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RAIL TRANSPORT

Facilitation of border crossing in international rail transport

**Memorandum on the Second Preparatory Meeting for the International Conference
on Facilitation of Railway Border Crossing**

**Organized jointly by OSZhD and the UNECE secretariat
(Lvov, 16-18 November 2004)**

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**Memorandum of the Second Preparatory Meeting of
the working group for the International Conference
on Facilitation of Railway Border Crossing**

The United Nations Economic Commission for Europe (UNECE) and the OSZhD Committee, in accordance with the Plan of Action for the preparation of the International Conference on Facilitation of Railway Border Crossing adopted at the First Preparatory Meeting in June 2004, held a Second Preparatory Meeting of the working group of representatives of border police, customs, transport ministries and railway administrations of the Republic of Belarus, the Republic of Kazakhstan, the People's Republic of China, the Republic of Latvia, the Republic of Lithuania, the Republic of Poland, the Russian Federation and Ukraine, together with representatives of UNECE, the OSZhD Committee and UIC.

The meeting was jointly chaired by the representatives of UNECE and OSZhD.

Mr. Leonid Feofanovich Tkachuk, associate director of the Lvov Railway, greeted the participants.

The participants adopted the following agenda:

1. Preparation of the agenda of the International Conference on Facilitation of Railway Border Crossing;
2. Elaboration of the main points for inclusion in the Annex on facilitating railway border crossing to the International Convention on the Harmonization of Frontier Controls of Goods (1982) (the Annex to the Convention);
3. Programme of Action to facilitate railway border crossing;
4. Objectives, organization, and establishment of the date and venue of the International Conference on Facilitation of Railway Border Crossing;
5. Coordination of the Plan of Action for the preparation of the International Conference on Facilitation of Railway Border Crossing under the auspices of UNECE, covering the period 2005-2006;
6. Other matters.

Agenda item 1

The participants considered and agreed the preliminary agenda for the International Conference on Facilitation of Railway Border Crossing:

- Welcoming remarks by the representative of the host country;
- Report by a representative of UNECE on UNECE activities to facilitate border crossing;
- Report by a representative of OSZhD on efforts to facilitate railway border crossing;

- Update on preparatory work by UNECE and OSZhD to elaborate a “Programme of Action to facilitate railway border crossing”:
 - Freight traffic (elaboration of an Annex to the Convention; use of a railway consignment note as a customs document);
 - Passenger traffic;
- Statements by country representatives on issues of concern to the Conference (...);
- Introduction and discussion of the draft final document of the Conference;
- Adoption of the final document of the Conference;
- Closing statement by the representative of UNECE.

Agenda item 2

The Meeting identified and proposed further consideration of the following points for inclusion in the Annex to the Convention.

Main points for inclusion in the Annex to the Convention:

- Facilitated visa issuance for train crews and persons accompanying freight in refrigerated and baggage wagons. Border crossing procedures for railway workers, border police and customs officers at border stations;
- Harmonized provisions on faster checking of rolling stock used to transport goods;
- Requirements for border crossings in the following areas:
 - Railway infrastructure;
 - Customs inspection;
 - Border controls;
 - Phytosanitary, veterinary and other State controls;
 - Interaction of information and telecommunications systems;
- Sufficient numbers of customs officers, border police and railway administration workers to ensure that controls are carried out promptly;

- Customs inspections of goods, including:
 - Where practicable, reciprocal recognition of inspections where the aims of the contracting parties' inspections coincide;
 - Spot checks unless more stringent criteria are specified under national regulations;
- Imposition of standards for the duration of State controls at border stations of the delivering and receiving railways of neighbouring countries;
- Organization of a system to log freight delays (waiting time) at border crossings;
- Unified list of documents required to transport goods across borders;
- Reciprocal advance notification by the competent bodies of the parties to this Convention of goods crossing the border;
- Use of a single CIM/SMGS railway consignment note that can also be used as a customs document.

