

**ARGENTINA, AUSTRIA, BELGIUM,  
BOLIVIA, BURMA, etc.**

**Final Act of the United Nations Conference on Customs Formalities for the Temporary Importation of Private Road Motor Vehicles and for Tourism. Signed at the Headquarters of the United Nations, New York, on 4 June 1954**

**Convention concerning Customs Facilities for Touring. Done at New York, on 4 June 1954**

**Additional Protocol to the above-mentioned Convention, relating to the importation of tourist publicity documents and material. Done at New York, on 4 June 1954**

*Official texts: English, French and Spanish.*

*Registered ex officio on 11 September 1957.*

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**ARGENTINE, AUTRICHE, BELGIQUE,  
BOLIVIE, BIRMANIE, etc.**

**Acte final de la Conférence des Nations Unies sur les formalités douanières concernant l'importation temporaire des véhicules de tourisme et le tourisme. Signé au Siège de l'Organisation des Nations Unies, à New-York, le 4 juin 1954**

**Convention sur les facilités douanières en faveur du tourisme. Faite à New-York, le 4 juin 1954**

**Protocole additionnel à la Convention susmentionnée, relatif à l'importation de documents et de matériel de propagande touristique. Fait à New-York, le 4 juin 1954**

*Textes officiels anglais, français et espagnol.*

*Enregistrés d'office le 11 septembre 1957.*

No. 3992. FINAL ACT OF THE UNITED NATIONS CONFERENCE ON CUSTOMS FORMALITIES FOR THE TEMPORARY IMPORTATION OF PRIVATE ROAD MOTOR VEHICLES AND FOR TOURISM. SIGNED AT THE HEADQUARTERS OF THE UNITED NATIONS, NEW YORK, ON 4 JUNE 1954

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1. The United Nations Conference on Customs Formalities for the Temporary Importation of Private Road Motor Vehicles and for Tourism was convened by the Secretary-General of the United Nations in accordance with resolution 468 F (XV) adopted by the Economic and Social Council on 15 April 1953. This resolution reads as follows :

“ *The Economic and Social Council,*

“ *Referring* to resolution 5 of the Transport and Communications Commission on the subject of Customs formalities for the temporary importation of private vehicles and for tourism,

“ *Instructs* the Secretary-General :

“ (a) To convene as early as possible in 1954, and preferably in Geneva, a conference of governments for the conclusion on a world-wide basis of two conventions relating to Customs formalities, namely :

- “ (i) For the temporary importation of private road motor vehicles carrying persons and the equipment of such vehicles;
- “ (ii) For tourism (i.e., the personal effects of tourists travelling by any means of transport);

“ (b) To circulate to all the governments invited to the conference :

- “ (i) The Secretary-General's report entitled ‘ Customs Formalities for the Temporary Importation of Private Vehicles and for Tourism ’ containing drafts of such conventions and comments thereon; and
- “ (ii) The relevant part of the report of the Transport and Communications Commission (sixth session);

“ (c) To invite governments which have not yet done so to transmit their comments on the texts contained in documents E/CN.2/135 and Corr.1 and 2 and Add.1 and 2;

“ (d) To draw up a provisional agenda for the conference and to prepare provisional rules of procedure for it :

- “ (e) (i) To invite to participate in the conference all States Members of the United Nations or any of the specialized agencies,

“(ii) To request the governments of the States invited to give their delegates full powers to sign, subject to ratification, such conventions as may be concluded at the conference;

“(f) To invite the specialized agencies, inter-governmental organizations and international organizations in this field, as may be appropriate, to send observers to the conference;

“(g) To invite territories which are not fully responsible for their foreign relations, but which are self-governing in the fields covered by the terms of reference of the conference, to attend the conference without the right to vote;

“(h) To designate an executive secretary and provide the conference with the necessary staff and services.”

2. In accordance with the terms of paragraph 1 (e) (i) of the above resolution, the following States were invited by the Secretary-General to participate in the Conference :

Afghanistan	El Salvador	Liberia
Albania	Ethiopia	Libya
Argentina	Finland	Luxembourg
Australia	France	Mexico
Austria	✓ Federal Republic	✓ Monaco
Belgium	of Germany	Nepal
Bolivia	Greece	Netherlands
Brazil	Guatemala	New Zealand
Bulgaria	Haiti	Nicaragua
Burma	Honduras	Norway
Byelorussian Soviet	Hungary	Pakistan
Socialist Republic	Iceland	Panama
Cambodia	India	Paraguay
Canada	Indonesia	Peru
Ceylon	Iran	Philippines
Chile	Iraq	Poland
China	Ireland	Portugal
Colombia	Israel	Romania
Costa Rica	Italy	✓ San Marino
Cuba	Japan	Saudi Arabia
Czechoslovakia	Hashemite Kingdom	Spain
Denmark	of the Jordan	Sweden
Dominican Republic	✓ Republic of Korea	✓ Switzerland
Ecuador	Laos	Syria
Egypt	Lebanon	Thailand

Turkey	United Kingdom of	Venezuela
Ukrainian Soviet	Great Britain and	↙ Viet-Nam
Socialist Republic	Northern Ireland	Yemen
Union of South Africa	United States of America	Yugoslavia
Union of Soviet Socialist	Uruguay	
Republics	↙ Vatican City	

3. The United Nations Conference on Customs Formalities for the Temporary Importation of Private Road Motor Vehicles and for Tourism was held at the United Nations Headquarters, New York, from 11 May to 4 June 1954.

4. The Governments of the following States were represented at the Conference by representatives :

Argentina	France	Netherlands
Australia	Federal Republic of	Panama
Austria	Germany	Peru
Belgium	Guatemala	Philippines
Bolivia	Haiti	Portugal
Burma	Honduras	San Marino
Cambodia	India	Spain
Canada	Iran	Syria
Ceylon	Israel	Sweden
Chile	Italy	Switzerland
China	Japan	United Kingdom of
Colombia	Hashemite Kingdom	Great Britain and
Costa Rica	of the Jordan	Northern Ireland
Cuba	Lebanon	United States of America
Dominican Republic	Luxembourg	Uruguay
Ecuador	Mexico	Vatican City
Egypt	Monaco	Yugoslavia

The Governments of the following States sent observers to the Conference :

Brazil	Greece	Thailand
Denmark	Hungary	Turkey
Finland	Iraq	

The following organizations were represented at the Conference :

A. *Specialized agencies:*

United Nations Educational, Scientific and Cultural Organization;

B. *Other intergovernmental organizations:*

Customs Co-operation Council,  
Organization of American States,  
Organization for European Economic Co-operation;

C. *Non-governmental organizations in consultative status with the Economic and Social Council:*

*Category A:*

International Chamber of Commerce;

*Category B:*

{ Inter-American Federation of Automobile Clubs,  
{ International Automobile Federation,  
{ International Touring Alliance,  
International Air Transport Association,  
International Road Federation,  
International Union of Official Travel Organizations;

D. *Other non-governmental organizations:*

Caribbean Tourist Association.

5. In accordance with Rules 52, 54 and 55 of the Rules of Procedure adopted by the Conference, the observers and the representatives of the above-mentioned organizations participated in the work of the Conference without the right of vote.

6. The Conference elected as President Mr. Philippe de Seynes (France) and Mr. A. S. Lall (India) and Mr. Orencio Nodarse (Cuba) respectively as First and Second Vice-Chairman.

7. The Conference set up a Credentials Committee which elected as Chairman Mr. H. Scheltema (Netherlands) and two Working Parties which elected respectively as Chairmen : Mr. Franz Luethi (Switzerland) and Mr. Charles Hopchet (Belgium).

A Legal Committee was also set up, which elected Mr. G. de Sydow (Sweden) as Chairman.

8. Working Party I adopted as a basis for its discussion the provisions of the Draft International Customs Convention on Touring, prepared by the Economic Commission for Europe, which were relevant to Customs formalities for the temporary importation of private road motor vehicles;

Working Party II adopted as a basis for its discussions the Draft Convention on the Concessions and Facilities to be Granted to Tourists, submitted by the Government of France, which was based in part of the draft convention of the Economic Commission for Europe referred to above.

9. The deliberations of the Conference are recorded in the summary records of the respective Working Parties and of the plenary meetings.

10. The Conference adopted and opened for signature the following instruments :

A Convention concerning Customs Facilities for Touring;<sup>1</sup>

An Additional Protocol to the Convention concerning Customs Facilities for Touring, relating to the Importation of Tourist Publicity Documents and Material,<sup>2</sup> and

A Customs Convention on the Temporary Importation of Private Road Vehicles.<sup>3</sup>

11. In the course of its work the Conference reached certain other decisions, recommendations and declarations which are hereby placed on record :

I. *In relation to the Convention on Customs Facilities for Touring; to the Additional Protocol to the Convention on Customs Facilities for Touring, relating to the importation of Tourist Publicity Documents and Material; and to the Customs Convention on the Temporary Importation of Private Road Vehicles:*

(a) That the terms of these Agreements set out minimum facilities, which are less than those allowed by many of the Contracting States. The Contracting States will endeavour to increase the facilities which they now grant;

(b) That the Contracting States reserve the right to grant the same advantages to persons residing in non-contracting States;

(c) That it is understood that the grant of free admission shall not preclude the levying of small charges in the nature of statistical fees.

