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CUSTOMS FORMALITIES FOR INTERNATIONAL ROAD TRANSPORT AND TOURING

Note by the Secretary-General

TABLE OF CONTENTS

	Page
INTRODUCTION.	2
PROVISIONAL AGREEMENT FOR THE APPLICATION OF THE ECE DRAFT INTERNATIONAL CUSTOMS CONVENTIONS	3
PROPOSALS OF THE IUOTO AND THE OTA FOR WORLD-WIDE ACTION WITH RESPECT TO CUSTOMS FORMALITIES FOR TOURISTS.	5
CONCLUSION.	7
ANNEXES	
1. COMMUNICATION DATED 18 MAY 1950 FROM THE GENERAL COMMITTEE OF THE AIT/FIA AND THE IUOTO	8
2. COMMUNICATION DATED 3 JANUARY 1951 FROM THE OTA AND THE IUOTO.	13
3. DRAFT PROVISIONS TO BE INCORPORATED IN A WORLD CUSTOMS CONVENTION ON TOURING PROPOSED BY THE OTA AND THE IUOTO.	16
4. RESOLUTION ADOPTED BY THE THIRD INTERNATIONAL CONGRESS OF AFRICAN TOURING CONCERNING THE ADOPTION OF A TOURIST IDENTIFY CARD; MEMORANDUM SUBMITTED BY THE OTA AND IUOTO IN REGARD TO A "TOURIST CARD" RELATING TO THE EQUIPMENT AND EFFECTS OF A TRAVELLER	19

/INTRODUCTION
E/CN.2/114

INTRODUCTION

The Secretary-General's report to the fourth session of the Transport and Communications Commission on the subject of international road transport suggested with respect to further international action that the problem in the field requiring earliest consideration was perhaps that of customs formalities in view of the developments which had already occurred and suggested that the Commission might at its fifth session wish to consider the recommendation of further steps in this connexion.

Meanwhile the Secretary-General received a joint letter, dated 18 May, from the General Committee of the International Touring Alliance/International Automobile Federation (AIT/FIA) and the International Union of Official Travel Organizations (IUOTO) urging the convening by the United Nations of a Conference which should discuss the provisions of the Draft International Customs Convention on Touring prepared under the auspices of the Economic Commission for Europe (ECE) and conclude a world-wide customs convention on touring. In reply the two organizations were informed that the matter would be brought to the attention of the Transport and Communications Commission at its fifth session in connexion with the review of developments in the field of road transport and in particular with respect to developments relating to the ECE Draft International Customs Conventions on Touring, on Commercial Road Vehicles, and on the Transport of Goods. As the AIT/FIA and IUOTO had stressed the fact that customs formalities for touring relate to all means of transport, they were assured in the reply that although taken up in connexion with the review of problems in the field of international road transport the discussion of the question of a customs convention on touring need not be confined to road transport but might relate to all types of transport.

It may be recalled that the General Committee of the AIT/FIA on a previous occasion (see the annex to document E/CN.2/40 prepared for the second session of the Transport and Communications Commission) brought to the attention of the Commission their view as to the advisability of concluding a world-wide Customs Convention on Touring. In this connexion attention may be drawn to the fact that as reported to the fourth session of the Commission (document E/CN.2/76) the International Chamber of Commerce at its XIIth Congress held at Quebec 13-17 June 1949 recommended "rapid adoption of the measures laid down in the
/draft (ECE)

draft (ECE) customs conventions regulating for the whole world questions connected with travellers and tourist traffic."

The Convention on Road Traffic in Article 3 contains general provisions with respect to customs formalities relating to the temporary importation of motor vehicles. The three ECE Draft Customs Conventions contain detailed regulations relating to customs formalities for tourism as well as for commercial road vehicles and for transport of goods by road. Their application represents the first practical effect which has been given to such detailed regulations. An International Convention on Touring, on which the ECE Draft International Customs Convention on Touring is based, was, however, signed by a number of European countries in 1937 but was never put into effect, while in the Americas the Second Inter-American Travel Congress and the Fourth Pan American Highway Congress, both meeting in Mexico City in 1941 jointly prepared draft provisions concerning a system of control for the temporary importation of vehicles and recommended their adoption in an inter-American convention. The latter draft provisions, which were similar to those of the 1937 International Convention on Touring, were circulated to the 1949 United Nations Conference on Road and Motor Transport as document E/CONF.8/9.

