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**Economic Commission for Europe**
**Inland Transport Committee**
**Working Party on Rail Transport**
**Seventy-sixth session**

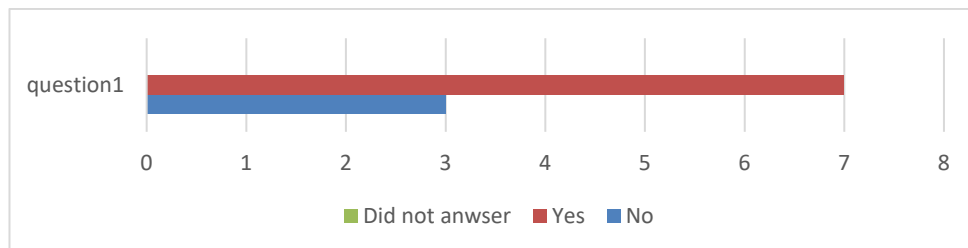
Geneva, 16–18 November 2022

Item 16 of the provisional agenda

**Facilitation of international rail transport in the pan-European region**
**Responses to the Survey on Annex 9**
**Note by the secretariat**
**I. Introduction**

1. On 15 February 2022, the Economic Commission for Europe (ECE) secretariat wrote to the delegates of the Working Party on Rail Transport (ECE/TRANS/SC.2/236) requesting that they complete the survey on annex 9 of the Harmonization Convention.

2. In accordance with this request, this document sets out the results of the joint SC.2/WP.30 questionnaire on the implementation of annex 9 to the Harmonization Convention. A total of 11 stakeholders from member States answered the survey: Albania, Austria, Bosnia and Herzegovina, France, Georgia, Kazakhstan, Netherlands, Poland, Switzerland, Türkiye and the United Kingdom of Great Britain and Northern Ireland. The remainder of this document provides a summary of the answers received.

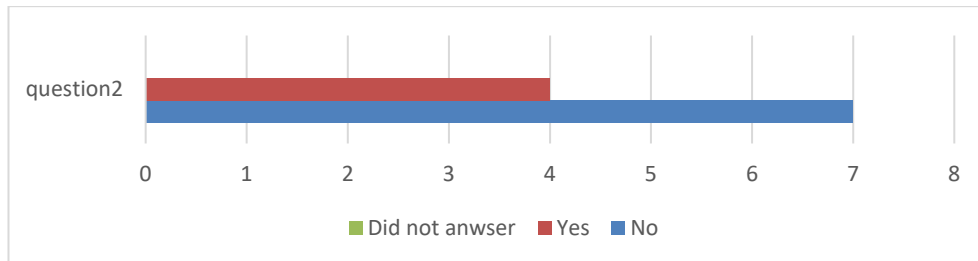
**II. Survey Responses**
**Question 1. Does your country use the European Union's New Computerized Transit System (NCTS) for rail transport?**


3. In question 1, seven countries answered yes, and mentioned that their countries use the New Computerized Transit System (NCTS) of the European Union for rail transport - Austria, France, Netherlands, Poland, Switzerland, Türkiye and the United Kingdom. Three countries answered “no”: Bosnia and Herzegovina, Georgia and Kazakhstan. In addition, Albania answered “yes” and “no”, and explained that it is not used for trains entering the

cross-border cooperation area, using electronic data interchange (EDI) between Albania and Montenegro, but they do use it for road-rail interchange, when cargo enters by road from Greece.

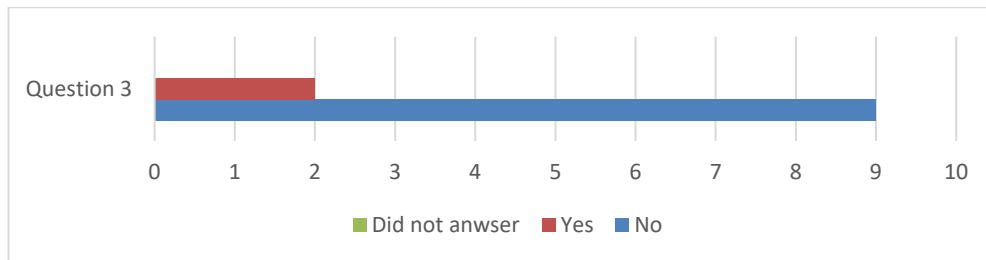
4. Furthermore, Poland mentioned that operators within the PKP Group - PKP CARGO S.A.; PKP LHS Sp. use NCTS for rail transport.

**Question 2. Did the pandemic lead to any particular delays in border crossing clearance procedures in your country?**



5. In question 2, as can be seen from these results, four countries answered “yes”, the pandemic has led to delays in border crossing clearance procedures in their countries: Albania, Bosnia and Herzegovina, Georgia and Kazakhstan. Seven countries answered “no”: Austria, France, Netherlands, Poland, Switzerland, Türkiye and the United Kingdom.

