



Treaty Series No. 40 (1988)

# International Convention on the Harmonization of Frontier Controls of Goods

(Open for signature at United Nations Office, Geneva,  
from 1 April 1983 until 31 March 1984)

[The United Kingdom deposited its instrument of ratification on 12 June 1987  
and the Convention entered into force for the United Kingdom on 12 September 1987]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
June 1988*

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**INTERNATIONAL CONVENTION  
ON THE HARMONIZATION OF FRONTIER CONTROLS OF GOODS**

**Preamble**

The Contracting Parties,

Desiring to improve the international movement of goods,

Bearing in mind the need to facilitate the passage of goods at frontiers,

Noting that control measures are applied at frontiers by different control services,

Acknowledging that the conditions under which such controls are carried out may be extensively harmonized without impairing their purpose, their proper implementation and their effectiveness,

Convinced that the harmonization of frontier controls constitutes an important means for attaining these objectives,

Have agreed as follows:

**CHAPTER I**

**GENERAL PROVISIONS**

**ARTICLE 1**

**Definitions**

For the purposes of this Convention:

- (a) "Customs" means the Government Service which is responsible for the administration of Customs law and the collection of import and export duties and taxes and which also has responsibility for the application of other laws and regulations relating, *inter alia*, to the importation, transit and exportation of goods;
- (b) "Customs Control" means measures applied to ensure compliance with the laws and regulations which the Customs are responsible for enforcing;
- (c) "Medico-sanitary inspection" means the inspections exercised for the protection of the life and health of persons, with the exception of veterinary inspection;
- (d) "Veterinary inspection" means the sanitary inspection applied to animals and animal products with a view to protecting the life and health of persons and animals, as well as that carried out on objects or goods which could serve as a carrier for animal diseases;
- (e) "Phytosanitary inspection" means the inspection intended to prevent the spread and the introduction across national boundaries of pests of plants and plant products;
- (f) "Control of compliance with technical standards" means the control to ensure that goods meet the minimum international or national standards specified by relevant laws and regulations;
- (g) "Quality control" means any control other than those referred to above to ensure that the goods correspond to the minimum international or national definitions of quality specified by relevant laws and regulations;
- (h) "Control services" means any service responsible for carrying out all or part of the controls defined above or any other controls regularly applied to the importation, exportation or transit of goods.

**ARTICLE 2**

**Aim**

In order to facilitate the international movement of goods, this Convention aims at reducing the requirements for completing formalities as well as the number and duration of controls, in particular by national and international co-ordination of control procedures and of their methods of application.

## ARTICLE 3

### Scope

1. This Convention applies to all goods being imported or exported or in transit, when being moved across one or more maritime, air or inland frontiers.
2. This Convention applies to all control services of the Contracting Parties.

## CHAPTER II

### HARMONIZATION OF PROCEDURES

#### ARTICLE 4

##### Co-ordination of controls

The Contracting Parties shall undertake, to the extent possible, to organize in a harmonized manner the intervention of the Customs services and the other control services.

#### ARTICLE 5

##### Resources of the services

To ensure that the control services operate satisfactorily, the Contracting Parties shall see to it that, as far as possible, and within the framework of national law, they are provided with:

- (a) qualified personnel in sufficient numbers consistent with traffic requirements;
- (b) equipment and facilities suitable for inspection, taking into account the mode of transport, the goods to be checked and traffic requirements;
- (c) official instructions to officers for acting in accordance with international agreements and arrangements and with current national provisions.

#### ARTICLE 6

##### International co-operation

The Contracting Parties undertake to co-operate with each other and to seek any necessary co-operation from the competent international bodies, in order to achieve the aims of this Convention, and furthermore to attempt to arrive at new multilateral or bilateral agreements or arrangements, if necessary.

#### ARTICLE 7

##### Co-operation between adjacent countries

Whenever a common inland frontier is crossed, the Contracting Parties concerned shall take appropriate measures, whenever possible, to facilitate the passage of the goods, and they shall, in particular:

- (a) endeavour to arrange for the joint control of goods and documents, through the provision of shared facilities;
- (b) endeavour to ensure that the following correspond:  
opening hours of frontier posts,  
the control services operating there,

the categories of goods, the modes of transport and the international Customs transit procedures accepted or in use there.