II. *In relation to the Convention on Customs Facilities for Touring:*

(a) That the Contracting States shall endeavour to make all arrangements to acquaint tourists by all appropriate means (folders, posters, notices, loud-speakers in stations, etc.), with the regulations with which they must comply and the facilities granted to them in their respective territories;

(b) That the Contracting States shall endeavour to dispense with a written declaration for the articles and commodities covered by the Convention;

(c) (i) Admission of a reservation by Egypt to the Convention concerning Customs Facilities for Touring in the following terms :

“ The Delegation of Egypt reserves its Government’s right to withhold the advantages provided for by the Convention concerning Customs

<sup>1</sup> See p. 230 of this volume.

<sup>2</sup> See p. 266 of this volume.

<sup>3</sup> Not published herein. The Convention came into force on 15 December 1957, and was registered on that date under No. 4101.

Facilities for Touring from any person who, while visiting Egypt as a tourist, takes up employment with or without pay.”

(ii) Admission of a reservation by Guatemala in respect of articles 1 and 19 of the Convention concerning Customs Facilities for Touring in the following terms :

“ The Guatemalan Government reserves the right :

“ (1) Not to consider as tourists persons who enter the country for business as provided in article 1 ;

“ (2) Not to accept the provisions of article 19 in respect of territories in dispute which are under the *de facto* administration of another State. ”

(iii) Admission of a reservation by Haiti to the Convention concerning Customs Facilities for Touring in the following terms :

“ The Delegation of Haiti reserves its Government’s right to withhold the advantages provided for by the Convention concerning Customs Facilities for Touring from any person who, while visiting Haiti as a tourist, accepts any paid employment or engages in any other form of gainful occupation. ”

(iv) Admission of a reservation by Lebanon to the Convention concerning Customs Facilities for Touring in the following terms :

“ The Delegation of Lebanon reserves its right to withhold the advantages provided for by the Convention concerning Customs Facilities for Touring from any person who, while visiting Lebanon as a tourist, takes up paid employment or any other form of gainful occupation. ”

(v) Admission of a reservation by Sweden in respect of article 3 of the Convention concerning Customs Facilities for Touring in the following terms :

“ Notwithstanding the provisions of article 3 of the Convention concerning Customs Facilities for Touring, the Scandinavian countries shall be permitted to make special rules applicable to persons residing in those countries. ”

### III. *In relation to the Additional Protocol to the Convention on Customs Facilities for Touring, relating to the Importation of Tourist Publicity Documents and Material:*

(a) The Conference took note that two agreements have already been concluded, covering similar matter, namely the Agreement on the Importation of Educational, Scientific and Cultural Materials<sup>1</sup> adopted under the auspices

<sup>1</sup> United Nations, *Treaty Series*, Vol. 131, pp. 25 and 361; Vol. 136, p. 392; Vol. 163, p. 384; Vol. 167, p. 299; Vol. 187, p. 462; Vol. 190, p. 384; Vol. 199, p. 343; Vol. 210, p. 334; Vol. 212, p. 334; Vol. 223, p. 330; Vol. 230, p. 437; Vol. 236, p. 381, and Vol. 274

of the United Nations Educational, Scientific and Cultural Organization, which came into force on 21 May 1952 and the International Convention to Facilitate the Importation of Commercial Samples and Advertising Material concluded under the auspices of the United Nations and signed at Geneva on 7 November 1952;<sup>1</sup>

(b) Admission of a reservation by the United Kingdom of Great Britain and Northern Ireland in respect of article 2 to the Additional Protocol of the Convention concerning Customs Facilities for Touring, relating to the Importation of Tourist Publicity Documents and Material in the following terms :

“ The United Kingdom shall not be bound by article 2 of the Additional Protocol in so far as it refers to unframed photographs and unframed photographic enlargements; but undertakes to allow the temporary duty and tax free admission of these articles under the provisions applicable to article 3 of the Protocol. ”

IV. *In relation to the Customs Convention on the Temporary Importation of Private Road Vehicles:*

(a) That the Customs authorities of the Contracting States shall endeavour to bring into general use, for visas on temporary importation papers, date stamps marking the date of the entry or exit and the name of the Customs office at which the entry or exit was recorded;

(b) That the Contracting State shall endeavour to dispense with temporary exportation papers when the vehicles are covered by papers for temporary importation into another country by which they may be identified on their return;

(c) That the Contracting States recognize that the satisfactory operation of this Convention requires the provision of facilities to the authorized association for :

(i) the transfer of the currency necessary for the payment of import duties and import taxes claimed by Customs authorities of one of the Contracting States for non-discharge of the temporary importation papers covered by this Convention :

(ii) the transfer of currency when repayment of import duties or import taxes is made in accordance with the arrangements laid down in article 27 of this Convention; and

(iii) the transfer of currency for payment for temporary importation or international circulation papers sent to the authorized associations by the corresponding associations or federations;

<sup>1</sup> United Nations, *Treaty Series*, Vol. 221, p. 255; Vol. 223, p. 385; Vol. 226, p. 385; Vol. 236, p. 397; Vol. 243, p. 354; Vol. 250, p. 315; Vol. 256, p. 367; Vol. 260, p. 456; Vol. 265, p. 392; Vol. 268, and p. 369 of this volume.

(d) (i) Admission of a reservation by Ceylon in respect of article 2 of the Customs Convention on the Temporary Importation of Private Road Vehicles in the following terms :

“ Notwithstanding the provisions of article 2 of this Convention, the Government of Ceylon reserves to itself the right to exclude from the benefits of this article persons normally resident outside Ceylon who, on the occasion of a temporary visit to Ceylon, take up paid employment or any other form of gainful occupation. ”

(ii) Admission of a reservation by Guatemala in respect of articles 1, 4 and 38 of the Customs Convention on the Temporary Importation of Private Road Vehicles in the following terms :

“ The Guatemalan Government reserves its right :

“ (1) To consider that the provisions of the Convention shall apply solely to natural persons and not to legal persons and bodies corporate as provided in chapter I, article 1 ;

“ (2) To consider that article 4 shall not be applicable to Guatemala ;

“ (3) Not to accept the provisions of article 38 in respect of territories in dispute which are under the *de facto* administration of another State. ”

(iii) Admission of a reservation by India to certain provisions of the Customs Convention on the Temporary Importation of Private Road Vehicles in the following terms :

*With reference to article 1 (e):*

“ The Government of India reserves the right to exclude ‘legal’ persons from the categories of persons to whom concessions envisaged in this Convention are applicable. ”

*With reference to article 2:*

“ Notwithstanding the provisions of article 2 of this Convention, the Government of India reserves the right to exclude from the benefits of this article persons normally resident outside India who, on the occasion of a temporary visit to India, take up paid employment or any other form of gainful occupation. ”

(iv) Admission of a reservation by Mexico in respect of article 4 and other articles of the Customs Convention on the Temporary Importation of Private Road Vehicles in the following terms :

“ The Delegation of Mexico, in accordance with the declaration it duly made when the matter was under discussion in Working Party I, reserves its rights with regard to article 4, which authorizes the temporary

importation of component parts for the repair of motor vehicles. The Delegation cannot agree to this article because the procedure in question is contrary to the legislation of its country, and because such spare parts do not usually have the specifications which would permit of their identification on exit. In the Delegation's opinion, this procedure would be prejudicial to the country's fiscal interests, because in this way it would be possible to import new spare parts without payment of duty by re-exporting old parts belonging to a vehicle not the tourist's own. It has therefore been considered more appropriate that in such cases the proper duty should be paid.

"The same reservation is made with regard to other articles of this Convention which refer to component parts for making repairs."

(e) Admission of a recommendation in the following terms :

"The Conference recommends that the standard documents provided for by the annexes to the Customs Convention on the Temporary Importation of Private Road Vehicles be utilized, for commercial road vehicles transporting tourists, by any Contracting State which permits the entry and operation of such vehicles in international traffic."

12. The Conference took note of the provisions of article V of the Agreement providing for the provisional application of the Draft International Customs Conventions on Touring, on Commercial Road Vehicles and on the International Transport of Goods by Road done at Geneva on 16 June 1949,<sup>1</sup> which provides that :

"In the event that the world-wide Conventions contemplated in the second paragraph of the Preamble should be concluded, and upon their entry into force, any Government party to this Agreement which becomes a party to one or more of those Conventions shall automatically be regarded as having denounced the present Agreement with respect to the Draft Convention or Conventions corresponding to any of those Conventions to which that Government has become a party."

13. The original of the present Final Act shall be deposited with the Secretary-General of the United Nations who will send certified copies thereof to each of the States invited to participate in the Conference.

IN WITNESS WHEREOF the undersigned representatives and observers have signed this Final Act at the Headquarters of the United Nations, New York,

<sup>1</sup> United Nations, *Treaty Series*, Vol. 45, p. 149; Vol. 51, p. 331; Vol. 65, p. 319; Vol. 68, p. 279; Vol. 71, p. 326; Vol. 73, p. 272; Vol. 101, p. 289; Vol. 121, p. 329; Vol. 127, p. 331; Vol. 185, p. 394; Vol. 212, p. 296, and Vol. 257, p. 361.

this fourth day of June, one thousand nine hundred and fifty-four, in a single copy in the English, French and Spanish languages, each text being equally authentic.

