informal document TIRExB/AGE/2019/82

5. TIRExB adopted the agenda of the session, as contained in Informal document TIRExB/AGE/2019/82, with the inclusion of Informal document No. 9 (2019) submitted by IRU under agenda item 14 "Other matters".
6. Further to the suggestion by Mr. Amelyanovich (Russian Federation), the Board decided giving priority to the consideration of agenda item 4 on the audit report by the United Nations Office of Internal Oversight Services (OIOS), item 5 on the use of consultancy services for the new agreement with the international organization and item 10 on the study of reasons for the decline of TIR Carnet usage. The Board also decided considering agenda item 4 in the absence of the IRU representative due to the sensitivity of issues such as conflict of interest situation.

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

*Documentation:* Informal document TIRExB/REP/2019/81draft

7. TIRExB adopted the draft report of its eighty-first session as in Informal document TIRExB/REP/2019/81draft.

### **IV. Programme of work 2019-2020 (agenda item 3)**

*Documentation:* Informal documents No. 2 (2019) and No. 2 (2019)/Rev.1

8. The Board considered Informal document No. 2 (2019)/Rev.1, containing the draft programme of work for its 2019–2020 term of office, revised pursuant to the decisions at its last session (see Informal document TIRExB/REP/2019/81final, paras. 7–12). The Board noted that the draft programme of work contained all the changes agreed to at its previous session. In that light, TIRExB adopted its draft programme of work and requested the secretariat to submit it to the TIR Administrative Committee (AC.2) at its October 2019 session for endorsement.

### **V. Audit report on the management of the TIR Trust Fund issued by the United Nations Office of Internal Oversight Services (agenda item 4)**

*Documentation:* Informal document No. 4 (2019)

9. The Board noted that the audit requested by AC.2 from the competent United Nations services on the accounts of TIRExB and the TIR secretariat at its sixty-fourth session in October 2016 (ECE/TRANS/WP.30/AC.2/131, para. 22) was undertaken by OIOS and completed in March 2019, and that the audit report was presented in Informal document No. 4 (2019). The Board also took note that the audit report would be submitted to AC.2 at its October 2019 session as an official document for consideration. The TIR Secretary briefly introduced the findings of the report and, underlining that he was responsible for the fulfilment of the recommendations within specific deadlines, asked for the input and support of the Board in this demanding and challenging responsibility.

10. The Board considered each recommendation and presented its initial remarks and mandate to the secretariat as follows:

**Recommendation 1:**

ECE should propose to the Administrative Committee the possible options of mechanisms to monitor and evaluate the documentation submitted by the authorized international organization in order to strengthen governance in the TIR Convention, particularly with regard to accountability.

11. The Board noted that the secretariat would submit possible options of mechanisms to monitor and evaluate the documentation submitted by the international organization to AC.2 for consideration. Mr. Amelyanovich (Russian Federation) stated that the recommendation was a very important one and OIOS identified a problematic area that needed to be worked on particularly with regard to access to and examination of this documentation. He was of the view that the existing procedure should be reviewed and also the documentation should be analysed by an expert on financing.

12. Further to a question from Mr. Mayer (Austria) on whether the latest amendments to the TIR Convention regarding Annex 9, Part III, Article 2, paras. o-q were taken into account during the audit, the secretariat clarified that the auditors took into account those provisions and recommended the secretariat to start working also for reflecting those provisions in the new agreement with the international organization (see Recommendation 4), whereas

Recommendation 1 was related to the documentation submitted by the international organization according to Annex 9, Part III, Articles 1 and 2.

13. The Board questioned the content of the documents submitted by the international organization. The secretariat suggested drafting a document to the Board for its next session, taking into account the existing list of documentation and the procedure set in document ECE/TRANS/WP.30/AC.2/2015/12. The document would elaborate on the documentation to be submitted, and when and how it would be examined. The Board decided that the informal document to be drafted by the secretariat would be submitted both to TIRExB and AC.2 at October sessions. The TIR Secretary requested the Board members also to share their contributions, if any, during summer period.

