



United States Department of State

*Office of Foreign Missions
New York Regional Office*

NOTICE

Diplomatic Cargo Shipments And Inspections

In response to concerns about the increased number of inspections being conducted on incoming shipments of diplomatic cargo, the Office of Foreign Missions provides the following general information to foreign missions and to shipping agents:

One of the many consequences of the events of September 2001 has been a steady increase in inspections of shipments of all types carried out at U.S. ports of entry. Often these shipments are selected at random for inspection.

Since shipping companies incur additional costs when required to move cargo to an x-ray machine or to provide staff members to open sealed containers, are likely to pass such unanticipated costs on to their clients. When the client is a foreign mission or diplomat, such costs can mean a significant unexpected expense. The Vienna Convention on Diplomatic Relations says that diplomats are not exempt from "charges for storage, cartage, and similar services." Inspection labor costs fall into this non-exempt category.

There are several steps that each mission can take to reduce the number of times their inbound shipments are inspected:

First, ***make sure that the bill of lading or other consignment documents prepared by the freight forwarder or shipping company clearly states that this is a diplomatic shipment.*** Even shipments to consulates can be so labeled.

Second, ***instruct the shipping company in writing that the mission must be notified immediately when a shipment is selected for x-raying or opening. If possible, add that requirement to the contract.*** While diplomatic cargo is fully subject to inspection, OFM has learned through its many conversations with inspectors for the U.S. Customs and Border Protection Bureau that the most common reason for inspection of diplomatic shipments is that the shipment was not identified to the inspectors as diplomatic in nature and intended for a foreign mission. Therefore, make sure that the freight forwarder has reminded the U.S Customs authorities that it is a diplomatic shipment.

Third, ***if the freight forwarder is unable to obtain a reversal of Customs' decision, then the mission should inform the OFM Diplomatic Tax and Customs Office immediately.*** OFM will investigate and determine if it can intervene in connection with the x-raying or other inspection. However, since all diplomatic cargo shipments are subject to inspection, OFM may not be successful in its efforts.

All of the U.S. border control agencies are undergoing rapid expansion and many of the inspectors now on duty have limited experience with diplomatic shipments. It is up to each mission to work with its freight forwarder to facilitate, to the extent possible, the smooth entry of diplomatic cargo. ***The U.S. Government cannot reimburse any mission for charges incurred as a result of inspection by agencies of the U.S. Government.***

OFM is ready at any time to provide advice and assistance. If you have any questions on port inspections, call our Customs liaison staff at 212-826-4500 or 826-4510.