The Secretary-General is requested to prepare an authoritative translation of this Final Act in the Chinese and Russian languages and to add the Chinese and Russian texts to the English, French and Spanish texts when transmitting certified copies thereof to the States in accordance with the provisions of paragraph 13 above.

For Argentina :  
Pour l'Argentine :  
Por la Argentina :

Ad Referendum  
Luis J. ESTEVARENA

For Australia :  
Pour l'Australie :  
Por Australia :

For Austria :  
Pour l'Autriche :  
Por Austria :

Dr. J. STANGELBERGER

For the Kingdom of Belgium :  
Pour le Royaume de Belgique :  
Por el Reino de Bélgica :

Ch. HOPCHET

For Bolivia :  
Pour la Bolivie :  
Por Bolivia :

C. JOHNSON

For the Union of Burma :  
Pour l'Union birmane :  
Por la Unión Birmana :

U BA MAUNG  
4/6/54

For Cambodia :  
Pour le Cambodge :  
Por Camboja :

IEM KADUL

For Canada :  
Pour le Canada :  
Por el Canadá :

J. E. THIBAUT

For Ceylon :  
Pour Ceylan :  
Por Ceilán :

H. Shirley AMERASINGHE

For Chile :  
Pour le Chili :  
Por Chile :

For China :  
Pour la Chine :  
Por la China :

Dr. Hsiu CHA

For Colombia :  
Pour la Colombie :  
Por Colombia :

For Costa Rica :  
Pour le Costa-Rica :  
Por Costa Rica :

J. F. CARBALLO

For Cuba :  
Pour Cuba :  
Por Cuba :

José Miguel RIBAS

For the Dominican Republic :  
Pour la République Dominicaine :  
Por la República Dominicana :

R. O. GALVÁN

For Ecuador :  
Pour l'Équateur :  
Por el Ecuador :

B. OQUENDO

For Egypt :  
Pour l'Égypte :  
Por Egipto :

Rachad MOURAD

For France :  
Pour la France :  
Por Francia :

Philippe DE SEYNES

For the Federal Republic of Germany :  
Pour la République fédérale d'Allemagne :  
Por la República Federal Alemana :

Richard PAULIG  
Walter WAGNER

For Guatemala :  
Pour le Guatemala :  
Por Guatemala :

E. CASTILLO ARRIOLA

For Haiti :  
Pour Haïti :  
Por Haití :

Ernest G. CHAUVET

For Honduras :  
Pour le Honduras :  
Por Honduras :

Juan F. FUNES

For India :  
Pour l'Inde :  
Por la India :

A. S. LALL

For Iran :  
Pour l'Iran :  
Por Irán :

A. KHOSROPUR

For Israel :  
Pour Israël :  
Por Israel :

M. R. KIDRON

For Italy :  
Pour l'Italie :  
Por Italia :

Ugo CALDERONI

For Japan :  
Pour le Japon :  
Por el Japón :

Torao USHIROKU

For the Hashemite Kingdom of the Jordan :  
Pour le Royaume hachémite de Jordanie :  
Por el Reino Hachemita de Jordania :

For Lebanon :  
Pour le Liban :  
Por el Líbano :

H. SHBEIA

For the Grand Duchy of Luxembourg :  
Pour le Grand-Duché de Luxembourg :  
Por el Gran Ducado de Luxemburgo :

Ch. HOPCHET

For Mexico :  
Pour le Mexique :  
Por México :

José A. BUFORT

For Monaco :  
Pour Monaco :  
Por Mónaco :

Marcel A. PALMARO

For the Kingdom of the Netherlands :  
Pour le Royaume des Pays-Bas :  
Por el Reino de los Países Bajos :

PAYMANS

For Panama :  
Pour le Panama :  
Por Panamá :

Ernesto DE LA OSSA

For Peru :  
Pour le Pérou :  
Por el Perú :

Dr. M. F. MAÚRTUA

For the Philippine Republic :  
Pour la République des Philippines :  
Por la República de Filipinas :

Mauro MÉNDEZ

For Portugal :  
Pour le Portugal :  
Por Portugal :

Freire DE ANDRADE

For San Marino :  
Pour Saint-Marin :  
Por San Marino :

For Spain :  
Pour l'Espagne :  
Por España :

R. DE LA PRESILLA

For Sweden :  
Pour la Suède :  
Por Suecia :

G. DE SYDOW  
A. APPELTOFFT

For Switzerland :  
Pour la Suisse :  
Por Suiza :

Fr. LÜTHI

For Syria :  
Pour la Syrie :  
Por Siria :

For the United Kingdom of Great Britain and Northern Ireland :  
Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :  
Por el Reino Unido de la Gran Bretaña e Irlanda del Norte :

Charles Henry BLAKE

For the United States of America :  
Pour les États-Unis d'Amérique :  
Por los Estados Unidos de América :

JAMES J. WADSWORTH  
Henry J. KELLY

For Uruguay :  
Pour l'Uruguay :  
Por el Uruguāy :

Ad Referendum  
E. Rodríguez FABREGAT

For Vatican City :  
Pour la Cité du Vatican :  
Por la Ciudad del Vaticano :

Monseigneur Thomas J. McMAHON

For Yugoslavia :  
Pour la Yougoslavie :  
Por Yugooslavia :

Dr. Franc Kos

OBSERVERS — OBSERVATEURS — OBSERVADORES

For Brazil :  
Pour le Brésil :  
Por el Brasil :

For Denmark :  
Pour le Danemark :  
Por Dinamarca :

For Finland :  
Pour la Finlande :  
Por Finlandia :

For Greece :  
Pour la Grèce :  
Por Grecia :

For Hungary :  
Pour la Hongrie :  
Por Hungría :

Rose SURÁNYI

For Iraq :  
Pour l'Irak :  
Por Irak :

For Thailand :  
Pour la Thaïlande :  
Por Tailandia :

Prasong BUNCHOEM

For Turkey :  
Pour la Turquie :  
Por Turquía :

The President of the Conference :  
Le Président de la Conférence :  
El Presidente de la Conferencia :

Philippe DE SEYNES

For the Secretary-General :  
Pour le Secrétaire général :  
Por el Secretario General :

Branko LUKAC

The Executive Secretary of the Conference :  
Le Secrétaire exécutif de la Conférence :  
El Secretario Ejecutivo de la Conferencia :

Michael HIGGINS

# CONVENTION<sup>1</sup> CONCERNING CUSTOMS FACILITIES FOR TOURING. DONE AT NEW YORK, ON 4 JUNE 1954

## THE CONTRACTING STATES,

*Desiring* to facilitate the development of international touring,  
*Have decided* to conclude a Convention and have agreed as follows :

### Article 1

For the purpose of this Convention :

(a) The term "import duties and import taxes" shall mean not only Customs duties but also all duties and taxes whatever chargeable by reason of importation;

<sup>1</sup> In accordance with article 16 (1), the Convention came into force on 11 September 1957, the ninetieth day following the date of deposit of the fifteenth instrument of ratification or accession, in respect of the following States on behalf of which the instruments of ratification or accession (a) were deposited on the dates indicated :

Austria . . . . .	30 March	1956	Japan . . . . .	7 September	1957
Belgium . . . . .	21 February	1955	Luxembourg . . . . .	21 November	1956
(Also applicable, with reservations,* to the Territory of the Belgian Congo and to the Trust Territory of Ruanda-Urundi)			Mexico . . . . .	13 June	1957
			Sweden . . . . .	11 June	1957
			(Subject to the reservation recorded in the Final Act; see p. 202)		
Cambodia . . . . .	29 November	1955	Switzerland . . . . .	23 May	1956
Canada (a) . . . . .	1 June	1955	United Kingdom of Great Britain and Northern Ireland . . . . .		
Ceylon . . . . .	28 November	1955	Ireland . . . . .	27 February	1956
Denmark (a) . . . . .	13 October	1955	United States of America (Extending to the Territories of Alaska, Hawaii, Puerto Rico and the Virgin Islands)	25 July	1956
(Subject to a reservation*)			Viet-Nam (a) . . . . .	31 January	1956
Egypt . . . . .	4 April	1957			
(Subject to the reservation recorded in the Final Act; see p. 200)					

In addition the instrument of accession by Israel was deposited on 1 August 1957, to take effect on 30 October 1957.

### \*RESERVATIONS

(These reservations have been accepted in accordance with the provisions of article 20 of the Convention)

### BELGIUM

#### [TRANSLATION — TRADUCTION]

1. In depositing the instruments whereby Belgium ratifies the Convention concerning Customs Facilities for Touring, concluded at New York on 4 June 1954, I have to state that this Convention is applicable to the Territory of the Belgian Congo and to the Trust Territory of Ruanda-Urundi, subject to the following reservations :

- 1) the temporary importation of firearms and their ammunition cannot be considered without a temporary importation document (article 2 of the Convention);
- 2) the exemption in the case of wine, spirits, toilet water and perfume must continue to be limited to opened containers and subject, in the case of alcoholic beverages in particular, to the observance of the legal provisions in force (article 3 of the Convention);
- 3) worked ivory and objects of indigenous art must be excluded from the operation of the Convention (article 4).