**Question 3. Do you experience any particular problem in dealing with border crossing procedures due to language barriers?**

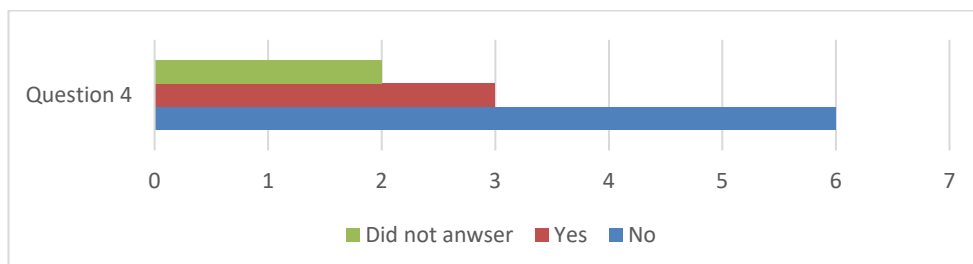


6. In question 3, as the figure shows, only two countries answered “yes”: Netherlands and Türkiye. The remaining nine countries answered “no”: Albania, Austria, Bosnia and Herzegovina, France, Georgia, Kazakhstan, Poland, Switzerland and the United Kingdom.

7. Furthermore, Albania noted that under a protocol that it has entered into with the infrastructure managers and the railway undertakings, staff know Albanian, English, and Montenegrin, which are the three languages of the protocol. Poland said “no”, not in the case of the operators within PKP.

8. The Netherlands said “yes”, noting that a simplified procedure was applied as the solution but that this was not related to customs as the Netherlands does not have any rail enabled borders with countries outside the European Union.

**Question 4. Does your country transmit any advance information on border crossing documents and procedures to train crews?**



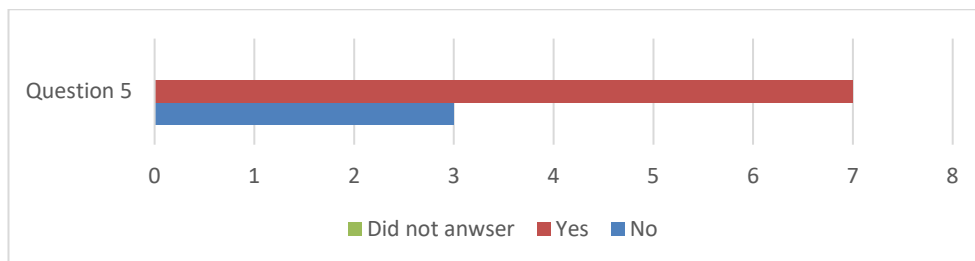
9. As for question 4, three countries said their countries transmit advance information on border crossing documents and procedures to train crews: Albania, Georgia and Türkiye.

A total of six countries answered “no”: Austria, Bosnia and Herzegovina, France, Kazakhstan, Netherlands and Poland. Switzerland and the United Kingdom did not answer.

10. The Netherlands further noted that, although all its neighbouring countries are European Union countries, services with departure from the Netherlands can cross a continental border crossing, for example with Serbia or Switzerland. In this case, customs information can be sent in advance to these countries of destination or to railway undertakings involved in continental border crossings. This volume of information could increase after the introduction of NCTS and the application of the export procedure “Single Transport Contract”. Currently, no particular difficulties have been identified by operators on the Dutch network.

11. The United Kingdom said that operators, traders, or agents send documents to their border authorities (in advance) and have accounts on the national customs systems. There is a Department for Transport stakeholder forum with relevant operators, traders, and border authorities to communicate information and address issues in advance of border changes being implemented.

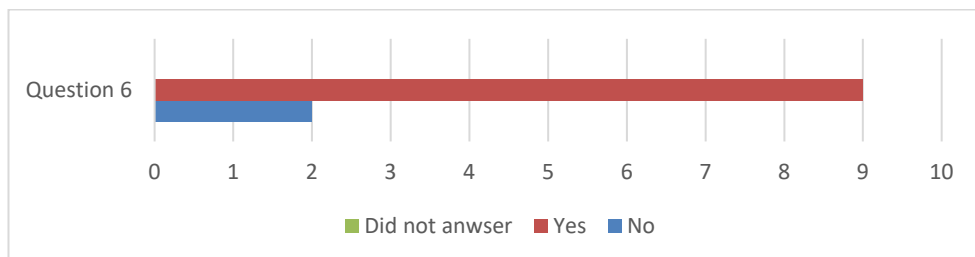
**Question 5. Please provide information about the publication of Annex 9 in your country.**



12. In question 5, Bosnia and Herzegovina and the United Kingdom noted that annex 9 has neither been published nor scheduled to be published in their countries. Georgia said domestic procedures for the practical implementation of this application have not been completed. Seven countries answered “yes” and provided information on the publication of annex 9: Albania, France, Georgia, Kazakhstan, Poland, Switzerland, Netherlands and Türkiye.

13. Albania noted that it is an endorsing party and gets the review through national instruments for pre-accession assistance (NIPAC). France said it was published on 12 May 1984 in the Official Journal of the European Communities, and also mentioned that amendments to the International Convention on the Harmonization of Frontier Controls of Goods in force on 27 May 2021 - OJEU L187 of 27/05/2021 were relevant. Kazakhstan noted that annex 9 had been published on the official website of the Republic of Kazakhstan. Netherlands said that it was published in English on 16 December 2011.<sup>1</sup> Poland noted that annex 9 on rail border crossing to the International Convention on the Harmonization of Frontier Controls of Goods of 1982 entered into force on 30 November 2011.<sup>2</sup> Switzerland stated that its publication date was 20 November 2011. Türkiye said it was published on 25 March 2017.

