

No. 2139

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

International Convention to facilitate the crossing of frontiers for goods carried by rail. 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 marchandises transportées par voie ferrée. Signé à Genève, le 10 janvier 1952

Textes officiels anglais et français.

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

No. 2139. INTERNATIONAL CONVENTION¹ TO FACILITATE THE CROSSING OF FRONTIERS FOR GOODS 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 goods 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 goods traffic, which crosses the frontier between two adjoining countries, the competent authorities of those countries shall jointly examine the possibility of designating by agreement a station close to the frontier at which the examinations required under the legislation of the two countries in respect of the entry and exit of all or part of the goods traffic might be effectively carried out.
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.
3. At all points where the establishment of such stations for two-way traffic examinations is found to be impracticable, the Contracting Parties shall jointly examine the possibility of making suitable arrangements for the examination of traffic in one direction to be carried out at the station on one side of the frontier and the examination of traffic in the other direction at the station on the other side of the frontier, this provision to be limited where necessary to goods carried by certain fast international trains.

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.

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 the country adjoining the territory on which the station is established (hereinafter referred to as the "adjoining country") shall be entitled to examine goods crossing the frontier in either direction.
2. As a general rule this zone shall comprise :
 - (a) A specified area within the precincts of the station;
 - (b) Goods trains and the section of the track on which they stand throughout the whole period of the examination; and
 - (c) 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. The Customs administrations and other administrations concerned shall do everything in their power to reduce to a minimum the time required for the Customs and the other examinations to which goods crossing the frontiers of their country are subject, particularly in the case of :

Fast freight;

Transport in international transit;

Perishable goods, livestock and other goods for which rapid transport is essential;

Goods dispatched by fast international trains; and

Heavy goods dispatched in train-loads.

2. Maximum time-limits for Customs and other examinations may be fixed by the bilateral agreements referred to in article 3.
3. With a view to carrying out the provisions of paragraph 1 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.

CHAPTER II

INTERNATIONAL TRANSIT SYSTEM

Article 7

1. The Customs and other administrations concerned shall, in agreement with the railway administrations of their respective countries, take such special measures as appear advisable for the purpose of speeding up, in particular, the examination of goods in international transit.

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 examination and Customs clearance of goods, 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 goods may be carried under the international transit system referred to in paragraph 1 of this article.

3. 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;
- (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.

4. This standard international Customs declaration form may be modified in accordance with the simplified procedure described in article 16 of this Convention.

¹ See pp. 22 and 24 of this volume.

CHAPTER III

MISCELLANEOUS PROVISIONS

Article 8

1. The duty hours of staff of railway, Customs and other administrations concerned shall be carefully adjusted to train time-tables and traffic requirements.
2. At frontier stations and stations where examinations are carried out by the two adjoining countries, the Contracting Parties shall arrange, as far as possible, for the hours of opening of post, telegraph and telephone offices to be adjusted to those of the corresponding Customs offices.
3. At stations where examinations are carried out by only one country, the Customs and other administrations concerned shall make similar efforts to those described in article 6, paragraph 1, to reduce to a minimum the time required for Customs and other examinations.

Article 9

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.

Article 10

Customs and other administrations concerned, and the railways, shall take the necessary measures to facilitate examinations in sidings whenever such measures are calculated to reduce waiting time, provided that such examinations are entirely adequate and do not entail any danger to staff.

Article 11

Customs and other administrations concerned, and the railways, shall take the necessary measures to give priority to examination of perishable goods, in particular if they are crossing a frontier under international through transit procedure.

CHAPTER IV

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 exem-
plaire, 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

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

¹ Subject to ratification.