PROVISIONAL AGREEMENT FOR THE APPLICATION OF THE
ECE DRAFT INTERNATIONAL CUSTOMS CONVENTIONS

The conclusion on 16 June 1949 under the auspices of the ECE of the Agreement for the Provisional Application of Draft International Customs Conventions on Touring, on Commercial Road Vehicles, and on the Transport of Goods by Road was reported to the fourth session of the Transport and Communications Commission in document E/CN.2/76. The provisions of the three Draft Conventions were summarized in document E/CN.2/54 prepared for the third session of the Commission.

Attention is drawn to the provisions of the Agreement with respect to its duration and to accessions to it. Article III provides that the Agreement will remain in force for a period of three years, with automatic renewal thereafter for periods of one year unless the Contracting Governments agree otherwise. Article V provides that in the event of the conclusion of world-wide Conventions and upon their entry into force "any Government party to one or more of these Conventions shall automatically be regarded as having denounced the present

/Agreement

Agreement with respect to the Draft Customs Conventions to which that Government has become a party". Article VI opened the Agreement until 31 December 1949 for signature by the Governments invited to take part in the preparations of the Draft Conventions, i.e. Governments participating in the work of ECE, and thereafter for accession by the same Governments. However, it will be recalled that an Additional Protocol opened the Agreement, in the event that the conclusion of world-wide conventions were delayed, to accession by all States invited to the United Nations Conference on Road and Motor Transport. The latter Conference requested the Secretary-General to draw the Additional Protocol to the notice of States. The Secretary-General accordingly drew the Additional Protocol to the attention of all States which had been invited to the United Nations Conference on Road and Motor Transport and transmitted to them certified copies of the Agreement for the Provisional Application of the Draft International Customs Conventions.

The Agreement has, however, been signed or acceded to only by the following European Governments which have undertaken to apply on a reciprocal basis the provisions of one or more of the Draft Conventions:

- (a) Draft International Customs Convention on Touring
Austria, Belgium^{1/}, Denmark, France, Italy, Luxembourg^{1/}, the Netherlands^{1/}, Norway, Sweden, Switzerland (and the Principality of Liechtenstein), the United Kingdom (and the Colony of Aden, the Colonies of the Windward Islands, Cyprus, Fiji, Gibraltar, Federation of Malaya, Leeward Islands, Malta, Mauritius, North Borneo, Nyasaland, Sarawak, Seychelles, Singapore, and Somaliland Protectorate).
- (b) Draft International Customs Convention on Commercial Road Vehicles
Austria, Belgium^{1/}, Czechoslovakia^{1/}, Denmark, France, Italy, Luxembourg^{1/}, the Netherlands^{1/}, Norway, Sweden, Switzerland (and the Principality of Liechtenstein), United Kingdom (and Sierra Leone and Singapore).
- (c) Draft Customs Convention on International Transport of Goods by Road
Austria, Belgium^{1/}, Czechoslovakia^{1/}, Denmark, France, Italy, Luxembourg^{1/}, the Netherlands^{1/}, Norway, Sweden, Switzerland (and the Principality of Liechtenstein).

^{1/} Subject to ratification, which has not yet taken place. These Governments have not, however, waited for the completion of the ratification procedure in order to put the Draft Conventions into effect.

/The following

The following Governments have also signed or acceded to an Additional Protocol^{2/} to the above Agreement, concluded on 11 March 1950 (reported to the Transport and Communications Commission in document E/CN.2/76/Add.2) containing provisions governing the transport of goods by container under the TIR (Transport International de Marchandise par la Route) regime established in the Draft Convention on the Transport of Goods by Road: Belgium^{1/}, Czechoslovakia^{1/}, Denmark, France, Italy, Luxembourg^{1/}, the Netherlands, Sweden, Switzerland.

The Agreement for the Provisional Application of the Draft Customs Conventions entered in force on 1 January 1950 and the Draft Customs Conventions on Touring and on Commercial Road Vehicles have been applied since that date. The provisions of the Draft Convention on International Transport of Goods were however, due to certain difficulties of a technical character relating to the TIR carnet, to be applied from 1 July 1950. Continued difficulties in putting the TIR carnet into operation in view of the numerous agreements which have to be negotiated between guarantors and customs authorities and also between guarantors and insurance companies have further delayed the application of the Draft Convention on the Transport of Goods by Road.