**Question 6. Does your country have border (interchange) stations?**

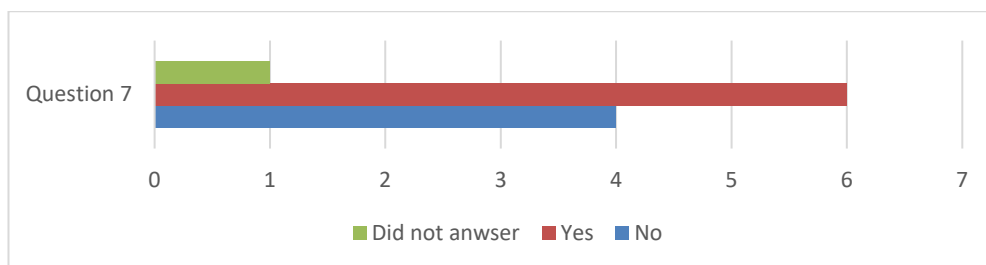


<sup>1</sup> Tractatenblad 2011, 259 | Overheid.nl > Officiële bekendmakingen (officielebekendmakingen.nl).

<sup>2</sup> <https://unece.org/new-annex-9>.

14. In question 6, as can be seen from these results, two countries do not have border (interchange) stations and nine countries that do. Austria noted that it has two border (interchange) stations. Albania stated that it has one joint railway border station and one border station on the border with Montenegro. Bosnia and Herzegovina said it has five border (interchange) stations. Georgia stated that it has four stations and two railway ferry crossings. The Netherlands, as mentioned above, answered “no”, that it is not applicable for customs. Poland noted that it has about thirty border stations: sixteen with European Union member States, and fourteen on European Union external borders, including three inactive stations (with Belarus and Ukraine). Switzerland stated that it has thirteen stations, Kazakhstan sixteen and Türkiye four. The United Kingdom explained that it has one border station – Dollands Moor. However, there are arrangements that allow trains to pass beyond the immediate border station (no border controls take place there) and for customs formalities to take place at the end destination/inland rail terminal.

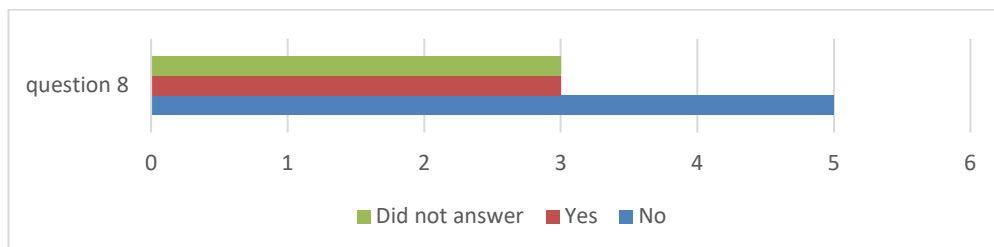
**Question 7. Does your country allow that crews, persons accompanying shipments and staff can actually cross the border beyond the immediate border station?**



15. From the figure above, it can be seen that there are six countries that allow crews, persons accompanying shipments, and staff to actually cross the border beyond the immediate border station: Albania, Austria, Bosnia and Herzegovina, Georgia, Kazakhstan and Türkiye. In addition, four countries answered “no”: Netherlands, Poland, Switzerland and the United Kingdom. Austria noted Switzerland, a member of the Schengen agreement. France said that it is not authorized to provide such information. Poland said “no”, the answer refers to the external border of the European Union.

16. In addition, Albania explained that there is a special procedure in place at border crossings whereby, during 2022 when the traction is carried out by Montecargo, the train stops at the border zone 20 km away from the joint railway station “Tuz” as there is no mutual recognition of train driver licenses and certification requiring a change of locomotives to Albanian ones.

**Question 8. Has your country taken measures to facilitate the granting of visa for locomotive crews, refrigerated unit crews, persons accompanying shipments and staff at border (interchange) stations?**



17. The figure shows that five countries responded that they have not taken measures to facilitate the granting of visas for locomotive crews, refrigerated unit crews, persons accompanying shipments and staff at border (interchange) stations: Austria, Bosnia and Herzegovina, Georgia, Netherlands and United Kingdom.

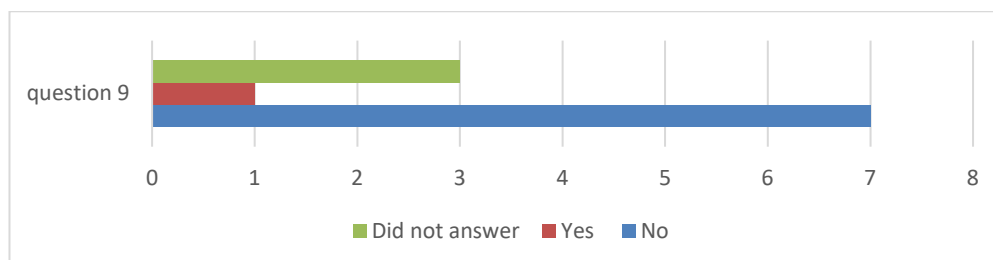
18. Bosnia and Herzegovina explained that locomotive crews, refrigerated unit crews, persons accompanying shipments and staff at border (interchange) stations are free to enter without visas solely for the handover of trains. The Netherlands noted that this is not relevant for them. The United Kingdom mentioned that resident drivers bringing a freight train through the channel tunnel into the United Kingdom do not need a visa to enter the country.

