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ACTIVITIES AND ADMINISTRATION OF THE TIR EXECUTIVE BOARD (TIREXB)

Activities of the TIRExB

Report by the Chairperson of the TIRExB

Review of the TIRExB programme of work for 2007-2008

Note by the TIR secretariat

The TIRExB, at its thirty-eighth session (3 and 4 December 2008, reviewed its programme of work for 2007 and 2008 and prepared a summary table outlining the main accomplishments of the TIRExB against the programme items. This table is reproduced below for the information of the TIR Administrative Committee.

Annex

ACTIVITIES OF THE TIRExB IN 2007-2008

Outputs expected in 2007 and 2008	Main accomplishments
<i>Ongoing activities</i>	
(1) To study specific measures (both legal and practical) to combat fraud resulting from the misuse of the TIR procedure	
<ul style="list-style-type: none"> • Identification of possible weaknesses in the legal basis of the TIR Convention which could make it prone to fraud; • Monitoring and promotion of the use of the so-called Fraud Report Form (FRF) as a mechanism aimed at the early identification of fraud in order to define the appropriate responses to prevent and combat such fraud. 	<ul style="list-style-type: none"> • The TIRExB discussed a sophisticated scheme of documentary fraud involving a number of countries and several Customs procedures; • The TIRExB was informed of fraudulent activities resulting from violent crimes (hijacking trucks, thefts, robberies) in countries where it is more difficult to commit Customs fraud than by using false or incorrect documents; • The TIRExB discussed a manual and approval reports for various types of road vehicles, prepared by the EU Customs and Fiscal Assistance Mission to Serbia (CAFAO) and requested the secretariat to translate them for distribution at the training seminar on the approval and control of TIR vehicles, organized jointly by UNECE and TIRExB on 19 September 2007 (documents ECE/TRANS/WP.30/2007/21 and ECE/TRANS/WP.30/2007/22); • The TIRExB noted, with satisfaction, that Contracting Parties have started using the FRF as a mechanism to disseminate fraud related information, with the aim to prevent potential fraud patterns from materializing; • The TIRExB discussed various incidents of serious flaws in the filling-in and clearance of TIR Carnets;

Outputs expected in 2007 and 2008	Main accomplishments
	<ul style="list-style-type: none"> • putting a stamp in box 16 of the vouchers instead of box 17; • acceptance of expired TIR Carnets; • acceptance of TIR Carnets with missing data on the cover page, such as the country or countries of departure or the number of the certificate of approval; • acceptance of TIR Carnets for the transport of tobacco products, currently excluded from the TIR procedure; • use of exporter's seals instead of Customs seals; • etc.; • and requested the secretariat to contact the concerned Customs administrations with a view to rectifying the situation as well as informing WP.30 or AC.2. Also, at the request of the TIRExB, the secretariat has published typical mistakes on the TIR website.
<p>(2) To facilitate the exchange of information between competent authorities of Contracting Parties, national guaranteeing associations, IRU and other Governmental and non-governmental organisations. To co-ordinate and foster the exchange of intelligence and other information among competent authorities of Contracting Parties.</p>	
<ul style="list-style-type: none"> • Elaborate adequate instruments and undertake to find measures to improve international co-operation among Contracting Parties to the TIR Convention and their national associations, and the international organization in order to prevent and combat fraud; 	<ul style="list-style-type: none"> • The TIRExB undertook no specific activity, other than already mentioned under (1) in the course of its 2007-2008 mandate; • The TIRExB noted, with satisfaction, that Contracting Parties have started using the FRF as a mechanism to disseminate fraud related information, with the aim to prevent potential fraud patterns from materializing;

