

**AGREEMENT BETWEEN THE  
GOVERNMENT OF THE PEOPLE'S  
REPUBLIC OF CHINA AND THE  
GOVERNMENT OF MONGOLIA ON  
CUSTOMS MUTUAL ASSISTANCE  
AND CO-OPERATION**

The Government of the People's Republic of China and the Government of Mongolia (hereinafter referred to as "the Contracting Parties"),

Desiring to promote friendly and good-neighbour relations of the two countries through the co-operation in the Customs field,

Desiring to promote and facilitate the flow of goods and passengers between the two countries through the co-operation of their Customs administrations,

Considering that offences against Customs law are prejudicial to the economic, social and fiscal interests of their respective countries,

Convinced that action against Customs offences can be rendered more effective by co-operation between their Customs administrations,

Have agreed as follows:

## Article 1

For the purposes of this Agreement,

1. "Customs law" means all the statutory or regulatory provisions enforced or administered by the Customs administrations concerning the importation, exportation, or transit of goods;

2. "Customs administrations" means the Customs General Administration in the People's Republic of China and the Customs General Administration in Mongolia;

3. "Customs offence" means any breach, or attempted breach, of Customs law.

## Article 2

The Customs administrations of the two Contracting Parties shall, within the framework of the present Agreement, intensify their co-operation, by exchanging experiences in the Customs work and regulations and providing administrative assistance for each other in order to promote trade and personnel exchanges be-

tween the two countries.

### Article 3

The Customs administrations of the two Contracting Parties shall exchange information on:

1. role of the Customs service in the national economy and international trade;
2. methods of control by the Customs service over goods, means of transport, baggages, postal articles and other items into and out of the territory;
3. methods of the Customs control over bonded goods;
4. experience obtained through the implementation of the Harmonized System and valuation methods;
5. major features of smuggling activities, methods of concealment, methods of prevention and the results thereof;
6. Customs laws and regulations;
7. modernization of Customs management;
8. application of computers and other advanced technical equipment in the Customs work;
9. establishment of Customs offices, education and training for Customs personnel;

10. experience in the work of international organizations and in the implementation of international conventions;

11. other issues of common interest of the two Contracting Parties.

#### Article 4

The Customs administrations of the two Contracting Parties shall, within the scope of this Agreement, exchange Customs experts and lecturers from the Customs training centres to share their information on Customs practices.

#### Article 5

At the request of the Customs administration of one Contracting Party, the Customs administration of the other Contracting Party shall, to the extent of its competence and ability, maintain special surveillance for a specified period over:

1. particular persons among the inward and outward passengers, who are suspected of being engaged in offences against the Customs regulations of the re-

requesting Party;

2. particular goods or articles reported by the Customs administration of the requesting Party as being suspected of being in connexion with Customs offences;

3. particular vehicles, aircraft or other means of transport suspected of being used to commit offences against the Customs law of the requesting Party, and shall communicate a report thereon to the Customs administration of the requesting Party.

## Article 6

The Customs administration of one Contracting Party may, on its own initiative or on request by the Customs administration of the other Contracting Party, communicate to the requesting Party any information that is of material assistance for the discovery of valuation frauds and other Customs offences, especially that related with narcotic and psychotropic substances, arms, ammunition and explosives, articles of historical, artistic, cultural and archaeological value.

## Article 7

The Customs administrations of the two Contracting Parties shall take such steps as may be appropriate in order to ensure that goods exported and imported over the common frontier pass through the competent Customs offices and along the approved routes. For such purpose, the Customs administrations of the two Contracting Parties shall communicate to each other a list of the Customs offices located along the common frontier and their working hours. With the consent of the Customs administrations of the two Contracting Parties, meetings may be held on an irregular basis between their frontier Customs offices on the possibility of simplifying Customs clearance procedures and other practices of common concern.

## Article 8

Any intelligence, documents or other information communicated or obtained under this Agreement shall be treated as confidential and be used only for the purposes specified in this Agreement and subject to such

restrictions as may be laid down by the Customs administration which furnished them; they shall be afforded in the receiving country the same protection in respect of confidentiality and official secrecy as applies in that country to the same kind of intelligence, documents and other information obtained in its own country.

#### Article 9

If the Customs administration of one Contracting Party considers that the assistance sought would infringe upon its sovereignty, security or other substantial national interests or prejudice the legitimate commercial interests of any enterprise, public or private, or the valid legal norms of that Contracting Party, it may decline to provide that assistance or give it subject to certain conditions or requirements.

#### Article 10

In connection with the implementation of the present Agreement, the Customs administrations of the two Contracting Parties may hold meetings, if necessary at director-general level, alternately in the two

countries. The date and the agenda of the meetings shall be agreed upon by the Customs administrations of the two Contracting Parties sufficiently in advance.

#### Article 11

The assistance and co-operation envisaged by the present Agreement shall be rendered in the most effective manner between the Customs administrations of the two Contracting Parties.

The Customs administrations of the two Contracting Parties may directly communicate in the language of a third country that is acceptable to both Parties.

#### Article 12

The Customs administrations of the two Contracting Parties shall come to a separate arrangement upon bearing expenses incurred in connection with the implementation of the present Agreement.

#### Article 13

This Agreement shall enter into force with the

expiration of ninety (90) days following the date of the last notice that the legal procedures required for its coming into force in each country of the Contracting Party has been fulfilled.

This Agreement is of unlimited duration, but each Contracting Party may request its termination by serving a written notice through diplomatic channels to the other Party at any time. The present Agreement shall be no longer in force six(6) months following the date of the other Party's receipt of the notice of termination.

Done at Ulaanbaatar, on 7 September 1993 in duplicate in the Chinese, Mongolian and English languages, all texts being equally authentic.

In case of any divergency of interpretation, the English text shall prevail.

For the Government of  
the People's Republic of China

For the Government of  
Mongolia

刘文杰