Georgia noted that there is a visa-free regime with the railways of bordering countries, but assistance is provided for visas where necessary.

19. In addition, three countries mentioned that they too have taken measures to facilitate the granting of visas for locomotive crews, refrigerated unit crews, persons accompanying shipments, and staff at border (interchange) stations: Albania, Poland and Switzerland.

20. Furthermore, Albania noted that locomotive crews, refrigerated unit crews, persons accompanying shipments and staff at border (interchange) stations do not need to take a visa to enter the Western Balkans region or the South-East Europe (SEE) region. Switzerland mentioned that crew members departing from outside the Schengen area are to hold necessary visa and work permits when crossing the Schengen external borders. Nevertheless, Switzerland has concluded several bilateral visa facilitation agreements with third countries, which also include measures for locomotive and refrigerator unit crews. Poland mentioned that it has taken measures to facilitate the granting of visa for staff arriving at the external borders of the European Union. No information was provided by France, Kazakhstan and Türkiye.

**Question 9. Are there any bilateral agreements between your country and neighbouring countries to facilitate the granting of visa?**



21. As set out in the figure above, there are seven countries that do not have any bilateral agreements between their countries and neighbouring countries to facilitate the granting of visa: Austria, Bosnia and Herzegovina, Georgia, Netherlands, Poland, Switzerland and the United Kingdom. In addition, Georgia mentioned that it has a visa-free regime with neighbouring countries. Switzerland noted that for postings from the European Union to Switzerland within the Agreement on the Free Movement of Persons (AFMP), Switzerland grants non-EU/EFTA (European Free Trade Association) nationals who are subject to a visa every facility to obtain any necessary visa (AFMP, annex I, article 1). The Netherlands noted that there are no bilateral agreements between the Netherlands and neighbouring countries to facilitate the granting of visa, except for countries of the Schengen area. Only Albania mentioned a bilateral agreement with Montenegro. No information was provided by France, Kazakhstan and Türkiye.

**Question 10. Do the border (interchange) stations identified in question 2 dispose of any of the following? If so, how many stations have these facilities?**

22. The table below provides a summary of the answers received for question 10 in relation to station facilities.

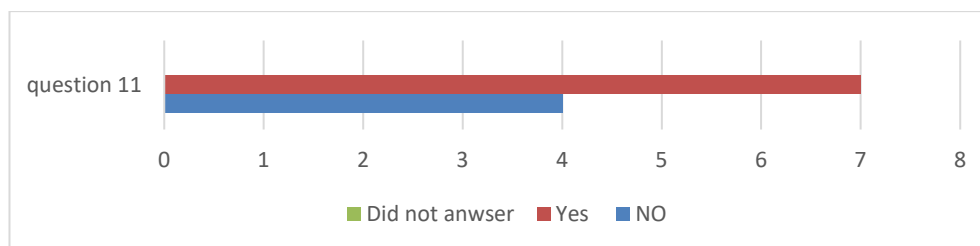
	<i>Albania</i>	<i>Austria</i>	<i>Bosnia and Herzegovina</i>	<i>Kazakhstan</i>	<i>Switzerland</i>	<i>Türkiye</i>
Number of buildings (premises) plant, facilities and technical equipment	At least one building for 10 bodies		2	5	Did not answer.	Did not answer.
Number in which there is the possibility to conduct phytosanitary, veterinary and other controls	1	2	2	7	2	1

	<i>Albania</i>	<i>Austria</i>	<i>Bosnia and Herzegovina</i>	<i>Kazakhstan</i>	<i>Switzerland</i>	<i>Türkiye</i>
Number with sufficient traffic capacity and adjacent tracks to cope with volume of traffic	1	2	3	Did not answer.	Did not answer.	2
Number with inspection areas and warehousing for temporary storage	1	border stations are situated in Switzerland	1	Did not answer.	Did not answer.	Did not answer.
Number with equipment, facilities, information technology and communication systems to enable the exchange of advance information	1	Austria has communication with partner Romania, not with border station	2	Did not answer.	Did not answer.	Did not answer.
Number with sufficient qualified staff of railway, customs, border and other agencies	1	2	3	Did not answer.	Did not answer.	1
Number with technical equipment, facilities, information technology and communication systems to receive and use in advance data on technical approval and technical inspections of rolling stock	1	International technical agreements; communication with partner Romania, not with border station	3	Did not answer.	See paragraph 24 below.	2

23. In terms of number of buildings (premises) plants, facilities and technical equipment, in addition to the information provided above, Switzerland explained that it and the European Union form a common veterinary and phytosanitary area, whereby border controls are mutually recognized. For veterinary and phytosanitary controls, Switzerland has one border inspection station, at each of the airports of Geneva and Zurich. These two border inspection stations form part of the European Union external border, as both consignments destined for Switzerland and consignments forwarded to the European Union are checked there by the Border Veterinary Service and the Swiss Federal Plant Protection Service.