PROPOSALS OF THE IUOTO AND THE OTA FOR WORLD-WIDE ACTION WITH RESPECT TO CUSTOMS FORMALITIES FOR TOURISTS

Annex 1 contains the text of the letter of 18 May 1950 referred to above, from the General Committee of the AIT/FIA conjointly with the IUOTO proposing the convening by the United Nations of a world conference with a view to concluding a world-wide customs convention in international touring. The two organizations stated the opinion that although the ECE Draft Customs Convention on Touring should serve as the basis of discussion, some of its provisions now appeared to be inadequate and should be revised. In order to facilitate the consideration of this question by the Transport and Communications Commission

^{1/} Subject to ratification.

^{2/} The regulations on construction and equipment of containers prescribed by the Annex to this Protocol are comparable to the technical conditions established by the International Railway Union (UIC). The International Chamber has sponsored a study by the International Bureau of Containers, undertaken in co-operation with the UIC, of a possible revision of the UIC's conditions with a view to arriving at regulations applicable to all means of transport. The work has not yet been completed.

the organizations were requested by the Secretariat to elaborate their proposals for expanding and amending the Draft International Convention on Touring. They were also asked to supply information on some related points. As the granting by a number of countries of wider facilities for tourists was considered by the organizations one of the reasons why the Draft Customs Convention on Touring was out of date, they were asked inter alia to supply a list of the European - and any other - countries which grant facilities for tourist traffic in excess of those included in Articles 2 and 3 of the Draft International Customs Convention on Touring, with an indication of the nature of such greater facilities.

In accordance with this request the World Touring and Automobile Organization (succeeding the General Committee of the AIT/FIA) and the International Union of Official Travel Organizations in a letter (Annex 2) of 3 January 1951 supplied additional information and a set of draft provisions to be incorporated in a world customs conventions on Touring (Annex 3).

The above-mentioned organizations furthermore, in a letter dated 19 May 1950, brought to the attention of the Director of the Transport and Communications Division, two resolutions on frontier formalities, adopted by the Third International Congress on African Touring, with the request that they be submitted to the appropriate organs of the United Nations in order to secure their world-wide application (see document E/CN.2/103, Travel Questions). One of these resolutions recommends the introduction of a "tourist card" for facilitating the passage of equipment and personal effects of tourists across frontiers.^{1/} In reply to an enquiry by the Secretariat, the OTA and the IUOTO explained this proposal in more detail in a memorandum dated 3 January 1951.

^{1/} To be distinguished from the "tourist cards" now issued by some Governments to nationals of certain foreign countries, permitting their entry without passports, into the countries issuing the cards (see document E/CN.2/99 on Passports and Frontier Formalities)

CONCLUSION

In considering the question of whether action should be taken with respect to customs formalities, it would appear to be useful to separate the question of touring which concerns the various means of transport and the questions of commercial road vehicles and the transport of goods. While some of the provisions of the ECE Draft Customs Convention on Touring and on Commercial Road Vehicles are similar with respect to the temporary admission of vehicles and papers relating thereto, provisions for the journey, and the fuel contents of tanks, etc., the problem of customs formalities for commercial road vehicles as well as for the transport of goods by road would appear to be questions of regional rather than world-wide concern which might be taken up in the various regions along with other questions relating to the regulation of commercial road transport discussed in document E/CN.2/95 on "International Road Transport: Developments and Problems Under Review".

With reference to the question of Customs Formalities relating to Touring the Transport and Communications Commission might wish to recommend that Governments be asked to comment on the suitability of the ECE Draft Customs Convention on Touring as the basis of discussion in concluding a world convention on this subject and to indicate what changes, if any, would, in their view, be required in order to make the ECE Draft Convention suitable for this purpose, based, in the case of countries which are provisionally applying these Conventions under the ECE Agreement of 16 June 1949, on their experience in this connexion. At the same time the proposals of the IUOTO and OTA for amending the ECE Draft Convention and for the introduction of a "tourist card" might also be brought to the attention of Governments for their comments.