The participants request OSZhD member countries and other interested States to consider these points and transmit their comments and suggestions to the OSZhD Committee and UNECE by 20 December 2004.

With a view to drafting the Annex to the Convention, discussing it at preparatory meetings in Belarus and Lithuania and negotiating further at the International Conference in 2006, it is proposed to set up a small working group comprising representatives of railway administrations, customs and border police of Belarus, Latvia, Lithuania, Poland, the Russian Federation and Ukraine, together with representatives of the OSZhD Committee and, if possible, UNECE.

Notification of intention to participate in this group, together with the names of experts, should be sent by 20 December 2004.

The proposed venue for the working group is the OSZhD Committee in Warsaw.

The first meeting of the working group is scheduled for January or February 2005.

The dates of the subsequent two meetings in 2005 will be decided at the Third Preparatory Meeting in Belarus.

Agenda item 3

The participants considered comments and suggestions received on the Programme of Action to facilitate railway border crossing, and propose the following version of the Programme for further consideration:

I. BILATERAL COOPERATION

(a) *Passenger traffic*

- Provide controlling staff with service rooms at border stations and service compartments in trains;
- Joint controls should be carried out by the representatives of the controlling bodies of the neighbouring countries, including during the change of bogies;
- Border control should be carried out while the train is in motion, with the representatives of control bodies joining the train at intermediate stations on the approach to the border;
- Mark and seal all possible train space that could be used for the illegal carriage of passengers and goods;
- Passenger train personnel shall strictly adhere to official instructions and inform passengers about forthcoming customs and border controls in good time;
- Advance passenger data shall be transmitted electronically in order to minimize the time needed for border and customs controls of passengers crossing the border. The transmitted data shall be verified by computer.

(b) *Freight traffic*

- Reduce the time needed for technical operations at border stations and enable national controlling bodies to perform several operations simultaneously;
- Institute joint border and custom controls to avoid duplication;
- If possible, undertake part of the customs clearance operations at stations other than border stations. (Very important for container trains and trains carrying homogeneous cargo);
- Make wide use of electronic data exchange to give advance information on goods approaching the border.

II. MULTILATERAL COOPERATION

1. Promote the elaboration of the new Annex to the Convention.
2. Contribute to the signing and ratification of the UNECE Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of an SMGS Consignment Note.

3. Introduce modern change-of-gauge technologies for switching between 1,423-mm gauge and 1,520-mm gauge railway.
4. Determine operations that could be performed at stations other than border stations, taking into account national conditions.
5. Promote establishment of a common information and telecommunication system to facilitate exchange of information between transport systems, customs offices and border authorities.
6. Identify bottlenecks and devise measures to remove them.
7. Minimize and define the principal documents required for the clearance of goods crossing borders.

III. LEGAL ISSUES

Elaborate a draft common CIM/SMGS consignment note.

Invite the European Union to take part in drafting a common CIM/SMGS consignment note and preparing the Annex to the Convention.

IV. TECHNICAL AND ENGINEERING ISSUES

1. Instruct scientific and technical institutions to conduct research and studies to help reduce the time required for railway border controls and crossings.
2. Make wider use of scientific and technical applications to facilitate railway border crossing.
3. Draw up a list of mandatory requirements for border crossings as regards railway infrastructure, modification of customs and border checks and other State controls, and interaction between information and telecommunications systems.
4. OSZhD member States should arrange to notify each other in advance of goods and passengers crossing their borders.

V. ANNEX TO THE CONVENTION

Suggestions from various countries were considered at the Second Preparatory Meeting.

VI. INTERNATIONAL CONVENTION TO FACILITATE THE CROSSING OF FRONTIERS FOR PASSENGERS AND BAGGAGE CARRIED BY RAIL

The International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage Carried by Rail (1952) should be reviewed with a view to its possible use as the basis for a new convention.

The competent bodies of OSZhD member countries and other interested countries should be invited to examine the proposed draft Programme of Action and send proposals to supplement or amend it to the OSZhD Committee and UNECE by 20 December 2004.