## ARTICLE 8

### Exchange of information

The Contracting Parties shall, on request, send each other information necessary for the application of this Convention under the conditions specified in the annexes.

## ARTICLE 9

### Documents

1. The Contracting Parties shall endeavour to further the use, between themselves and the competent international bodies, of documents aligned on the United Nations Layout Key.
2. The Contracting Parties shall accept documents produced by any appropriate technical process, provided that they comply with official regulations as to their form, authenticity and certification, and that they are legible and understandable.
3. The Contracting Parties shall ensure that the necessary documents are prepared and authenticated in strict compliance with the relevant legislation.

## CHAPTER III

### PROVISIONS CONCERNING TRANSIT

## ARTICLE 10

### Goods in transit

1. The Contracting Parties shall, wherever possible, provide simple and speedy treatment for goods in transit, especially for those travelling under cover of an international Customs transit procedure, by limiting their inspections to cases where these are warranted by the actual circumstances or risks. Additionally, they shall take into account the situation of land-locked countries. They shall endeavour to provide for extension of the hours and the competence of existing Customs posts available for Customs clearance for goods carried under an international Customs transit procedure.
2. They shall endeavour to facilitate to the utmost the transit of goods carried in containers or other load units affording adequate security.

## CHAPTER IV

### MISCELLANEOUS PROVISIONS

## ARTICLE 11

### Public order

1. No provision in this Convention shall preclude the application of the prohibitions or restrictions relating to importation, exportation, or transit, imposed for reasons of public order, and in particular public safety, morality, and health, or for the protection of the environment, of cultural heritage or industrial, commercial and intellectual property.
2. Nevertheless, whenever possible without prejudice to the effectiveness of the controls, the Contracting Parties shall endeavour to apply to the controls in connection with the application of the measures mentioned in paragraph 1 above the provisions of this Convention, *inter alia*, those which are the subject of articles 6 to 9.

## ARTICLE 12

### **Emergency measures**

1. The emergency measures which the Contracting Parties may be led to introduce because of particular circumstances, must be proportionate to the reasons which give rise to their introduction and must be suspended or abrogated when these reasons no longer exist.
2. Whenever possible without prejudice to the effectiveness of the measures, the Contracting Parties shall publish the relevant provisions for such measures.

## ARTICLE 13

### **Annexes**

1. The annexes to this Convention form an integral part of the Convention.
2. New annexes relating to other sectors of control may be added to this Convention according to the procedure specified in articles 22 or 24 below.

## ARTICLE 14

### **Relation to the other treaties**

Without prejudice to the provisions of article 6, the Convention shall not override the rights and obligations arising from treaties which the Contracting Parties to the Convention concluded before becoming contracting parties to this Convention.

## ARTICLE 15

This Convention shall not prevent the application of greater facilities which two or more Contracting Parties may wish to grant to each other, nor the right of regional economic integration organizations referred to in article 16 which are Contracting Parties to apply their own legislation to controls at their internal frontiers, on condition that this does not reduce in any way the facilities deriving from this Convention.

## ARTICLE 16

### **Signature, ratification, acceptance, approval and accession**

1. This Convention, deposited with the Secretary-General of the United Nations, shall be open to the participation of all States and of regional economic integration organizations constituted by sovereign States which have competence to negotiate, conclude and apply international agreements on matters covered by the Convention.
2. The regional economic integration organizations referred to in paragraph 1 may, for the matters within their competence, exercise on their own behalf the rights and fulfil the responsibilities which this Convention otherwise confers on their Member States which are Contracting Parties to this Convention, In such cases the Member States of the said Organizations shall not be entitled to exercise individually such rights, including the right to vote.
3. States and the regional economic integration organizations referred to above may become Contracting Parties to this Convention:
  - (a) by depositing an instrument of ratification, acceptance or approval after signing it, or
  - (b) by depositing an instrument of accession.
4. This Convention shall be open from 1 April 1983 until 31 March 1984 inclusive for signature at the Office of the United Nations at Geneva by all States and the regional economic integration organizations referred to in paragraph 1.
5. From 1 April 1984 it shall also be open for their accession.
6. The instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the United Nations.