24. When the question comes to the number of sufficient traffic capacity and adjacent tracks to cope with the volume of traffic, in addition to the information provided in the table above, Bosnia and Herzegovina has one inspection area and warehousing facilities for temporary storage. As for the number of equipment, facilities, information technology and communication systems to enable the exchange of advanced information, Austria explained that it has this with the partner railway undertaking, not with the border station. No additional information was provided on the number of sufficiently qualified staff of railway, customs, border and other agencies. On the number of technical equipment, facilities, information technology and communication systems to receive and use in advance data on technical approval and technical inspections of rolling stock, Switzerland mentioned that the Federal Office for Customs and Border Security can temporarily seize goods as evidence and store small quantities of them. However, if the shipment is too large or must be stored under special conditions such as refrigerated shipments, the seizure takes place at the importer's domicile or at the premises of a third-party company.

**Question 11. Are there any bilateral agreements between your country and neighbouring countries to coordinate actions with respect to the controls of rolling stock, containers, piggyback semi-trailers and goods as well as the processing of shipping and accompanying documentation?**

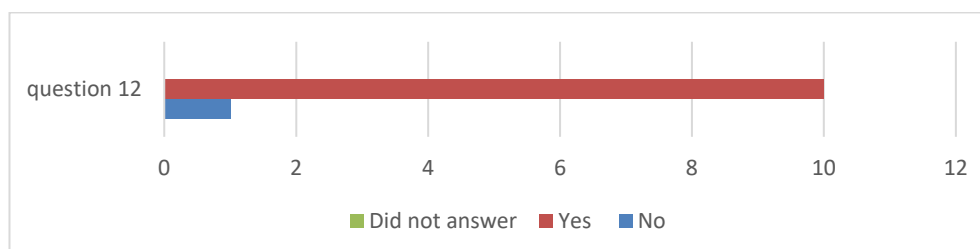


25. According to the figure above, seven countries have bilateral agreements between their countries and neighbouring countries to coordinate actions with respect to the controls of rolling stock, containers, piggyback semi-trailers and goods, as well as the processing of shipping and accompanying documentation: Albania, Austria, Georgia, Kazakhstan, Poland, Switzerland and Türkiye. Albania said such agreements exist with Montenegro. Austria further indicated that it has bilateral agreements with Switzerland. Georgia said “yes”, there are such agreements between the railways of Armenia, Azerbaijan and Türkiye on the operation of the interstate junction point. In addition, there are a number of intergovernmental agreements: trilateral agreement between Bulgaria, Georgia and Ukraine on the joint operation of a railway ferry crossing between the ports of Verna (Bulgaria), Poti/Batumi (Georgia) and Ilyichevsk (Ukraine) and on the rules governing the process of ports of Poti/Batumi (Georgia) and Ilyichevsk (Ukraine); and a bilateral agreement between Georgia and the Russian Federation on the organization of direct international rail and ferry service through the ports of Poti (Georgia) and Kavkaz (Russian Federation).

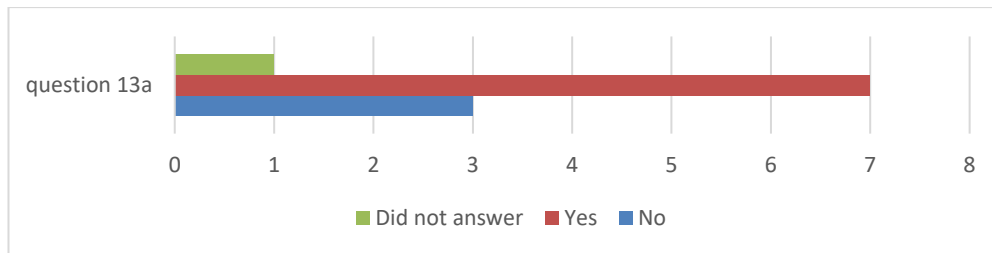
26. Kazakhstan noted that it has a border railway agreement with China, which was signed on 10 August 1992. Poland stated that the Polish rail infrastructure manager PKP PLK S.A. has an agreement with the Belorussian Railways, as well as instructions on rail traffic for each station on the borders of Belarus and of Poland. Furthermore, Poland noted that with the Russian Federation and Ukraine there are counterpart instructions on rail traffic (for each border station). Switzerland explained that it has such agreements with the European Union. Türkiye mentioned that it has bilateral agreements with Bulgaria, Georgia, Greece, Iran (Islamic Republic of) and Syria.

27. Bosnia and Herzegovina, France, the Netherlands and the United Kingdom noted that they do not have bilateral agreements with neighbouring countries to coordinate actions with respect to the controls of rolling stock, containers, piggyback semi-trailers and goods as well as the processing of shipping and accompanying documentation.

