

No. 2138

**BELGIUM, FRANCE, ITALY, LUXEMBOURG,
NETHERLANDS, NORWAY, SWEDEN
and
SWITZERLAND**

International Convention to facilitate the crossing of frontiers for passengers and baggage carried by rail (with annex). Signed at Geneva, on 10 January 1952

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Official texts: English and French.

Registered ex officio on 1 April 1953.

**BELGIQUE, FRANCE, ITALIE, LUXEMBOURG,
NORVÈGE, PAYS-BAS, SUÈDE
et
SUISSE**

Convention internationale pour faciliter le franchissement des frontières aux voyageurs et aux bagages transportés par voie ferrée (avec annexe). Signée à Genève, le 10 janvier 1952

Textes officiels anglais et français.

Enregistrée d'office le 1^{er} avril 1953.

No. 2138. INTERNATIONAL CONVENTION¹ TO FACILITATE THE CROSSING OF FRONTIERS FOR PASSENGERS AND BAGGAGE CARRIED BY RAIL. SIGNED AT GENEVA, ON 10 JANUARY 1952

The undersigned, duly authorized,

Meeting at Geneva, under the auspices of the Economic Commission for Europe,

For the purpose of facilitating the crossing of frontiers for passengers carried by rail,

Have agreed as follows :

CHAPTER I

ESTABLISHMENT AND OPERATION OF FRONTIER STATIONS WHERE EXAMINATIONS ARE CARRIED OUT BY THE TWO ADJOINING COUNTRIES

Article 1

1. On every railway line carrying a considerable volume of international traffic, which crosses the frontier between two adjoining countries, the competent authorities of those countries shall, wherever examination cannot be satisfactorily carried out while the trains are in motion, jointly examine the possibility of designating by agreement a station close to the frontier, at which shall be carried out the examinations required under the legislation of the two countries in respect of the entry and exit of passengers and their baggage.

2. Where two adjoining countries designate several stations of this kind along their common frontier, the number of such stations on either side of the frontier shall, so far as possible, be equal.

Article 2

1. Whenever a station is designated in accordance with article 1, a zone shall be set up within which officials and agents of the competent administrations of

¹ In accordance with article 14 (1), the Convention came into force on 1 April 1953, the date on which the following three States became parties thereto : Netherlands, Norway and France. The instruments of ratification on behalf of Norway and France were deposited on 28 October 1952 and 1 April 1953, respectively. The Government of the Netherlands, on behalf of which the Convention had been signed subject to ratification, gave notice of the withdrawal of this reservation in a communication received by the Secretary-General on 25 May 1952.

the country adjoining the territory on which the station is established (hereinafter referred to as the "adjoining country") shall be entitled to examine passengers crossing the frontier in either direction, their baggage and also parcels carried by international passenger trains.

2. As a general rule, this zone shall comprise :

- (a) A specified area of the station;
- (b) Passenger trains and the section of the track on which they stand throughout the whole period of the examination;
- (c) Such parts of the platforms and tracks as may be agreed in each case by the competent administrations of the countries concerned; and
- (d) Passenger trains between the station and the frontier of the adjoining country.

Article 3

Application, within the zone established in accordance with article 2, of the laws and regulations of the adjoining country as well as the powers, rights and duties pertaining within the zone to officials and agents of the competent administrations of that country, shall be the subject of bilateral agreements between the competent authorities of the countries concerned.

Article 4

1. The competent administrations of the countries concerned shall determine by special agreements what premises are needed by the services of the adjoining country within the said zone and the conditions under which the railway administration of the country in whose territory the station is situated shall supply furniture, lighting, heating, cleaning, telephone communications, etc., for the said premises.

2. Any equipment required for the functioning of the services of the adjoining country shall be imported on a temporary basis and re-exported free of all Customs duties and charges, provided that the proper declaration is made. Regulations forbidding or restricting import or export shall not apply to such equipment.

Article 5

1. The premises allotted to the services of the adjoining country within the zone set up in accordance with article 2 may be distinguished on the outside by a notice including a shield in the national colours of that country.