14. Further to a suggestion by Mr. Laborie (European Commission), the Board highlighted the importance of the language regime of the documentation, especially in connection with the examination thereof, and requested the secretariat to cover also this aspect in the draft document. The Board, while acknowledging the importance of a harmony in the language regime and availability of the documentation in three official languages of United Nations Economic Commission for Europe (ECE), noted that making such a request with regard to all the documents to be submitted by the international organization might be cumbersome and unnecessary. The Board added that, instead of the documentation, the results of the expert examination could be provided in three official languages. The Board decided assessing the language issue together with the list of documentation.

15. Mr. Amelyanovich (Russian Federation) suggested that support to the secretariat by an expert while drafting the document could help for identifying the content of the documentation to be submitted and how to move forward on this issue.<sup>1</sup> The Board agreed that the document drafted by the secretariat would not include only the titles of the documentation but give a summary of the content of each document. The Board concluded that this list would not be an exhaustive one, thus the number of documents could be increased or reduced according to results of the discussions and the expert view. The Board recalled that the confidentiality of the documentation and the access procedure also made it difficult for the contracting parties to have an examination of the documentation in the past and requested the secretariat to take into account this aspect, for the sake of transparency, in suggesting new mechanisms for the examination of the documentation. In this regard, the Board recalled the limitations for the competent authorities and the national associations in accessing and examining the full report of the “Review of governance and compliance areas and fact-finding investigation” of IRU (ECE/TRANS/WP.30/AC.2/135, paras. 52–54).

16. The Board concluded that the monitoring and examination of the documentation submitted by the international organization was an important matter and a more effective mechanism needed to be established reflecting on what, when and how questions. The Board highlighted the importance of revisiting the list of documents provided by the international organization and checking whether the list was satisfactory, or a revision would be necessary. The Board requested the secretariat to provide a document that would include the list of documents for a review and the possible mechanism of monitoring and examination of documentation. The Board was also of the view that the examination could be better fulfilled by an expert. The Board, while acknowledging that the issue needed to be considered and decided by AC.2, decided providing input to assist it.

**Recommendation 2:**

ECE should prepare updated terms of reference for TIR focal points for consideration and approval by the Administrative Committee in order to ensure consistency and enhance the focal points’ effectiveness.

17. The Board noted the need for preparing updated terms of reference for TIR focal points taking into account the tasks undertaken by them since the adoption of the Resolution No. 49 (1995) which constituted the basis for the establishment of focal points. The Board

<sup>1</sup> See decision at para. 37 on this suggestion.

supported the suggested course of action by the secretariat, namely the submission of a draft terms of reference to AC.2.

**Recommendation 3:**

ECE should bring to the attention of the Administrative Committee the need to develop appropriate procedures concerning: (a) evaluation of qualified organizations before selection of the authorized international organization for TIR operations; and (b) periodic assessment of the authorized international organization's compliance with the stipulated conditions and requirements.

18. The Board took note of the need to develop appropriate procedures concerning the selection of the international organization and the periodic assessment of the international organization's compliance with the stipulated conditions and requirements. The secretariat mentioned that since the regulation on this topic might require an amendment to the convention the deadline for the implementation was set as October 2021. Mr. Amelyanovich (Russian Federation) indicated that, considering the importance of the actions recommended by OIOS for the TIR system and the time required for the implementation, it would be better to submit the issue to AC.2 at October session with a supporting document. The secretariat replied that as this recommendation might require an amendment to the convention it would be more appropriate that AC.2 considered the recommendation first and mandate the secretariat for follow-up actions. Further to the reminder by the secretariat that the authorization for the next three years was already done by AC.2, Mr. Amelyanovich (Russian Federation) asked the possibility of signing the current agreement for a shorter period, i.e. 1 or 2 years, and renewing once all the recommendations of OIOS were reflected. Mr. Mayer (Austria) reminded that three years period for the authorization was a compromise solution from five years in the past considering the needs of the international organization for the planning and financial assessment of its operations.

19. TIRExB was of the view that the recommendation was important for the TIR system and there needed to be an appropriate mechanism in place concerning evaluation of qualified organizations and the periodic assessment. The Board was also of the view that it was a sensitive matter and that it would be more appropriate to take action on the issue further to the instructions from AC.2. In this regard, considering also the time limitations, it requested the secretariat to bring this matter to AC.2 immediately so that sufficient time would be available for consideration. Further, the Board requested the secretariat to start consideration of possible mechanisms while waiting for instructions from AC.2.<sup>2</sup>

**Recommendation 4:**

ECE should amend its agreement with the external partner to include the additional requirements introduced by the Convention in July 2018.