(Continued on p. 232)

(b) The term "tourist" shall mean any person without distinction as to race, sex, language or religion, who enters the territory of a Contracting State other than that in which that person normally resides and remains there for not less than twenty-four hours and not more than six months in the course of any twelve-month period, for legitimate non-immigrant purposes, such as touring, recreation, sports, health, family reasons, study, religious pilgrimages or business;

(c) The term "temporary importation permit" shall mean the Customs document testifying to the guarantee or deposit of import duties and import taxes chargeable in the event of failure to re-export the article temporarily imported.

### Article 2

1. Subject to the other conditions laid down in this Convention, each of the Contracting States shall admit temporarily free of import duties and import taxes the personal effects imported by a tourist, provided they are for the personal use of the tourists, that they are carried on the person of or in the luggage accompanying the tourist, that there is no reason to fear abuse, and that these personal effects will be re-exported by the tourist on leaving the country.

2. The term "personal effects" shall mean all clothing and other articles new or used which a tourist may personally and reasonably require, taking into consideration all the circumstances of his visit, but excluding all merchandise imported for commercial purposes.

3. Personal effects shall include among other articles the following, provided that they can be considered as being in use :

personal jewellery;

one camera with twelve plates or five rolls of film;

one miniature cinematograph camera with two reels of film;

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I have to state further that the Additional Protocol to the Convention, relating to the Importation of Tourist Publicity Documents and Material, concluded at New York on 4 June 1954, is applicable to the Territories of the Belgian Congo and Ruanda-Urundi.

2. With regard to the application to the Territory of the Belgian Congo and to the Trust Territory of Ruanda-Urundi of the Customs Convention on the Temporary Importation of Private Road Vehicles, concluded at New York on 4 June 1954, I consider that in present circumstances the system of free international circulation of motor vehicles should not be extended to legal persons. Temporary admittance without payment should not be granted in respect of component parts imported for the repair of a vehicle covered by free circulation papers.

The latter restriction does not, of course, apply to component parts accompanying vehicles when they are listed in the counterfoil of the international circulation document.

DENMARK

[TRANSLATION — TRADUCTION]

Notwithstanding the provisions of article 3 of this Convention, the Scandinavian countries shall be permitted to make special rules applicable to persons residing in those countries.

one pair of binoculars;  
one portable musical instrument;  
one portable gramophone with ten records;  
one portable sound-recording apparatus;  
one portable wireless receiving set;  
one portable typewriter;  
one perambulator;  
one tent and other camping equipment;  
sports equipment (one fishing outfit, one sporting firearm with fifty cartridges, one non-powered bicycle, one canoe or kayak less than 5½ metres long, one pair of skis, two tennis racquets, and other similar articles).

### *Article 3*

Subject to the other conditions laid down in this Convention each of the Contracting States shall admit free of import duties and import taxes the following articles imported by a tourist for his personal use, provided that these articles are carried on the person of or in the hand luggage accompanying the tourist, and provided that there is no reason to fear abuse :

- (a) 200 cigarettes or 50 cigars or 250 grammes of tobacco, or an assortment of these products, provided that the total weight does not exceed 250 grammes;
- (b) one regular-size bottle of wine and one-quarter litre of spirits;
- (c) one-quarter litre of toilet water and a small quantity of perfume.

### *Article 4*

Subject to the other conditions laid down in this Convention each of the Contracting States shall grant to the tourist, provided that there is no reason to fear abuse :

- (a) authorization to import in transit and without a temporary importation permit, travel souvenirs for a total value not exceeding 50 U.S.A. dollars, provided that such souvenirs are carried on the person of or in the luggage accompanying the tourist and that they are not intended for commercial purposes;
- (b) authorization to export, without the formalities applying to currency controls and free of export duties, travel souvenirs which the tourist has bought in the country for a total value not exceeding 100 U.S.A. dollars, provided that they are carried on the person of or in the luggage accompanying the tourist and that such souvenirs are not intended for commercial purposes.

### *Article 5*

Each of the Contracting States may require a temporary importation permit in respect of articles of a high value covered by article 2.

*Article 6*

The Contracting States endeavour not to introduce Customs procedures which might have the effect of impeding the development of international touring.

*Article 7*

In order to expedite Customs procedures, contiguous Contracting States shall endeavour to place their respective Customs posts close together and to keep them open during the same hours.

*Article 8*

The provisions of this Convention shall not prejudice in any way the application of police or other regulations concerning the importation, possession and carrying of arms and ammunition.

*Article 9*

Each of the Contracting States recognizes that any prohibitions which that State imposes on the importation or exportation of articles which benefit under this Convention shall apply only in so far as they are based on considerations other than economic in character, for example, of public morality, public security, public health, hygiene, veterinary or phyto-pathological considerations.

*Article 10*

The exemptions and facilities provided by this Convention shall not apply to frontier traffic.

Nor shall the applications of these exemptions and facilities be considered as automatic :

(a) when the total quantity of a commodity to be imported by a tourist exceeds substantially the limit laid down in this Convention;

(b) in case of a tourist who enters the country of import more than once a month;

(c) in case of a tourist under 17 years of age.

*Article 11*

In the event of fraud, contravention or abuse the Contracting States shall be free to take proceedings for the recovery of the corresponding import duties and import taxes and also for the imposition of any penalties to which the persons have been granted exemptions or other facilities may have rendered themselves liable.

*Article 12*

Any breach of the provisions of this Convention, any substitution, false declaration or act having the effect of causing a person or an article improperly to benefit from the system of importation laid down in this Convention, may render the offender liable in the country where the offense was committed to the penalties prescribed by the laws of that country.

*Article 13*

Nothing in this Convention shall prevent Contracting States which form a Customs or economic union from enacting special provisions applicable to residents of the States forming that union.

*Article 14*

1. This Convention shall be open for signature until 31 December 1954 on behalf of any State Member of the United Nations and any other State invited to attend the United Nations Conference on Customs Formalities for the Temporary Importation of Private Road Motor Vehicles and for Tourism held in New York in May and June 1954, hereinafter referred to as the Conference.

2. This Convention shall be subject to ratification and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

*Article 15*

1. From 1 January 1955 this Convention shall be open for accession by any State referred to in paragraph 1 of article 14 and any other State so invited by the Economic and Social Council of the United Nations. It shall also be open for accession on behalf of any Trust Territory of which the United Nations is the Administering Authority.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

*Article 16*

1. This Convention shall enter into force on the ninetieth day following the date of the deposit of the fifteenth instrument of ratification or accession either without reservation or with reservations accepted in accordance with article 20.

2. For each State ratifying or acceding to the Convention after the date of the deposit of the fifteenth instrument of ratification or accession in accordance with the preceding paragraph, the Convention shall enter into force on the ninetieth day following the date of the deposit by such State of its instrument of

ratification or accession either without reservation or with reservations accepted in accordance with article 20.

#### *Article 17*

1. After this Convention has been in force for three years, any Contracting State may denounce it by so notifying the Secretary-General of the United Nations.

2. Denunciation shall take effect fifteen months after the date of receipt by the Secretary-General of the United Nations of the notification of denunciation.

#### *Article 18*

This Convention shall cease to have effect if, for any period of twelve consecutive months after its entry into force, the number of Contracting States is less than eight.

#### *Article 19*

1. Any State may, at the time of the deposit of its instrument of ratification or accession or at any time thereafter, declare by notification addressed to the Secretary-General of the United Nations that this Convention shall extend to all or any of the territories for the international relations of which it is responsible. The Convention shall extend to the territories named in the notification as from the ninetieth day after its receipt by the Secretary-General if the notification is not accompanied by a reservation, or from the ninetieth day after the notification has taken effect in accordance with article 20, or on the date on which the Convention enters into force for the State concerned, whichever is the later.

2. Any State which has made a declaration under the preceding paragraph extending this Convention to any territory for whose international relations it is responsible may denounce the Convention separately in respect of that territory in accordance with the provisions of article 17.

#### *Article 20*

1. Reservations to this Convention made before the signing of the Final Act<sup>1</sup> shall be admissible if they have been accepted by a majority of the members of the Conference and recorded in the Final Act.

2. Reservations made after the signing of the Final Act shall not be admitted if objection is expressed by one-third of the Signatory States or of the Contracting States as hereinafter provided.

<sup>1</sup> See p. 192 of this volume.

3. The text of any reservation submitted to the Secretary-General of the United Nations by a State at the time of the signature, the deposit of an instrument of ratification or accession or of any notification under article 19 shall be circulated by the Secretary-General to all States which have at that time signed, ratified or acceded to the Convention. If one-third of these States expresses an objection within ninety days from the date of circulation, the reservation shall not be accepted. The Secretary-General shall notify all States referred to in this paragraph of any objection received by him as well as of the acceptance or rejection of the reservation.

4. An objection by a State which has signed but not ratified the Convention shall cease to have effect if, within a period of nine months from the date of making its objection, the objecting State has not ratified the Convention. If, as the result of an objection ceasing to have effect, a reservation is accepted by application of the preceding paragraph, the Secretary-General shall so inform the States referred to in that paragraph. The text of any reservation shall not be circulated to any signatory State under the preceding paragraph if that State has not ratified the Convention within three years following the date of signature on its behalf.

