



Economic Commission for Europe
Inland Transport Committee
**Working Party on Customs Questions affecting
Transport**
**Group of Experts on Conceptual and
Technical Aspects of Computerization of the TIR Procedure**
Second session

Geneva, 25–28 May 2021

Item 3 of the provisional agenda

**Reports of the preparatory meetings for the Group of Experts on Conceptual and
Technical Aspects of Computerization of the TIR Procedure**
**Report of the Group of Experts on Conceptual and Technical
Aspects of Computerization of the TIR Procedure on its
extraordinary session***
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* This document was submitted late due to the timing of the session.



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I. Attendance

1. The Group of Experts on Conceptual and Technical Aspects of Computerization of the TIR Procedure (further referred to as “the Group of Experts”) held an extraordinary session in hybrid format on 7 and 8(am) April 2021.
2. The session was attended by experts from Belarus, Belgium, Czech Republic, France, Greece, Iran (Islamic Republic of), Italy, Jordan, Latvia, Lithuania, Netherlands, Republic of Moldova, Russian Federation, Serbia, Turkey, Ukraine and Uzbekistan. Experts from the European Commission (EC) and the International Road Transport Union (IRU) also attended.

II. Adoption of the agenda (agenda item 1)

Documentation: Informal document WP.30/GE.1 No. 5 (2021)

3. The Group of Experts adopted the provisional agenda as contained in Informal document WP.30/GE.1 No. 5 (2021).

III. eTIR conceptual, functional and technical documentation version 4.3 (agenda item 2)

A. Introduction

Documentation: ECE/TRANS/WP.30/GE.1/2021/9, ECE/TRANS/WP.30/GE.1/2021/10, ECE/TRANS/WP.30/GE.1/2021/11, ECE/TRANS/WP.30/GE.1/2021/12, ECE/TRANS/WP.30/GE.1/2021/13 and Informal document WP.30/GE.1 No. 1 (2021)

4. The Group of Experts took note that version 4.3 of the Introduction document was contained in documents ECE/TRANS/WP.30/GE.1/2021/9, ECE/TRANS/WP.30/GE.1/2021/10, ECE/TRANS/WP.30/GE.1/2021/11, ECE/TRANS/WP.30/GE.1/2021/12 and ECE/TRANS/WP.30/GE.1/2021/13. It also welcomed the consolidated version of the introduction in the three ECE working languages as contained in Informal document GE.1 No. 1 (2021).

5. While stressing the importance of the introduction document and the fact that it was included in the work plan, the Group of Experts recalled that it is not part of the documents mentioned in Annex 11 and does not contain any binding element. Furthermore, the Group of Expert stressed that the background part of the introduction document will still have to reflect the decisions taken, as well as those that will be taken, by the Group of Experts and, possibly, the Working Party on Customs Questions affecting Transport (WP.30) during 2021 and decided that it would therefore be more appropriate to agree on it at the third session, in September 2021.

B. Amendments

Documentation: ECE/TRANS/WP.30/GE.1/2021/38 and Informal document WP.30/GE.1 No. 6 (2021)

6. The Group of Experts welcomed document ECE/TRANS/WP.30/GE.1/2021/38 (and its informal translation in Informal document WP.30/GE.1 No. 6 (2021)) which contains comments and proposals transmitted by the Russian Federation regarding requirements for the application of the eTIR procedure in the Eurasian Customs Union. The Group of Experts considered the various comments and proposals, while not in a position to reach conclusions, and had the following considerations:

1. Data requirement related to paragraph 1 of Article 107 of the Customs Code of the Eurasian Economic Union

7. The experts from the Russian Federation explained that in the Eurasian Customs

Union (EEU) the TIR procedure and, in the future, the eTIR procedure are regulated by both the TIR Convention and the Customs Code of the EEU. They further clarified that, while document ECE/TRANS/WP.30/GE.1/2021/38 highlights issues with eTIR messages, it should be looked at together with the document containing the “Decision of the Board of the Eurasian Economic Commission of 12 November 2013 No. 254 (as amended on 29 May 2018) on the structures and formats of electronic copies of customs documents”. The latter document, despite being in Russian only, was sent during the meeting to all participants, for reference.