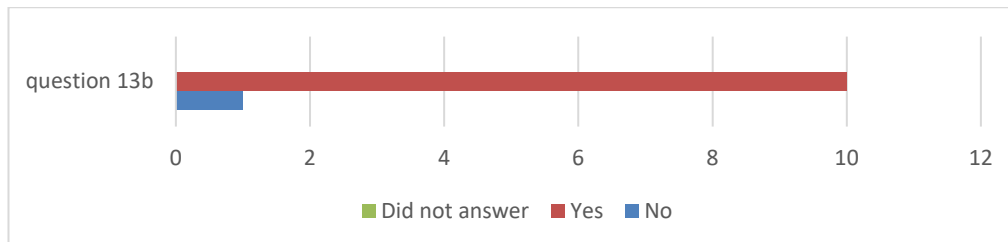
**Question 12. Does your country carry out customs controls based on risk assessment?**



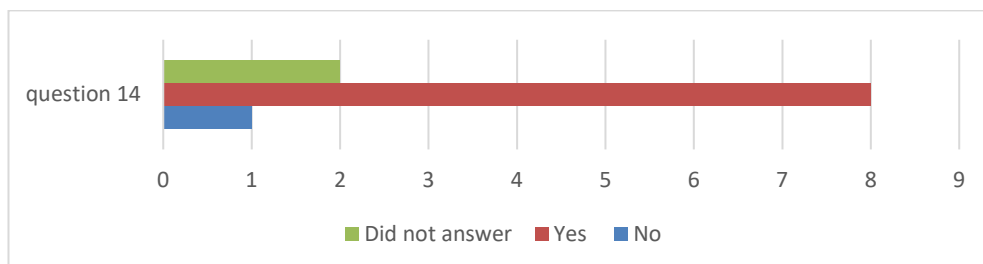
28. The figure above illustrates ten countries that carry out customs controls, based on risk assessment: Albania, Austria, France, Georgia, Kazakhstan, Netherlands, Poland, Switzerland, Türkiye and the United Kingdom. Only Bosnia and Herzegovina answered “no”. In addition, Albania noted that it carries out customs controls based on risk assessment and mitigation plans. The Netherlands noted that customs authorities perform NCTS electronic risk analysis at of start and/or end of transports. For goods transported with the simplified CIM (Uniform Rules concerning the Contract of International Carriage of Goods by Rail) consignment note, no electronic risk assessment takes place.

**Question 13a. Does your country perform simplified procedures at borders?**

29. As is demonstrated in the figure above, seven countries perform simplified procedures at borders: Albania, Austria, Bosnia and Herzegovina, Georgia, Poland, Switzerland and Türkiye. Three countries answered that they do not: France, the Netherlands and the United Kingdom. Albania noted that One Stop Shops Services with a simplified procedure exist at borders. In addition, the Netherlands noted that the simplified procedures are not for customs. Kazakhstan did not answer.

**Question 13b. Does your country move, where possible, certain forms of controls to the stations of departure and destination?**

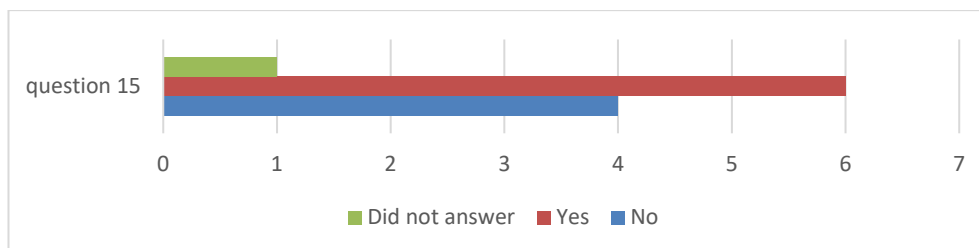
30. The figure above shows that ten countries move, where possible, certain forms of controls to the stations of departure and destination: Albania, Austria, Bosnia and Herzegovina, Georgia, Kazakhstan, Netherlands, Poland, Switzerland, Türkiye and the United Kingdom. Only France answered that it does not. The Netherlands noted that there are a few en route controls but that, if required on Dutch territory, such controls usually take place at stations of arrival (e.g. in case of safety) or departure.

**Question 14. Does your country, as a rule, carry out inspections of transit goods only in cases where these are warranted by the actual circumstances of risks?**

31. According to the figure above, eight countries, as a rule, carry out inspections of transit goods only in cases where these are warranted by the actual circumstances of risks: Albania, Bosnia and Herzegovina, Georgia, Kazakhstan, Netherlands, Poland, Switzerland and the United Kingdom. France answered that it does not do this. Austria and Türkiye did not answer. In addition, Albania mentioned that the inspections are at implementation. The Netherlands added that it is only in case of signs of large irregularities that customs controls can be done by Dutch authorities on transit goods during transport as, in principle, customs controls are done in the country of origin or the country of final destination.



**Question 15. Does your country engage with neighbouring countries (through bilateral agreements) to reduce time limits for the reception and transfer of trains at border (interchange) stations?**

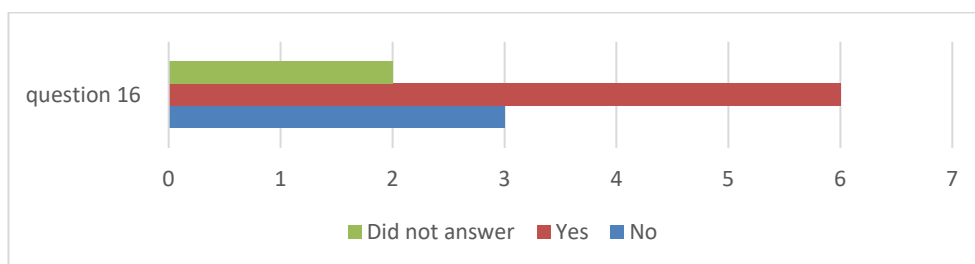


32. The figure above shows that a total of six countries said they have agreements seeking to reduce time limits for the reception and transfer of trains at borders: Austria, Albania, Georgia, Kazakhstan, Switzerland and Türkiye. Four countries stated that they do not: Bosnia and Herzegovina, Netherlands, Poland and the United Kingdom. Austria noted that it has such agreements with Switzerland: agreements on interoperability, and the Agreement on Freight Train Transfer Inspection for wagon exchanges.

