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Administrative Committee for the TIR Convention, 1975

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ACTIVITIES AND ADMINISTRATION OF THE TIR EXECUTIVE BOARD (TIRExB)

Activities of the TIRExB

Information provided by the TIR Secretary

A. INTRODUCTION

1. At the thirtieth session of the TIR Administrative Committee (22 and 23 February 2001), some representatives felt that, in order to provide full transparency about the activities of the TIR secretariat in accordance with the Terms of Reference of the TIRExB, a report on the matter should be prepared with a view to considering it at the forthcoming session of the Administrative Committee (October 2001) together with the final accounts for the year 2000 and the draft budget for the year 2002 (TRANS/WP.30/AC.2/61, para. 16).

2. In response to this inquiry, the TIR Secretary has prepared below a short overview of the main activities of the TIR secretariat.

B. MANDATE AND BACKGROUND

3. According to Annex 8, Article 12 of the TIR Convention, "the TIR Secretary shall be a member of the secretariat of the United Nations Economic Commission for Europe and shall execute the decisions of the TIR Executive Board within the Terms of Reference of the Board. The TIR Secretary will be assisted by a TIR secretariat, the size of which shall be determined by the Administrative Committee."

4. The TIR Administrative Committee, at its twenty-fourth session (26-27 February 1998) adopted the Terms of Reference of the TIRExB (TRANS/WP.30/AC.2/49, annex 3) which contains in paragraph 8 the activities of the TIR secretariat (see table below). In paragraph 7 of the Terms of Reference it is also emphasized that particular attention should be given to a cost-effective operation of the TIRExB and the TIR secretariat.

C. SUMMARY OF ACTIVITIES OF THE TIR SECRETARIAT ACCORDING TO THE TERMS OF REFERENCE

5. The following table outlines the main activities which are being carried out by the TIR secretariat:

Tasks according to the Terms of Reference of the TIRExB	Actions taken and results achieved	Comments
Establishment and maintenance of an international Governmental TIR databank accessible to all Contracting Parties on:		
<ul style="list-style-type: none"> - approved and excluded transport operators (Annex 9, Part II, paragraphs 4 and 5); 	<p>The International TIR Databank (ITDB) has been established and is being maintained. The ITDB contains data on more than 31,000 persons authorized to utilize TIR Carnet or whose authorization has been withdrawn temporarily or permanently by competent authorities of Contracting Parties. It comprises also information on persons excluded from the TIR procedure in line with Article 38, paragraph 1 of the Convention. If necessary, Contracting Parties are contacted to ensure timeliness and integrity of data.</p> <p>With a view to facilitating national search procedures and also, at a later stage, efficient use of the ITDB, a Recommendation on introduction of an identification (ID) number of the TIR Carnet holder in the TIR Carnet was prepared. This Recommendation was adopted on 20 October 2000 by the TIR Administrative Committee and entered into force on 1 April 2001.</p> <p>In line with paragraph 3 of this Recommendation, proposals on adequate procedures and a mechanism for protected access to the ITDB have been prepared for consideration by the TIRExB and TIR Administrative Committee.</p>	<p>Pending relevant decisions by the TIRExB and the TIR Administrative Committee, data from the ITDB have not yet been released except for the number of TIR Carnet users by countries.</p>

<p>Tasks according to the Terms of Reference of the TIRExB</p>	<p>Actions taken and results achieved</p>	<p>Comments</p>
<p>- stolen and falsified TIR Carnets;</p>	<p>The relevant databank has not yet been created.</p>	<p>The TIR secretariat has received information on only few falsified TIR. The IRU has established the so-called "CUTE-WISE" application that allows on-line access by Customs authorities to a database on stolen TIR Carnets. As TIR Carnets can only be stolen during the process of printing, distribution, issuance and return of TIR Carnets (otherwise it would result in their non-discharge), a copy of this database by the secretariat does not seem to provide value-added.</p>
<p>- approved Customs sealing devices;</p>	<p>An international register on Customs sealing devices has been established and is being maintained in the three working languages in a hard copy version.</p> <p>Proposals to put this register on the TIR web site have been prepared and submitted to the TIRExB for consideration.</p>	<p>Pending relevant decisions by the TIRExB and/or TIR Administrative Committee, data from the Register are not accessible on-line for the time being.</p>

Tasks according to the Terms of Reference of the TIRExB	Actions taken and results achieved	Comments
<p>- approved Customs offices for accomplishing TIR operations (article 45);</p>	<p>A survey of Contracting Parties has been made in order to determine the availability of such listings at the national level and their delivery platforms. Results and possible technical solutions for establishment of an on-line database have been analyzed by the TIRExB and submitted to the TIR Administrative Committee for consideration.</p>	
<p>- contact points (Customs, enforcement agencies, national associations, etc.).</p>	<p>An international Directory on TIR focal points has been established and is being maintained both in a hard copy version and on the TIR web site (accessible to authorized users).</p>	
<p>Other data may also be compiled, for example on approved, falsified and stolen Customs stamps, if feasible. Particular attention should be given to data protection. This includes the establishment of effective rules to avoid unauthorized access to the protected data files.</p>	<p>Data on Customs stamps are also compiled and included into the Register on Customs sealing devices.</p>	<p>Pending an analysis and decision by the TIRExB on the usefulness of such a databank and the resources required to maintain it with the necessary quality and security measures, the TIR secretariat has made no particular efforts to compile information for all countries using the TIR procedure.</p>

