

PROTOCOL

between the Central Board of Excise and Customs, Department of Revenue, Ministry of Finance (Republic of India) and the Federal Customs Service (Russian Federation) on exchange of information on the movement of goods and conveyances between the Republic of India and the Russian Federation

The Federal Customs Service (the Russian Federation) and the Central Board of Excise and Customs, Department of Revenue, Ministry of Finance of the Republic of India (hereinafter referred to as “the Parties”),

having regard to the provisions of the Agreement between the Government of the Russian Federation and the Government of the Republic of India on Cooperation and Mutual Assistance in Customs Matters signed in Moscow on March 25, 1997;

acknowledging the importance of International cooperation in introduction of modern forms and methods of Customs control;

to accomplish the objectives of trade facilitation and better enforcement, through electronic exchange of Customs data;

with the view to improve the efficiency and effectiveness of customs administration and to facilitate faster Customs clearance of goods and conveyances moved between the states of the Parties,

have agreed as follows:

Article 1

The Parties shall organize and conduct on a regular basis the exchange of data received by them during the customs clearance of goods and conveyances exported from the territory of the state of one Party, if the point of destination or the transit route is located on the territory of the state of the other Party, as far as possible, before they cross the border of the state of the Party of destination or transit (hereinafter referred as “pre-arrival information”).

The pre-arrival information shall be in the form of electronic documents based on technical specifications on the information interface mutually agreed by the Parties.

The information exchange shall be conducted by the Parties within the limits of their competence and in accordance with the national legislation of their states.

Article 2

The Parties shall use the pre-arrival information for Customs control purposes, in particular on the basis of risk analysis and risk management.

Article 3

The information received by the Parties under the present Protocol has an official character and should be used in accordance with the procedure stipulated by Articles 17 and 18 of the Agreement between the Government of

the Russian Federation and the Government of the Republic of India on Co-operation and Mutual Assistance in Customs Matters dated 25 March 1997.

Each of the Parties shall guarantee the confidentiality of the received information in accordance with the national legislation of its state.

Article 4

Each Party shall exchange the data on import of goods and conveyances destined from the territory of the state of the other Party after the release of goods based on mutually agreed technical specifications.

Article 5

The Parties shall also inform each other about any discrepancies identified in the data on goods and conveyances moved between the states of the Parties received in the course of the pre-arrival information exchange.

Article 6

The Parties shall inform each other of the list of authorized persons and structural divisions of the Customs administrations, which shall:

- develop and agree on the technical specifications of information interface and the data processing and transmission technologies as well as on the requirements of information protection;

- specify data elements for the exchange of the pre-arrival information on the goods and conveyances moved between the states of the Parties as well as develop and agree on the required classifiers;
- determine the methods of identification of goods and conveyances with a view to binding the pre-arrival data to the specific consignment of goods and/ or conveyances;
- be responsible for exchange of pre-arrival information;
- settle problems connected with the implementation of the provisions of the present Protocol.

Article 7

For the purpose of implementation of this Protocol the Parties shall conduct a pilot project on the pre-arrival information reporting in order to perfect the technology of electronic information exchange on goods and conveyances moved between the states of the Parties.

The Parties shall agree on the basic technological principles, the list and the structure of the data to be transmitted, the procedure of the pre-arrival reporting, the data format, the protection requirements, the methods of identification of the pre-arrival information with the specific goods and conveyances, the list of customs offices of the Parties taking part in the pilot project, as well as the time frame of the pilot project.

After the matters referred to in this Article are arranged, the Parties shall carry out necessary organizational and technical measures and inform each other in written form about their readiness to begin a trial.

The pilot project on the pre-arrival information shall be carried out within a period of six months. This period can be prolonged by mutual agreement between the Parties, if necessary.

Article 8

Upon completion of the pilot project, the Parties shall decide on the organization of the pre-arrival information exchange on a regular basis.

The Parties shall inform each other in written form about their readiness to begin the pre-arrival information exchange on a regular basis.

Article 9

For the implementation of this Protocol the Parties shall hold consultations and provide each other free of charge with information and reference materials and the design documentation necessary for the pre-arrival information exchange.

Article 10

By mutual written agreement between the Parties, modifications and additions may be introduced in this Protocol, which shall be finalized by separate Protocols.

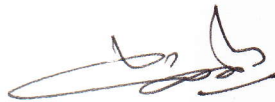
Article 11

Disputes arising between the Parties on the interpretation and implementation of the provisions of this Protocol shall be settled by means of consultations and negotiations.

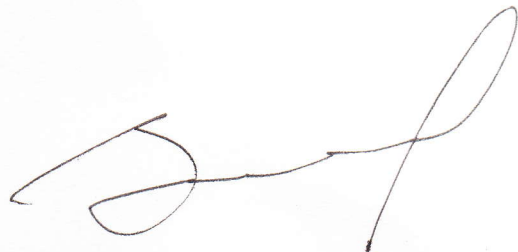
Article 12

This Protocol shall enter into force on the date of its signing. This Protocol is concluded for an indefinite period and shall stay in force six months after the date of a written notification of one of the Parties about its intention to terminate the Protocol.

Done in New Delhi on 25 January 2007 in duplicate in the Russian and English languages, both copies being equally authentic.



For the Central Board of Excise and
Customs, Department of Revenue,
Ministry of Finance
(Republic of India)



For the Federal Customs
Service
(Russian Federation)