

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1985 Nr. 63

A. TITEL

*Verdrag houdende instelling van een Internationale Douaneraad, met
Bijlage;
Brussel, 15 december 1950*

B. TEKST

De tekst van Verdrag en Bijlage is geplaatst in *Trb.* 1951, 120.

C. VERTALING

Zie *Trb.* 1953, 51.

D. PARLEMENT

Zie *Trb.* 1953, 51.

E. BEKRACHTIGING

Zie *Trb.* 1953, 51 en *Trb.* 1979, 66.

F. TOETREDING

Zie *Trb.* 1953, 51, *Trb.* 1956, 102, *Trb.* 1960, 65, *Trb.* 1964, 180, *Trb.* 1969, 24 en *Trb.* 1979, 66.

Behalve de aldaar genoemde hebben nog de volgende Staten in overeenstemming met artikel XVIII, lid b, van het Verdrag een akte van toetreding bij de Belgische Regering nedergelegd:

Mauritanië	2 oktober 1979
de Filippijnen	1 oktober 1980
Brazilië	19 januari 1981

Zimbabwe	19 maart 1981
Swaziland	15 mei 1981
Niger	1 juli 1981
Libië	11 januari 1983
China	18 juli 1983
Guatemala	22 februari 1985

G. INWERKINGTREDING

Zie *Trb.* 1953, 51, *Trb.* 1956, 102, *Trb.* 1960, 65, *Trb.* 1964, 180 en *Trb.* 1969, 24.

H. TOEPASSELIJKVERKLARING

Zie *Trb.* 1953, 51, *Trb.* 1960, 65 en *Trb.* 1964, 180 (rubriek F).

I. OPZEGGING

Zie *Trb.* 1969, 24.

J. GEGEVENS

Zie *Trb.* 1951, 120, *Trb.* 1953, 51, *Trb.* 1956, 102, *Trb.* 1960, 65, *Trb.* 1964, 180, *Trb.* 1969, 24 en *Trb.* 1979, 66.

Voor het op 15 december 1950 te Brussel gesloten Verdrag nopens de waarde van goederen in douanezaken zie ook *Trb.* 1980, 121.

Op 8 juni 1970 is te Brussel tot stand gekomen de Douaneovereenkomst inzake de tijdelijke invoer van pedagogisch materiaal, met Bijlage. Tekst en vertaling van die Overeenkomst en Bijlage zijn geplaatst in *Trb.* 1971, 122.

Op 18 mei 1973 is te Kyoto tot stand gekomen de Internationale Overeenkomst inzake de vereenvoudiging en harmonisatie van douaneprocedures, met Bijlagen. Tekst en vertaling van die Overeenkomst en Bijlagen zijn geplaatst in *Trb.* 1975, 92. Zie ook, laatstelijk, *Trb.* 1982, 26.

Op 14 juni 1983 is te Brussel tot stand gekomen een Internationaal Verdrag betreffende het geharmoniseerde systeem inzake de omschrijving en de codering van goederen.

Op 5 december 1953 heeft de Internationale Douaneraad de volgende Aanbeveling inzake wederzijdse administratieve bijstand aangenomen:

Recommendation of the Council on Mutual Administrative Assistance (5th December 1953)

The Customs Co-operation Council,

Considering that offences against Customs laws, particularly

smuggling, are prejudicial to Members' economic and fiscal interests and to the legitimate interests of trade and that they can be more effectively combated by co-operation between Customs Administrations,

Recommends Members, subject to Article IV of the Convention Establishing a Customs Co-operation Council, to adopt the following measures of co-operation between their Customs Administrations for the prevention, investigation and repression of offences against Customs laws(*):

1. Members shall so far as practicable correlate the office hours and functions of corresponding Customs offices situated on their common frontiers.

2. At the special request of the Customs Administration of a Member, the Customs Administration of another Member shall maintain, as far as possible, special watch on:

(a) particular consignments of goods stated by the requesting Member to be involved in important fraudulent traffic towards that Member's territory;

(b) the entry into and exit from its territory of any person known to be guilty of smuggling;

(c) vehicles, ships or aircraft suspected to be used for smuggling.

3. (a) The Customs Administration of a Member shall, on special request by the Customs Administration of another Member, communicate as promptly and in as much detail as is practicable any relevant information at its disposal regarding a Customs offence being investigated by the requesting Administration.

(b) The Customs Administrations of Members shall communicate to each other as promptly and in as much detail as is practicable information relating to new methods or means of Customs fraud and also copies of special reports or studies prepared by their Investigation Services relating to particular types of Customs fraud and likely to be of material assistance to other Members.

(*) While not wishing to enunciate, at the present time, a precise definition of offences against Customs laws, the Council is of the opinion that, for the application of the Recommendation, the following might, *inter alia*, be regarded as such, insofar as they concern Customs Administrations:

(a) Smuggling and other evasions of duties and taxes charged on importation or exportation.

(b) Evasion of prohibitions and restrictions imposed for the purpose of ensuring more effective Customs control (for example, limitation of importation of certain substances to prescribed places).

(c) Evasion of import or export licensing.

(d) Breaches of exchange control legislation or regulations (only insofar as the goods themselves are concerned).

4. The Customs Administrations of Members shall exchange lists indicating the categories of goods known to be the subject of Customs fraud either on importation into or on exportation from their territories.

5. The Customs Administrations of Members shall arrange, in such manner as may be mutually satisfactory, for their Investigation Services to maintain direct personal relations with a view to furthering the realization of the general objects of this Recommendation.

6. Any information received shall be regarded as confidential and shall be communicated only to the official or officials directly concerned.

The Council further recommends Members, having regard to special features of their geographical position and their national legislation, mutually, to examine the possibility of entering into bilateral or multilateral agreements, with a view to the further development of mutual assistance in Customs matters.

Requests members accepting the present Recommendation to notify the Secretary General of their acceptance and to indicate to the latter at the same time the types of offences in the case of which they intend to apply it.

De Aanbeveling is aanvaard door de volgende Staten:

Algerije	Luxemburg
Argentinië	Malawi
Australië	Malta
België	Mauritius
de Bondsrepubliek Duitsland	het Koninkrijk der Nederlanden
Canada	Nieuw-Zeeland
Cyprus	Nigeria
Denemarken	Noorwegen
Egypte	Oostenrijk
Ethiopië	Pakistan
Finland	Portugal
Frankrijk	Roemenië
Griekenland	Rwanda
Ierland	Senegal
India	Spanje
Iran	Tanzania
Israël	Thailand
Italië	Tsjechoslowakije
Japan	Tunesië
Korea	Turkije

de Verenigde Staten van Amerika IJsland
het Verenigd Koninkrijk van Groot- Zweden
 Brittannië en Noord-Ierland

Uitgegeven de *zesentwintigste* april 1985.

De Minister van Buitenlandse Zaken,

H. VAN DEN BROEK