

N° 3309.

BELGIQUE ET FRANCE

Convention réglant le service des douanes sur les lignes ferrées franco-belges, en ce qui concerne la circulation des trains visités pendant le trajet. Signée à Bruxelles, le 11 avril 1927.

BELGIUM AND FRANCE

Convention regulating the Customs Services on Franco-Belgian Railways as regards the Traffic of Trains inspected during the Journey. Signed at Brussels, April 11, 1927.

¹ TRADUCTION. — TRANSLATION.

No. 3309. — CONVENTION ² BETWEEN BELGIUM AND FRANCE REGULATING THE CUSTOMS SERVICES ON FRANCO-BELGIAN RAILWAYS AS REGARDS THE TRAFFIC OF TRAINS INSPECTED DURING THE JOURNEY. SIGNED AT BRUSSELS, APRIL 11, 1927.

French official text communicated by the Minister for Foreign Affairs of the French Republic and the Belgian Minister for Foreign Affairs. The registration of this Convention took place December 27, 1933.

THE GOVERNMENT OF THE FRENCH REPUBLIC and THE GOVERNMENT OF HIS MAJESTY THE KING OF THE BELGIANS, having decided to regulate by a convention the Customs services as regards exclusively the traffic, on the railways between the two countries, of trains inspected during the journey, the undersigned being duly authorised, have agreed on the following provisions :

Article 1.

The railways between France and Belgium used for the traffic of trains inspected by the Customs during the journey shall be deemed to be international Customs routes as regards the two countries.

The French and Belgian stations at which the Customs services of either country may be called upon to inspect luggage or parcels carried by the above-mentioned trains shall also, for this sole purpose, be deemed to be international stations.

Article 2.

During the journey and at the inspection stations mentioned in Article 1, the employees shall perform their particular duties and carry out their operations in conformity with the laws and regulations of their respective countries, priority being given to the Customs of the country of origin.

Article 3.

Registered luggage and other registered parcels accompanied by the necessary Customs shall on departure in either direction be placed in a sealed wagon and inspected at the stations

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Brussels, July 18, 1930.

appointed for the purpose in the country of destination. At these stations they may be inspected at the same time and on the same premises by Customs officials of both countries.

Should offences punishable in either country be discovered simultaneously, the Customs of the country of origin shall have priority as regards the seizure of property.

Luggage and parcels not claimed by travellers within one hour of the arrival of the train at its destination shall be deposited in a room adjoining the inspection hall and placed under lock and key. They may subsequently be delivered to claimants only with the consent of the Customs representatives of both countries. Nevertheless luggage and parcels which, within eight days of their arrival, are not made the subject of a declaration of export at the station of destination may, on the request of the Customs of the country of origin, be returned to the station of departure, where the said Customs shall dispose of them in accordance with their own regulations.

Article 4.

Seals, padlocks, etc., placed on wagons or individual parcels as a guarantee for goods which are to be subjected to Customs operations on behalf of the two countries at the inspection stations appointed for the purpose shall be removed by the French or Belgian Customs only in the presence of the Customs representative of the other country.

Article 5.

During the journeys and at the stations mentioned in Article 1, the Customs employees of either country may, within the limit of their powers, take note of infringements of the laws of their respective countries in regard to the import or export of goods and of capital or securities, and may take the customary action, either by settlement out of court or by prosecution in the usual manner before the courts of their own country. They may not, however, make arrests in the neighbouring country. They shall be entitled to detain in trains goods and articles belonging to offenders as security for payment of costs, duties and fines incurred; to convey to their respective countries goods detained as pledges and objects seized; or to have them sold in the neighbouring country through a competent official, without any responsibility resulting therefrom either for such official personally or for the Administration to which he belongs, if the formalities required in the country for the advertisement and organisation of the sale have been observed.

On request from the authorities of the neighbouring country, in cases referred to in the preceding paragraph, the competent authorities of each Power shall:

- (a) Hear witnesses and experts and obtain official information, the result of which will be certified and notified by them;
- (b) Communicate to all persons charged or convicted all documents of procedure and decisions of judicial and administrative authorities of the neighbouring country.

The letters of request referred to above shall be forwarded through the Ministers of Justice of the contracting countries when issued by a magistrate, and through the central Customs administrations when issued by an official.

Article 6.

The Customs employees of the two States shall collaborate with a view to the prevention of fraud in the traffic of dutiable goods, and to the discovery of breaches of the laws or regulations. They shall supply each other with information likely to be of concern to the service.

Article 7.

The authorities of each of the States shall grant Customs employees and officers of the neighbouring country in the exercise of their duty the same protection as to Customs employees and officers of their own country.

Article 8.

Customs employees of either country may, when in the neighbouring country, wear the uniform prescribed by the respective regulations applicable to them. Those on active duty may also carry their arms in the execution of their duty.

During their stay in the neighbouring country they shall conform to the criminal laws and police regulations in force in the said country, and shall in that respect be subject to the jurisdiction of the country. Any breach of such laws or regulations by an employee shall immediately be notified to the authority to which he is subject.

Article 9.

The two Governments reserve to themselves the right, by simple exchange of diplomatic correspondence, to make such amendments in the present Convention as experience may show to be desirable.

Article 10.

The present Convention shall be ratified and the ratifications thereof shall be exchanged as soon as possible.

Done in duplicate at Brussels, April 11, 1927.

(Signed) Maurice HERBETTE.

(Signed) E. VANDERVELDE.