20. The Board, recalling the amendments to the TIR Convention related to Annex 9, Part III, Article 2, paras. o-q which entered into force in July 2018, acknowledged the need to reflect the amendments in the new agreement with the international organization. The Board decided taking into account the recommendation in consideration of the new agreement under agenda item 5.

**Recommendation 5:**

ECE should revise its internal directive on the management of extrabudgetary resources to ensure that essential review and approval of projects relating to Conventions is performed by the respective governing bodies, such as the Administrative Committee in the case of the TIR Convention.

and

<sup>2</sup> See also decision at para. 37 related to this matter.

**Recommendation 6:**

ECE should seek the advice of the Ethics Office on the apparent conflict of interest arising from its arrangement with the external partner on the eTIR project, including the receipt of funds from the external partner to whom ECE has become accountable under the contribution agreement despite having the responsibility to assist the Executive Board in overseeing the external partner's operations and assessing its compliance with the TIR Convention.

21. TIRExB took note of Recommendations 5 and 6 which were interconnected. With regard to Recommendation 5, the secretariat mentioned that the project under the Memorandum of Understanding (MoU) with IRU in 2017 was approved by the Executive Committee of ECE (EXCOM) according to the internal directive which required that all extra budgetary projects be approved by EXCOM. The secretariat pointed out that OIOS recommended that the review and approval of the projects be performed by convention bodies either with a complementary EXCOM approval or not. In this regard, the secretariat explained that the reason for submission of that project to EXCOM was that it required the use of ECE resources, and it was doubtful how AC.2 would decide on a project that required the use of ECE resources which then could be refused by EXCOM. It would be more difficult to implement this recommendation considering that not all ECE member States were represented at AC.2. With this, the secretariat pointed out that it was unclear how this recommendation could be implemented.

22. The Board acknowledged that there would be value in terms of transparency in the submission of a TIR related project to AC.2 beforehand and that would enforce the mechanism, however, taking into account the practical constraints raised by the secretariat with regard to the approval, AC.2 could involve in the process by supporting the projects. The TIR Secretary drew attention to the fact that Recommendation 5 implied that the full transparency could be achieved only by the approval of the convention governing bodies since they had the expertise to assess the convention related issues in the projects and EXCOM could approve only after the governing body. Some Board members expressed that AC.2 was informed only after the conclusion of the MoU, which they thought might have led to this problem.

23. Mr. Amelyanovich (Russian Federation), reiterating the close connection between two recommendations, stated that one of very obvious signs of this connection was that the international organization which was authorized by AC.2 for three years signed an MoU with ECE for five years and this would not happen in case both instruments were decided by the same authority. He asked what the consequences of these recommendations with regard to the MoU might be and whether there was a possibility of cancellation. The secretariat explained that, following Recommendation 6, the issue would be raised to the Ethics Office which might suggest different courses of action including such an option as of next year. It was added that, irrespective of the recommendations, the vital importance of the MoU for the future of the eTIR project, and thus for the TIR system, needed to be acknowledged. In this regard, the secretariat mentioned that, whereas the issue was going to be raised to the Ethics Office which would make its assessments according to the audit report and internal rules, what AC.2 could do at this stage was to recognize the recommendation and the good arguments behind, however to further support the project since it was closely connected with the future of the TIR Convention. Board members were requested to take this point into account while representing their governments at AC.2.

24. The Board recalled that the MoU was supported by the contracting parties as part of efforts for the computerization of the TIR system, however during the discussions at the Working Party on Customs Questions affecting Transport (WP.30) and AC.2, transparency concerns were also raised especially since the Contribution Agreement, an integral part of the MoU, was not provided by the secretariat. Mr. Amelyanovich (Russian Federation) stated that it would not be appropriate to expect the AC.2 support to MoU without having the whole picture. The secretariat expressed that the Contribution Agreement was not provided due to limitations set by the ECE management, but the request would be submitted to the management again.

