

## The Role and Impact of the TIR's Convention on the Facilitation of Legitimate Trade

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**Abstract:** TIR convention is one of the most important International transporting conventions in the world and now, 74 countries are contracting parties to the convention from five continents. Iran is one of the oldest members and its chamber of commerce, industry and the mines is acting statutory as TIR handbook (TIR CARNET) Issuing and sponsor Institute. In addition, that is an appropriate pattern to establish effective systems in transit for countries that wish to form regional organizations, to reduce barriers to trade in their region. With regard to importance of the subject, in this research, we investigate the role of this convention for simplification of legal commerce. For this aim, firstly, 10 benefits of TIR carnet convention for simplification of commerce from previous studies were determined and then we use experts' opinions of Anzali custom to verify these benefits. For this purpose, 50 experts were selected and questionnaires were distributed among them. For verification of recognized benefits, one-sample t-test and for ranking them Friedman test were used. The results showed that all recognized benefits are verified from the points of view of Anzali custom's experts and "coordination with international and regional orders" has the first rank of importance among other recognized benefits.

**Key words:** Convention • TIR convention • TIR CARNET • Transporting • Trade Facilitation

### INTRODUCTION

Islamic Republic of Iran is one of the countries that because of its suitable geographic position benefits from transit advantage and can use this advantage by expanding transportation network and secure and efficient relation in order to gain foreign exchange revenues and promoting the strategic position. Persian Gulf is in south of Iran where has accommodated main countries of Manufacturing oil. This region is considered as world's energy gorge. Caspian Sea is located in north of Iran where is the best marine path among Iran, Russia, Kazakhstan, Turkmenistan and Azerbaijan. It can play an important role in developing transit and trade among these countries. In the other hand, Iran is the neighbor of Iraq, Turkey, Pakistan and Afghanistan by east and west. In the other words, it can be said that Iran's relation with other countries is through land and water borders [1]. On the other hand, a simple and

harmonized custom's regulation has always been the case. World War II has turned many countries to ruins and a lot of goods must be exchanged for restoring them. Since the early twentieth century foreign trade has increased dramatically, particularly after the establishment of the GATT in 1948, aimed at expanding trade, establishing simple and uniform custom regulations and removing trade barriers were considered too. Before the establishment of the Customs Cooperation Council, realizing the uniform customs regulation was done in the forms of customs unions and bilateral or multilateral international agreements, one of them was Nomenclature which took place in Geneva in 1937 by the League of Nations. European countries that have been damaged more than others required further importation and exportation of goods to compensate destruction. In September 12, 1947 with the participation of 13 countries in Europe economic cooperation committee, these countries tended to create a Customs Union to remove

customs barriers between themselves, so customs barriers remove within the Union. This committee assigned a group to find necessary technical solutions for the implementation of Union. This group (titled Study Group of European Customs Union) began its work by study on the formulation of Nomenclature and determining well's customs value and finally decided to implement these two devices (i.e. Nomenclature of goods classification and the criteria of good's customs value) in the form of an International Convention for their countless benefits in trading. Since the experience gained through the lack of an administrative organization in Geneva about Nomenclature and ultimately lead to the loss of that Nomenclature, this time it was decided to forecast a permanent organization to manage and update the provided information and technical literature about the Nomenclature and value that finally the primary core of Customs Cooperation Council was established [2].

After that TIR convention, a contract was signed shortly after the end of World War II, in 1949 by a minority of European countries and aids of United Nations Economic Commission for Europe in order to facilitate the transit of goods, especially in terms of easy passing through the borders in the geographical area of the mentioned countries, now has become an efficient and comprehensive system. And in addition to the whole of Europe, the geographic scope of its application includes most Asian countries and North Africa [3]. In fact, TIR Convention is a kind of customs convention and is set for international transport of goods by road under the TIR handbook. It was found that the goods are carried under the cover of the TIR handbook (Carnet TIR) by the road and they continue to their way without additional guarantees in the way customs between a Customs Office in departure to a destination [4].

