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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 6 of the provisional agenda

**INTERNATIONAL CONVENTION TO FACILITATE THE CROSSING OF
FRONTIERS FOR PASSENGERS AND BAGGAGE CARRIED BY RAIL, 1952**

Comments to the draft new Convention

Transmitted by the Intergovernmental Organization for International Carriage by Rail (OTIF)

Facilitation of Border Crossing in International Rail Transport

Draft new Convention to Facilitate the Crossing of Frontiers in the International Railway Passenger Traffic –Comments and proposals from OTIF

Draft Convention – result of the meeting in Warsaw (28-30.3.2005) – extract	Proposals	Comments
<p style="text-align: center;">General</p> <p>When crossing the borders in the international passenger traffic the following types of control are carried out (hereinafter referred to as control):</p> <ul style="list-style-type: none"> a) border; b) customs; c) other types of control. <p>The control may be carried out unilaterally or jointly:</p> <ul style="list-style-type: none"> - at the border station; - on move; - partially on move and partially at the station, specified for these purposes; - while replacing the coaches from one gauge to another. <p>The officials shall take necessary measures to prevent a delay of the train departure.</p>	<p style="text-align: center;">...</p> <p>The control may be carried out unilaterally or jointly:</p> <ul style="list-style-type: none"> - en route; - while placing the coaches on other bogies; - at the border station. <p><i>Addition:</i></p> <p>“Wherever coaches are being placed on other bogies, border and customs controls on international trains shall be carried out during that operation.”</p>	<p><i>The options available must be considered from the perspective of their effect on the duration of the wait at borders: the preferred options are those that do not entail additional waiting time. In accordance with this principle the controls carried out during the time when coaches are being placed on other bogies is the preferred option in case these controls have not already been carried out and finished en route. Regarding the third indent of the draft, in our view, checks partly during the journey and partly at the station established for this purpose are covered by the existing text</i></p> <p><i>Cf. also Article 9 of the 1952 Convention.</i></p>

<p style="text-align: center;">Article 4</p> <p>1. The service premises shall be provided with special plaques from outside indicating the title of the service and distinctive national signs.</p> <p>2. Officials shall wear national uniform prescribed by the regulations of that country.</p> <p>3. When carrying out joint control the officials of the border, customs and other bodies who perform their control duties at the check points cross the state line by the documents specified by the Contracting Parties.</p> <p>4. Officials mentioned in paragraph 3 of this article shall enjoy all personal security regulations and, if deemed necessary in the exercise of their duties, assistance.</p> <p>5. The bilateral agreements of the adjoining countries determine the composition and quantity of officials of the competent administrations and bodies, which are authorized to carry out joint control.</p>	<p>3. When carrying out joint control the officials of the border, customs and other bodies who perform their control duties at the check points cross the state line by the documents specified by the Contracting Parties for their nationals.</p> <p><i>Addition:</i></p> <p>6. Exemption from taxes and charges may be granted under the bilateral agreements to officials and agents of the adjoining country residing in the country in whose territory the station is situated.</p>	<p><i>Why should the opportunity of this exemption, which is foreseen in Article 5 para. 5 of the 1952 Convention, not be provided in the new Convention?</i></p>
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