ANNEX I

COMMUNICATION DATED 18 MAY 1950 FROM THE GENERAL COMMITTEE
OF THE AIT/FIA AND THE IUOTO

London, S.W.1
18 May 1950

Mr. Trygve Lie,
Secretary-General,
United Nations,
Lake Success,
NEW YORK

Sir,

The General Committee of the Alliance Internationale de Tourisme and the Fédération Internationale de l'Automobile, of the one part, and the International Union of Official Travel Organizations, of the other part, have the honour to inform you that the third International African Tourist Congress held at Nairobi from 4-8 October 1949 requested them in Resolution 3.X to approach the competent authorities with a view to making the Customs regulations applied in the various countries to bona fide tourists more liberal and uniform, these regulations in many instances hampering the tourist's freedom of movement.

2. In accordance with this Resolution, and in view of the fact that its scope goes beyond the African continent and refers to a problem already dealt with as a whole by the United Nations with some success, the General Committee and the International Union beg to submit to you the following comments and recommendations, asking you to be good enough to transmit them to the Economic and Social Council, in the hope that the views of these two international associations may gain the influential support of the United Nations and that in due course their suggestions may be put into effect.

3. The problem referred to by the General Committee and the International Union has already been thoroughly studied by the two bodies.

4. For instance, within the framework of the International Union of Official Travel Organizations, reports on the subject were presented to the Oslo Congress in 1948 and the Luxembourg Congress in 1949; and these congresses adopted resolutions which were duly brought to your notice.

/Furthermore, both

Furthermore, both at the third session of the Transport and Communications Commission in 1949 and at its fourth session in 1950, the Union had the honour to submit to the Transport and Communications Commission of the Economic and Social Council the reports reproduced in documents E/CN.2/62 of 15 March 1949 and E/CN.2/71/Add.1 of 30 January 1950. On these two occasions the Commission was good enough to express its appreciation of the Union's efforts.

5. When the Draft International Customs Convention on Touring was prepared under the auspices of the Economic Commission for Europe, the Union sent as delegate to the meeting of the Road Transport Sub-Committee of the Inland Transport Committee of the Economic Commission for Europe, held in Geneva from 2-5 May 1949, Mr. A. Haulot, Belgian Commissioner General of Tourism and Chairman of its Study Commission on Passports, Visas and Frontier Formalities. On behalf of the Union Mr. Haulot presented to the Sub-Committee his comments and proposals for a more liberal policy, and these were incorporated in a document distributed to all the members of the Sub-Committee. We regret that no account was taken of these remarks in the text finally adopted for the Draft Convention.

6. Next, through the intermediary of the European Commission on Tourism, the International Union of Official Travel Organizations succeeded in getting the question taken up again in the European sphere, and on 16 September 1949 the OEEC Committee on Tourism adopted a draft decision of the Council asking the States participating in OEEC to grant both to tourists from across the Atlantic travelling in Europe, and to tourist traffic between the various European countries, minimum facilities greatly in excess of all those included in Articles 2 and 3 of the Draft International Customs Convention on Touring.

Thereafter, on 29 November 1949, the OEEC Council adopted a decision making these special facilities applicable to tourists from distant overseas countries holidaying in Europe. The Council now has under consideration the question of extending the same system to intra-European tourist travel.

Although the results so far achieved have, to the Union's great regret, been confined to Europe, they nevertheless represent a very real advance.

7. The efforts of the General Committee of the Alliance Internationale de Tourisme and of the Fédération Internationale de l'Automobile also speak for themselves. In paragraphs 12 and 13 of the memorandum attached to its letter

/of 26 February 1948

of 26 February 1948 (Annex to document E/CN.2/403), the General Committee called the attention of the competent agencies of the United Nations to the advisability of concluding a world-wide Customs Convention on Touring.

8. Subsequently, the Economic Commission for Europe prepared the Draft International Customs Convention on Touring which includes a series of clear and precise provisions codifying the procedure which has actually been followed for a considerable number of years, with regard to the temporary importation of motor vehicles. The general application of these provisions would undoubtedly mark a real step forward in the field of international road traffic. The General Committee, having taken an active part in the preparation of the Draft Convention and submitted suggestions on various points, had hoped that it would be discussed on a world-wide basis with a view to the signature of the Convention by the greatest possible number of States, and it informed the Secretary-General of the United Nations to that effect by its letter of 15 March 1949, 202/344/49.

