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## **Economic Commission for Europe**

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**141st session**

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Item 5 of the provisional agenda

**International Convention to Facilitate the Crossing of Frontiers  
for Passengers and Baggage carried by Rail, of 10 January 1952**

**International Convention to Facilitate the Crossing of  
Frontiers for Passengers and Baggage carried by Rail, of 10  
January 1952**

**Submitted by the Organisation for Cooperation between Railways**



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**Secretariat of WP.30  
Inland Transport Committee  
UNECE**

**Ladies and Gentlemen!**

I have the pleasure to provide for consideration at the 141<sup>st</sup> session of WP.30 (6-9 October 2015) the draft new Convention on facilitation of border crossing procedures for passengers, luggage and load-luggage carried by rail, which has been prepared by informal working group of ITC UNECE (Russian - original, English - translation).

In accordance with the decision by the 76 session of the ITC UNECE (25-27 February 2014) and followed by the declaration of the VII Interagency meeting in Saint Petersburg on facilitation of border crossing procedures it was requested to establish an informal group in order to elaborate a new Convention on facilitation of border crossing procedures for passengers, luggage and load-luggage carried by rail instead of the current Convention of 1952.

The Meeting stated that:

- International Convention to Facilitate the Crossing of Frontiers for Passengers and Baggage carried by Rail of 1952 has lost its relevance and remains inapplicable de facto.
- The Convention does not meet the current conditions of cooperation between the states in the field of international rail traffic. The Convention contains certain archaic legal terms like for example, obligation to assure the telecommunication between the border stations. The Convention's provisions do not meet the current Regulations and international agreements and modern terminology is not provided for in the Convention. Additionally, the Convention of 1952 was written without consideration of modern technology developed in recent years. It was not possible to change or amend it.

The carriers can individually make agree on certain matters. However, most of the problems causing the cross-border train delays are related to the organization and methods of border control and to the level of cooperation between the participating state bodies. To solve that kind of problems, a new regulatory document is required, which could provide effective solutions for cross-border traffic and reflect the unified approach of the participating states to the formalities arising in the process of border crossing. According to the decision of the ITC UNECE the informal working group was established to elaborate the draft new Convention.

In the first phase the concept of the new convention was elaborated and submitted to the countries for consideration. After receiving the comments and proposals the draft Convention was prepared and we submit it to the Secretariat of WP.30 for discussion at the 141<sup>st</sup> session of WP.30 on 6-9 October 2015.

1. The draft new Convention is prepared in view of the current international agreements. In order to unify the terminology, the term of 'Load-luggage' used in OSJD documents was included in draft Convention. The other terms used in draft Convention are also harmonized with those in international agreements.

2. Along with control methods prescribed in the Convention of 1952, at the train station and en route, the new Convention will stipulate a control method allowing for control carried out partially at the station and partially on board the train. The said method is applicable in cases where the duration of the train's non-stop run up to or after the border-crossing rail station or border station is long enough to exercise the state control on the territory of only one of the states.

3. In accordance with the provisions of draft Convention, it is allowed to agree on train's non-stop run via the border crossing station.

4. For high speed trains running without stops for passenger to board and alight when en route, the stoppage for state control firstly in the territory of the state of entry and then in the territory of the state of exit will significantly increase the train running time.

5. The state control of passengers, luggage and load-luggage on those trains could be carried out at the home stations when passengers board and alight or by the state authorities together in the territory stipulated by additional agreement. The state control could be organized partially at the boarding/alighting station, partially on board when the train when train is departing or arriving from/to the rail border station.

6. By making possible the use of the said methods, the border crossing process would be significantly shortened. Furthermore, those innovations would build a basis for the improvement of border crossing procedures according to the existing technological opportunities. So, the advanced practice in the world will provide the use of different technologies for automatic gauge changing over systems allowing for reducing the train stoppage time. The integration of legal modifications and advanced technologies for border crossing will enable us to use a unified approach elaborated by the international community and aimed at the elimination of administrative and physical barriers.

7. The Convention of 1952 does not stipulate the facilitation of border crossing procedures for train staff and service personnel. According to the new draft Convention, the Parties to the Convention shall provide the facilitation of visa issuance procedures and provide border crossing for train staff and service personnel on the basis of the agreed lists of names. This approach to the organization of border crossing will allow not only for reducing the required

control time but also for making contribution to intensify the practical relations between the states that are Parties to the new Convention.

8. Extended but coherent list of issues (method, type, procedure, state control point, time requirements to carry out control and others) is related to regulations under additional agreements, which will clear the Draft of excessive detailing. Furthermore, in accordance with the provisions of the new Convention, not only bilateral but also multilateral additional agreements could be concluded.

9. The provisions of the new Convention also stipulate the use of electronic information exchange (including the "single-window" system). The Removal of paper work can facilitate and speed up the exercising of state control as a whole.

10. Creation of comfort conditions for passengers and reduction of train running time can be promoted by resolving the problem of the facilitation of border crossing procedures by means of

- carrying out joint customs and border crossing control
- carrying out control on board the train running between border stations
- carrying out control at the home stations

using advanced scientific and technical solutions for passenger control

11. The new Convention reflecting the main tendencies of technical development in international rail traffic is an indispensable platform for the improvement and modernization of border crossing process.

12. The new Convention will serve as an impulse to the development of other international and national regulatory-legal instruments and to further productive cooperation in this context.

13. It is important to note that in comparison to the Convention of 1952 the new draft Convention includes provisions determining that any Party to the Convention may propose to change or amend the Convention, which makes it possible for the future to improve the Convention and make it more efficient for a long time.

Sincerely yours,

Chairman of OSJD Committee

Tadeusz Szozda