Overall, since the customs as one of the economic organization of country play an important role in country's revenue collection and administration and economic policy. In fact it is one of the substantial elements in International Commerce cycle and it is impossible to complete the process of export, import and transit without the customs formalities and procedures. In On the other hand, completion of commercial process cycle requires transferring of large amounts of commercial documents and information and often it is observed that different organizations involved in the completion of commercial processes, gain the same information in different forms of businessmen. This leads increasing the time and cost to complete the process of trade. Statistics indicate that the cost of trade documentation and

completion of trade procedures is between 4 to 7% percent of shipment value. Due to the high volume of commercial cargo which is exchanged between different countries every year, this figure is significant and reveals move towards facilitating trade [5]. Here it is realized the necessity of attention to TIR Carnet and expanding its use more than ever. In this study after the introduction of TIR Carnet and its role in facilitating trade, we will point to its effect on the amount of trade facilitation.

**Subject Importance:** Transit Industry is one of the most lucrative trades in the world and naturally, countries along the transit corridors will be able to take maximum advantage of this business. Now, money turnover, goods and energy transfer between Asia and Europe is about 1500 billion dollars in a year which \$ 120 billion is related to transportation. Considering the potential revenue of 10.5% percent of income 120 million dollar annually of good transit between Asia and Europe confirmed this note that using this golden opportunity has a significant share in the reduction of dependence to oil revenues, although according to some experts opinion, reaching this level of income due to the current capacity of the transit fleet (half a billion dollars in annual revenue) and slow movement of the country in the process of resolving problems is impractical and impossible to do in the short term and earning revenue annually 1 billion dollar to 111.5 billion dollars is with considerable success.

On the other hand, benefit from the security and geographical advantages is one of the most important factors that can well underlie the development of this industry in a country, therefore, Iran as a short and suitable transit way is well considered by the owners of goods such that the wheels of this industry still remains on the Silk Road. However, with the invention of the steam engine, contact among this country, progress and development road was cut and its importance reduced. But in the present era, with collapse of the socialist system in the Soviet Union and the need of middle east countries for access to the open sea on one hand and the growing of economical process of East and South Asia and their interest to trade with west along with insecurity of rival paths in Russia, Dagestan, Afghanistan and Pakistan on the other hand led to interest of this region by western world. In fact, Iran with 980 km strategic boundary and locating along the path for transferring 75% percents of the world's oil and gas reservoirs has the shortest path for transferring oil and gas. Neighboring Iran and Central Asia and having religious, cultural and

historical matters have provided this region the need to use Iranian territory to expand trade and transit and all excellent opportunities for the development of our country which facilitates economic and political ties with this region. Using this situation, our country will become largest trading – transit partner of Central Asia in future. The importance of Iran's geo-economy for Central Asia is to the extent that world experts and development strategies recognize the role of Iran's leadership and vanguard for Central Asia.

In addition, it is observed that during years 79-77, the value and weight in transit has enjoyed upward trend. Also, the weight and value of non-TIR Carnet in TIR 79-77 years has been an incremental trend so that in year 79, they were 90% and 93%, by weight and value in transit, respectively [6].

According to above statistics and observing the usage growth of non-TIR carnet transit, more attention is needed on this issue and identify the benefits of its usage in this field. Thus, in this study, we seek to identify the advantages and the impact they have on trade facilitation.

## **Theoretical Basics and Research Background**

### **Tir Convention**

**Definitions and History:** Economic revival of Europe after World War II caused the growth of world trade and thus, the transportation means, especially road transport. And this method plays a considerable role in joining the countries - of course, more to profit to Europeans whom their artifacts would fall easily to the markets of Member States - and therefore the action for the establishing "system" fitted with this growth began and thus "TIR" transit system was created shortly after the war by those involved in road transport of several European countries. So, "TIR Convention" (1949) was conducted among a small number of European countries. Limited success of the mentioned projects led to negotiations under United Nations Economic Commission for Europe to contract the Convention in 15th January 1959 by the Transport Committee of UNECE, Entitled 'Customs Commission on International Transport of goods on roads covered Carnet TIR' in Geneva (Switzerland) and has been implemented since 1960. After Fifteen years and two times correction, mentioned Convention has been replaced in 1975 by the Customs Convention on the international transport of goods under cover of TIR Carnet (TIR Convention 75), which, in fact, is the result of a previous convention performance and industrial technology and the changing conditions of contemporary transport and customs to increase system's

efficiency and safety and reduce the complexities of customs, while facilitate greater use of container, which was set in the 60s. Revised Convention of 1977 was replaced by the convention of 4 November 1959 and has been entered into force.

