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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions
affecting Transport

(One-hundred-and-second-session, 22-25 October 2002,
agenda item 5)

**DRAFT UNECE CONVENTIONS ON INTERNATIONAL
CUSTOMS TRANSIT PROCEDURES FOR THE CARRIAGE OF
GOODS BY RAIL**

**Draft resolution on the use of the SMGS consignment note
as a Customs transit declaration**

Note by the secretariat

BACKGROUND

1. The Working Party, at its one-hundredth session, was informed about the results of the meeting of the informal Ad hoc expert group on Customs Rail Transit based on the SMGS consignment note (Geneva, 11 February 2002). The preliminary conclusions of the expert group indicated that there is a demand by Contracting Parties to the SMGS Agreement for a harmonization of Customs transit procedures governing rail transport. The report of the expert group is contained in document TRANS/WP.30/2002/12.

2. The expert group agreed, that in order to accelerate the harmonization of rail Customs transit procedures among Contracting Parties of the SMGS Agreement, a two-step approach could be pursued:
 - (a) the preparation and adoption of a Resolution recommending Contracting Parties of the SMGS Agreement to adopt the SMGS consignment note as a Customs transit declaration;
 - (b) continued work towards finalizing a Convention including all of the proposed facilitation measures similar to the procedures applicable to the CIM consignment note under the Common Transit system.
3. The Working Party, at its one-hundredth session, requested the secretariat, based on the preliminary conclusions of the expert group, to find a harmonized approach to Customs rail facilitation (TRANS/WP.30/200, para. 22).
4. At its one-hundred-and-first session, the Working Party considered a draft Resolution, prepared by the secretariat, taking account of the views expressed by the Contracting Parties of the SMGS Agreement during the expert group meeting (TRANS/WP.30/2002/16). The Working Party welcomed the draft as an important step in the facilitation of Customs rail transit and requested the secretariat to carry out consultations with the Contracting Parties of the SMGS Agreement with a view to finalizing and adopting the draft text at the next session of the Working Party in October 2002.
5. Following the one-hundred-and-first session, the secretariat has conducted consultations with Contracting Parties to the SMGS Agreement and with relevant intergovernmental organizations. Based on these consultations, the secretariat has prepared a revised draft Resolution as provided in the annex, taking into account the views expressed by Contracting Parties of the SMGS Agreement.

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Annex

**USE OF THE SMGS CONSIGNMENT NOTE
AS A CUSTOMS TRANSIT DECLARATION**

Draft Resolution

adopted on October 2002 by the

UNECE Working Party on Customs Questions affecting Transport

The Working Party on Customs Questions affecting Transport,

Concerned about the lack of harmonized pan-European Customs transit procedures for international rail transport,

Emphasizing the importance of the smooth and efficient functioning of Customs transit procedures in international rail transport where such do not exist,

Determined to facilitate the development of international trade and transport of goods, in particular between Contracting Parties to the Agreement on International Goods Transport by Rail (SMGS),

Convinced that international rail transport will benefit from harmonized transit procedures, eliminating unnecessary delays due to repetitive Customs procedures,

Whilst awaiting the finalization of a Convention on International Customs Transit Procedures for the Carriage by Rail under cover of SMGS Consignment notes and further work towards a UNECE Convention governing rail Customs transit at the pan-European level, decides unanimously on the following short-term measures to be implemented as soon as possible by the competent authorities of Contracting Parties to the SMGS:

1. In order to facilitate international rail transport in the area of the SMGS, Contracting Parties may wish to simplify rail transit operations by using the SMGS consignment note as a Customs transit declaration;
2. Contracting Parties [willing to facilitate international rail transport operations] shall accept the SMGS consignment note as a national Customs transit declaration and shall not require any other Customs transit declaration;
- 2 bis. This Resolution, notwithstanding the provisions of Article 2, does not prevent the use of a national Customs transit declaration as an alternative to the SMGS consignment note.
3. [The SMGS consignment note shall have the same legal force as a national Customs transit declaration;]
4. The SMGS consignment note should be filled-in in the language of the country of departure as well as in Russian or Chinese as the working languages of the Organization for Cooperation between Railways (OSZhD) ;
5. [Save for the use of the SMGS consignment note, consignments being moved in transit by rail through a Contracting Party to the SMGS shall otherwise fall under the relevant national Customs regulations;]
6. Contracting Parties request the OSZhD to provide all required assistance in the promotion of the SMGS consignment note as a Customs transit declaration in the Contracting Parties of the SMGS;
7. Contracting Parties of the SMGS intensify their endeavours to finalize the UNECE Convention on International Customs Transit Procedures for the Carriage by Rail under Cover of SMGS Consignment notes;

Requests the Contracting Parties to the SMGS to notify the Executive Secretary of the United Nations Economic Commission for Europe (UNECE) by 1 April 2003, whether they accept the present resolution;

Requests the Executive Secretary of the UNECE to inform all Contracting Parties to the SMGS as well as the OSZhD about the acceptance of this resolution.