## ARTICLE 17

### Entry into force

1. This Convention shall enter into force three months after the date on which five States have deposited their instruments of ratification, acceptance, approval or accession.
2. After five States have deposited their instruments of ratification, acceptance, approval or accession this Convention shall enter into force for further Contracting Parties three months after the date of the deposit of their instruments of ratification, acceptance, approval or accession.
3. Any instrument of ratification, acceptance, approval or accession deposited after the entry into force of an amendment to this Convention shall be deemed to apply to this Convention as amended.
4. Any such instrument deposited after an amendment has been accepted in accordance with the procedure in article 22 but before it has entered into force shall be deemed to apply to this Convention as amended on the date when the amendment enters into force.

## ARTICLE 18

### Denunciation

1. Any Contracting Party may denounce this Convention by so notifying the Secretary-General of the United Nations.
2. Denunciation shall take effect six months after the date of receipt by the Secretary-General of the notification of denunciation.

## ARTICLE 19

### Termination

If, after the entry into force of this Convention, the number of States which are Contracting Parties is for any period of 12 consecutive months reduced to less than five, the Convention shall cease to have effect from the end of the 12-month period.

## ARTICLE 20

### Settlement of disputes

1. Any dispute between two or more Contracting Parties concerning the interpretation or application of this Convention shall, so far as possible, be settled by negotiation between them or by other means of settlement.
2. Any dispute between two or more Contracting Parties concerning the interpretation or application of this Convention which cannot be settled by the means indicated in paragraph 1 of this article shall, at the request of one of them, be referred to an arbitration tribunal composed as follows: each party to the dispute shall appoint an arbitrator and these arbitrators shall appoint another arbitrator, who shall be chairman. If, three months after receipt of a request, one of the parties has failed to appoint an arbitrator or if the arbitrators have failed to elect the chairman, any of the parties may request the Secretary-General of the United Nations to appoint an arbitrator or the chairman of the arbitration tribunal.
3. The decision of the arbitration tribunal established under the provisions of paragraph 2 shall be final and binding on the parties to the dispute.
4. The arbitration tribunal shall determine its own rules of procedure.
5. The arbitration tribunal shall take its decisions by majority vote and on the basis of the treaties existing between the parties to the dispute and of general international law.

6. Any controversy which may arise between the parties to the dispute as regards the interpretation and execution of the award may be submitted by any of the parties for judgement to the arbitration tribunal which made the award.

7. Each party to the dispute shall bear the cost of its own appointed arbitrator and of its representatives in the arbitral proceedings; the cost of the chairman and the remaining costs shall be borne in equal parts by the parties to the dispute.

## ARTICLE 21

### **Reservations**

1. Any Contracting Party may, at the time of signing, ratifying, accepting or approving this Convention or acceding to it, declare that it does not consider itself bound by article 20, paragraphs 2 to 7, of this Convention. Other Contracting Parties shall not be bound by these paragraphs in respect of any Contracting Party which has entered such a reservation.

2. Any Contracting Party having entered a reservation as provided for in paragraph 1 of this article may at any time withdraw such reservation by notifying the Secretary-General of the United Nations.

3. Apart from the reservations provided for in paragraph 1 of this article, no reservation to this Convention shall be permitted.

## ARTICLE 22

### **Procedure for amending this Convention**

1. This Convention, including its annexes, may be amended upon the proposal of a Contracting Party by the procedure specified in this article.

2. Any proposed amendment to this Convention shall be considered in an Administrative Committee composed of all the Contracting Parties in accordance with the rules of procedure set out in annex 7. Any such amendment considered or prepared during the meeting of the Administrative Committee and adopted by it shall be communicated by the Secretary-General of the United Nations to the Contracting Parties for their acceptance.

3. Any proposed amendment communicated in accordance with the preceding paragraph shall come into force with respect to all Contracting Parties three months after the expiry of a period of 12 months following the date of communication of the proposed amendment during which period no objection to the proposed amendment has been communicated to the Secretary-General of the United Nations by a State which is a Contracting Party or by a regional economic integration organization, itself a Contracting Party, which then acts within the conditions specified in article 16, paragraph 2, of this Convention.

4. If an objection to the proposed amendment has been communicated in accordance with paragraph 3 of this article, the amendment shall be deemed not to have been accepted and shall have no effect whatsoever.

## ARTICLE 23

### **Requests, communications and objections**

The Secretary-General of the United Nations shall inform all Contracting Parties and all States of any request, communication or objection under article 22 and of the date on which any amendment enters into force.