25. The Board noted that Recommendation 5 was addressing ECE management for revising its internal directive and concluded that there needed to be an effort to fulfil the recommendation whereas AC.2 might also wish to reflect on the issue during its consideration of the report. Regarding Recommendation 6, highlighting the importance of the principle of transparency, the Board requested the secretariat to present the MoU together with the Contribution Agreement in three official languages to AC.2 in its October session to get support to MoU to facilitate the procedure at the Ethics Office.

**Recommendation 7:**

ECE should bring to the attention of the Administrative Committee the need to: (a) study the reasons for the decline in sale of Carnets over the years and develop an action plan to address the underlying causes; and (b) develop an appropriate alternative financing arrangement to ensure the sustainability of TIR operations.

26. TIRExB noted that Recommendation 7 (a) was overlapping with an activity in its programme of work for the years 2019-2020 and decided taking into account the recommendation in consideration of agenda item 10 on that activity.

27. With regard to Recommendation 7 (b), the Board noted that the financing mechanism defined in the agreement with the international organization would be under consideration also under agenda item 5. The secretariat stated that the recommendation was related to the concerns about the sustainability of the TIR Trust Fund due to the declining number of TIR Carnets and the deficits accumulated in the last couple of years. It was recalled that AC.2 had also concerns about possible consequences of the deficits (ECE/TRANS/WP.30/AC.2/137, para. 27). The secretariat reminded that pursuant to the Annex 8, Article 13, para. 1 of the TIR Convention, there had been efforts in the past by ECE to finance the operation of TIRExB and the TIR secretariat from United Nations regular budget, but it did not yield results.

28. Mr. Amelyanovich (Russian Federation) mentioned that the recommendation was an important one and connected with Recommendations 8 and 9. He pointed out that, whereas the distribution price of TIR Carnet by the international organization was far beyond the amount per TIR Carnet, starting from 2018 IRU decided not to collect the amount approved by AC.2 claiming that it was too high to charge from the transporters. He added that the information on the combination of the price of TIR Carnet, which could help in understanding the impact of the TIRExB and TIR secretariat budget on the TIR system, could not be accessed despite several requests in the past. He was of the view that in consideration of the future of the TIR Trust Fund and the possibilities of funding sources, the price of the TIR Carnet needed to be requested again from the international organization. Other Board members, while raising concerns also about the validity of justification in collecting a lower amount considering the difference between two amounts was only 50 cents (2019) and the appropriateness of diverging from the amount approved by AC.2, did not agree that it was necessary to look into the price of TIR Carnet in more detail in connection with this recommendation.

29. Mr. Mayer (Austria) did not agree with the conclusion in the audit report that the existing financing mechanism was not a sustainable model, as it worked for many years properly, and was of the view that there was no need for considering a new mechanism.

30. The Board, considering that Recommendation 7(b) was about the budget of TIRExB and the TIR secretariat, concluded that the appropriate body to consider this recommendation was AC.2, therefore preferred not giving opinion on the matter.

**Recommendation 8:**

ECE should, in consultation with the Administrative Committee, devise a mechanism to settle the excess advance received from the external partner.

31. The Board took note of the recommendation and concluded that it needed to be considered at AC.2 level. The Board also noted that the secretariat would submit proposals to AC.2 to settle the accumulated deficits. The Board was of the view that, this issue needed

to be taken on board while drafting the new agreement to be concluded between ECE and the international organization.

**Recommendation 9:**

ECE should take appropriate measures to refine the budgets and cost plans for the TIR Executive Board and the TIR secretariat by considering the potential impact of known factors such as staff vacancy rates.

32. TIRExB took note of the need to refine the budget and cost plans and noted that the recommendation would be taken on board by the secretariat while drafting the 2020 budget. TIRExB also highlighted the importance of consideration of resource needs for activities such as promotion of the TIR Convention and hosting of the International TIR Data Bank (ITDB) in preparation of the refined budget and cost plans.

**Recommendation 10:**

ECE should develop an action plan for providing the required training and support to countries that have acceded to the TIR Convention to operationalize the TIR procedures in those countries.