8. In summary, the expert from the Russian Federation stated that eTIR messages, as defined in the eTIR specifications, are not in line with the requirements, structures and formats of the electronic copies of customs documents regulated by the Customs Code of the EEU and proposed to amend the eTIR specifications accordingly. Experts from countries other than from the EEU stressed that the eTIR messages have been devised on the basis of the data requirements contained in TIR Convention, with the addition of a few optional data elements which are listed as important for transit in the WCO SAFE Framework of Standards. They further stated that their national or regional transit procedures as well as the tools devised to electronically manage TIR operations also had different requirements (as well as message structures and formats). They also underlined that some of the requirements derive from other legislation applicable in case of transit, such as those related to safety and security. Finally, they stressed that the eTIR specifications cannot be fully in line with each and every national or regional requirement but should, instead, be based on a common denominator agreed by all TIR contracting parties. As indicated in Article 9 of Annex 11, while the competent authorities should try to limit them, they may request additional data stipulated by national legislation.

9. Moreover, various experts and the secretariat recalled that the eTIR specifications are contained in a living document and that, once version 4.3 would be finalized (ideally in September 2021), the Technical Implementation Body (TIB) will start working on a new version 4.4, which could contain additional requirements, if consensus be found among contracting parties bound by Annex 11.

10. The Group of Experts considered the following issues, highlighted in document ECE/TRANS/WP.30/GE.1/2021/38 as potential conflicts with Article 107 of the Customs Code of the EEU.

(a) About the consignor and consignee of goods in accordance with the transport (shipping) documents, declarant, carrier

11. While these elements are present in the advance TIR data, advance amendment data and declaration data, they are optional and not in the same format. At this moment, these data elements are mandatory for TIR transports within the EEU. It was also clarified that the carrier data element is not meant to be used in case the holder carries out the transport (the holder data element is sufficient for that) but, instead, can be used for intermodal transport to report on the companies that would be sub-contracted to carry out parts of the TIR transport.

12. It was further clarified that eTIR messages also include the possibility to attach a CMR¹ consignment note, either scanned or in a machine-readable format, which contains information about the consignee and consignor.

(b) About the country of departure and country of destination of goods

13. While the secretariat clarified that both elements are mandatory in the relevant eTIR messages (including the customs offices of departure and destination for each consignment), the expert from the Russian Federation explained that a different format is used in the EEU.

(c) About the means of transport by which the goods are transported

14. The expert from the Russian Federation acknowledged that the means of transport (e.g. tractor unit) and transport equipment (e.g. container) are part of the relevant eTIR

¹ Convention on the Contract for the International Carriage of Goods by Road

messages, but that different formats are used in the EEU.

(d) The name, quantity and value of goods in compliance with commercial, transport (shipping) documents

15. The expert from the EEU stressed the importance to include the value in the eTIR messages in order to be able to calculate the duties and taxes which should be covered by the eTIR guarantee. Other experts recalled that the value has never been a data requirement for the TIR procedure and that the eTIR requirements, at this stage, are based on the provisions of the TIR Convention. The secretariat also recalled that, similarly to the TIR procedure, transport operators can electronically attach documents to the advance TIR data or advance amendment data, such as invoices, in case those documents are requested by certain customs administration.

(e) The code of goods in accordance with the Unified Commodity Nomenclature of Foreign Economic Activities of the Eurasian Economic Union at least the first 6 symbols

16. The secretariat clarified that there is the possibility to provide multiple goods classifications and, while the first has to be from the Harmonized Commodity Description and Coding System (HS), other classifications can be added. However, it remains unclear if a country outside the EEU will be able to handle a code in the Unified Commodity Nomenclature of Foreign Economic Activities of the EEU.

(f) On the gross weight of goods or volume, as well as the quantity of goods in additional units of measurement, if the Unified Customs Tariff of the EEU sets additional units of measurement with respect to the declared goods, for each code of the Commodity Nomenclature of Foreign Economic Activities of the Eurasian Economic Union

17. This point was not discussed.

(g) About the number of cargo places

18. The expert of the Russian Federation clarified that “cargo places” refer to boxes or containers.

(h) About the destination of goods in accordance with the transport (shipping) documents

19. This point was not discussed.

(i) About compliance with the established prohibitions and restrictions

20. The secretariat clarified that the eTIR international system does not perform checks against national or regional prohibitions or restrictions and that transport companies are ultimately responsible for complying with national or regional prohibitions or restrictions.

(j) About planned transshipment (reloading?) of goods or cargo operations en route

21. The expert of the Russian Federation clarified that “transshipment (reloading)” refers to planned additional loading or unloading places.

2. Data requirement related to paragraph 5 of Article 109 of the Customs Code of the Eurasian Economic Union

22. The secretariat clarified that, for the eTIR procedure, the holder submits advance TIR data and advance amendment data before presenting himself/herself, with the goods and the vehicle at the customs office of departure, where the declaration is eventually accepted after all the required customs controls. Different from the TIR procedure, there is no paper declaration for the eTIR procedure.