## ARTICLE 24

### Review Conference

After this Convention has been in force for five years, any Contracting Party may, by notification to the Secretary-General of the United Nations, request that a conference be convened for the purpose of reviewing the Convention, indicating the proposals which should be dealt with by the conference. In such a case:

- (i) The Secretary-General of the United Nations shall notify all the Contracting Parties of the request and invite them to submit, within a period of three months, their comments on the original proposals and such other proposals as they may wish the conference to consider;
- (ii) The Secretary-General of the United Nations shall also communicate to all the Contracting Parties the text of any other proposals made and shall convene a review conference if, within a period of six months from the date of that communication, not less than one third of the Contracting Parties notify the Secretary-General of the United Nations of their concurrence with the convening of such a conference.
- (iii) However, if the Secretary-General of the United Nations considers that a review proposal may be regarded as a proposed amendment under paragraph 1 of article 22, he may, by agreement with the Contracting Party which has made the proposal, implement the amendment procedure provided for by article 22 instead of the review procedure.

## ARTICLE 25

### Notifications

In addition to the notifications and communications provided for in articles 23 and 24, the Secretary-General of the United Nations shall notify all States of the following:

- (a) signatures, ratifications, acceptances, approvals and accessions under article 16;
- (b) the dates of entry into force of this Convention in accordance with article 17;
- (c) denunciations under article 18;
- (d) the termination of this convention under article 19;
- (e) reservations under article 21.

## ARTICLE 26

### Certified true copies

After 31 March 1984 the Secretary-General of the United Nations shall transmit two certified true copies of this Convention to each of the Contracting Parties and to all States which are not Contracting Parties.

Done at Geneva, this twenty-first day of October one thousand nine hundred and eighty-two, in a single original, of which the English, French, Russian and Spanish texts are equally authentic.

In witness whereof, the undersigned plenipotentiaries, being duly authorized thereto, have signed this Convention.

## SIGNATURES, RATIFICATIONS, APPROVALS AND ACCEPTANCES

<i>State</i>	<i>Date of Signature</i>	<i>Date of deposit of instrument of Ratification, Approval (Ap) or Acceptance (Acc)</i>
Belgium ... ..	31 Jan. 1984	12 June 1987
Denmark (excluding the Faroes) ...	1 Feb. 1984	12 June 1987
European Economic Community ...	1 Feb. 1984	12 June 1987
France ... ..	1 Feb. 1984	12 June 1987
Germany, Federal Republic of ...	1 Feb. 1984	12 June 1987*
Greece ... ..	1 Feb. 1984	12 June 1987
Hungary ... ..	21 Dec. 1983†	26 Jan. 1984(Ap)†
Ireland, Republic of ... ..	1 Feb. 1984	12 June 1987
Italy ... ..	1 Feb. 1984	12 June 1987
Luxembourg ... ..	1 Feb. 1984	12 June 1987
Netherlands ... ..	1 Feb. 1984	12 June 1987(Acc)§
Switzerland ... ..	25 Jan. 1984	21 Jan. 1986††
United Kingdom ... ..	1 Feb. 1984	12 June 1987¶
Yugoslavia ... ..	29 Mar. 1984	2 July 1985

### ACCESSIONS

Austria ... ..	22 July 1987
Finland ... ..	8 Aug. 1985
German Democratic Republic ... ..	22 Apr. 1987†
Norway ... ..	10 July 1985
Portugal ... ..	10 Nov. 1987
South Africa ... ..	24 Feb. 1987†
Soviet Union ... ..	28 Jan. 1986†
Spain ... ..	2 July 1984
Sweden ... ..	15 July 1985

\* includes West Berlin.

† Declaration or Reservation.

‡ the Swiss instrument of ratification declared that the provisions of the Convention will apply to the Principality of Liechtenstein so long as it is linked to Switzerland by a customs union treaty.

§ includes the Kingdom in Europe, Netherlands Antilles and Aruba.

¶ the United Kingdom instrument of ratification included the Bailiwicks of Jersey and Guernsey, the Isle of Man, Gibraltar, Montserrat, St. Helena and St. Helena Dependencies.

## DECLARATIONS AND RESERVATIONS

### GERMAN DEMOCRATIC REPUBLIC

The instrument of accession deposited by the Government of the German Democratic Republic contains the following reservation:

*(Courtesy translation) (Original German)*

The German Democratic Republic does not consider itself bound by the provisions of Article 20 paragraphs 2 to 7 of the Convention according to which a dispute regarding the interpretation or application of the Convention not settled by negotiation shall be subject to arbitration upon the request of one of the Contracting Parties to the dispute.