9. Since the submission of the Draft Convention to a World Customs Conference unfortunately proved impossible it was put into effect provisionally by the Geneva Agreement of 16 June 1949 which, in accordance with the Additional Protocol thereto, is open for accession by States.

10. During discussion of item 5 of the agenda at the United Nations Conference on Road and Motor Transport, the General Committee once more stressed the importance of making a Customs Convention on Touring world-wide. The Conference did not then consider it essential to recommend the immediate conclusion of world Customs conventions; but, in the light of the relevant statements by the representative of the General Committee, it adopted a resolution requesting you to bring the Additional Protocol to the Geneva Agreement to the notice of States.

11. Discussion of the provisions of the Draft International Customs Convention on Touring with a view to the conclusion of a world-wide Convention has therefore no place at present in the programme of activities to be undertaken by the United Nations in the near future.

12. The General Committee and the International Union venture once again to express their view that such discussion would be valuable and appropriate on the following grounds:

13. Articles 2, 3 and 4 of the Draft Convention contain general Customs regulations for the temporary importation of various articles. These provisions are almost identical with the provisions of Articles 1 and 2 of the International
/Customs

Customs Convention on Touring, which was signed on 3 July 1937, but never put into effect. They would now appear to be inadequate for present requirements and would have to be radically amended in a final Convention.

14. In particular, the list of articles contained in Article 2 of the Draft Convention - like any list of that kind - cannot be complete and should not be included in the text of the Convention, since this makes the list restrictive. Furthermore certain conditions, such as the condition that articles admitted duty-free must bear "obvious signs of use", are too narrow. In addition, the provisions of Article 3 of the Draft Convention require clarification, since the expression "small quantities" is open to a wide variety of interpretations. In this connexion, it might be expedient to bear in mind the statements by the delegate of the International Union at the meeting of the Inland Transport Committee of the Economic Commission for Europe. It might also be expedient to bring the text into line with that of the decisions adopted by the Organization for European Economic Co-operation.

15. Furthermore, despite the reminder to be sent to States, as recommended in the above-mentioned resolution of the Geneva Conference, only ten States, and all of these in Europe, have so far become parties to the Agreement of 16 June 1949.

16. It therefore seems that the Draft International Customs Convention on Touring is now out-of-date, since, firstly, its scope is still limited in fact to certain European countries and, secondly, the only States which have undertaken to implement its provisions have since agreed to grant far wider facilities to tourists.

17. In view of the foregoing, the General Committee of the Alliance Internationale de Tourisme and of the Fédération Internationale de l'Automobile and the International Union of Official Travel Organizations consider that there is no need to await the expiration of the three-year period mentioned in Article III of the Geneva Agreement of 16 June 1949 before taking further action. They consider that the problem should be taken up again at a World Conference, because they deem the importance and urgency of the question to be ample justification for convening such a Conference. They would therefore be grateful if you would take the necessary steps to have this Conference convened by the United Nations, whose high authority is obviously necessary in such a matter.

18. In submitting this request to you we venture to point out that the object of the world-wide action advocated by the General Committee and the
/International

International Union is the conclusion of a Convention, the preparation of which has been completed and is no longer on the programme of work of any United Nations agency. It involves more than international road transport - since it applies equally to all types of transport, and in particular to air transport - and a very detailed draft has already been transmitted to all Governments.

It would therefore appear that the Transport and Communications Commission was not referring to this problem when, in accordance with paragraph (a) of the resolution of the Geneva Conference concerning other problems in the field of international road transport, it adopted at its fourth session the last paragraph of Resolution No. 9 on international road transport.

In addition, the new factors which have arisen in the meantime and which are mentioned in paragraph 6 of this letter, confirm the need for a world-wide discussion of the Draft International Customs Convention on Touring which has been transmitted to Governments.

We therefore venture to submit our suggestion to you prior to the meeting of the Transport and Communications Commission in 1951, especially as action taken in 1951 could hardly produce results before 1952 in view of the time required to convene a World Conference. We feel that it is inadvisable to wait so long before dealing with a problem which appears ripe for solution.

We have the honour to be, etc.

