

Agreement on transit between the Government of the Republic of Kazakhstan and the Government of Georgia of 17 September 1996

The Government of the Republic of Kazakhstan and the Government of Georgia, further on referred to as "the Parties", following the principle of respect of the state interests of the Parties, considering the friendly relations between the two Parties, recognizing the necessity of realization and development of transportation across the respective territories, confirming the adherence to the principles of international relations, agreed on the following:

Article 1

In view of the present Agreement the terms stated below carry the following meaning:

- a) "third countries" – states which are not parties to the present Agreement;
- b) "transit traffic" – passage of people, vehicles, cargo, including goods and international post of one of the Parties, when such a passage with or without transshipment, storage, unloading and loading of cargo lots as well as change of vehicles represent only a part of the overall transport route that begins and ends outside the territory of the country of transit;
- c) "country of transit" – the state with transit traffic across its territory;
- d) "transport vehicle" – rolling-stock, auto transport, sea and river vessels, oil- and gas pipe lines as well as other modes of transport.

Article 2

The Parties are entitled to exercise transit transportation across the territories of the respective states in accordance with the provisions of the present Agreement and the state legislation of the Parties.

Article 3

In accordance with the intergovernmental agreements, the Parties will not impose customs duties, taxes and dues upon transit traffic with the exception of those related to transport support services.

Article 4

1. Goods exported to the third countries will not be accepted for transit across the territories of the Parties and passage to the third countries if the goods are not registered by the customs of the exporting state. Such cargo will be detained on the territory of the country of transit and returned to the exporting state for customs registration. All expenses caused by delay of the transit are to be covered by the exporter.
2. Transportation of goods across the territory of the country of transit is exercised in accordance with the international traffic regulations.
3. Transportation of special goods and military supplies is exercised in accordance with a special Agreement.

Article 5

Relevant authorities of the Parties provide each other with lists of goods prohibited for export, import and transit on their territories.

Article 6

1. Freight forwarding services, survey and agent operations as well as transit support services should be provided by enterprises and businesses having licenses issued by the relevant authorities of the Parties.

The Parties will assist in opening of representative offices of these enterprises and businesses.

2. Tariff and tax rates applied on the territory of each of the Parties for calculation of cost of the mentioned operations should not exceed those stipulated in the relevant international agreements of the Parties.

Article 7

According to the present Agreement, payments in case of transportation by government contract are to be made in line with the intergovernmental trade-payment agreement, while in other cases payments are to be made by direct transactions between clients and suppliers.

Article 8

Customs formalities in transit traffic across the territories of the Parties will be reduced to a minimum. Relevant authorities of the Parties will not examine transit goods and luggage if there are no good reasons to suspect transportation of goods forbidden by the national legislation of the country of transit. In such a case the examination will be conducted in accordance with the customs regulations of the country of transit.

Article 9

The Parties will grant to each other rights and privileges established due to specific geographical location of the land-locked states according to principles and regulations of the international law.

Article 10

Moot points of interpretation and implementation of the present Agreement should be settled by the relevant authorities of the Parties through negotiations.

Article 11

Introduction of additions and changes in the present Agreement should be agreed upon and officially registered in writing by the relevant authorities of the Parties.

Article 12

In the context of the present Agreement the relevant authorities of the Parties are:
on the part of Kazakhstan:

Articles 6 and 10 – Ministry of Transport and Communications of the Republic of Kazakhstan;

Articles 5 and 8 – Customs Committee of the Republic of Kazakhstan;
on the part of Georgia:

Articles 6 and 8 – Ministry of Transport of Georgia;

Articles 5, 8 and 10 – Customs Department of Georgia.

Article 13

The present Agreement comes into force from the date the Parties notify on the implementation of the necessary national procedures.

The present Agreement is concluded for the period of five years. The period of validity will be automatically extended for other five-year terms unless one of the Parties informs the other on its termination no less than six months in advance.

In case of the termination of the present Agreement the commitments of the Parties under the Agreement remain valid till their full implementation.

Done at the city of Tbilisi on September 17, 1996, in two copies, each in Kazakh, Georgian and Russian languages, with all copies of equal value.

On behalf of the Government
of the Republic of Kazakhstan

On behalf of the Government
of Georgia