5. The State submitting the reservation may, within a period of twelve months from the date of the notification by the Secretary-General referred to in paragraph 3 that a reservation has been rejected in accordance with the procedure provided for in that paragraph, withdraw the reservation, in which case the instrument of ratification or accession or the notification under article 19 as the case may be shall take effect with respect to such State as from the date of withdrawal. Pending such withdrawal, the instrument or the notification as the case may be, shall not have effect, unless, by application of the provisions of paragraph 4, the reservation is subsequently accepted.

6. Reservations accepted in accordance with this article may be withdrawn at any time by notification to the Secretary-General.

7. No Contracting State shall be required to extend to a State making a reservation the benefit of the provisions to which such reservation applies. Any State availing itself of this right shall notify the Secretary-General accordingly and the latter shall communicate this decision to all signatory and Contracting States.

### *Article 21*

1. Any dispute between two or more Contracting States concerning the interpretation or application of this Convention shall so far as possible be settled by negotiation between them.

2. Any dispute which is not settled by negotiation shall be submitted to arbitration if any one of the Contracting States in dispute so requests and shall be referred accordingly to one or more arbitrators selected by agreement between

the States in dispute. If within three months from the date of the request for arbitration the States in dispute are unable to agree on the selection of an arbitrator or arbitrators, any of those States may request the President of the International Court of Justice to nominate a single arbitrator to whom the dispute shall be referred for decision.

3. The decision of the arbitrator or arbitrators appointed under the preceding paragraph shall be binding on the Contracting States concerned.

#### *Article 22*

1. After this Convention has been in force for three years, any Contracting State may, by notification to the Secretary-General of the United Nations, request that a conference be convened for the purpose of reviewing the Convention. The Secretary-General shall notify all Contracting States of the request and a review conference shall be convened by the Secretary-General if, within a period of four months following the date of notification by the Secretary-General, not less than one-half of the Contracting States notify him of their concurrence with the request.

2. If a conference is convened in accordance with the preceding paragraph, the Secretary-General shall notify all Contracting States and invite them to submit within a period of three months such proposals as they may wish the conference to consider. The Secretary-General shall circulate to all Contracting States the provisional agenda for the conference together with the texts of such proposals at least three months before the date on which the conference is to meet.

3. The Secretary-General shall invite to any conference convened in accordance with this article all Contracting States and all other States Members of the United Nations or of any of the specialized agencies.

#### *Article 23*

1. Any Contracting State may propose one or more amendments to this Convention. The text of any proposed amendment shall be transmitted to the Secretary-General of the United Nations who shall circulate it to all Contracting States.

2. Any proposed amendment circulated in accordance with the preceding paragraph shall be deemed to be accepted if no Contracting State expresses an objection within a period of six months following the date of circulation of the proposed amendment by the Secretary-General.

3. The Secretary-General shall notify as soon as possible all Contracting States whether an objection to the proposed amendment has been expressed, and if no such objection has been expressed, the amendment shall enter into force for all Contracting States three months after the expiration of the period of six months referred to in the preceding paragraph.

*Article 24*

The Secretary-General of the United Nations shall notify all Member States of the United Nations and all other States invited to attend the Conference of the following :

- (a) Signatures, ratifications and accessions, received in accordance with articles 14 and 15;
- (b) The date upon which this Convention shall enter into force in accordance with article 16;
- (c) Denunciations received in accordance with article 17;
- (d) The abrogation of this Convention in accordance with article 18;
- (e) Notifications received under article 19;
- (f) Entry into force of any amendment in accordance with article 23.

*Article 25*

The original of this Convention shall be deposited with the Secretary-General of the United Nations who shall transmit certified copies thereof to all Members of the United Nations and all other States invited to the Conference

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Convention.

DONE at New York, this fourth day of June one thousand nine hundred and fifty-four, in a single copy in the English, French and Spanish languages, each text being equally authentic.

The Secretary-General is requested to prepare an authoritative translation of this Convention in the Chinese and Russian languages and to add the Chinese and Russian texts to the English, French and Spanish texts when transmitting certified copies thereof to the States in accordance with article 25 of this Convention.

For Afghanistan :  
Pour l'Afghanistan :  
Por el Afganistán :

For Albania :  
Pour l'Albanie :  
Por Albania :

For Argentina :  
Pour l'Argentine :  
Por la Argentina :

Ad Referendum  
Luis J. ESTEVARENA

For Australia :  
Pour l'Australie :  
Por Australia :

For Austria :  
Pour l'Autriche :  
Por Austria :

Dr. J. STANGELBERGER

For the Kingdom of Belgium :  
Pour le Royaume de Belgique :  
Por el Reino de Bélgica :

Sous réserve de ratification<sup>1</sup>  
Ch. HOPCHET

For Bolivia :  
Pour la Bolivie :  
Por Bolivia :

For Brazil :  
Pour le Brésil :  
Por el Brasil :

<sup>1</sup> Subject to ratification.

For Bulgaria :  
Pour la Bulgarie :  
Por Bulgaria :

For the Union of Burma :  
Pour l'Union birmane :  
Por la Unión Birmana :

For the Byelorussian Soviet Socialist Republic :  
Pour la République Socialiste Soviétique de Biélorussie :  
Por la República Socialista Soviética de Bielorrusia :

For Cambodia :  
Pour le Cambodge :  
Por Camboja :

IEM KADUL

For Canada :  
Pour le Canada :  
Por el Canadá :

For Ceylon :  
Pour Ceylan :  
Por Ceilán :

H. Shirley AMERASINGHE

For Chile :  
Pour le Chili :  
Por Chile :

For China :  
Pour la Chine :  
Por la China :

For Colombia :  
Pour la Colombie :  
Por Colombia :

For Costa Rica :  
Pour le Costa-Rica :  
Por Costa Rica :

ad-referendum  
J. F. CARBALLO  
July 20th, 1954

For Cuba :  
Pour Cuba :  
Por Cuba :

José Miguel RIBAS  
O NODARSE Oct 12/54

For Czechoslovakia :  
Pour la Tchécoslovaquie :  
Por Checoeslovaquia :

For Denmark :  
Pour le Danemark :  
Por Dinamarca :

For the Dominican Republic :  
Pour la République Dominicaine :  
Por la República Dominicana :

Ad Referendum  
R. O. GALVÁN

For Ecuador :  
Pour l'Équateur :  
Por el Ecuador :

B. OQUENDO

For Egypt :  
Pour l'Égypte :  
Por Egipto :

Subject to the reservation recorded in the final act.<sup>1</sup>  
Rachad MOURAD

For El Salvador :  
Pour le Salvador :  
Por El Salvador :

<sup>1</sup> Avec la réserve consignée dans l'Acte final.

For Ethiopia :  
Pour l'Éthiopie :  
Por Etiopía :

For Finland :  
Pour la Finlande :  
Por Finlandia :

For France :  
Pour la France :  
Por Francia :

Philippe DE SEYNES

For the Federal Republic of Germany :  
Pour la République fédérale d'Allemagne :  
Por la República Federal Alemana :

Richard PAULIG  
Walter WAGNER

For Greece :  
Pour la Grèce :  
Por Grecia :

For Guatemala :  
Pour le Guatemala :  
Por Guatemala :

Con sujeción a las reservas consignadas en el Acta  
Final<sup>1</sup>

E. CASTILLO ARRIOLA

For Haiti :  
Pour Haïti :  
Por Haití :

Sous la réserve consignée dans l'Acte Final<sup>2</sup>

Ernest G. CHAUVET

<sup>1</sup> Subject to the reservations recorded in the Final Act.  
Avec les réserves consignées dans l'Acte final.

<sup>2</sup> Subject to the reservation recorded in the Final Act.

For Honduras :  
Pour le Honduras :  
Por Honduras :

Tiburcio CARÍAS Jr.  
June 15, 1954

For Hungary :  
Pour la Hongrie :  
Por Hungría :

For Iceland :  
Pour l'Islande :  
Por Islandia :

For India :  
Pour l'Inde :  
Por la India :

A. S. LALL  
30th December 1954

For Indonesia :  
Pour l'Indonésie :  
Por Indonesia :

For Iran :  
Pour l'Iran :  
Por Irán :

For Iraq :  
Pour l'Irak :  
Por Irak :

For Ireland :  
Pour l'Irlande :  
Por Irlanda :

For Israel :  
Pour Israël :  
Por Israel :

For Italy :  
Pour l'Italie :  
Por Italia :

Ugo CALDERONI

For Japan :  
Pour le Japon :  
Por el Japón :

Renzo SAWADA  
December 2nd, 1954

For the Hashemite Kingdom of the Jordan :  
Pour le Royaume hachémite de Jordanie :  
Por el Reino Hachemita de Jordania :

For the Republic of Korea :  
Pour la République de Corée :  
Por la República de Corea :

For Laos :  
Pour le Laos :  
Por Laos :

For Lebanon :  
Pour le Liban :  
Por el Líbano :

For Liberia :  
Pour le Libéria :  
Por Liberia :

For Libya :  
Pour la Libye :  
Por Libia :

For the Grand Duchy of Luxembourg :  
Pour le Grand-Duché de Luxembourg :  
Por el Gran Ducado de Luxemburgo :

Sous réserve de ratification<sup>1</sup>

J. KREMER

6.12.54

For Mexico :  
Pour le Mexique :  
Por México :

José A. BUFORT

For Monaco :  
Pour Monaco :  
Por Mónaco :

Marcel A. PALMARO

For Nepal :  
Pour le Népal :  
Por Nepal :

For the Kingdom of the Netherlands :  
Pour le Royaume des Pays-Bas :  
Por el Reino de los Países Bajos :

PAYMANS

For New Zealand :  
Pour la Nouvelle-Zélande :  
Por Nueva Zelandia :

For Nicaragua :  
Pour le Nicaragua :  
Por Nicaragua :

For the Kingdom of Norway :  
Pour le Royaume de Norvège :  
Por el Reino de Noruega

---

<sup>1</sup> Subject to ratification.