2. Officials and agents of the competent administrations of the adjoining country shall wear national uniform or the distinguishing badge prescribed by the regulations of that country.

3. Officials and agents of the competent administrations of the adjoining country who are called on to go to the station in order to carry out the examinations

provided for in this Convention shall be exempt from passport formalities. Production of their official papers shall be deemed sufficient proof of their nationality, identity, rank and of the nature of their duties.

4. The officials and agents mentioned in paragraphs 2 and 3 of this article shall enjoy, in the exercise of their duties, the same protection and assistance as the corresponding officials and agents of the country in whose territory the station is situated.

5. Exemption from taxes and charges may be granted under the bilateral agreements provided for in article 3 to officials and agents of the adjoining country residing in the country in whose territory the station is situated.

6. The bilateral agreements referred to in article 3 shall determine :

- (a) The maximum numbers of officials and agents of the competent administrations of the adjoining country authorized to carry out examinations in the zone established in accordance with article 2;
- (b) The conditions under which their recall may be demanded; and
- (c) The conditions under which they may carry arms and use them in the exercise of their duties within the said zone.

Article 6

1. In principle, examinations shall be carried out in through vestibule-coaches of international trains, whenever such coaches are used. Railway officials and agents shall give all necessary assistance in order to ensure effective and speedy examinations. They shall, in particular, co-operate in preventing passengers, subject to examination, from leaving or moving up or down the train until the examination is completed. As an exceptional measure, such examinations may be carried out in the Customs examination sheds of the station, whenever the administration concerned deems it necessary.

2. In principle, the examinations referred to in paragraph 1 of this article shall be carried out in the following order :

- (a) Police examination by the country of exit;
- (b) Customs and other examination by the country of exit;
- (c) Police examination by the country of entry; and
- (d) Customs and other examination by the country of entry.

3. Examinations by officials and agents of the country of entry may only be carried out in those parts of the train already examined by the officials and agents of the country of exit and the latter may not re-examine any parts of the train which they have already cleared, unless special provision be made to the contrary in the bilateral agreements.

4. For international trains of normal composition, namely ten to twelve coaches without overload, the wait required at the station for carrying out the said examinations shall not, in principle, exceed forty minutes; for smaller trains, and in particular for railcars, it shall be reduced to the minimum.

5. With a view to carrying out the provisions of paragraph 4 of this article, the railway administrations shall notify the competent authorities of the countries of entry and exit in due time of any changes in the frequency, timing and composition of international trains.

Article 7

In so far as currency control is in force in the territories of Contracting Parties, currency control measures shall be carried out within the time-limits laid down in article 6, paragraph 4. The authorities concerned shall do their utmost to arrange for these operations to be carried out in such a way as to avoid any additional inconvenience to passengers.

Article 8

On all main routes the Contracting Parties shall establish direct railway service telephone lines between the frontier stations of the adjoining countries and take steps to facilitate and accelerate private telephone communications. The privilege of establishing direct telephone communications may, by bilateral agreement, be extended to other public services.

CHAPTER II

POLICE AND CUSTOMS EXAMINATION WHILE THE TRAIN IS IN MOTION

Article 9

1. Police and Customs examinations on international trains shall, so far as possible, be carried out while the train is in motion, provided that such examinations prove more effective and at the same time more convenient for the passengers :

- (a) Whenever the non-stop run, either before or after the frontier station of each of the two adjoining countries, allows sufficient time on its territory for completion of the necessary formalities; and
- (b) Provided examination while the train is in motion enables the waits, either at frontier stations or at stations where examinations are carried out by the two adjoining countries, to be appreciably reduced.

2. In cases where it is deemed necessary, in order to expedite examination or to eliminate stops at frontiers, to authorize the officials or agents of an adjoining country to board international trains and carry out examinations therein on the territory of the other adjoining country, the competent authorities of the two countries shall determine, by a bilateral agreement, the conditions under which such operations shall be conducted.
3. On international trains, the examination of registered baggage, where not carried under the international transit system described in article 10, shall be conducted so far as possible while the train is in motion, provided that such examination is of assistance to passengers travelling with such baggage.
4. The procedure for applying the provisions of the present article shall be laid down in agreements concluded between the competent administrations of the Contracting Parties.