In this connection the German Democratic Republic takes the view that in each case the consent of all Contracting Parties to the dispute is required to settle a dispute by arbitration.

### HUNGARY

The instrument of approval deposited by the Government of the Hungarian People's Republic confirmed the reservation made upon signature:

"The Government of the Hungarian People's Republic . . . declares that it does not consider itself bound by Article 20, paragraphs 2 to 7, of this Convention."

### SOUTH AFRICA

The instrument of accession deposited by the Government of the Republic of South Africa contains the following reservation:

"South Africa does not consider itself bound by the provisions of Article 20, paragraphs 2 to 7, of this Convention."

### SOVIET UNION

The instrument of accession deposited by the Government of the Union of Soviet Socialist Republics contains the following reservation and declaration:

*(Translation) (Original: Russian)*

Reservation regarding Article 20, paragraphs 2 to 7:

The Union of Soviet Socialist Republics does not consider itself bound by Article 20, paragraphs 2 to 7, of the International Convention on the Harmonization of Frontier Controls of Goods concerning the settlement of disputes.

Declaration regarding Article 16:

The participation in the International Convention on the Harmonization of Frontier Controls of Goods of regional economic integration organizations constituted by sovereign States does not alter the position of the Soviet Union with regard to such international organizations.

### SWITZERLAND

On depositing its instrument of ratification the Government of the Swiss Confederation declared that it accepts resolution No. 230 adopted by the Inland Transport Committee on 4 February 1983, concerning Technical Assistance Measures for the Implementation of the Convention.

## ANNEX 1

### HARMONIZATION OF CUSTOMS CONTROLS AND OTHER CONTROLS

#### ARTICLE 1

##### Principles

1. As the Customs are present at all frontiers and as their interventions are of a general nature, other controls shall, as far as possible, be organized in a harmonized manner with Customs controls.
2. In application of this principle, it is possible if appropriate to carry out all or part of these controls elsewhere than at the frontier, provided that the procedures used contribute to facilitate the international movement of goods.

#### ARTICLE 2

1. The Customs shall be kept fully informed of the requirements prescribed by laws or regulations which may lead to the operation of controls other than Customs controls.
2. When it is found that other controls are necessary, the Customs shall ensure that the services concerned are informed and shall co-operate with them.

#### ARTICLE 3

##### Organization of Controls

1. When several controls have to be carried out at the same place, the competent services shall make all appropriate arrangements to carry them out simultaneously, if possible, or with the minimum delay. They shall endeavour to co-ordinate their requirements as to documents and information.
2. In particular, the competent services shall make all appropriate arrangements for the necessary personnel and facilities to be available at the place where the controls are carried out.
3. The Customs may, through explicit delegation of powers by the competent services, carry out on their behalf all or part of the controls of which these services are responsible. In this case, these services will see to it that the necessary means be furnished to Customs.

#### ARTICLE 4

##### Result of Controls

1. In all matters dealt with by this Convention, control services and Customs shall exchange all relevant information as soon as possible so as to ensure that controls are efficient.
2. On the basis of the results of the controls carried out, the competent service shall decide on the subsequent treatment of the goods, and if necessary, shall inform the services responsible for other controls. On the basis of this decision Customs shall subject the goods to the appropriate Customs procedure

## ANNEX 2

### MEDICO-SANITARY INSPECTION

#### ARTICLE 1

##### Principles

Wherever carried out, medico-sanitary inspection shall comply with the principles laid down in this Convention, and particularly in annex 1 thereto.

## ARTICLE 2

### Information

Each Contracting Party shall ensure that information on the following is readily available to any person interested:

- the goods subject to medico-sanitary inspection;
- the place where the goods in question may be presented for inspection;
- the requirements as set out in laws and regulations concerning medico-sanitary inspection as well as their procedures of general application.