For Pakistan :  
Pour le Pakistan :  
Por el Pakistán :

For Panama :  
Pour le Panama :  
Por Panamá :

Ad referendum  
Ernesto DE LA OSSA

For Paraguay :  
Pour le Paraguay :  
Por el Paraguay :

For Peru :  
Pour le Pérou :  
Por el Perú :

For the Philippine Republic :  
Pour la République des Philippines :  
Por la República de Filipinas :

Mauro MÉNDEZ

For Poland :  
Pour la Pologne :  
Por Polonia :

For Portugal :  
Pour le Portugal :  
Por Portugal :

ad referendum  
Freire DE ANDRADE

For Romania :  
Pour la Roumanie :  
Por Rumania

For San Marino :  
Pour Saint-Marin :  
Por San Marino :

For Saudi Arabia :  
Pour l'Arabie Saoudite :  
Por Arabia Saudita :

For Spain :  
Pour l'Espagne :  
Por España :

ad referendum  
R. DE LA PRESILLA

For Sweden :  
Pour la Suède :  
Por Suecia :

Sous la réserve consignée dans l'Acte final<sup>1</sup>  
G. DE SYDOW  
A. APPELTOFFT

For Switzerland :  
Pour la Suisse :  
Por Suiza :

Fr. LÜTHI

For Syria :  
Pour la Syrie :  
Por Siria :

For Thailand :  
Pour la Thaïlande :  
Por Tailandia :

For Turkey :  
Pour la Turquie :  
Por Turquía :

For the Ukrainian Soviet Socialist Republic :  
Pour la République Socialiste Soviétique d'Ukraine :  
Por la República Socialista Soviética de Ucrania :

For the Union of South Africa :  
Pour l'Union Sud-Africaine :  
Por la Unión Sudafricana :

<sup>1</sup> Subject to the reservation recorded in the Final Act.

For the Union of Soviet Socialist Republics :  
Pour l'Union des Républiques Socialistes Soviétiques :  
Por la Unión de Repúblicas Socialistas Soviéticas :

For the United Kingdom of Great Britain and Northern Ireland :  
Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :  
Por el Reino Unido de la Gran Brataña e Irlanda del Norte :

Charles Henry BLAKE

For the United States of America :  
Pour les États-Unis d'Amérique :  
Por los Estados Unidos de América :

James J. WADSWORTH  
Henry H. KELLY

For Uruguay :  
Pour l'Uruguay :  
Por el Uruguay :

ad Referendum  
E. RODRÍGUEZ FABREGAT

For Vatican City :  
Pour la Cité du Vatican :  
Por la Ciudad del Vaticano :

Monseigneur Thomas J. McMAHON

For Venezuela :  
Pour le Venezuela :  
Por Venezuela :

For Viet-Nam :  
Pour le Viet-Nam :  
Por Vietnam :

For Yemen :  
Pour le Yémen :  
Por el Yemen :

For Yugoslavia :  
Pour la Yougoslavie :  
Por Yugooslavia :

ADDITIONAL PROTOCOL<sup>1</sup> TO THE CONVENTION CONCERNING CUSTOMS FACILITIES FOR TOURING,<sup>2</sup> RELATING TO THE IMPORTATION OF TOURIST PUBLICITY DOCUMENTS AND MATERIAL. DONE AT NEW YORK, ON 4 JUNE 1954

THE CONTRACTING STATES,

*At the time of the conclusion* of a Convention concerning Customs Formalities for Touring<sup>2</sup> by the United Nations Conference on Customs Formalities for the Temporary Importation of Private Road Motor Vehicles and for Tourism,

*Desiring* to facilitate also the circulation of tourist publicity documents and material,

*Have agreed* on the following additional provisions :

*Article 1*

For the purpose of this Protocol the term "import duties and import taxes" shall mean not only customs duties but also all duties and taxes whatever chargeable by reason of importation.

<sup>1</sup> In accordance with article 10, the Protocol came into force on 28 June 1956, the ninetieth day following the date of deposit of the fifth instrument of ratification or accession, and subsequently, for each State ratifying or acceding after the date of deposit of the fifth instrument of ratification or accession, on the ninetieth day following the date of deposit by such State of its instrument of ratification or accession.

Following is the list of ratifications and accessions (a) indicating the dates of deposit and of entry into force of the Protocol :

<i>State</i>	<i>Date of deposit</i>	<i>Date of entry into force</i>	
Belgium . . . . . (Also applicable to the Territory of Belgian Congo and to the Trust Territory of Ruanda-Urundi)	21 February 1955	28 June	1956
Japan . . . . .	7 September 1955	28 June	1956
Denmark (a) . . . . .	13 October 1955	28 June	1956
United Kingdom of Great Britain and Northern Ireland (Subject to the reservation recorded in the Final Act; see p. 204)	27 February 1956	28 June	1956
Austria . . . . .	30 March 1956	28 June	1956
Switzerland . . . . .	23 May 1956	21 August	1956
Luxembourg . . . . .	21 November 1956	19 February	1957
India (a) . . . . .	15 February 1957	16 May	1957
Egypt . . . . .	4 April 1957	3 July	1957
Sweden . . . . .	11 June 1957	9 September	1957
Mexico . . . . .	13 June 1957	11 September	1957
Israel (a) . . . . .	1 August 1957	30 October	1957

Extension of the Additional Protocol to the following territories was notified by the United Kingdom of Great Britain and Northern Ireland on 7 August 1957 (to take effect on 5 November 1957) :

North Borneo, Cyprus, Jamaica, Federation of Malaya, Malta, Seychelles, Sierra Leone, Singapore, Somaliland Protectorate, Tonga, Zanzibar.

<sup>2</sup> See p. 230 of this volume.

### Article 2

Each of the Contracting States shall admit free of import duties and import taxes the following articles provided they are imported from another Contracting State and that there is no reason to fear abuse :

(a) Documents (folders, pamphlets, books, magazines, guides, posters framed or unframed, unframed photographs and photographic enlargements, maps whether illustrated or not, printed window transparencies) for free distribution, the chief purpose of which is to encourage the public to visit foreign countries, *inter alia* to attend cultural, touristic, sporting, religious or professional meetings or demonstrations held in such foreign countries, provided these documents do not contain more than 25 per cent private commercial advertising and are obviously designed for general publicity purposes ;

(b) Lists and year-books of foreign hotels published or sponsored by official tourist agencies and time-tables of transport services operating abroad, when such documents are for free distribution and do not contain more than 25 per cent private commercial advertising ;

(c) Technical material sent to the accredited representatives or correspondents appointed by national official tourist agencies, not intended for distribution, i.e., year-books, telephone directories, lists of hotels, catalogues of fairs, samples of negligible value of handicraft, documentation about museums, universities, spas and similar institutions.

### Article 3

Subject to the conditions laid down in article 4, the following material shall be admitted temporarily free of import duties and import taxes, without entering into a bond in respect of those duties and taxes or depositing those duties and taxes, when imported from one of the Contracting States chiefly for the purpose of encouraging the public to visit that State, *inter alia* to attend cultural, touristic, sporting, religious or professional meetings or demonstrations held in that country :

(a) Material intended for display in the offices of the accredited representatives or correspondents appointed by the official national tourist agencies or in other places approved by the Customs authorities of the country of import : pictures and drawings ; framed photographs and photographic enlargements ; art books ; paintings, engravings or lithographs, sculptures and tapestries and other similar works of art ;

(b) Display material (show-cases, stands and similar articles), including electrical and mechanical equipment required for operating such display ;

(c) Documentary films, records, tape recordings and other sound recordings intended for use in performances at which no charge is made, but excluding those whose subjects lend themselves to commercial advertising and those which are on general sale in the country of importation;

(d) A reasonable number of flags;

(e) Dioramas, scale models, lantern-slides, printing blocks, photographic negatives;

(f) Specimens, in reasonable numbers, of articles of national handicrafts, local costumes and similar articles of folklore.