CHAPTER III

INTERNATIONAL TRANSPORT UNDER CUSTOMS CONTROL OF BAGGAGE AND PARCELS CARRIED BY INTERNATIONAL PASSENGER TRAINS

Article 10

1. In order to avoid, in principle, examination of the registered baggage of passengers in transit through the territory of a country, and of parcels carried in transit by international passenger trains, the Customs and other administrations concerned of the Contracting Parties shall, in agreement with the railway administrations of the said Parties, take special measures, such as sealing baggage compartments or vans, or the containers, skips or sacks in which such baggage is carried, or affixing seals to the parcels themselves, provided an international Customs declaration form is completed.
2. In agreement with the railway administrations of the countries concerned, the Customs and other administrations concerned of the said countries shall establish, so far as possible, offices at those stations in the interior of the said countries where international traffic is particularly heavy, in order to permit the Customs clearance and other examinations of registered baggage and of parcels carried by passenger trains, either before departure from such stations or on arrival there. Between one such station in the interior of a country and a frontier station in either direction or between two such stations in the interior of two countries, such baggage and parcels may be carried under the international transit system referred to in paragraph 1 of this article.

3. Railway administrations shall, wherever possible, endeavour to arrange for registered baggage and parcels carried by international passenger trains to be cleared through the Customs and to undergo the other examinations before they are loaded at the station of dispatch.
4. If at frontier stations packages cannot be cleared through the Customs and examined in the time specified under article 6, paragraph 4, they shall be unloaded and the train shall not be held up.
5. With a view to the application of the provisions of the present chapter :
 - (a) The Contracting Parties shall recognize, in principle, the Customs seals of the other Contracting Parties, subject to the right of each Customs administration to add its own seal should it deem this essential;
 - (b) The Contracting Parties shall adopt the standard international Customs declaration form¹ annexed to this Convention, unless any simpler system is in force;
 - (c) The standard international Customs declaration form shall be printed in two languages, French and the language of the country of dispatch; unless otherwise provided, it shall be made out in duplicate for each country;
 - (d) The declaration by the consignor shall be made in Latin characters and in the language of the country of dispatch or in French, and where necessary the railway administration will be responsible for its translation; and
 - (e) This regulation does not rule out the possibility for Customs and railway administrations which see fit to do so, to allow the use of other languages in connexion with traffic exclusively concerned with their particular country.
6. This standard international Customs declaration form may be modified in accordance with the simplified procedure described in article 16 of this Convention.

CHAPTER IV

CONTROL FACILITIES

Article 11

1. Passengers using the railway shall enjoy all the Customs privileges granted to passengers crossing the frontier by other means of transport.
2. Control officials and agents shall take all necessary steps to prevent a train from being delayed in the event of difficulties or disputes which affect only a small number of the passengers on the train.

¹ See pp. 22 and 24 of this volume.

CHAPTER V

FINAL CLAUSES

Article 12

1. After signature this day, this Convention shall be open for accession by the countries participating in the work of the Economic Commission for Europe.
2. The instruments of accession and, if required, of ratification shall be deposited with the Secretary-General of the United Nations who shall notify all the countries referred to in paragraph 1 of this article of the receipt thereof.

Article 13

This Convention may be denounced by means of six months' notice given to the Secretary-General of the United Nations who shall notify the other Contracting Parties thereof. After the expiry of the six months' period, the Convention shall cease to be in force as regards the Contracting Party which has denounced it.

Article 14

1. This Convention shall enter into force when three of the countries referred to in article 12, paragraph 1, shall have become Contracting Parties thereto.
2. It shall terminate if at any time the number of Contracting Parties thereto is less than three.

Article 15

Any dispute between any two or more Contracting Parties concerning the interpretation or application of this Convention, which the Parties are unable to settle by negotiation or by another mode of settlement, may be referred for decision, at the request of any one of the Contracting Parties concerned, to an arbitral commission, to which each party to the dispute shall nominate one member; the chairman, who shall have the casting vote, shall be appointed by the Secretary-General of the United Nations.