M. Perłowski
Central Secretary
General Committee
of the Alliance Internationale de Tourisme
and of the Fédération Internationale

F.M. Morin
Secretary-General
International Union
of Official Travel
Organizations

ANNEX 2

COMMUNICATION DATED 3 JANUARY 1951 FROM THE OTA AND THE IUOTO

London, S.W.1
3rd January, 1951

Dear Mr. Lukac,

1. With reference to the proposal put forward by the General Committee of the International Touring Alliance and of the International Automobile Federation jointly with the International Union of Official Travel Organisations concerning the convening at an early date of a World Customs Conference with a view to the adoption of one or more World Customs Conventions on international touring, we have the honour to forward herewith draft provisions which we consider might be advisable to include in a World Customs Convention on Touring.

2. These draft provisions incorporate amendments to some of the corresponding provisions which appear in the Draft International Customs Convention on Touring, as provisionally applied by the signatories of the Geneva Agreement of June 16, 1949. The above-mentioned amendments are considered desirable for reasons explained in paragraphs 13 and 14 of our joint letter addressed on May 18, 1950 to the Secretary-General of the United Nations.

The World Touring and Automobile Organisation (OTA) representing the International Touring Alliance and the International Automobile Federation will shortly submit detailed proposals concerning the temporary free importation of means of transport (motor vehicles, aeroplanes, etc.) based on the provisions of the draft International Customs Conventions on Touring and on Commercial Road Vehicles.

3. In reply to the points raised in your letter of October 5, 1950 reference No. ECA 120/02, we should like to bring to your notice the following:

A. Data concerning facilities for touring in Africa are included in the interim Report by the Regional Commission for Africa on Tourist Information of the African Continent, submitted to the XVI Assembly General of the IUOTO in Dublin, which has been sent to you in the meantime. Further inquiries on results obtained with regard to the implementation of the resolutions of the Third International Congress of African Touring are being made by the OTA and the AIT, and any additional information received will be communicated to you.

B. In Europe, the countries members of the Organization for European Economic Co-operation have adopted a decision granting certain customs facilities, in excess of those included in Articles 2 and 3 of the Draft International Customs Convention on Touring. These countries are: Austria, Belgium, Denmark, France, Greece, Iceland, Ireland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Sweden, Switzerland, Turkey, the United Kingdom and the Western Zones of Germany.

/The minimum facilities

The minimum facilities granted are the following:

(a) For tourists from extra European countries:

- (i) temporary free admission in the passenger's baggage of new clothing and personal effects, provided that they are in keeping with the tourist's social standing and that there is no suspicion of abuse;
- (ii) free importation or transit, in hand baggage, of 400 cigarettes or a corresponding quantity of cigars, or tobacco, the total weight of which may not exceed 500 grammes;
- (iii) free importation or transit, in hand baggage, of two opened bottles of normal size containing wines or spirits;
- (iv) transit, in the passenger's baggage and without formalities other than a verbal declaration, of travel souvenirs not of commercial kind to a total value not exceeding \$400 (including up to half a litre of perfume), provided that such souvenirs are in keeping with the tourist's social standing and that there is no suspicion of abuse;
- (v) exemption from formalities in respect of export licenses or duties for travel souvenirs of a total value not exceeding \$400, provided that such souvenirs are in keeping with the tourist's social standing and there is no suspicion of abuse or either currency or Customs regulations.

(b) On a reciprocal basis for tourists residing in one of the OEEC countries and visiting another:

- (i) temporary free admission of new clothing and personal effects, subject to there being no suspicion of abuse;
- (ii) free importation, without formality other than a verbal declaration, of travel souvenirs not exceeding \$50 in value, one sealed bottle containing not more than 1/4 litre of toilet water, one sealed bottle containing not more than 25 grammes of perfume (no export license is required for these articles), 200 cigarettes or 250 grammes of tobacco, one open bottle of wine, one open bottle of toilet water (1/4 litre), one open bottle of perfume (25 grammes).

C. It is hardly necessary to stress the ever increasing importance of tourism.

While international tourism shows at present a strong tendency to develop on a world-wide scale, it is imperative that all obstacles which impede such a development should be removed without delay

/A sound policy

A sound policy in this field seems to require that countries which spare no efforts nor funds to promote international tourism, take also quick action to unify and liberalise such internal regulations which at present have undoubtedly a restrictive effect on its free flow, due to their diversity or excessive stringency. Amongst these, customs regulations play an important part. It appears, therefore, essential that countries should bring into line by common agreement and without undue delay their customs rules and practices with their general policy of promoting international tourism.