33. The Board took note of the recommendation and considered that priority should be given to it as there were many new accessions to the TIR Convention. The Board, while appreciating the efforts by IRU and some contracting parties so far, was of the view that there needed to be an organized approach by the secretariat to the activation of the TIR system in new contracting parties. It also recalled that its programme of work envisaged preparation of an action plan to provide the required training and support to countries that have recently acceded to the TIR Convention in the establishment of administrative procedures in line with Article 8 (f) of its Terms of Reference. The secretariat clarified that an action plan would allow the follow-up with the newly acceded countries for the establishment of the administrative procedures. The secretariat added that there were new challenges ahead as the eTIR and the intermodal use of the TIR procedure, and thus the intention was to draft a more strategic document covering plans about the events to be organized to promote those topics. Mr. Laborie (European Commission) suggested that the secretariat, while drafting the action plan, takes into account Recommendation 2 related to the roles of focal points and explores the possibility of a linkage between two recommendations.

## **VI. Use of consultancy services for the drafting of the new ECE-IRU Agreement (agenda item 5)**

*Documentation:* Informal document No. 5 (2019)

34. The Board recalled that, at its previous session, with regard to the ECE-IRU Agreement covering years 2020–2022 which needed to be adopted by AC.2 in October 2019 session, the secretariat requested the use of the budget line reserved for specialized services not available in house for hiring consultants to assist in the drafting of the agreement and that it preferred not to take a decision on the item due to lack of a supporting document and expressed its readiness to consider the issue at the next session subject to availability of a document (TIRExB/REP/2019/81final, paras. 29 and 30).

35. The Board took note of Informal document No. 5 (2019) describing the challenges in drafting the new agreement and presenting the budget status for the use of a consultancy service. The secretariat informed the Board about issues as the deficits and 1 July 2018 amendments to the TIR Convention as well as new developments in the TIR system, such as the possible start of eTIR operations in near future and the intermodal use of the TIR procedure, that needed to be taken into account in drafting the new agreement. It was noted that additionally the OIOS audit brought in relevant recommendations. Thus, there was a request from the Executive Office of ECE for hiring two consultants, one legal and one financial to finalize the agreement. It was noted that a preliminary inquiry indicated a cost around US\$ 35,000, but the secretariat would aim concluding it with a lower amount. The secretariat also requested the support of the members with their expertise to improve the

agreement by raising the points in the agreement that worth reconsidering to the secretariat during summer period.

36. The Board expressed its criticism for the delay in the completion of the drafting of the new agreement and emphasized that the amendments on audit requirements entered into force in July 2018 and the results of these amendments would have been considered earlier. However, the Board noted the urgency of the issue and the need for expertise in contractual and financial matters to revise the agreement to cover latest developments in the TIR system and the OIOS recommendations. The Board also noted the availability of the funds for consultancy services in 2019 budget. To assist the work of AC.2 and to facilitate the drafting of the agreement which is of particular importance for the functioning of the TIR system, the Board agreed allocating necessary financial resources for the hiring of the consultants to assist in the drafting of the new agreement.

37. The Board pointed out the near future implementation of the eTIR system and requested the secretariat to provide enough flexibility in the agreement so that it might be revised, if needed, with the possible start of the eTIR operations before the completion of three years period. Recalling the suggestion by Mr. Amelyanovich (Russian Federation) with regard to a support to the secretariat by an expert (see para. 15), the Board agreed including additional tasks in the work plan of consultants, when possible, related to the revision of the list of documentation submitted by the international organization and developing a mechanism for the evaluation of the qualified organizations. The Board requested the secretariat to share the draft agreement with the Board members as soon as it is finalized by email clearly indicating the changes made. Finally, the Board, drawing attention to the delays in the current drafting process, requested the secretariat to start the drafting of the future agreements in a timely manner.

## **VII. Application of specific provisions of the TIR Convention (agenda item 6)**

### **Consideration of amendment proposals**

#### **Proposals to introduce more flexibility in the guarantee system**

38. This issue was not considered due to a lack of time.

## **VIII. Computerization of the TIR procedure (agenda item 7)**

### **A. eTIR project and eTIR pilot projects**

39. This issue was not considered due to a lack of time.

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

40. This issue was not considered due to a lack of time.

### **C. Publishing information on customs offices using the International TIR Data Bank**

*Documentation:* Informal document No. 6 (2019)

41. This issue was not considered due to a lack of time.

## **IX. Adaptation of the TIR procedure to modern business, logistics and transport requirements (agenda item 8)**

### **Implementation of the intermodal aspects of the TIR procedure**

42. This issue was not considered due to a lack of time.

## **X. Settlement of disputes between contracting parties, associations, insurance companies and international organizations (agenda item 9)**