Outputs expected in 2007 and 2008	Main accomplishments
<ul style="list-style-type: none"> • Taking into account the views of other international governmental and non-governmental bodies, and in consultation with the IRU, develop and disseminate guidelines concerning the use of risk analysis, and the identification of fraud prevention measures; • On the basis of information provided by the TIR international guarantee chain, study the situation with regard to the new trends of fraud, the notifications of non-discharge and TIR infringements as a contribution to an "early-warning system" for identification and prevention of fraud. 	<ul style="list-style-type: none"> • The TIRExB mandated the secretariat to prepare an update of the so-called International Directory on TIR Focal Points, for distribution in the course of 2009.
(3) To supervise the national Customs control measures introduced in the framework of the TIR Convention	
<ul style="list-style-type: none"> • Identify national Customs control measures introduced in Contracting Parties to the TIR Convention and check their conformity with the provisions of the TIR Convention; • Address the respective national authorities in order to modify or abolish measures which are in contradiction to the TIR Convention. 	<ul style="list-style-type: none"> • The TIRExB was informed of problems experienced by TIR operators in the territory of the Russian Federation, resulting from the insufficient level of TIR guarantee; • The TIRExB invited the European Commission to communicate, in line with the provisions of Article 42bis of the Convention, information on national control measures taken in the context of the proper use of TIR Carnets to the TIRExB for examination of their conformity with the provisions of the Convention, which it accepted.
(4) To supervise the functioning of the TIR international guarantee system	
<ul style="list-style-type: none"> • Monitor constantly the settlement of Customs claims, on the basis of information provided by national Customs authorities and the IRU. 	<ul style="list-style-type: none"> • The TIRExB took note of the global situation with regard to Customs claims, as reported by the IRU; • The TIRExB conducted its recurring survey on Customs claims and the TIR guarantee level, covering the years 2004-2006.

Outputs expected in 2007 and 2008	Main accomplishments
(5) To contribute to the computerization of the TIR procedure	
<ul style="list-style-type: none"> • Encourage TIRExB members to participate, as national representatives, in the activities undertaken by ad-hoc expert groups on the computerization of the TIR procedure; • With the consent of the TIR Administrative Committee, offer good offices to the ad-hoc expert group on general Customs policy issues; • Promote the ITDB as one of future e-TIR components; • Monitor and further enhance on-line use of the ITDB, taking into account the need to ensure an adequate level of protection against unauthorized access. 	<ul style="list-style-type: none"> • The TIRExB, as a recurring agenda item, was kept informed of developments in the eTIR project; • ITDB was promoted at various international and national meetings, such as seminars, workshops, etc; • The TIRExB supported the enlargement of the number of authorized Customs users who could benefit from the on-line access to the ITDB; • ITDB Online+ project was further developed; • The TIRExB monitored the launch of an online register on Customs sealing devices and Customs stamps.
(6) To support training activities on the application of the TIR Convention, mainly in Contracting Parties where difficulties are experienced or might be expected in this area.	
<ul style="list-style-type: none"> • Organize, possibly in co-operation with the IRU, and substantially contribute to regional and national workshops and seminars on the application of the TIR Convention; • Update and distribute the TIR Handbook in several languages; • Prepare and distribute, also via Internet, training material on the application of the TIR Convention. 	<ul style="list-style-type: none"> • A number of regional and national workshops and seminars on the application of the TIR Convention have been conducted (or attended), some of which in co-operation with the IRU: Moscow, Russian Federation (March 2007), Geneva, Switzerland (September 2007), Amman, Jordan (November 2007), Podgorica, Montenegro (April 2008), Baku, Azerbaijan (May, 2008); • The TIRExB prepared the following examples of best practice: <ul style="list-style-type: none"> - Application of Articles 39 and 40 of the TIR Convention; - Use of the TIR Carnet.
(7) To facilitate the settlement of disputes between Contracting Parties, associations, insurance companies and international organisations	

Outputs expected in 2007 and 2008	Main accomplishments
without prejudice to Article 57.	
<ul style="list-style-type: none"> • Analyse and monitor disputes referred to the TIRExB and make recommendations (if necessary) to facilitate their settlement; • Clarify procedures prior to a suspension of the guarantee on the territory of a Contracting Party. 	<ul style="list-style-type: none"> • At the request of the government of Turkey, the TIRExB discussed problems faced by Turkish operators in the territory of Italy with regard to the required transit permits and raised the issue with the Italian Customs and transport authorities; • The TIRExB followed with interest problems related to the temporary importation of foreign semi-trailers in the territory of Ukraine; • The TIRExB initiated its discussions on the procedures to be followed in case of the suspension of the guarantee on the territory of a Contracting Party.
(8) To monitor the application of the EDI control system for TIR Carnets.	
<ul style="list-style-type: none"> • Continue activities, in co-operation with IRU, towards the full implementation of an international EDI control system for TIR Carnets, as foreseen by Annex 10 to the TIR Convention; • Monitor performance and give feedback to the Contracting Parties; • Study how the EDI control system for TIR Carnets is being used by the national issuing associations for the purpose of fraud prevention. 	<ul style="list-style-type: none"> • The TIRExB initiated its study on the implementation of the EDI control system for TIR Carnets, aimed at establishing an example of best practice on the efficient organization of data transmission between Customs and the IRU SafeTIR database, based on the experience of one or more Contracting Parties where transmission seems to be working well.

