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**Turkey
and
Russian Federation**

Protocol between the Undersecretariat of Customs of the Republic of Turkey and the Federal Customs Service of Russia on simplification of customs procedures. Moscow, 18 September 2008

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**Turquie
et
Fédération de Russie**

Protocole entre le soussecrétariat des douanes de la République turque et le service fédéral des douanes de la Fédération de Russie relatif à la simplification des procédures douanières. Moscou, 18 septembre 2008

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[ENGLISH TEXT – TEXTE ANGLAIS]

PROTOCOL
between
the Undersecretariat of Customs of the Republic of Turkey
and
the Federal Customs Service (FCS of Russia)
on Simplification of Customs Procedures

The Undersecretariat of Customs of the Republic of Turkey and the Federal Customs Service (FCS of Russia) (hereinafter referred to as “the Parties”),

referring to the provisions of the Agreement between the Government of the Republic of Turkey and the Government of the Russian Federation on cooperation and mutual administrative assistance in customs matters signed in Ankara on September 16, 1997, in particular Article 3,

aspiring to strengthen the cooperation between the Parties in order to protect the economic and social interests of the states of the Parties,

recognizing the need to enhance the efficiency of customs control of goods and vehicles moved between the states of the Parties with a view to ensure the security of trade between the Republic of Turkey and the Russian Federation,

have agreed as follows:

Article 1

The Parties shall exchange the reliable preliminary information (hereinafter referred to as “the preliminary information”) on movement of goods and vehicles for which the procedure of trade facilitation “Simplified Customs Corridor” (SCC) will be used.

The exchange of information will proceed on consignments carried out by the trade operators subjected to simplified procedure of SCC .

The exchange of information will be conducted by the Parties in accordance with the agreed Terms of Reference, which are in compliance with the national legislation of the states of the Parties.

The exchange of information, which is the subject of this Protocol, shall be based on and restricted to the information about transactions made by the trade operators, who will be subject to SCC.

SCC shall be a common practice applicable to all modes of transport and all kinds of goods.

SCC shall be applied to the Turkish and Russian companies on voluntary basis.

The Parties shall avoid contradictions to this Protocol, which will harm the voluntary nature of this regulation as per non-participating companies in SCC.

The exchange of data and information shall be realized directly between the Parties without any mediators.

SCC shall be transparent, predictable, and nondiscriminatory. SCC practices shall not result in any unfair competition against Turkey and Russia.

Article 2

Companies, which will be subject to SCC and provide reliable information on the goods moved, including the nomenclature and invoice value in compliance with the current Protocol, will have the following benefits:

- 1) Priority at the customs points compared to the Turkish and Russian companies non-participating in the SCC and other companies carrying out customs clearance in the Russian Federation and the Republic of Turkey;
- 2) Facilitated customs procedures, where feasible, including separate lines leading to shortened clearance times;
- 3) Immunity from the customs examination apart from the requirements of fighting against customs offences and smuggling;
- 4) Possibility of using the bank guarantee for foreign trade operations;
- 5) The cargo declaration could be taken by the customs authorities of the Parties in case of presenting by the company participating in the SCC incomplete set of documents and commitment of the said company to present the missing documents.

The mentioned companies present to customs authorities of their states the reliable information on the goods moved, including the nomenclature and invoice value, certified by the Chamber of Commerce or the authorities with equivalent responsibilities, which further will be transferred to the customs authorities of the other Party in compliance with the current Protocol.

Article 3

Companies, which will be subject to the SCC and providing information to the Parties only contained in the cargo documents (TIR Carnet, Bill of lading, Airway bill, CMR) within the framework of preliminary information will have the following benefits:

- 1) The documentary check is carried out and if the presented documents are convenient, physical customs examination shall not be carried out. If physical customs examination is necessary, customs clearance shall be completed at the earliest time in order to reduce congestion and not to exceed the usual and reasonable waiting times.
- 2) Possibility of using the bank guarantee for foreign trade operations;

3) The cargo declaration could be taken by the customs authorities of the Parties in case of presenting by the company participating in the SCC incomplete set of documents and commitment of the said company to present the missing documents.

Article 4

The Parties shall ensure the use of the preliminary information, obtained within the framework of the current Protocol, for the purposes of customs clearance and customs control of goods and vehicles, moved between the states of the Parties, with the use of national risk management systems.

Article 5

The Parties, during the organization of electronic exchange of information on goods and vehicles moved between their states, shall use the norms, standards and recommendations of the United Nations, World Customs Organization and the national legislation of the Republic of Turkey and the Russian Federation and the international best practices of information exchange.

Article 6

Information obtained by the Parties within the framework of the current Protocol shall be used exclusively for customs purposes and can not be forwarded to third parties without a written consent of the Party, which provided the information.

Article 7

In accordance with their national legislations, the Parties shall take appropriate measures on violations of this Protocol and inform each other on those violations, as well as on variance and/or falseness of data on goods and vehicles moved between the states of the Parties that were received during the information exchange.

Article 8

The Parties shall determine the list of appropriate officials of customs authorities and customs departments authorized to establish direct contacts for the purposes to:

- develop and agree the technical specifications of information exchange and technologies of data processing and transmitting, as well as data security requirements,
- determine the procedure of identification of documents, goods and vehicles subject to the exchange of information within the framework of the current Protocol,
- exchange of the data on goods moved, mentioned in Articles 2 and 3:
- settle the technical problems occurred with the realization of the current Protocol.

Article 9

In order to elaborate the technologies of the exchange of information envisaged by the current Protocol, the Parties organize and carry out a Pilot project with the duration of six months that could be prolonged upon the mutual written agreement of the Parties.

In three months after the signing of the current Protocol the Parties shall agree:

- the main technological principles of information exchange;
- the list, structure and format of the data to be transmitted;
- the requirement for the information security;
- the procedure of identification of documents, goods and vehicles subject to data transmitting within the current Protocol;
- the procedure of organization of the cooperation between the Parties within the framework of the SCC procedure;
- time frames of the Pilot project and necessary measures to implement the Pilot project.

The Parties shall inform each other in written about their readiness to begin the Pilot project and customs bodies participating in the project.

Article 10

Following the results of the Pilot project the Parties shall proceed to organize the exchange of information on a constant basis.