That this should be done on a world-wide level follows necessarily from the world-wide character of modern tourism and the ever increasing possibility of welcoming in most parts of the world travellers from distant countries, thanks to the modern means of transport.

Yours sincerely,

(s) M.H. PERLOWSKI
General Secretary
of the World Touring
and Automobile Organisation

(s) F.M. MORIN
General Secretary
of the International Union of
Official Travel Organisations

B. Lukac, Esq.,
Director,
Transport and Communications Division,
United Nations, Lake Success, New York

ANNEX 3

DRAFT PROVISIONS TO BE INCORPORATED IN A WORLD CUSTOMS CONVENTION ON
TOURING PROPOSED BY THE OTA AND THE IUOTO

DRAFT PROVISIONS
TO BE INCORPORATED IN A WORLD CUSTOMS CONVENTION ON TOURING

Article 1

1. Subject to the provisions of paragraphs 2, 3 and 4 of this Article and in the absence of suspicion of abuse, each of the Contracting States, shall grant temporary free admission to articles of an everyday kind in actual use, not prohibited, imported temporarily by nationals of one of the Contracting States.
2. Temporarily imported articles must be re-exported in the same state, subject only to changes resulting from their normal use, within a maximum period of 12 months.
3. The said articles are to be put exclusively to the private use of the person who imports them temporarily during his stay on the territory of the State which grants temporary free admission. They cannot during this stay, be put to any other use.
4. The person entitled to temporary admission facilities must be the owner of the temporarily freely imported articles or have possession or control of them. He cannot be principally resident within the country which grants temporary free admission. A person shall be considered as fulfilling this last condition, if he resides in that country for less than six months on an average per year either to tour there or for professional, educational or health purposes, irrespective of whether or not he is the proprietor or lessee of the house or apartment which he occupies.

Article 2

There will be suspicion of abuse if the nature or the quantity of the articles for which the importer requests temporary free admission, do not correspond to his social position.

Article 3

Shall be granted temporary free admission as provided for in Article 1 of this Convention, especially: clothing and other personal effects in actual use, personal jewellery, binoculars, tents and camping equipment, perambulators, sports equipment such as sporting fire-arms, skis, skates, tennis rackets, golf bags and clubs, and also, for each traveller, one camera with twelve plates or two rolls of film, one miniature cinematograph camera with one roll of film, one portable musical instrument, one portable gramophone with twenty records, one portable wireless receiving set, one portable typewriter.

/Article 4

Article 4

Provisions for the journey, and per traveller, except in the case of frontier traffic, 200 cigarettes or 250 grammes of tobacco, two quarter litre bottles of toilet water, of which one must be opened, two bottles of perfumes, of a maximum capacity of 25 grammes each, of which one must be opened, one opened bottle of wine, not more than half a litre of alcoholic beverage other than wine, souvenirs of the journey of a value not exceeding the equivalent in national currency of 50 United States dollars, shall be admitted free of import duties and import taxes.

Article 5

1. Shall be admitted free of import duties and import taxes printed matter and propaganda posters without restriction as to quantity (time tables in book or poster form, guides, pamphlets, folders, whether illustrated or not, illustrated posters, photographs) not prohibited, the essential purpose of which is obviously to induce the public to visit foreign countries or localities or to attend abroad meetings or events of a touring, cultural, religious, professional or sporting character, provided that such documents are to be distributed free of charge, and that they do not contain more than 25 per cent of advertising matter.

2. Subject to re-exportation and on such conditions as may be determined by each Contracting State to prevent abuse, temporary free admission shall be granted to touring propaganda material (documentary cinematograph films of a maximum width of 16 mm and a maximum length of 500 m., imported for free exhibition, printing plates, lantern slides, dioramas) not prohibited, the essential purpose of which is to induce the public to visit foreign countries or localities or to attend abroad meetings or events of a touring, cultural, religious, professional or sporting character.

Article 6

1. The import prohibitions imposed by the Contracting States shall only be applied to articles which would otherwise benefit under this Convention, when the prohibition was imposed on grounds other than those of economic character, for example, moral humanitarian, sanitary, veterinary, phyto-pathological and public security grounds.