### **Draft new Explanatory Note to Article 6, paragraph 2 of the TIR Convention**

*Documentation:* Informal document No. 7 (2019)

43. This issue was not considered due to a lack of time.

## **XI. To provide support in the application and strengthening of the TIR Convention (agenda item 10)**

### **Study the reasons resulting in the decreasing number of the TIR Carnets used and make recommendations to improve the TIR system**

*Documentation:* Informal document No. 8 (2019)

44. The Board recalled that, at its previous session, during consideration of the draft programme of work for its 2019-2020 term of office, it was suggested that further attention paid to the decline of the number of TIR Carnets distributed in the last couple of years. Further to the discussions, the Board decided to include studying the reasons for the decline of the number of TIR Carnets used and making recommendations to improve the TIR system in its programme of work. The Board clarified that this analysis would be a TIRExB analysis, it would not cover issues which fall out of the scope of its work (e.g. economic crisis) and it would be complemented with recommendations to address the identified issues (TIRExB/REP/2019/81final, paras. 9–10). The Board recalled that Recommendation No. 7 (a) by OIOS also addressed the need for such a study.

45. The Board took note of Informal document No. 8 (2019) elaborating on possible methods of the study as follows:

(a) A quick and informal study limited to the Board members, being TIR experts, to achieve an initial, concise and well-documented draft which may constitute the concrete basis to work on the topic,

(b) A more comprehensive study extended to all competent authorities, national guaranteeing associations and the international organization possibly through a questionnaire,

(c) Outsourcing the study to a research entity that would provide a more professional, in-depth and independent analysis.

46. Majority of the Board members were of the view that their expertise would allow specifying the reasons of the decline and a study with Board members would also provide immediate result. However, they also acknowledged the importance of the input from all contracting parties, particularly from the private sector, which could provide access to also more solutions in addressing the reasons. The Board, while noting the value of a professional analysis, was not in favour of outsourcing at this stage in view of time and cost factors. Nevertheless, the Board acknowledged the complementary nature of all these options.

47. The Board concluded that it would be appropriate to start an analysis with the input from the Board members and extend it to a wider audience after having the first results of this analysis. The Board also decided including IRU as the observer of TIRExB in this study. In this regard, the Board requested the secretariat to start the study with the Board members and IRU as defined in Informal document No. 8 (2019), reflect the findings in a document and circulate via email for feedback. The Board further decided that depending on the results of informal contacts, the document would then be submitted either to TIRExB for further consideration or to AC.2 which might then decide distributing the document to competent authorities and private sector to ask their views. The secretariat assured also trying to include some statistical data in the document about the use of TIR Carnets in the last decade in the country or region basis.

## **XII. Prices of TIR Carnets (agenda item 11)**

### **Analysis of the prices of TIR Carnets**

48. This issue was not considered due to a lack of time.

## **XIII. Problems reported by transport companies from the Republic of Moldova in Ukraine (agenda item 12)**

*Documentation:* Informal documents Nos. 37 (2014) and 8 (2015)

49. This issue was not considered due to a lack of time.

## **XIV. Activities of the secretariat (agenda item 13)**

### **General activities of the secretariat**

50. This issue was not considered due to a lack of time.

## **XV. Other matters (agenda item 14)**

### **A. Modifications on the TIR Carnet forms**

*Documentation:* Informal document No. 3 (2019)

51. TIRExB recalled that, at its previous session, IRU provided information on the need for making slight changes in the TIR Carnet forms, as submitted in Informal document No. 3 (2019), in order to speed up the printing process as there might be need for increased number of TIR Carnets after a possible Brexit. The Board had decided considering the issue at its next session since the members did not have time to examine the document (TIRExB/REP/2019/81final, paras. 31 and 32).