#### *Article 4*

1. The facilities mentioned in article 3 shall be granted on the following conditions :

(a) The material must be despatched either by an official tourist agency or by a national tourist publicity agency affiliated therewith. Proof shall be furnished by presenting to the Customs authorities of the country of import a declaration made out in accordance with the model in the annex<sup>1</sup> to this Protocol by the despatching agency;

(b) The material must be imported for and on the responsibility of either the accredited representative of the official national tourist agency of the country of despatch or of the correspondent appointed by the aforesaid agency and approved by the Customs authorities of the country of import. The responsibility of the accredited representative of the approved correspondent includes in particular the payment of the import duties and taxes, which will be chargeable if the conditions laid down in this Protocol are not fulfilled;

(c) The material imported must be re-exported without alteration by the importing agency. If the material granted temporary free admission is destroyed in accordance with the conditions laid down by the Customs authorities, the importer shall nevertheless be freed from the obligation to re-export.

2. The privilege of temporary free admission shall be granted for a period of at least twelve months.

#### *Article 5*

In the event of fraud, contravention or abuse, the Contracting States shall be free to take proceedings for the recovery of the corresponding import duties and import taxes and also for the imposition of any penalties to which the persons who have been granted exemptions or other facilities may have rendered themselves liable.

<sup>1</sup> See p. 282 of this volume.

*Article 6*

Any breach of the provisions of this Protocol, any substitution, false declaration or act having the effect of causing a person or an article improperly to benefit from the system of importation laid down in this Protocol may render the offender liable to the penalties prescribed by the laws of the country in which the offence was committed.

*Article 7*

1. The Contracting States undertake not to impose prohibitions of an economic character with respect to the material referred to in the present Protocol and to withdraw progressively such prohibitions of that kind as may still be in force.

2. The provisions of the present Protocol, however, shall not prejudice the application of the laws and regulations relating to the importation of certain articles when such laws and regulations impose prohibitions which are based on considerations of public morality, public security, public health or hygiene.

*Article 8*

1. This Protocol shall be open for signature until 31 December 1954 on behalf of any State Member of the United Nations and any other State invited to attend the United Nations Conference on Customs Formalities for the Temporary Importation of Private Road Motor Vehicles and for Tourism held in New York in May and June 1954, hereinafter referred to as the Conference.

2. This Protocol shall be subject to ratification and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

*Article 9*

1. From 1 January 1955 this Protocol shall be open for accession by any State referred to in paragraph 1 of article 8 and any other State so invited by the Economic and Social Council of the United Nations. It shall also be open for accession on behalf of any Trust Territory of which the United Nations is the Administering Authority.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

*Article 10*

1. This Protocol shall enter into force on the ninetieth day following the date of the deposit of the fifth instrument of ratification or accession either without reservation or with reservations accepted in accordance with article 14.

2. For each State ratifying or acceding to the Protocol after the date of the deposit of the fifth instrument of ratification or accession in accordance with the preceding paragraph, the Protocol shall enter into force on the ninetieth day following the date of the deposit by such State of its instrument of ratification or accession either without reservation or with reservations accepted in accordance with article 14.

*Article 11*

1. After this Protocol has been in force for three years, any Contracting State may denounce it by so notifying the Secretary-General of the United Nations.

2. Denunciation shall take effect fifteen months after the date of receipt by the Secretary-General of the United Nations of the notification of denunciation.

*Article 12*

This Protocol shall cease to have effect if, for any period of twelve consecutive months after its entry into force, the number of Contracting States is less than two.

*Article 13*

1. Any State may, at the time of the deposit of its instrument of ratification or accession or at any time thereafter, declare by notification addressed to the Secretary-General of the United Nations that this Protocol shall extend to all or any of the territories for the international relations of which it is responsible. The Protocol shall extend to the territories named in the notification as from the ninetieth day after its receipt by the Secretary-General if the notification is not accompanied by a reservation, or from the ninetieth day after the notification has taken effect in accordance with article 14, or on the date on which the Protocol enters into force for the State concerned, whichever is the later.

2. Any State which has made a declaration under the preceding paragraph, extending this Protocol to any territory for whose international relations it is responsible, may denounce the Protocol separately in respect of that territory in accordance with the provisions of article 11.

*Article 14*

1. Reservations to this Protocol made before the signing of the Final Act<sup>1</sup> shall be admissible if they have been accepted by a majority of the members of the Conference and recorded in the Final Act.

2. Reservations made after the signing of the Final Act shall not be admitted if objection is expressed by one-third of the signatory States or of the Contracting States as hereinafter provided.

3. The text of any reservation submitted to the Secretary-General of the United Nations by a State at the time of the signature, the deposit of an instrument of ratification or accession or of any notification under article 13 shall be circulated by the Secretary-General to all States which have at that time signed, ratified or acceded to the Protocol. If one-third of these States expresses an objection within ninety days from the date of circulation, the reservation shall not be accepted. The Secretary-General shall notify all States referred to in this paragraph of any objection received by him as well as of the acceptance or rejection of the reservation.

4. An objection by a State which has signed but not ratified the Protocol shall cease to have effect if, within a period of nine months from the date of making its objection, the objecting State has not ratified the Protocol. If, as the result of an objection ceasing to have effect, a reservation is accepted by application of the preceding paragraph, the Secretary-General shall so inform the States referred to in that paragraph. The text of any reservation shall not be circulated to any signatory State under the preceding paragraph if that State has not ratified the Protocol within three years following the date of signature on its behalf.

5. The State submitting the reservation may, within a period of twelve months from the date of the notification by the Secretary-General referred to in paragraph 3 that a reservation has been rejected in accordance with the procedure provided for in that paragraph, withdraw the reservation, in which case the instrument of ratification or accession or the notification under article 13 as the case may be shall take effect with respect to such State as from the date of withdrawal. Pending such withdrawal, the instrument or the notification, as the case may be, shall not have effect, unless, by application of the provisions of paragraph 4, the reservation is subsequently accepted.

6. Reservations accepted in accordance with this article may be withdrawn at any time by notification to the Secretary-General.

7. No Contracting State shall be required to extend to a State making a reservation the benefit of the provisions to which such reservation applies. Any State availing itself of this right shall notify the Secretary-General accordingly and the latter shall communicate this decision to all signatory and Contracting States.

<sup>1</sup> See p. 192 of this volume.

*Article 15*

1. Any dispute between two or more Contracting States concerning the interpretation or application of this Protocol shall so far as possible be settled by negotiation between them.

2. Any dispute which is not settled by negotiation shall be submitted to arbitration if any one of the Contracting States in dispute so requests and shall be referred accordingly to one or more arbitrators selected by agreement between the States in dispute. If within three months from the date of the request for arbitration the States in dispute are unable to agree on the selection of an arbitrator or arbitrators any of those States may request the President of the International Court of Justice to nominate a single arbitrator to whom the dispute shall be referred for decision.

3. The decision of the arbitrator or arbitrators appointed under the preceding paragraph shall be binding on the Contracting States concerned.

*Article 16*

1. After this Protocol has been in force for three years, any Contracting State may, by notification to the Secretary-General of the United Nations, request that a conference be convened for the purpose of reviewing the Protocol. The Secretary-General shall notify all Contracting States of the request and a review conference shall be convened by the Secretary-General if, within a period of four months following the date of notification by the Secretary-General, not less than one-half of the Contracting States notify him of their concurrence with the request.

2. If a conference is convened in accordance with the preceding paragraph, the Secretary-General shall notify all Contracting States and invite them to submit within a period of three months such proposals as they may wish the conference to consider. The Secretary-General shall circulate to all Contracting States the provisional agenda for the conference together with the texts of such proposals at least three months before the date on which the conference is to meet.

3. The Secretary-General shall invite to any conference convened in accordance with this article all Contracting States and all other States Members of the United Nations or of any of the specialized agencies.

*Article 17*

1. Any Contracting State may propose one or more amendments to this Protocol. The text of any proposed amendment shall be transmitted to the Secretary-General of the United Nations who shall circulate it to all Contracting States.

2. Any proposed amendment circulated in accordance with the preceding paragraph shall be deemed to be accepted if no Contracting State expresses an objection within a period of six months following the date of circulation of the proposed amendment by the Secretary-General.

3. The Secretary-General shall notify as soon as possible all Contracting States whether an objection to the proposed amendment has been expressed, and if no such objection has been expressed, the amendment shall enter into force for all Contracting States three months after the expiration of the period of six months referred to in the preceding paragraph.

#### *Article 18*

The Secretary-General of the United Nations shall notify all Member States of the United Nations and all other States invited to attend the Conference of the following :

- (a) Signatures, ratifications and accessions, received in accordance with articles 8 and 9;
- (b) The date upon which this Protocol shall enter into force in accordance with article 10;
- (c) Denunciations received in accordance with article 11;
- (d) The abrogation of this Protocol in accordance with article 12;
- (e) Notifications received under article 13;
- (f) Entry into force of any amendment in accordance with article 17.

#### *Article 19*

The original of this Protocol shall be deposited with the Secretary-General of the United Nations who shall transmit certified copies thereof to all Members of the United Nations and all other States invited to the Conference.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Protocol.

DONE at New York, this fourth day of June one thousand nine hundred and fifty-four, in a single copy in the English, French and Spanish languages, each text being equally authentic.

The Secretary-General is requested to prepare an authoritative translation of this Protocol in the Chinese and Russian languages and to add the Chinese and Russian texts to the English, French and Spanish texts when transmitting certified copies thereof to the States in accordance with article 19 of this Protocol.

