

**Protocol between
the responsible Italian and Austrian Authorities
on a railway customs corridor
(in accordance with Article 148 Union Customs Code)
from the Port of Trieste to Villach/Fürnitz**

The responsible Italian and Austrian authorities (hereinafter referred to as the “Parties”) in accordance with their respective Governments’ competences, laws, and regulations

having regarded the principles of the European Customs Union and the relevant legal instruments and the legal possibilities given by the Union Customs Code,

recognizing the need to develop and strengthen cooperation between the Parties to support the economic development in their countries and the European Union as well as prevent and investigate Customs offences which harm the economic, fiscal, social, cultural, and commercial interests,

convinced that customs work of high quality and close cooperation between economic operators and customs administrations are essential contributors to the economic growth and the prevention of fraud,

considering the lighthouse effect for the cooperation of Customs in the whole European Union by establishing a common customs corridor between Italy and Austria,

acknowledging the efforts taken by all persons involved, including economic operators,

have reached the following understanding on the application of the relevant provisions of the Union Customs Code as well as on the necessary administrative pillars for the well-functioning of the railway corridor.

Article 1

- (1) The Parties agree that the Movement in the railway corridor shall only be allowed between the two authorised temporary storage facilities of ADRIA FER S.R.L. in Trieste, EORI IT01033440320, authorisation number ITTSTIT129000-2021-D-ABT90874, temporary storage ID number 272J and Rail Cargo Austria AG (RCA) in Fürnitz, EORI ATEOS1000000018, authorisation number ATTSTD005126, temporary storage ID number AT0937304978619.

Article 2

- (1) The Movement from the port of Trieste to the temporary storage facility in Villach/Fürnitz will only take place by rail and in sealed containers with numbered policy seals or customs seals of the Italian customs authority.
- (2) Customs supervision in accordance with Article 134 of the Union Customs Code shall be ensured.
- (3) The conditions, requirements and obligations in the authorisations for the operation of temporary storage facilities of Adriafer and RailCargo Austria as well as the process flows shall be coordinated between the Italian and Austrian customs administrations.
- (4) Checks on goods subject to prohibitions or restrictions to be carried out at the point of entry, must take place in Trieste.

Article 3

The reference amount set out within the framework of the authorisation to comprehensive guarantee CGU n. ITCGUIT922107-2020-JNW65867 is regularly monitored, whereby it has to be considered that the movement is carried out under the obligation and responsibility of ADRIA FER S.R.L. until the goods are taken into temporary storage facilities in Villach/Fürnitz.

Article 4

A future movement of non-Union goods in temporary storage in the opposite direction (Villach/Fürnitz - Trieste), will be considered separately if one of the Parties declares such an economic need.

Article 5

- (1) Contact points are set up at the competent customs offices in Trieste and Villach/Fürnitz.
- (2) The contact details (e-mail addresses, telephone numbers, names of contact persons) and tasks of these contact points, as well as the arrangements concerning information exchange, risk analysis, risk management, controls and customs supervision measures are set out in a separate operative arrangement between the Customs Administrations involved and will be updated regularly.

Article 6

- (1) The SINFOMAR platform, managed by the Autorità di Sistema Portuale del Mare Adriatico Orientale di Trieste e Monfalcone, is used for the exchange of information between the holders of the authorisations of the temporary customs storage and the customs authorities.
- (2) To support customs supervision and as a further source of data for risk analysis, the two customs authorities are granted data access with the right to read and the possibility of statistical evaluation of customs-relevant data from the SINFOMAR system.

Article 7

In particular, the following may lead to the revocation of the authorisation and ending of this Protocol and all the relevant operative arrangements:

- (1) the identification of misuse or increased risk of fraud
- (2) the of lack of demand
- (3) the non-compliance with customs regulations
- (4) the jeopardizing of the comprehensive guarantee system

Article 8

The Parties agree to undertake a yearly evaluation on the functioning of the Customs corridor. This evaluation shall take place the first quarter of the following year. In particular, this evaluation should comprise the following:

- (1) the amount of the comprehensive guarantee
- (2) the adjustment of control priorities and risk assessment
- (3) the duration of the authorisations
- (4) the procedures

- (6) the relevant statistics
- (7) the identification of deficiencies, weaknesses and bottlenecks
- (8) the appropriate improvements and control priorities by customs

Article 9

The Parties agree on a trial period starting on the 12th December 2022 with the following main steps:

- (1) Phase I:
the first five test trains with intensive monitoring and documentation of the anomalies and, if necessary, improvements of the procedure. The evaluation of this phase will take place after three months.
- (2) Phase II:
the trains in the first six months will undergo partial monitoring, documentation of anomalies, an evaluation and, if necessary, further improvements of the procedure. Second evaluation of the process after 6 months.
- (3) Phase III:
Normal operation (upon positive outcome of the previous evaluations).

Signed in Vienna, on the 1st of December 2022, Austrian Ministry of Finance

For the Italian Party

For the Austrian Party

For the Autorità di Sistema
Portuale di Trieste









