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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions Affecting Transport

One-hundred-and-fifteenth session
Geneva, 30 January – 2 February 2007
Item 5 (b) of the provisional agenda

**INTERNATIONAL CONVENTION ON THE HARMONIZATION OF FRONTIER
CONTROLS OF GOODS, 1982
("HARMONIZATION CONVENTION")**

Submitted by the Committee of the Organization for Co-operation between Railways
(OSJD)

The secretariat reproduces below the proposal of the Organization for Co-operation between Railways (OSJD) for a new draft annex 9 on the Facilitation of Frontier Crossing Procedures in International Railway Transport of Goods to the International Convention on the Harmonization of Frontier Controls of Goods (1982).

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1. The Working Party may wish to recall that, at its past sessions, it had considered a proposal, transmitted by the Organization for the Collaboration of Railways (OSJD) for a new Annex 9 to the International Convention on the Harmonization of Frontier Controls of Goods, 1982.
2. The Working Party, at its one-hundred-and-thirteenth session, had decided to take into consideration comments provided by Contracting Parties and delegations participating in the

UNECE Working Party on Rail Transport (SC.2), who have considered the draft annex at its session in November 2006.

3. Once the Working Party has provided its comments to the draft annex, it is the intention of the OSJD to organize a final Working Group meeting with a view to finalize the draft annex before submission to the Administrative Committee for the “Harmonization” Convention for adoption and to the planned Conference on Facilitation on Rail Transport, which could take place in autumn 2007 or in 2008.

**Draft International Convention
on the Harmonization of Frontier Controls of Goods (1982)**

Annex 9

**FACILITATION OF BORDER CROSSING PROCEDURES IN INTERNATIONAL
RAILWAY TRANSPORT OF GOODS**

Article 1

Principles

1. The purpose of this annex, supplementing the regulations of the Convention, is to determine the measures which shall be carried out in order to facilitate border crossing procedures by the railway stock.
2. The Contracting Parties have committed themselves to cooperate in order to ensure maximum synchronization of formalities, requirements concerning documentation and procedures in all the fields connected with the carriage of goods by rail.
3. The contracting Parties seek to organize at the border (transfer) stations all types of joint control on the basis of bilateral agreements.

Article 2

Border Crossing

1. The Contracting Parties facilitate all border crossing procedures including visa formalities for the engine crews, members of refrigerator section teams, for the persons accompanying cargo, as well as for the personnel of the adjacent border railway (transfer) stations [hereinafter border (transfer) stations].
2. The frontier crossing procedures for the persons listed in paragraph 1 of Article 2, including their service identification papers, are set up by bilateral agreements.
3. When carrying out joint control the officials of the border, customs and other agencies, assigned to execute control functions at the border (transfer) stations, in performing their official duties, cross the state line by the documents specified by the Contacting Parties.

Article 3

Requirements for Border (Transfer) Stations

In order to organize properly and speed up prescribed formalities at border (transfer) stations the Contracting Parties shall respect the following minimum requirements set up for border (transfer) stations, which are open for the international railway cargo traffic:

1. availability of buildings (premises), facilities, equipment and materiel, allowing corresponding everyday all-day-round control at border stations if it is justified and corresponds to the cargo traffic volume;
2. the border (transfer) stations, at which phytosanitary, veterinary and other types of control are carried out, are equipped with all kind of facilities (premises) and technical means required to carry out the goods control;
3. the carrying and transfer capacity of border (transfer) stations and adjacent areas shall be capable of dealing with the volume of traffic;
4. availability of control areas and warehouse infrastructure for temporary storage of cargoes subject to customs and other types of control;
5. availability of information systems and communication means enabling to exchange the advanced data to include that about the approach of cargoes to the border (transfer) stations with regard to the extent of the information in the railway consignment note and customs declaration;
6. availability at the border (transfer) stations of the necessary railway, customs, border and other personnel in accordance with the volumes of the goods carried.

Article 4

Inspection of Rolling Stock, Containers and Goods by Railways

1. The railway administrations of the Contracting Parties shall carry out coordinated actions to ensure the organization of inspection of rolling stock, containers, piggybacks, transit goods, as well as the processing of carriage and accompanying documents.

Article 5

Control

The Contracting Parties:

1. seek to ensure mutual recognition of all types of control for rolling stock, containers, piggybacks, goods carried, if the objectives of such inspections match each other;
2. carry out customs control relying on the principle of selection on the basis of risk evaluation system;
3. carry out simplified control at the border (transfer) stations, with the transfer of certain types of control to the station of destination in accordance with the regulations of the Contracting Parties;
4. do not perform inspection of transit goods, if reliable information on them has been presented and if the goods available in(on) the vehicle, container, piggyback or wagon are closed and correspondently sealed excluding the customs control based on the principle of paragraph 2 of this article.

Article 6

Time Standards

1. The Contracting Parties ensure the accomplishment of the time standards, set by bilateral agreements, for technological operations on the reception and transfer of trains at the border (transfer) stations, to include all types of control, and seek to minimize the time standards by means of perfecting technologies and using new equipment.

Article 7

Documents

1. The Contracting Parties seek to process properly carriage and accompanying documents in accordance with the legal acts of the importing and transit countries.
2. The Contracting Parties seek to use in the relations between each other the electronic data exchange systems to the extent of the information of the railway consignment notes and customs declarations accompanying the cargo prepared in accordance with the legislation of the Contracting Parties.

3. The Contracting Parties seek to provide the customs bodies with an advanced information on the arrival of goods at the border (transfer) stations to the extent of the information contained in the railway consignment note and customs declaration. The composition, procedure and the time for the advanced information to be provided are defined by the Contracting Parties.

Article 8 (optional)

Use of Unified CIM/SMGS Railway Consignment Note

The Contracting Parties may use, in addition to other transport documents in effect, the unified CIM/SMGS railway consignment note, which at the same time is a customs document.