Overall, TIR Carnet is a customs document for goods' international transit in TIR's rule framework, this document is issued in the country of origin and contains information on trucks and cargo and thereby road vehicle from the country of origin crosses through territory countries without customs inspection. Of course, this crossing without inspection requires to follow predetermined proceedings:

- Sealing vehicle carrying the goods in the customs of origin;
- Implementing safety instructions for all types of tanks and container in order to prevent smuggling;
- Providing any risk coverage on customs duty during a trip by the sponsor Institute (the Institute for Trade Studies and Research).

**Objectives and Benefits of Tir Convention:** In the beginning of TIR Convention, following items are stated as the desire and interest of contracting countries which can be mentioned as goals in the TIR Convention:

- Facilitating the international transport of goods by road vehicles.
- Simplifying and harmonizing the administrative procedures in the field of international transportation, particularly at the borders.

TIR Convention presented following items to ensure customs authorities in international goods transportation in terms of affairs health and to prevent potential violations and facilitate affairs and customs formalities:

- In each country, a sponsor institute is accountable and responsible to customs against people who use TIR procedures, the rights and duties on imports or exports and payment delays and losses in accordance with the rules and regulations of that country where abuse is happened there and also is responsible to pay customs fees charged by customs.
- Trucks carrying goods will be physically sure under cover of TIR handbook. Special conditions are considered for the trucks.

- Given that the system is expected that physical control of goods in transit countries other than control and inspection of customs seals and containers and load trucks will be done easily and in exceptional cases, it will cause the reduction of the requirements and measures related to National transit methods in physical control of goods and need to less manpower, facilitation of customs control and document control.
- International transport operations is done under a single transit document which leads to reduce the risk of wrong information for customs managers.
- Only authorized transportation with good faith are permitted to use the TIR handbook, which increases the system reliability and safety.
- Ultimately, reducing international trade and transport barriers by road which is created due to the reduction of customs control, make exporters to choose the more convenient form of transportation that is more appropriate for their needs (TIR transportation system) [3].

By ensuring given to the customs, TIR Convention considered the following facilities for the transportation industry:

- By removing the traditional barriers in goods transportation, goods are transported with minimum customs intervention across international borders, different countries' customs respect to the seals and visits of the other Contracting States and trucks under the cover of TIR handbook are not subjected to the inspection of Intercity Customs Office, except in exceptional cases where there is suspicion of abuse.
  - There is no need to deposit customs guarantee at the borders and trucks in the route countries will be exempted from delivery of the transit declaration and payment or deposit of import or export duties and taxes.
  - With the help of this system, complex and different procedures of goods transit in various countries which cause numerous and difficult problems for transportation agencies are replaced by the same and standard evidence of transit countries and bring the simplification of the evidence and make them standard and identical for the transportation industry.
  - Given that the traditional methods of goods transit is replaced by this system in the country, the traditional barriers to international transport of goods will be removed, goods transit procedures will be minimized under this system and it encourages the trade development and reduces time delays for doing affairs and transportation costs.
- TIR System Principles:** Five essential principles of TIR System, which is as TIR system's pillars, are described in Fig. 1. Vehicle safety implies that the commodities should be carried by vehicles or containers which have the sealing capability and are accepted by Customs. Also, the purpose of international guarantee chain is payable duty and payment on violations throughout the trip which are covered and protected by the international guarantee chain. TIR handbook refers that goods are under TIR handbook coverage (a control document which is accepted by the customs authorities of origin, transit and destination countries). Meanwhile, another principle of TIR system is mutual recognition of customs' control criteria that points to the check and inspections performed in the country of origin that are accepted by the transit and destination countries. The last principle is also related to the access control possibility. It means that access to TIR system for national issuer and guarantor institutions is authorized by national competent authorities and for transportation institutions by national authorities (the customs) (Mohammadi, 1385)
- Trade Facilitation:** For the first time in 1996, trade facilitation formally as an Internationally accepted concept was used at the agenda of WTO ministerial meeting at Singapore and since then was entered the documents of this organization as a purpose under the same title. Although before this date, many of legislation and agreements of this organization practically have been in order to facilitate trade. Since there are different perceptions of the term 'trade facilitation', there are different definitions about it. For example, at scientific studies conducted about this subject, it is usually considered the its broad concept and includes environment that trade is occurred there; it means transparency, standardization, coordination with International and regional arrangements, strengthen legal environment and move towards professionalizing commercial institutions [7]. On the other hand, there are definitions that are proposed by the relevant institutions in the international arena and practically have an executive and functional nature, although all of the definitions almost have the same concept. For instance, in definitions offered by member countries of Economic