Article 16

1. Should one of the Contracting Parties consider it desirable for modifications to be made to the standard international Customs declaration form annexed to this Convention, it shall submit its proposed amendment to the Secretary-General of the United Nations, who shall communicate the text thereof to all signatory or acceding countries.

2. The amendment shall be deemed to come into force ninety days from the date of the communication provided for in the preceding paragraph, unless, before the expiry of that period, at least one-third of the signatory or acceding countries have notified the Secretary-General of the United Nations of their objection to the amendment.

3. The Secretary-General of the United Nations shall record the entry into force of amendments to the annex and shall inform all signatory or acceding countries thereof.

Article 17

1. The original of this Convention shall be deposited with the Secretary-General of the United Nations who shall transmit a certified true copy thereof to each of the countries referred to in article 12, paragraph 1.

2. The Secretary-General is authorized to register this Convention upon its entry into force.

DONE at Geneva, in a single copy, in the English and French languages, both texts equally authentic, on the tenth day of January one thousand nine hundred and fifty-two.

FAIT à Genève, en un seul exemplaire, en langues anglaise et française, l'un et l'autre textes faisant également foi, le dix janvier mil neuf cent cinquante-deux.

For Belgium :

Pour la Belgique :

*Sous réserve de ratification*¹

Baron F. DE KERCHOVE

For France :

Pour la France :

*Sous réserve de ratification*¹

M. LOUËT

For Italy :

Pour l'Italie :

*Sous réserve de ratification*¹

Ing. Ferruccio MARIN

For Luxembourg :

Pour le Luxembourg :

*Sous réserve de ratification*¹

A. CLEMANG

For the Netherlands :

Pour les Pays-Bas :

*Sous réserve de ratification*¹

W. L. DE VRIES

¹ Subject to ratification.

For Norway :

Pour la Norvège :

*Sous réserve de ratification*¹

John H. PAXAL

For Sweden :

Pour la Suède :

*Sous réserve de ratification*¹

Gösta V. HALL

For Switzerland :

Pour la Suisse :

*Sous réserve de ratification*¹

TAPERNOUX

¹Subject to ratification.

ANNEX
INTERNATIONAL RAIL TRANSPORT

1. INTERNATIONAL CUSTOMS DECLARATION

2. *Name of railway
 Represented by
 *I, the undersigned,
 authorized agent of the
 Railways, submit for transit the goods described overleaf and undertake
 to re-submit them within days, with Customs seal intact, to
 the Customs Office at
 (date)

Customs Office

3. No.

4. Seal affixed or recognized Wagon No.
 (date)
 Customs Official



5. We, the undersigned, Customs officials at the Customs office at
 hereby certify that the goods described overleaf were re-submitted to us with their seals intact.
 (date)

6. Disposal of goods*

Seen to have crossed the frontier
 Shipped aboard (Name of vessel)
 Warehoused at
 Entered for home use
 (date)

7. Discharge form No. has been issued in respect of the undertakings entered into.



8. Remarks (trans-shipment, breakage of seals, etc.)

*Strike out whichever does not apply.

INTERNATIONAL RAIL TRANSPORT

9. Consignor's Declaration for Customs purposes							
10. Name and address of consignee {				11. Country whence goods consigned			
				12. Country of destination of goods			
Marks and nos. of packages or wagon	Number of packages	Nature of packages (boxes, sacks, etc.)	Nature of goods	Gross weight	Net weight or other measurements (cubic capacity, surface, etc.)	Value in currency of country of dispatch	Remarks
13	14	15	16	17	18	19	20
21. Other particulars furnished by the consignor (station at which formalities are to be carried out, how consignment is to be entered for Customs purposes, documents attached and their numbers, etc.)				22. Name and address of consignor (place) (date)			
23. No. of consignment				24. Number and features of the first Customs seals affixed:			
Date stamp of station of dispatch							