33. Albania noted that such agreements exist with Montenegro. In addition, Georgia mentioned that it has such agreements with Armenia, Azerbaijan, Türkiye and Ukraine. It uses information technology to transmit and receive information about trains, wagons and accompanying documents. Türkiye noted that the authorities engage with Bulgaria on this subject. Switzerland stated that this is done by the railway undertakings, not the ministries. Kazakhstan explained that there is such an agreement with China, within the framework of the “Procedure for harmonizing the transportation of container trains in the China-Europe-China traffic”. This procedure was developed within the framework of the Agreement between the railways of Belarus, China, Germany, Kazakhstan, Mongolia, Poland and the Russian Federation, in order to improve the process of organizing transportation and optimizing the coordination of container transportation in China-Europe-China traffic.

34. In addition, Poland noted that PKP PLK S.A. as well as its foreign counterparts (Belorussian, Russian, Ukrainian), are obliged to respect the timetables for each border station. The Netherlands noted that this question was not applicable and France mentioned that the information is not available.

**Question 16. Does your country record delays of trains or wagons at border (interchange) stations?**

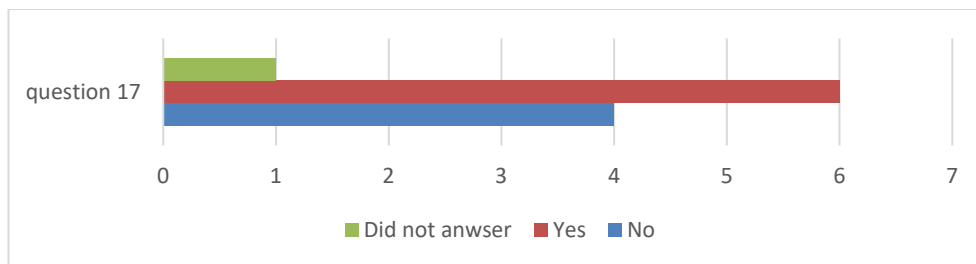


35. The survey results show that six countries record delays of trains or wagons at border (interchange) stations: Albania, Austria, Georgia, Kazakhstan, Netherlands and Poland. France and Switzerland did not answer the question. Bosnia and Herzegovina, Türkiye and the United Kingdom do not record such delays. In addition, Albania mentioned that information on these delays is recorded in national registers. Georgia mentioned that it uses a protocol known as message 5311 for this. Poland collects and shares this information on a PKP PLK S.A. website.<sup>3</sup> The Netherlands provides this information in its annual reports.<sup>4</sup>

<sup>3</sup> <https://dane.utk.gov.pl/sts/analizy-i-opracowania/17463,Punktualnospociagow-towarowych-w-2020-r-analiza-Prezesa-UTK.html>.

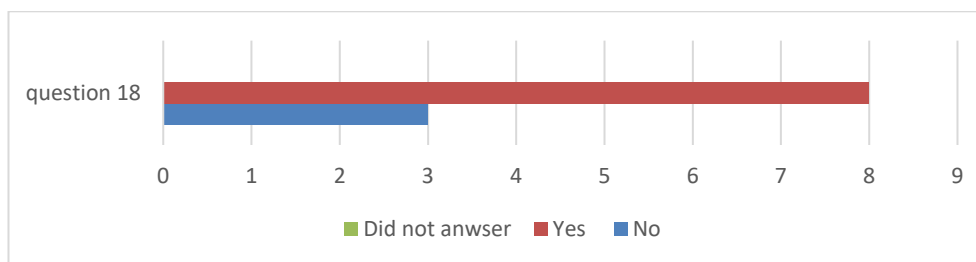
<sup>4</sup> [www.corridor-rhine-alpine.eu/downloads.html](http://www.corridor-rhine-alpine.eu/downloads.html).

**Question 17. Does your country transmit information on delays to other parties?**



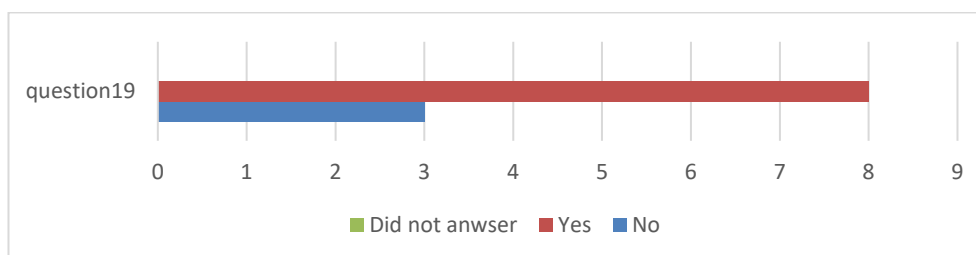
36. The survey results in the figure above show that six countries do transmit information on delays to other parties: Albania, Austria, Georgia, Kazakhstan, Netherlands and Switzerland. Four countries do not transmit information on delays to other parties: Bosnia and Herzegovina, Poland, Türkiye and the United Kingdom. France did not answer. In addition, Albania noted that it shares the information with ten other bodies. Austria explained that information on delays is shared with partner railway undertakings. The Netherlands clarified that it transmits information on delays with restrictions and in the framework of the European Union Technical Standard for Interoperability on Telematics Applications for Freight. France said that the information is not available.