Cooperation Development Organization and World Trade Organization, the meaning for trade facilitation has been expressed as follows: facilitation and integration of international trade procedures including procedures, activities, formalities and collecting, providing, distributing and processing data and other needs of trade at in international arena [8]. As can be observed, this definition has a functional nature that mentioned institutions in their recommendations to the countries usually follow trade facilitation with above framework [7]. Also, according to the definition of United Nations Economic Commission for Europe (NUECE) the aim of trade facilitation is simplification of international trade's processes and procedures so that these procedures become simpler and more efficient as much as possible [5]. Moreover, in this regard one can noted to the framework presented by Economic Social Commission for Asia and the Pacific that proposed 6 key axes for moving towards trade facilitation and they include:

Documenting and processing trade steps, transparency of customs processes legitimacy (being regulated) of trade and customs, requirement and commitment to customs and commercial procedures, using Information and communications technology (ICT) and developing commercial finance institutions. The nature of above axes has an executive and functional nature like OECD [7].

Trade facilitation is important because it helps the countries to maintain their position and promote competitiveness of their business and the implementation of trade policies will lead to the following conclusions:

- The export processes would be efficient and its costs would be effective.
- Importing the raw materials for the manufacturing sector will include less time and cost.
- Small and medium enterprises will be able to involve more in international trade arena and while trade procedures and practices will be easier.
- Increase in trade transactions will lead to earn more money and improve the trade balance.

Previous studies show that the cost of trade facilitation, particularly the standardization of commercial documents and processes, has been presented only in 4 to 7% percents of exchanged goods. Also, the results of a survey conducted by the Asia-Pacific Economic Cooperation organization show that proceeds stemming from the implementation of an effective trade facilitation is 0/26% percents of Gross Domestic Product from

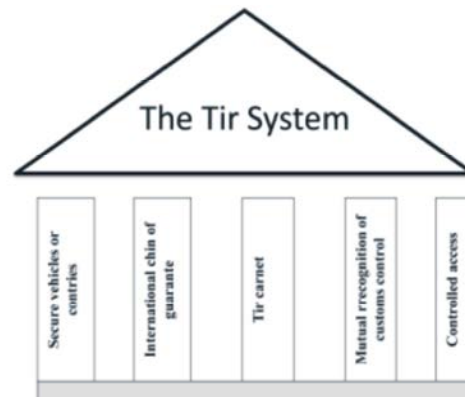


Fig. 1: TIR System principles [3].

Table 1: Impact of trade facilitation on the growth of GDP per capita

Country	Change in gross domestic product per capita
Australia	3.91
Canada	3.38
Chile	5.03
China	6.78
Korea	4.7
Malaysia	2.76
Mexico	6.69
Singapore	4.17
Thailand	5.27
United States of America	4.16

(Source: Wilson, *et al*, 2003)

organization members, which is about 45 billion dollars. Trade facilitation increases the attractiveness of investment in the country by improving the trade flow and speeding up the declaration and goods clearance process, helps to reduce the cost of trade exchanges and improve the competitiveness. Based on studies done by Vachthorst and Yasui and, in 2003, it is estimated that 1% one percent reduction in commercial exchange cost through trade facilitation methods will create \$ 40 billion saving inn in a global dimensions. Also, previous studies show that significant effect of trade facilitation on growth in Gross Domestic Product occurs in countries that have succeeded in implementing trade facilitation. Table 1 shows changes in Gross Domestic Product per capita of these countries [5]. As shown in this Table, the impact of trade facilitation on the GDP per capita of countries has been variable about 2/76 % percents (lowest figure) to 6/99 % percents (Fig. 1).

**Research Background:** Performed studies on trade facilitation field can be divided into two general groups in term of current paper topic. In first group, some of the studies have examined the effect of trade facilitation on

different economic areas including trade, economic growth and etc. Iwanow and Kirkpatrick study (2008) can be mentioned in this area. In this study, performed in 2003-2004 for 124 developing and developed countries (with emphasis on African countries), a Gravity Model was used and then observed that trade facilitation have played a significant role on commercial development of surveyed countries [9]. In this study, trade facilitation has used variables such as the number of processes, documents and required days for performing administrative affairs of imports and exports that is produced by global bank and in the form of business atmosphere Index. In another study of Shepherd (2010), it can be observed that reduction equivalent to one unit of standard deviation in variables such as export cost, tariffs and transportation costs which are a function of countries' geographical distance from each other can be improved between 3 to 12% percents of exports in some conditions [10]. In this study which is conducted for 117 selected countries, it was observed that given to geographical distance of the countries, facilitating trade processes in origin countries could have a significant impact on trade volume among them. In some cases, this impact is even comparable with reducing direct costs of the trade. The number of customs processes, exchanged documents and etc are considered as the trade facilitation indices in this study. Of other studies performed in this regards. It could point to United Nations report (descriptive - analytical) (2010) which analyzed the impact of trade facilitation on trade development with emphasis on Information technology and communications.