Agenda item 4

The participants considered the objectives, organization, date and venue of the International Conference on Facilitation of Railway Border Crossing.

1. Objectives:
 - To highlight problems connected with railway border crossing that affect rail's competitiveness in relation to other modes of transport;
 - To focus on the need for conditions conducive to international trade and tourism that make use of international rail transport and simplify border crossing procedures.
2. Adoption of the final document:
 - Incorporating a programme for future joint action by the competent bodies of OSZhD member countries and other interested countries to facilitate railway border crossing;
 - Incorporating proposals for specific action to achieve goals realizable within a framework of normative national regulation of bilateral and multilateral cooperation through international organizations.
3. Organizational issues:
 - Convening the conference, preparing the documentation and conference servicing will be the responsibility of UNECE and the OSZhD Committee.

The host country will be responsible for the venue, transport, hotel and other organizational arrangements during the conference. The conference will last for two working days.

4. OSZhD member countries are invited to inform the OSZhD Committee and UNECE by 20 January 2005 whether they would be able to host the International Conference.

Agenda item 5

The Plan of Action for the preparation of an International Conference under the auspices of UNECE, covering the period 2005-2006, was considered and approved by the participants at the Preparatory Meeting (see annex 1).

Agenda item 6

The Preparatory Meeting requests the UNECE secretariat to submit this Memorandum for consideration by the Inland Transport Committee at its sixty-seventh session with a view to taking the following action:

1. To support the convening of an International Conference on Facilitation of Railway Border Crossing and the Plan of Action in preparation thereof;
2. To approve and negotiate a draft Convention on International Customs Transit Procedures for the Carriage of Goods by Rail under Cover of an SMGS Consignment Note.

The Preparatory Meeting invites the management of border police, customs offices and railway administrations to retain experts to prepare for and participate in Preparatory Meetings for the Conference; this will make for more effective preparations for the International Conference.

This Memorandum was unanimously adopted by the participants in the working group.

Annex 1

PLAN OF ACTION

for the Preparation of the International Conference on Facilitation of Railway Border Crossing under UNECE auspices, 2005-2006

No.	Actions	Main objectives	Time frame	Parties in charge and participating parties	Form, in which actions should be accomplished	Comments
1	2	3	4	5	6	7
1.	Preparation of the International Conference on Facilitation of Railway Border Crossing under UNECE auspices with participation of representatives of Ministries of Transport, Customs authorities, Border authorities, Railway administrations, OSZhD, OTIF, UIC and other interested organizations and authorities	<p>Facilitation of Railway Border Crossing</p> <p>1.1 Finalization of agenda and subject matter of the International Conference (venue and date, participants and aims)</p> <p>1.2 Review of comments and suggestions regarding the preparation of a draft new Annex on railway border crossing to the International Convention on the Harmonization of Frontier Controls of Goods (1982)</p> <p>1.3 Coordination of the draft Programme of Action</p> <p>1.4 Draft final document of the International Conference</p>	<p>2006 (March) (Venue to be confirmed)</p> <p>2005 (14-16 March) Belarus (Working Group)</p>	<p>Belarus, Hungary, Kazakhstan, China, Latvia, Lithuania, Mongolia, Poland, Russian Federation, Ukraine</p>	<p>International conference</p>	<p>In cooperation with UNECE, the European Commission, OTIF, UIC</p> <p>With participation of OSZhD working bodies and the OSZhD Committee</p>

Annex 1 (continued)

No.	Actions	Main objectives	Time frame	Parties in charge and participating parties	Form, in which actions should be accomplished	Comments
1	2	3	4	5	6	7
		2.1 Discussion and negotiation of draft final document of the International Conference (minutes, declaration, etc.) 2.2 Consideration of the draft Annex to the Convention 2.3 Finalization of Programme of Action 2.4 Negotiation and approval of the programme of work of the International Conference	2005 (18-20 October) Lithuania (Working Group)			