## ARTICLE 3

### Organization of controls

1. The control services shall see to it that the necessary facilities at frontier points where medico-sanitary inspection may take place are provided.
2. Medico-sanitary inspection may also be carried out at places in the interior of the country, if it is clear from the certificates produced and from the transport techniques employed, that the goods cannot deteriorate or cause contamination during carriage.
3. Within the framework of Conventions in force the Contracting Parties shall endeavour to reduce, as far as possible, the physical controls of perishable goods en route.
4. When goods have to be held pending the results of medico-sanitary inspection, the competent control services of the Contracting Parties shall arrange that such storage shall be in conditions providing for the conservation of the goods and involving the minimum of Customs formalities.

## ARTICLE 4

### Goods in transit

Within the framework of Conventions in force the Contracting Parties shall, as far as possible, dispense with the medico-sanitary inspection of goods in transit in those circumstances where there is no risk of contamination.

## ARTICLE 5

### Co-operation

1. The medico-sanitary inspection services shall co-operate with the corresponding services of other Contracting Parties so as to expedite the passage of perishable goods subjected to medico-sanitary inspection, *inter alia*, through the exchange of useful information.
2. When a consignment of perishable goods is intercepted during medico-sanitary inspection, the competent service shall endeavour to notify the corresponding service of the country of exportation within as short a time as possible, indicating the reasons for the interception and the measures taken concerning the goods.

## ANNEX 3

### VETERINARY INSPECTION

#### ARTICLE 1

##### Principles

Wherever carried out, veterinary inspection shall comply with the principles laid down in the Convention, and particularly in annex 1 thereto.

## ARTICLE 2

### Definitions

The veterinary inspection defined in article 1(d) of this Convention covers also the inspection of means and conditions of transport of animals and animal products. It may also include the inspections bearing on quality, standards and the various regulations, such as the inspection aiming at the conservation of endangered species, which, for reasons of effectiveness, are often associated with the veterinary inspection.

## ARTICLE 3

### Information

Each Contracting Party shall ensure that information on the following is readily available to any person interested:

the goods subject to veterinary inspection;

the places where the goods may be presented for inspection;

the compulsorily notifiable diseases;

the requirements as set out in laws and regulations concerning veterinary inspection as well as their procedures of general application.

## ARTICLE 4

### Organization of controls

1. The Contracting Parties shall endeavour:

to set up, where necessary and possible, appropriate facilities for veterinary inspection, in conformity with traffic requirements;

to facilitate the movement of goods, in particular through the co-ordination of working hours of the veterinary and Customs services and agreement to effect clearance outside normal hours, where their arrival has been notified in advance.

2. The veterinary inspection of animal products may be undertaken at points within the country provided that it can be shown, and the means of transport used are such, that the products will not deteriorate or cause contamination during their transport.

3. Within the framework of Conventions in force the Contracting Parties shall endeavour to reduce, as far as possible, the physical controls of perishable goods en route.

4. When goods have to be held pending the results of veterinary inspection, the competent control services of the Contracting Parties shall arrange that such storage shall take place with the minimum of Customs formalities and in conditions providing for the quarantine safety and conservation of the goods.

## ARTICLE 5

### Goods in transit

Within the framework of Conventions in force the Contracting Parties shall, as far as possible, dispense with the veterinary inspection of animal products in transit in those circumstances where there is no risk of contamination.

## ARTICLE 6

### Co-operation

1. The veterinary inspection services shall co-operate with the corresponding services of other Contracting Parties so as to expedite the passage of goods subjected to veterinary inspection, *inter alia*, through the exchange of useful information.

2. When a consignment of perishable goods or live animals is intercepted during veterinary inspection, the competent services shall endeavour to notify the corresponding service of the country of exportation within as short a time as possible, indicating the reasons for the interception and the measures taken concerning the goods.

## ANNEX 4

### PHYTOSANITARY INSPECTION

#### ARTICLE 1

##### **Principles**

Wherever carried out, phytosanitary inspection shall comply with the principles laid down in this Convention, and particularly in annex 1 thereto.

#### ARTICLE 2

##### **Definitions**

The phytosanitary inspection defined in article 1(e) of the present Convention covers also the inspection of means and conditions of transport of plants and plant products. It may also cover the measures aiming at the conservation of endangered plant species.

#### ARTICLE 3

##### **Information**

Each Contracting Party shall ensure that information on the following is readily available to any person interested:

the goods subject to special phytosanitary conditions,

the places where particular plants and plant products may be presented for inspection.

the list of pests of plants and plant products for which prohibitions and restrictions are in force,

the list of requirements as set out in laws and regulations concerning phytosanitary inspection as well as their procedures of general application.