In second group of studies which has rather less background and refers to recent years, it has been attempted that factors affecting on trade facilitation will be examined and their legitimacy will be explained in the pattern and model format. One of the most important studies conducted in this field belongs to Zakiy's studies ( b 2010, 2010 a , 2009) that have attempted to explain trade facilitation discuss separately with emphasis on the data obtained from Egypt country and also African, Asian And Middle-East countries in a model format. Zakiy in his studies has tried by identifying the elements affecting on trade facilitation such as using internet, administrative bureaucracy, corruption, geographical limits and barriers, time spent for the trade and etc. to examine the effects of these factors on trade facilitation. He has attempted by corresponding of mentioned components (equivalent to) tariff load for trade and using a gravity model to design computable Public Balance pattern and estimate the effect of each factors on

other variables from trade facilitation canal [11, 12]. His These results show that African, Asian and specially middle-east developing countries (even) more than developed countries can take advantage of trade facilitation [7].

## MATERIALS AND METHODS

Based on the literature, 10 roles (benefits) of TIR Carnet convention are mentioned in Table 2 which can be effective in facilitating legitimate trade. In order to measure the accuracy of mentioned benefits, a questionnaire consisting of 10 questions in a Likert range from 1 to 7 (1 least important and 7 most important) was designed and distributed among the managers and employees of Anzali Customs. Since the managers and employees' Community of Anzali Customs is a limit community, equation (1) was used to determine sample size:

$$n = \frac{NZ \frac{2}{\alpha} p(1-p)}{(N-1)s^2 + NZ \frac{2}{\alpha} p(1-p)} \quad (1)$$

- $\epsilon$  : Tolerable yield from estimation of desired parameter
- $p$  : The success ratio in population
- $\alpha$  : Error Level
- $N$  : Population size

Since the  $p$  is not available, we consider it equal to 0.5. In confidence level of 0.95 ( $0.5 = \alpha$  80) and  $N = 80$  and  $\epsilon = 0.07$  which has been extracted from similar researches, the sample size is determined as follows:

It should be noted that a total of 15 questionnaires will pre-test through Cronbach's alpha method to examine the questionnaire reliability. First, in order to test collected data and identify benefits which are significant from the perspective of management and employee of Anzali customs, a single-sample t-test will be used. This test is used when we have a sample of the population and intend to compare it with a usual, standard, or even an expected hypothetical number. Here, we will consider the population mean of 4 (from 1 to 7) and we are going to measure whether the responses average to a question from a statistical viewpoint is more than population mean (the four considered here), on error level of 5% or not? Thus, a hypothetical test for the response mean to each question is given as follows:

Table 2: Advantages of TIR Carnet in trade facilitation

Row	Benefits
1	Cost Reduction in trade
2	Establishing transparency in customs procedures
3	Standardization at customs procedures
4	Strengthening the legal environment and the legitimacy in customs
5	Institutional professionalization of trade
6	Efficient trade processes
7	Coordination with International and Regional Arrangements
8	Reducing the risk of providing false and wrong information for customs managers
9	Increasing the reliability and safety of the trade system
10	Facilitating(simplifying) and integrating trade procedures including activities, formality, collection, presentation and distribution and processing data

$$\begin{cases} H_0: \mu \leq 4 \\ H_1: \mu < 4 \end{cases}$$

Roles (benefits) that are significant in terms of their average greater than 4 (on an error level =5%), will be selected as the role effecting on the trade facilitation (in the view of Anzali customs' managers and employees). Also, the value of single-sample t-test is calculated from equation (2) as follows:

$$t = \frac{d}{S_d} \rightarrow or \rightarrow t = \frac{\bar{x} - \mu_0}{S_x} \tag{2}$$

Where:

$$d = |m - \mu|$$

$$S_d = \frac{S}{\sqrt{n}}$$

Also, Critical t value (t-Table), which is  $t_{\alpha, n-1}$ , is equal to  $t_{0.05, 49} = 1.68$ . This means that if the t-test value (or statistic) is greater than Critical t,  $H_0$  will be rejected and  $H_1$  Will be accepted, thus the assumption that sample average is greater than population average ( $\mu_0 = 4$ ) on the error level of 5% will be accepted and the case will be approved. Then, Friedman test will be used to rank each of the benefits or the role of the case.