**Question 18. Does your country engage in using electronic systems for the exchange of information contained in railway consignment notes?**



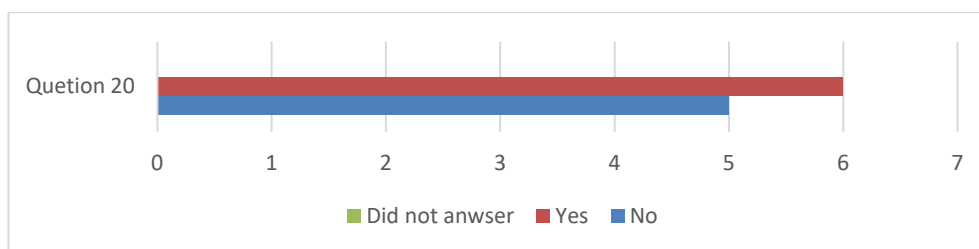
37. The figure above identifies eight countries as engaging in the use of electronic systems for the exchange of information contained in railway consignment notes: Albania, Austria, Georgia, Kazakhstan, the Netherlands, Switzerland, Türkiye and the United Kingdom. Bosnia and Herzegovina, France and Poland stated that they do not. In addition, Albania noted that it deploys electronic systems such as RAILDATA. The Netherlands mentioned that currently electronic consignment notes with electronic pre-information are often used by railway undertakings.

**Question 19. Does your country engage in using electronic systems for the exchange of information contained in customs declarations?**



38. Related to the previous question, the figure above shows that eight countries engage in using electronic systems for the exchange of information contained in customs declarations: Albania, Austria, France, Netherlands, Poland, Switzerland, Türkiye and the United Kingdom. Bosnia and Herzegovina, Georgia and Kazakhstan do not. In addition, Albania mentioned that it uses a system known as the Commercial Responsibility Database. The Netherlands noted that according to the Union Customs Code, all customs declarations should be done in electronic form and that all freight movements based on the simplified rail transit procedure have been reported electronically to customs since 2005. Switzerland mentioned that it is only for internal use.

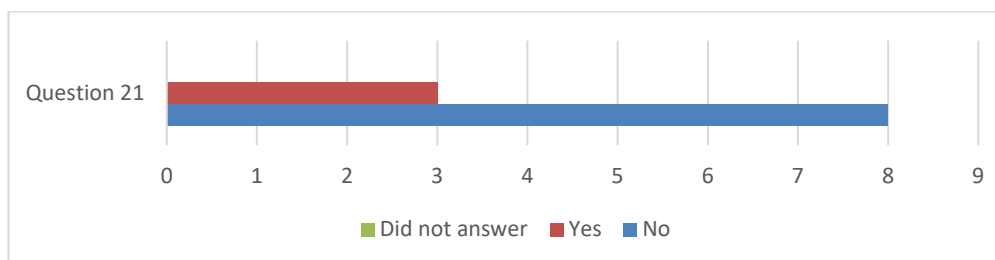
**Question 20. Does your country use the CIM/SMGS railway consignment note as a transit customs declaration?**



39. The figure above shows that six countries use the CIM/SMGS railway consignment note as a transit customs declaration: Albania, Austria, France, Poland, Türkiye and the United Kingdom. Five countries do not: Bosnia and Herzegovina, Georgia, Kazakhstan, Netherlands and Switzerland.

40. In addition, Georgia noted that in this case, the CIM/SMGS consignment note is used as a shipping document. Türkiye mentioned that it is formally used for transport to and from Georgia via the Baku-Tbilisi-Kars line and also to and from Azerbaijan, Kazakhstan and Turkmenistan. Poland emphasized that it was used only for those transports that cross the external border of the European Union. Poland also indicated that in the case of travel into the European Union, the external transit procedure is opened at the European Union border, while for the movements out of the European Union, the external transit procedure (or the common transit procedure is closed at the European Union border.

**Question 21. Are you aware of any obstacles/difficulties in implementing the CIM/SMGS railway consignment note as a transit customs declaration in your country?**



41. Finally, the responses to question 21 show that there are seven countries that are not aware of any obstacles/difficulties in implementing the CIM/SMGS railway consignment note as transit customs declaration in their countries: Austria, Bosnia and Herzegovina, Georgia, Netherlands, Switzerland, Türkiye and the United Kingdom. Four countries mentioned that there are: Albania, France, Kazakhstan and Poland.

42. In explaining the difficulties, Kazakhstan noted that, in accordance with the legislation of the Republic of Kazakhstan and the Eurasian Economic Union, the information contained in the SMGS consignment note is not sufficient to issue a transit declaration. Poland noted that according to the Union Customs Code, the CIM or the CIM/SMGS railway consignment notes will no longer be accepted as transit customs declarations once phase five of the European Union NCTS is deployed.