2. The provisions of this Convention shall not prejudice in any way the application of police and other regulations relating to the importation, possession and carrying of firearms and ammunition.

Article 7

1. Facilities granted under this Convention are minimum facilities, and each of the Contracting States will grant, whenever practicable, wider facilities.

2. The Contracting States will endeavour not to institute Customs measures which might have the effect of impeding the development of international touring.

Article 8

Any breach of the provisions of this Convention, any substitution, false declaration or act having the effect of causing a person or an article improperly to benefit from the system of importation laid down in this Convention, any use of an article thus imported for a purpose other than laid down therein, or by a person not fulfilling the conditions necessary to benefit from the aforesaid system of importation, may render the offender liable to the penalties prescribed by the laws of the country in which the offense was committed.

ANNEX 4

RESOLUTION ADOPTED BY THE THIRD INTERNATIONAL CONGRESS OF AFRICAN TOURING
CONCERNING THE ADOPTION OF A TOURIST IDENTITY CARD;
MEMORANDUM SUBMITTED BY THE OTA AND IUOTO IN REGARD TO A "TOURIST CARD"
RELATING TO THE EQUIPMENT AND EFFECT OF A TRAVELLER

1. RESOLUTION ADOPTED BY THE THIRD INTERNATIONAL CONGRESS OF AFRICAN
TOURING CONCERNING THE INTRODUCTION OF A TOURIST IDENTITY CARD

I. Congress resolves by a majority:

(a) that the various Governments and Administrations concerned should:

- (i) make the necessary arrangements whereby the holder of a valid passport may have the passport endorsed by his Government to the effect that he is a bona fide tourist to another territory;
- (ii) interpret the term "tourist" to mean a person whose passport has been so endorsed;
- (iii) make arrangements for the Tourist Organizations to issue to such tourist a "Tourist Identity Card" containing such information regarding his equipment and effects as will facilitate the Customs formalities of entry into an African territory;

(b) that the body charged with the carrying out of the resolutions of this Congress should arrange for the Governments and Administrations concerned to be approached with a view to agreement as to the particulars to be set out in such identity card.

2. MEMORANDUM IN REGARD TO A "TOURIST CARD" RELATING TO THE EQUIPMENT AND EFFECTS OF A TRAVELLER

1. Notes

When a tourist has to cross a frontier the various papers, documents, etc., which he may have for submission to the frontier control authorities, in addition, eventually, to those which may relate to his personal means of transport, only consist at present of identity documents, documents relating to currency in his possession and documents relating to health regulations (vaccination certificates, etc.). The object of all these documents is to facilitate the passage of the tourist through the controls normally thought necessary by the government of the country which he is leaving or that of the country which he is entering.

There is, however, one frontier formality imposed on all travellers and in connexion with which he has no official documents, namely, customs inspection of his luggage.

Though, on the whole, the actual *modus operandi* may be thought satisfactory, there are regions in which travel involves the transport of a large quantity of luggage: camping and hunting equipment, cine-camera and films, heavy equipment, etc. In this case the tourist often experiences difficulties in going from one country to another without having to pay customs duty, and sometimes he even finds it difficult to take back to his country of residence equipment which he brought out of it.

In order to remedy this situation the Third International Congress of African Touring, held in Nairobi in October, 1949, made the suggestion that a "tourist card" should be issued, with the object of facilitating the transport of the equipment and personal effects of a tourist across the frontiers which he has to pass, in cases where this need has been felt

2. Contents of the "Tourist Card"

The "tourist card" in question might contain amongst other information the following:

- (a) Summarized information in regard to the identity of the traveller.
- (b) A complete list, prepared by the traveller, of the effects, equipment and material that he is taking with him.

3. Issue and Utilisation of the Card

The necessary printed forms could be handed to the tourist on request, either by government offices of his country of residence, or by consular agents, or organisations officially authorised by the governments concerned (Automobile and Touring Clubs, or certain travel agencies, etc.).

/The tourist

The tourist would complete the document, supplying a list of the articles which he was taking, and would get it stamped, after all necessary checking, by the customs authorities of his country of residence at the time of departure, or by one of the above-mentioned agencies if the governments in question agree to give them the necessary authorisation.

The tourist would thus be in possession of a document of an official character, which could not but facilitate considerably the various customs examinations which he had to undergo in the course of his journey.