#### ARTICLE 4

##### **Organization of controls**

1. The Contracting Parties shall endeavour:

to set up, where necessary and possible, appropriate phytosanitary inspection, storage, and disinfection and disinfection facilities, in conformity with traffic requirements;

to facilitate the movement of goods, in particular through the co-ordination of working hours of the phytosanitary and Customs services and agreement to effect clearance of perishable goods outside normal hours where their arrival has been notified in advance.

2. The phytosanitary inspection of plants and plant products may be undertaken at points within the country provided that it can be shown, and the means of transport used are such, that the goods will not cause infestation during their transport.

3. Within the framework of Conventions in force the Contracting Parties shall endeavour to reduce, as far as possible, the physical controls of perishable plants and plant products en route.

4. When goods have to be held pending the results of phytosanitary inspection, the competent control services of the Contracting Parties shall arrange that such storage shall take place with the minimum of Customs formalities and in conditions providing for the quarantine safety and conservation of the goods.

## ARTICLE 5

### **Goods in transit**

Within the framework of Conventions in force the Contracting Parties shall, as far as possible, dispense with the phytosanitary inspection of goods in transit, unless such measures are necessary for the protection of their own plants.

## ARTICLE 6

### **Co-operation**

1. The phytosanitary services shall co-operate with the corresponding services of other Contracting Parties so as to expedite the passage of plants and plant products subjected to phytosanitary inspection, *inter alia*, through the exchange of useful information.
2. When a consignment of plants or plant products is intercepted during phytosanitary inspection, the competent service shall endeavour to notify the corresponding service of the country of exportation within as short a time as possible, indicating the reasons for the interception and the measures taken concerning the goods.

## ANNEX 5

### **CONTROL OF COMPLIANCE WITH TECHNICAL STANDARDS**

#### ARTICLE 1

##### **Principles**

Wherever carried out, the control of compliance with technical standards relating to the goods covered by this Convention, shall comply with the principles laid down in the Convention, and particularly in annex 1 thereto.

#### ARTICLE 2

##### **Information**

Each Contracting Party shall ensure that information on the following is readily available to any person interested:

the standards applied by it

the places where the goods may be presented for inspection

the requirements as set out in laws and regulations concerning the control of compliance with technical standards as well as their procedures of general application.

#### ARTICLE 3

##### **Harmonization of standards**

In the absence of international standards, Contracting Parties which apply national standards shall endeavour to harmonize them by way of international agreements.

#### ARTICLE 4

##### **Organization of controls**

1. The Contracting Parties shall endeavour:
  - to set up, where necessary and possible, stations for the control of compliance with technical standards, in conformity with traffic requirements;
  - to facilitate the movement of goods, in particular through the co-ordination of working hours of the service responsible for the control of compliance with technical standards and the Customs services and agreement to effect clearance of perishable goods outside normal hours where their arrival has been notified in advance.

2. The control of compliance with technical standards may also be undertaken at points within the country provided that it can be shown, and the means of transport used are such, that the goods, and especially perishable goods, will not deteriorate during their transport.

3. Within the framework of Conventions in force the Contracting Parties shall endeavour to reduce, as far as possible, the physical controls en route of perishable goods subjected to control of compliance with technical standards.

4. The Contracting Parties shall organize control of compliance with technical standards, harmonizing wherever possible the procedures of the service responsible for these controls with those of any services responsible for other controls and inspections.

5. In the case of perishable goods held pending the results of control of compliance with technical standards, the competent control services of the Contracting Parties shall ensure that the storage of the goods or the parking of transport equipment shall take place with the minimum of Customs formalities and in conditions providing for the conservation of the goods.

#### ARTICLE 5

##### **Goods in transit**

The controls of compliance with technical standards do not normally apply to goods in through transit.

#### ARTICLE 6

##### **Co-operation**

1. The services responsible for the control of compliance with technical standards shall co-operate with the corresponding services of other Contracting Parties so as to expedite the passage of perishable goods subjected to control of compliance with technical standards, *inter alia*, through the exchange of useful information.

2. When a consignment of perishable goods is intercepted during control of compliance with technical standards, the competent service shall endeavour to notify the corresponding service of the country of exportation within as short a time as possible, indicating the reasons for the interception and the measures taken concerning the goods.