ANNEX

MODEL DECLARATION

(To be made out in the language of the exporting country with a translation into English or French)

DECLARATION

for the TEMPORARY FREE ADMISSION of tourist publicity material, without entering into a bond in respect of import duties and import taxes or depositing such duties or taxes

The (name of organization) is forwarding herewith the following tourist publicity material, addressed to its accredited representative (or the approved correspondent) whose name appears below, for temporary importation, on condition that it shall be re-exported within a period of twelve months and that it will be used solely for the purpose of inducing tourists to visit the country exporting the material.

The (name of organization) undertakes not to dispose of, either gratis or against payment, the articles temporarily imported without the consent of the Customs Administration of the country importing the material and without having first complied with any formalities required by that Administration.

This material is imported temporarily on the responsibility and against the guarantee of the accredited representative or the approved correspondent whose name appears below.

(a) List of the material :

.....  
.....  
.....  
.....

(b) Name and address of the accredited representative or correspondent to whom the material is consigned :

.....  
.....

[Date, signature and stamp of the official national tourist agency of the country of despatch]

For Afghanistan :  
Pour l'Afghanistan :  
Por el Afganistán :

For Albania :  
Pour l'Albanie :  
Por Albania :

For Argentina :  
Pour l'Argentine :  
Por la Argentina :

Ad Referendum  
Luis J. ESTEVARENA

For Australia :  
Pour l'Australie :  
Por Australia :

For Austria :  
Pour l'Autriche :  
Por Austria :

Dr. J. STANGELBERGER

For the Kingdom of Belgium :  
Pour le Royaume de Belgique :  
Por el Reino de Bélgica :

Sous réserve de ratification<sup>1</sup>  
Ch. HOPCHET

For Bolivia :  
Pour la Bolivie :  
Por Bolivia :

<sup>1</sup> Subject to ratification.

For Brazil :  
Pour le Brésil :  
Por el Brasil :

For Bulgaria :  
Pour la Bulgarie :  
Por Bulgaria :

For the Union of Burma :  
Pour l'Union birmane :  
Por la Unión Birmana :

For the Byelorussian Soviet Socialist Republic :  
Pour la République Socialiste Soviétique de Biélorussie :  
Por la República Socialista Soviética de Bielorrusia :

For Cambodia :  
Pour le Cambodge :  
Por Camboja :

IEM KADUL

For Canada :  
Pour le Canada :  
Por el Canadá :

For Ceylon :  
Pour Ceylan :  
Por Ceilán :

For Chile :  
Pour le Chili :  
Por Chile :

For China :  
Pour la Chine :  
Por la China :

For Colombia :  
Pour la Colombie :  
Por Colombia :

For Costa Rica :  
Pour le Costa-Rica :  
Por Costa Rica :

ad-referendum  
J. F. CARBALLO  
July 20th, 1954

For Cuba :  
Pour Cuba :  
Por Cuba :

José Miguel RIBAS  
O. NODARSE Oct. 12/54

For Czechoslovakia :  
Pour la Tchécoslovaquie :  
Por Checoeslovaquia :

For Denmark :  
Pour le Danemark :  
Por Dinamarca :

For the Dominican Republic :  
Pour la République Dominicaine :  
Por la República Dominicana :

For Ecuador :  
Pour l'Équateur :  
Por el Ecuador :

B. OQUENDO

For Egypt :  
Pour l'Égypte :  
Por Egipto :

Rachad MOURAD

For El Salvador :  
Pour le Salvador :  
Por el Salvador :

For Ethiopia :  
Pour l'Éthiopie :  
Por Etiopía :

For Finland :  
Pour la Finlande :  
Por Finlandia :

For France :  
Pour la France :  
Por Francia :

Philippe DE SEYNES

For the Federal Republic of Germany :  
Pour la République fédérale d'Allemagne :  
Por la República Federal Alemana :

Richard PAULIG  
Walter WAGNER

For Greece :  
Pour la Grèce :  
Por Grecia :

For Guatemala :  
Pour le Guatemala :  
Por Guatemala :

For Haiti :  
Pour Haïti :  
Por Haití :

Ernest G. CHAUVET

For Honduras :  
Pour le Honduras :  
Por Honduras :

Tiburcio CARÍAS Jr.  
June 15, 1954

For Hungary  
Pour la Hongrie :  
Por Hungría :

For Iceland :  
Pour l'Islande :  
Por Islandia :

For India :  
Pour l'Inde :  
Por la India :

For Indonesia :  
Pour l'Indonésie :  
Por Indonesia :

For Iran :  
Pour l'Iran :  
Por Irán :

For Iraq :  
Pour l'Irak :  
Por Irak :

For Ireland :  
Pour l'Irlande :  
Por Irlanda :

For Israel :  
Pour Israël :  
Por Israel :

For Italy :  
Pour l'Italie :  
Por Italia :

Ugo CALDERONI

For Japan :  
Pour le Japon :  
Por el Japón :

Renzo SAWADA  
December 2nd, 1954

For the Hashemite Kingdom of the Jordan :  
Pour le Royaume hachémite de Jordanie :  
Por el Reino Hachemita de Jordania :

For the Republic of Korea :  
Pour la République de Corée :  
Por la República de Corea :

For Laos :  
Pour le Laos :  
Por Laos :

For Lebanon :  
Pour le Liban :  
Por el Líbano :

For Liberia :  
Pour le Libéria :  
Por Liberia :

For Libya :  
Pour la Libye :  
Por Libia :

For the Grand Duchy of Luxembourg :  
Pour le Grand-Duché de Luxembourg :  
Por el Gran Ducado de Luxemburgo :

Sous réserve de ratification<sup>1</sup>

J. KREMER

6.12.54

For Mexico :  
Pour le Mexique :  
Por México :

José A. BUFORT

For Monaco :  
Pour Monaco :  
Por Mónaco :

Marcel A. PALMARO

For Nepal :  
Pour le Népal :  
Por Nepal :

For the Kingdom of the Netherlands :  
Pour le Royaume des Pays-Bas.  
Por el Reino de los Países Bajos :

PAYMANS

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<sup>1</sup> Subject to ratification.

For New Zealand :  
Pour la Nouvelle-Zélande :  
Por Nueva Zelandia :

For Nicaragua :  
Pour le Nicaragua :  
Por Nicaragua :

For the Kingdom of Norway :  
Pour le Royaume de Norvège :  
Por el Reino de Noruega :

For Pakistan :  
Pour le Pakistan :  
Por el Pakistán :

For Panama :  
Pour le Panama :  
Por Panamá :

Ad referendum  
Ernesto DE LA OSSA

For Paraguay :  
Pour le Paraguay :  
Por el Paraguay :

For Peru :  
Pour le Pérou :  
Por el Perú :

For the Philippine Republic :  
Pour la République des Philippines :  
Por la República de Filipinas :

Mauro MÉNDEZ

For Poland :  
Pour la Pologne :  
Por Polonia :

For Portugal :  
Pour le Portugal :  
Por Portugal :

For Romania :  
Pour la Roumanie :  
Por Rumania :

For San Marino :  
Pour Saint-Marin :  
Por San Marino :

For Saudi Arabia :  
Pour l'Arabie Saoudite :  
Por Arabia Saudita :

For Spain :  
Pour l'Espagne :  
Por España :

For Sweden :  
Pour la Suède :  
Por Suecia :

G. DE SYDOW  
A. APPELTOFFT

For Switzerland :  
Pour la Suisse :  
Por Suiza :

Fr. LÜTHI

For Syria :  
Pour la Syrie :  
Por Siria :

For Thailand :  
Pour la Thaïlande :  
Por Tailandia :

For Turkey :  
Pour la Turquie :  
Por Turquía :

For the Ukrainian Soviet Socialist Republic :  
Pour la République Socialiste Soviétique d'Ukraine :  
Por la República Socialista Soviética de Ucrania :

For the Union of South Africa :  
Pour l'Union Sud-Africaine :  
Por la Unión Sudafricana :

For the Union of Soviet Socialist Republics :  
Pour l'Union des Républiques Socialistes Soviétiques :  
Por la Unión de Repúblicas Socialistas Soviéticas :

For the United Kingdom of Great Britain and Northern Ireland :  
Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :  
Por el Reino Unido de la Gran Bretaña e Irlanda del Norte :

Subject to the reservation recorded in the Final Act :<sup>1</sup>  
Charles Henry BLAKE

For the United States of America :  
Pour les États-Unis d'Amérique :  
Por los Estados Unidos de América :

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<sup>1</sup> Avec la réserve consignée dans l'Acte final.

For Uruguay :  
Pour l'Uruguay :  
Por el Uruguay :

Ad Referendum  
E. RODRÍGUEZ FABREGAT

For Vatican City :  
Pour la Cité du Vatican :  
Por la Ciudad del Vaticano :

Monseigneur Thomas J. McMAHON

For Venezuela :  
Pour le Venezuela :  
Por Venezuela :

For Viet-Nam :  
Pour le Viet-Nam :  
Por Vietnam :

For Yemen :  
Pour le Yémen :  
Por el Yemen :

For Yugoslavia :  
Pour la Yougoslavie :  
Por Yugooslavia :