<p>Tasks according to the Terms of Reference of the TIRExB</p>	<p>Actions taken and results achieved</p>	<p>Comments</p>
<p>Preparation and servicing of the sessions of the TIRExB.</p>	<p>10 sessions of the TIRExB have been organized and serviced, including preparation and distribution of agendas and reports. A large number of working documents have been prepared, some of which have also been translated into Russian.</p>	<p>As requested by the Administrative Committee, all approved reports of the TIRExB are published for consideration by Contracting Parties.</p>
<p>Exchange of information between competent authorities of Contracting Parties, national associations, insurance companies and international organizations concerned.</p>	<p>A TIR web site, providing for a wide range of information, has been established and is permanently updated in order to reflect all developments in the TIR system, both at the international and national levels.</p> <p>Contracting Parties are regularly surveyed with regard to new national control measures applicable within the TIR procedure.</p>	<p>The TIR web site is located on an UNECE server and is technically maintained by the UNECE secretariat.</p>
<p>Provide administrative support to facilitate the settlement of disputes between Contracting Parties, national guaranteeing associations, insurance companies and the IRU.</p>	<p>This task has been mainly implemented by provision of interpretation of the TIR Convention upon numerous requests of parties concerned. An electronic database with search mechanism is being established to facilitate this task and to provide quick responses.</p> <p>The TIR secretariat has also:</p> <ul style="list-style-type: none"> - contacted competent authorities of several Contracting Parties in order to obtain more information on new national control measures, particularly in cases where these measures did not seem to be in line with the TIR Convention. Some of the measures have been abolished following advise given by the TIR secretariat; 	<p>The TIR secretariat has received only few requests to provide direct support for settlement of Customs claims.</p>

Tasks according to the Terms of Reference of the TIRExB	Actions taken and results achieved	Comments
	<ul style="list-style-type: none"> - analyzed all agreements between national associations and competent authorities deposited so far with the TIRExB and identified a number of points which might lead to disputes and legal proceedings at the national level; - prepared example agreements which have recently been approved by the TIRExB; - facilitated contacts between competent authorities and national guaranteeing associations of certain countries in case of disputes; - held discussions with a number of Contracting Parties with a view to resolving problems with the SAFETIR application; prepared proposals for the TIRExB and the TIR Administrative Committee regarding harmonized application of disputable provisions of the TIR Convention, e.g. multi-user TIR operations and Article 38 of the Convention. 	
<p>Depository of the</p> <ul style="list-style-type: none"> - written agreement or any other legal instrument between associations and competent authorities (Annex 9, Part I, paragraph 1 (e) of the Convention), insurance contracts between national associations, and national and international insurers (annex 9, Part I, paragraph 1(f)(v)); 	<p>All mentioned documents are kept and analyzed by the secretariat. If required, respective countries are contacted with a view to obtaining updated information or explanations.</p> <p>The TIRExB and TIR Administrative Committee are regularly informed on the current status with regard to transmission of the legally required documentation.</p>	

<p>Tasks according to the Terms of Reference of the TIRExB</p>	<p>Actions taken and results achieved</p>	<p>Comments</p>
<p>Provision of information, interpretation and support for training on the application of the TIR procedure, in particular for countries that have only recently acceded to the Convention, in the establishment of administrative procedures.</p>	<p>Hard-cover versions and web-based versions of the TIR Handbook have been prepared and are available in Arabic, Chinese, English, French, German, Italian, Russian and Spanish.</p> <p>Interpretation of provisions of the TIR Convention has been furnished upon requests of Parties concerned .</p> <p>The following training seminars have been organized and held:</p> <ul style="list-style-type: none"> - national TIR seminar in Almaty (Kazakhstan); - regional TIR seminar for Western Asia (Jordan); - national TIR seminar in Tashkent (Uzbekistan); - national TIR seminar in Belgrade (Yugoslavia). 	

D. OTHER ACTIVITIES OF THE TIR SECRETARIAT

6. Apart from the tasks mentioned directly in the Terms of Reference, the TIR secretariat, upon request of the TIRExB, has performed some other functions which included mainly preparation of documentation for sessions of the TIR Administrative Committee. Furthermore, the TIR secretariat provided, from time to time also input to the TIR activities of the UNECE Working Party on Customs Questions affecting Transport (WP.30) and its subsidiary bodies (ad hoc group of experts).