## RESULTS

As mentioned before, a sample consisting 15 questionnaires were collected to assess the reliability of the research questionnaire. This method is used to measure the internal consistency arrays of an index (Habib pour and Safari, 1390). Cronbach's alpha value of the questionnaire was calculated 0.85 and since this value is greater than 0.7, indicating good reliability of the designed questionnaire. Also, in Table 3, the results of

Table 3: Result of benefits test and the roles of TIR Carnet Convention in trade facilitation in experts' perspective.

Row	Benefits and the roles of TIR Carnet Convention in trade facilitation	Response Average	T-Statistics	Critical T	Result
1	Cost Reduction in trade	5.70	12.03	1.68	confirmed
2	Establishing transparency in customs procedures	5.44	7.58	1.68	confirmed
3	Standardization at customs procedures	5.64	10.52	1.68	confirmed
4	Strengthening the legal environment and the legitimacy in customs	5.52	11.54	1.68	confirmed
5	Institutional professionalization of trade	5.42	7.57	1.68	confirmed
6	Efficient trade processes	5.64	12.59	1.68	confirmed
7	Coordination with International and Regional Arrangements	5.98	15.31	1.68	confirmed
8	Reducing the risk of providing false and wrong information for customs managers	5.10	7.51	1.68	confirmed
9	Increasing the reliability and safety of the trade system	5.46	9.14	1.68	confirmed
10	Facilitating(simplifying) and integrating trade procedures including activities, formality, collection, presentation and distribution and processing data	5.96	15.35	1.68	confirmed

Table 4: Results of Friedman test to rank the identified benefits in the facilitation of legitimate trade.

Rank	Advantage	Average Rank
1	Coordination with International and Regional Arrangements	6.67
2	Facilitating(simplifying) and integrating trade procedures including activities, formality, collection, presentation and distribution and processing data	6.49
3	Cost Reduction in trade	5.70
4	Standardization at customs procedures	5.67
5	Efficient trade processes	5.63
6	Establishing transparency in customs procedures	5.33
7	Institutional professionalization of trade	5.17
8	Strengthening the legal environment and the legitimacy in customs	5.16
9	Increasing the reliability and safety of the trade system	5.05
10	Reducing the risk of providing false and wrong information for customs managers	4.12

confirm or reject the identified roles of TIR Carnet Convention on Trade Facilitation are shown based on Single-sample t-tests (given to the normal distribution of data) (Table 3). As the Table shows, t-statistics is greater than critical t-value in all cases. And this means exposure in H 1 area and accepting the assumption that the average of the known benefits sample is greater than population average on error level of 5% and the role of above advantage in trade facilitation is confirmed. In next step, prioritization of each identified benefits was carried out according to the Friedman test and its results are shown in Table 4. As the Table suggests, the advantage of "cooperation with international and regional arrangements" with an average rank of 6.67 and "Facilitating and integrating trade procedures including activities, formality, collection, presentation and distribution and processing data" with average rank of 6.49, respectively, were identified as most significant advantages for the TIR Carnet Convention and they can play a role in facilitating legitimate trade.

#### **DISCUSSION**

The aim of this study was to investigate the role of TIR Carnet conventions in facilitating legitimate trade. Accordingly, ten advantages of using this convention in trade facilitation were identified by review of the research literature. In the next step, it is used the opinion of Anzali customs expert and one sample t-test to verify the above advantages. Results showed that all the identified advantages are confirmed in their opinion. In final step, advantage prioritization was carried out through Friedman test. The results of this part also showed that TIR Carnet Convention (in terms of Anzali customs experts) helps to facilitate legitimate trade through coordination with regional and international arrangements and facilitation of trade practices in most. Also, Friedman test showed that the impact of the convention on the reducing the risk of giving false information to managers is in the last rank and it could be due to factors in addition to the convention that are not included in the above research. Therefore, it seems to be necessary to examine all the factors in future research.

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