Outputs expected in 2007 and 2008	Main accomplishments
(9) To supervise the centralised printing and distribution of the TIR Carnets, including the monitoring of the price of TIR Carnets	
<ul style="list-style-type: none"> • Monitor the annual numbers of TIR Carnets distributed to various Contracting Parties, broken down by type (i.e., 4-, 6-, 14- or 20-voucher TIR Carnets); • Monitor the price of TIR Carnets at international level (i.e., ex-IRU price) on the basis of information to be reported by IRU annually or when modified; • Study all the relevant issues concerning the price of TIR Carnets at the “ex-national association” level; • Approve any proposed modifications to the TIR Carnet in advance of its introduction and distribution. 	<ul style="list-style-type: none"> • The TIRExB noted rare mistakes in the stitching of TIR Carnets at the printing house; • The TIRExB recalled its earlier view that, according to Article 17 of the Convention, only one TIR Carnet is required per road vehicle or container even if the amount of Customs duties and taxes at stake exceeds the guarantee limit; • The TIRExB decided that the price of the TIR Carnet at the national level (so-called “ex-national association” price) fell within the mandate of its activities and conducted a survey among national associations with the aim to obtain such prices.
(10) To maintain the central record for dissemination to Contracting Parties of information on all rules and procedures prescribed for the issue of TIR Carnets by associations, as far as they relate to the minimum conditions and requirements laid down in Annex 9.	
<ul style="list-style-type: none"> • Study information provided by IRU, identifying the common rules and procedures prescribed for the issue of TIR Carnets by associations. 	<ul style="list-style-type: none"> • IRU provided no new documents on the underlying rules and procedures.
(11) To provide support on the application of specific provisions of the TIR Convention	
<ul style="list-style-type: none"> • On request, draft recommendations and/or examples of best practice on the application of specific provisions of the TIR Convention. 	<ul style="list-style-type: none"> • The TIRExB adopted a new comment to Article 3 on the use of the TIR procedure and postal items. The comment was submitted to and adopted by the TIR Administrative Committee; • The TIRExB extensively discussed the use of subcontractors at the national level and conducted a survey among Customs authorities and national associations. The TIRExB transmitted

Outputs expected in 2007 and 2008	Main accomplishments
	<p>its findings to the TIR Administrative Committee.</p> <ul style="list-style-type: none"> At the request of a Contracting Party and the IRU, the TIRExB considered a particular type of trailer whose construction includes an open platform for the transport of heavy or bulky goods as well as a closed load compartment that can be sealed and provided the authorities concerned with its considerations why, under the current provisions of the TIR Convention, this type of construction could not be approved.
<i>Activities of a limited duration</i>	
(12) Preparation of best practices on the application of Articles 39 and 40 of the TIR Convention	
<ul style="list-style-type: none"> Draft an example of best practice on the application of Article 39 and 40 in case of discrepancies between the particulars on the goods manifest of the TIR Carnet and the actual content of the road vehicle and submit to the TIR Administrative Committee for adoption. 	<ul style="list-style-type: none"> The TIRExB finalized an example of best practice on the application of Article 39 and 40 to the TIR Administrative Committee for consideration and possible adoption.
(13) Preparation of best practices regarding the use of the TIR Carnet	
<ul style="list-style-type: none"> Prepare an instruction on step-by-step filling-in of the TIR Carnet by the TIR Carnet holder and Customs authorities. Prepare an example of best practices on the use of the TIR Carnet by the Customs offices of departure, destination and en route. 	<ul style="list-style-type: none"> The TIRExB finalized an example of best practices on the use of the TIR Carnet, together with instructions on the its step-by-step filling-in and submitted it to the TIR Administrative Committee for consideration and possible adoption.
(14) Preparation of a comment on Customs treatment of tractor units carrying out TIR transports	
<ul style="list-style-type: none"> Prepare a comment to Article 15, paragraph 1 on Customs clearance of tractor units carrying out TIR transports and submit to the TIR Administrative Committee for adoption. 	<ul style="list-style-type: none"> The TIRExB adopted a new draft comment to Article 15, paragraph 1 of the Convention, facilitating Customs treatment of tractor units carrying out TIR transports. The comment was submitted to and adopted by to the TIR Administrative

Outputs expected in 2007 and 2008	Main accomplishments
	Committee.