52. Mr. Guenkov (IRU) informed the Board that modifications were related to changing the ink colour of page numbers inside the TIR Carnet from red to black and removing the tape from the lower part of the TIR Carnet. The Board noted that the TIR Convention did not specify the colour of ink to be used on the pages of the TIR Carnets. As for the tape at the lower part of the Carnet, some members pointed out the security implications as it covered the staples and made it difficult to disassemble the Carnet without leaving visible traces. In this regard, the Board recalled the comment on the “Model of the TIR Carnet and TIR Carnet forms actually printed and distributed” in Annex 1 of the TIR Convention which says:

“In order to impede falsification of TIR Carnet forms and to facilitate their distribution and registration, TIR Carnet forms actually printed and distributed may contain additional details and features which do not appear in the model of the TIR Carnet reproduced in Annex 1,

such as identification and page numbers, bar-coded as well as other special protective features. Such additional details and features shall be approved by the TIR Administrative Committee”.

53. Further to the questions, Mr. Guenkov (IRU) clarified that the red ink colour did not include any security features. With regard to removing the tape, he stated that the estimated cost-saving would be insignificant as SwF 0.3, but it would ease filling-in the TIR Carnet by transporters who complained about not being able to use printers while filling the goods declaration or already removed the tape in practice for ease of use. He also stated that the tape was introduced in the past as a technological process proposed by the printing company to keep the integrity of the Carnet and that it did not represent a security measure.

54. In this regard, while taking note of the modifications to the TIR Carnet forms, the Board requested IRU to submit the modifications to AC.2 for further consideration.

## **B. New measures introduced by the Republic of Belarus**

*Documentation:* Informal document No. 9 (2019)

55. TIRExB took note of the information submitted by IRU in Informal document No. 9 (2019) with regard to new measures introduced by the Republic of Belarus applicable as of 1 July 2019 and related to the use of electronic services for advance cargo information. The Board recalled that, at its eightieth session, IRU informed about new regulations entering into force in Belarus as of 1 July 2019 which covered measures as the payment of a fee for handling electronic information and registration of transport operators to obtain an electronic signature. The Board had taken note of this information and, while recommending the submission of this issue with further information to WP.30 where Belarus was also represented, expressed its availability to consider the matter in case there were aspects related to its mandate (Informal document TIRExB/REP/2019/80final, para. 25).

56. Mr. Guenkov (IRU) stated that a unified system of transmission of pre-declarations would be introduced in Belarus which would mean that all advance cargo information including the one transmitted by the IRU application TIR-EPD (Electronic Pre-Declaration) would be sent to the Belarusian customs exclusively through this unified platform operated by the “National Centre for Electronic Services” (NCES). He added that, according to the Presidential Decree No. 515 dated 8 November 2011, NCES would provide electronic services to state bodies, other organisations and citizens, both on a paid and unpaid basis. At the same time, services linked to the transmission of advance cargo information to the customs offices of Belarus would be carried out exclusively on a paid basis. He added that, according to the inquiries, non-residents of Belarus would not have direct access to the unified platform. He also stated that this application would also increase the costs of the use of eTIR system once operational. Finally, Mr. Guenkov (IRU) requested the Board to address the customs authorities of Belarus on the issue before the entry into force of the measures.

57. Mr. Amelyanovich (Russian Federation) stated that the measures did not seem to be addressing the TIR transports particularly or discriminating against the users of the TIR procedure. He added that whereas duties and taxes introduced by the countries might have indirect impact on the TIR operations, they did not fall under the TIR Convention. The Chair reminded the requirement for notification to TIRExB on the national control measures according to Article 42 bis and the Explanatory Note thereto of the TIR Convention and underlined the value of informing all relevant stakeholders well in advance when a new application that might have impact on the TIR operations would come into force.

58. The Board concluded that, taking into account the request of the international organization, it would be appropriate to get further information on the measures introduced by the Republic of Belarus to understand their possible impact on the TIR operations. With this, the Board requested the secretariat to send a letter to the customs authorities of the Republic of Belarus to inform about the request from the international organization and, reminding the Article 42 bis and the Explanatory Note thereto, to ask for information about new regulations introduced in its territory and their impact on the application of the TIR Convention.

## **XVI. Restriction in the distribution of documents (agenda item 15)**

59. TIRExB decided to keep documents issued in relation to the current session, excluding Informal document No. 4 (2019), restricted.

## **XVII. Date and place of next session (agenda item 16)**

60. The Board decided to conduct its eighty-third session on 14 October 2019 in Geneva and requested the secretariat to make the appropriate arrangements.

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