3. Decision of the Board of the Eurasian Economic Commission of 12 November 2013 No. 254 relative to the structure and format of an electronic copy of a transit declaration

23. The expert from the Russian Federation, with the support from other experts from the EEU, stressed that the structure of the "E9 – Advance TIR Data" message provided for in the eTIR specifications needs to be harmonized with the structure and format approved by Eurasian Economic Commission (EEC) Board Decision No. 254. They stressed that customs from the EEU currently receive electronic messages aligned with Decision No. 254 in addition to the TIR Carnet and that they do not want to be worse off when moving to the eTIR procedure.

24. Other experts underlined that it is not possible to align an international standard to the requirements of a single country or regional organization. The secretariat also clarified that, while the eTIR specification provide flexibility in the tools, message structures and formats used by customs administrations to receive advance TIR data and advance amendment data, the exchange of declaration data, as recorded using the I7 message and forwarded using the I15 message, need to have a fixed and agreed structure and format.

25. An expert from the European Commission mentioned that, in the context of the Proof of Concept (PoC) started in May 2020 between EC and ECE, most of the differences identified between both data models, including the ones related to structure and format of data, had been solved by foreseeing a conversion mechanism. The expert recommended undergoing an exercise such as a PoC to find a solution to these issues.

4. Language requirements

26. An expert from the European Commission mentioned that in the New Computerized Transit System (NCTS), they made use of codes as often as possible to decrease the number of free text fields to a minimum. He further mentioned that it was also the case in the eTIR specifications and that a language code allowed to specify the language of the text entered into these few free text fields.

5. Value

27. This issue was first discussed under point 1 (d). The expert from the Russian Federation further clarified that, while the value is an optional element for transit if it concerns domestic goods, it is mandatory for the transport of foreign goods.

28. The expert from Belarus mentioned that Article 8 para. 6 of the TIR Convention states that customs authorities should be able to determine the duties and taxes from the particulars of the goods as entered in the TIR Carnet and that the price information is required for such determination. The secretariat clarified however that this article refers to the claims procedure, which WP.30 decided to keep outside of the scope of the eTIR project, indicating that claims linked to the TIR and eTIR procedures should be handled in the same way and on the basis of the same data.

6. Accompanying document

29. The secretariat clarified that the revised version of the eTIR concepts (ECE/TRANS/WP.30/GE.1/2021/14/Rev.1) indicates that the accompanying document is generated by customs rather than printed. However, since the accompanying document contains information only available once the TIR transport has begun at the office of departure, it remains unclear how anyone else than the customer officer would be in a position to print the document when the transport operator is already at the customs office of departure. Several experts agreed that it would make sense for customs to print the accompanying document and hand it over to the truck driver, after having generated it.

7. Cryptographic restrictions

30. The expert from the Russian Federation explained that the security elements related to the exchange of electronic messages between customs administrations and the eTIR international system (encryption and authentication), as described in the eTIR specifications,

cannot be implemented in the Russian Federation, due to national regulations imposing the usage of domestic cryptographic algorithms. With that in mind, the Group of Experts agreed that alternative secure communications channels could be included in the eTIR specifications when the current standard security cannot be implemented, because of conflicting national legislation.

8. Electronic signatures - trusted third parties

31. The expert from the Russian Federation explained that, in order to ensure the legal significance of electronic documents, the Russian Federation was of the view that a system of trusted third parties (TTP) should be included as part of the eTIR procedure. The TTP system would require each TIR contracting party, bound by Annex 11, to establish an entity (certification authority) responsible for the validation of the electronic signatures of their domestic holders. Such a system would, possibly, allow customs administrations to request the validation of the electronic signature of foreign holders regardless of the technology used while signing.

32. Other experts recalled that Annex 11 contains specific provisions related to the authentication of the holder (Articles 7 and 8), which allow customs administrations to choose the way to authenticate the holder (including by means of the use of a user name and password for the submission of advance data) and ensure that other customs administrations shall trust the authentication performed by the country of departure. The security elements allowing the secure exchange of data between customs administrations via the eTIR international system also plays a crucial role in enabling mutual recognition of the authentication.

33. In conclusion, the Group of Experts agreed that most of the issues considered above would have to be further investigated in the framework of an exercise such as a PoC on the usages of the eTIR procedure in the EEU, which report should be brought to the attention of the Group of Experts or TIB for consideration. The Group of Experts also welcomed the initiative by the secretariat to send a letter to the heads of customs administrations of the EEU, as well as to the EEC, offering its assistance to carry out a PoC on the usage of the eTIR procedure in the EEU.

IV. Adoption of the report (agenda item 3)

34. The report of the session will be submitted for endorsement to the second session of the Group of Experts.