#### ANNEX 6

##### **QUALITY CONTROL**

#### ARTICLE 1

##### **Principles**

Wherever carried out, quality control of the goods covered by this Convention, shall comply with the principles laid down in the Convention, and particularly in annex 1 thereto.

#### ARTICLE 2

##### **Information**

Each Contracting Party shall ensure that information on the following is readily available to any person interested:

the places where the goods may be presented for inspection,

the requirements as set out in law and regulations concerning quality control as well as their procedures of general application.

### ARTICLE 3

#### **Organization of controls**

1. The Contracting Parties shall endeavour:
  - to set up, where necessary and possible, quality control stations, in conformity with traffic requirements;
  - to facilitate the movement of goods, in particular through the co-ordination of working hours of the quality control and Customs services and agreement to effect clearance of perishable goods outside normal hours where their arrival has been notified in advance.
2. The quality control may be undertaken at points within the country provided that the procedures used contribute to facilitate the international movement of goods.
3. Within the framework of the Conventions in force the Contracting Parties shall endeavour to reduce, as far as possible, the physical controls en route of perishable goods subjected to quality control.
4. The Contracting Parties shall organize quality control, harmonizing with those of any services responsible for other controls and inspections.

### ARTICLE 4

#### **Goods in transit**

Quality controls do not normally apply to goods in through transit.

### ARTICLE 5

#### **Co-operation**

1. The quality control services shall co-operate with the corresponding services of other Contracting Parties so as to expedite the passage of perishable goods subjected to quality control, *inter alia*, through the exchange of useful information.
2. When a consignment of perishable goods is intercepted during quality control, the competent service shall endeavour to notify the corresponding service of the country of exportation within as short a time as possible, indicating the reasons for the interception and the measures taken concerning the goods.

### ANNEX 7

#### **RULES OF PROCEDURE OF THE ADMINISTRATIVE COMMITTEE REFERRED TO IN ARTICLE 22 OF THIS CONVENTION**

### ARTICLE 1

#### **Members**

The members of the Administrative Committee shall be the Contracting Parties to this Convention.

### ARTICLE 2

#### **Observers**

1. The Administrative Committee may decide to invite the competent administrations of all States which are not Contracting Parties, or representatives of international organizations which are not Contracting Parties, to attend, for questions which interest them, the sessions of the Committee as observers.

2. However, without prejudice to article 1, the international organizations referred to in paragraph 1 which are competent for the subjects dealt with in the annexes to this Convention, shall have the right to participate as observers in the work of the Administrative Committee.

### ARTICLE 3

#### **Secretariat**

The Secretariat of the Committee shall be provided by the Executive Secretary of the Economic Commission for Europe.

### ARTICLE 4

#### **Convocations**

The Executive Secretary of the Economic Commission for Europe shall convene the Committee:

- (i) two years after the Convention entered into force;
- (ii) thereafter, at a date fixed by the Committee, but not less frequently than every five years;
- (iii) at the request of the competent administrations of at least five States which are Contracting Parties.

### ARTICLE 5

#### **Officers**

The Committee shall elect a chairman and a vice-chairman on the occasion of every session.

### ARTICLE 6

#### **Quorum**

A quorum consisting of not less than one third of the States which are Contracting Parties is required for the purposes of taking decisions.

### ARTICLE 7

#### **Decisions**

- (i) Proposals shall be put to the vote.
- (ii) Each State which is a Contracting Party represented at the session shall have one vote.
- (iii) Where article 16(2) of the Convention applies, the regional economic integration organizations parties to the Convention shall have in case of voting only a number of votes equal to the total votes allotted to their Member States which are also parties to the Convention. In this latter case, these Member States do not exercise their right to vote.
- (iv) Subject to the provisions of subparagraph (v) below, proposals shall be adopted by a simple majority of the members present and voting in accordance with the conditions specified in subparagraphs (ii) and (iii) above.
- (v) Amendments to this Convention shall be adopted by a two-thirds majority of the members present and voting in accordance with the conditions specified in subparagraphs (ii) and (iii) above.

ARTICLE 8

**Report**

Before the closure of its session, the Committee shall adopt its report.

ARTICLE 9

**Supplementary provisions**

In the absence of relevant provisions in this annex, the Rules of Procedure of the Economic Commission for Europe shall be applicable, unless the Committee decides otherwise.