

AGREEMENT
ON INTERNATIONAL ROAD TRANSPORT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF KYRGHYZSTAN
AND
THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN

PREAMBLE

THE GOVERNMENT OF THE REPUBLIC OF KYRGHYZSTAN AND THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN HEREINAFTER REFERRED TO AS THE " CONTRACTING PARTIES ", DESIRING BILATERAL DEVELOPMENT AND FACILITATION OF TRANSPORTATION OF GOODS AND PASSENGERS BY ROAD BETWEEN THE TWO COUNTRIES AS WELL AS TRANSIT THROUGH THEIR TERRITORIES, HAVE AGREED UPON AS FOLLOWS :

PRELIMINARY PROVISIONS

ARTICLE 1
DEFINITIONS

FOR THE PURPOSE OF THIS AGREEMENT :

THE TERM " CARRIER " MEANS ANY PHYSICAL OR LEGAL PERSON RESIDING AND CITIZEN OF THE REPUBLIC OF KYRGHYZSTAN OR THE ISLAMIC REPUBLIC OF IRAN WHO IS AUTHORIZED TO PERFORM INTERNATIONAL TRANSPORT OF PASSENGERS AND GOODS BY ROAD, IN ACCORDANCE WITH NATIONAL LAWS AND REGULATIONS OF ITS COUNTRY.

THE TERM " VEHICLE " MEANS:

A)-WITH REGARDS TO TRANSPORTATION OF GOODS:

TRUCK, HAULIER OR COMBINATION OF A TRUCK OR HAULIER WITH TRAILER OR SEMI-TRAILER REGISTERED IN THE TERRITORY OF EITHER CONTRACTING PARTY.

B)-WITH REGARDS TO TRANSPORTATION OF PASSENGERS:

SPECIFIC VEHICLE FOR TRANSPORTATION OF PASSENGERS, WITH MORE THAN EIGHT SEATS EXCLUDING THE DRIVER'S SEAT AND REGISTERED IN THE TERRITORY OF EITHER CONTRACTING PARTY.

THE TERM "REGULAR PASSENGER TRANSPORT SERVICE" MEANS THE CARRIAGE OF PASSENGERS BY VEHICLES BETWEEN THE TERRITORIES OF THE TWO CONTRACTING PARTIES ON AGREED ROUTES, SCHEDULES, TAKING INTO CONSIDERATION, DEPARTURE AND DESTINATION POINTS AS WELL AS STOPPING POINTS TO LEAVE AND TAKE PASSENGERS.

ARTICLE 2

SCOPE

IN ACCORDANCE WITH THE PROVISIONS OF THE PRESENT AGREEMENT , TRANSPORTATION OF PASSENGERS AND GOODS BETWEEN TWO COUNTRIES, IN TRANSIT THROUGH THEIR TERRITORIES AND FROM / TO THE THIRD COUNTRIES SHALL BE PERFORMED BY ROADS ALLOWED FOR INTERNATIONAL TRANSPORT.

PASSENGER TRANSPORT

ARTICLE 3

REGULAR TRANSPORTATION

ORGANIZING THE REGULAR PASSENGER TRANSPORT BY PASSENGER TRANSPORT VEHICLES IS SUBJECT TO THE ACCORDANCE BETWEEN THE

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COMPETENT AUTHORITIES OF THE CONTRACTING PARTIES.

PROPOSALS CONTAINING INFORMATION REQUIRED TO ORGANIZE THIS SORT OF TRANSPORTATION WOULD BE EXCHANGED BETWEEN THE COMPETENT AUTHORITIES OF THE CONTRACTING PARTIES, IN ADVANCE.

ARTICLE 4

IRREGULAR TRANSPORTATION

- 1- ACCORDING TO THE PRESENT AGREEMENT, A PERMIT IS REQUIRED TO PERFORM IRREGULAR TRANSPORTATION OF PASSENGERS EXCEPT THOSE MENTIONED IN PARA. (2) OF THIS ARTICLE.
- 2- IRREGULAR TRANSPORTATION OF A CERTAIN GROUP OF PASSENGERS BY A DESIGNATED PASSENGER VEHICLE THROUGHOUT THE WHOLE JOURNEY DOES NOT REQUIRE A PERMIT, PROVIDED THAT:
 - A)- DEPARTURE AND DESTINATION POINTS OF THE JOURNEY ARE SITUATED IN THE TERRITORY OF THE CONTRACTING PARTY IN WHICH THE VEHICLE IS REGISTERED.
 - B)- THE JOURNEY STARTS FROM THE COUNTRY WHERE THE VEHICLE IS REGISTERED AND ENDS WITHIN THE TERRITORY OF THE OTHER CONTRACTING PARTY AND THE VEHICLE LEAVES THE TERRITORY OF THE LATTER CONTRACTING PARTY WITHOUT PASSENGERS.
 - C)- TRANSPORTATION OF PASSENGERS, IS PERFORMED IN TRANSIT THROUGH THE TERRITORY OF THE OTHER CONTRACTING PARTY.
- 3- FOR PERFORMING PASSENGER TRANSPORT OPERATIONS MENTIONED IN PARA, (2) OF THIS ARTICLE, THE DRIVER SHOULD HOLD THE LIST OF THE PASSENGERS.

TRANSPORT OF GOODS

ARTICLE 5

DIFFERENT SORTS OF TRANSPORTATION

- 1- IN ACCORDANCE TO THIS AGREEMENT, THE CARRIERS OF THE CONTRACTING PARTIES ARE ENTITLED TO TRANSPORT EXPORT AND IMPORT GOODS BETWEEN THE TWO COUNTRIES WITHOUT REQUIREMENT OF PERMITS, AS WELL AS THOSE MENTIONED IN ARTICLE (6) OF THIS AGREEMENT.

- 2- TRANSPORTATION OF GOODS WOULD BE EFFECTED FROM DEPARTURE POINTS LOCATED IN THIRD COUNTRIES TO THE TERRITORY OF EITHER CONTRACTING PARTY AND FROM THE TERRITORY OF ONE OF THE CONTRACTING PARTIES DESTINED TO A THIRD COUNTRY AND ALSO IN TRANSIT THROUGH THE TERRITORY OF EITHER CONTRACTING PARTY BY USING THE PERMITS ISSUED BY THE COMPETENT AUTHORITIES OF THE CONTRACTING PARTY CONCERNED.

ARTICLE 6

PERMIT EXEMPTIONS

NO TRANSPORT PERMIT SHALL BE REQUIRED FOR THE FOLLOWING TRANSPORT OPERATIONS:

- A)- EXHIBITORY GOODS
- B)- SPORTING ACCESSORIES FOR SPORT TOURNAMENTS
- C)- DECEASED
- D)- POSTAL CONSIGNMENTS
- E)- DAMAGED OR OUT OF ORDER VEHICLES
- F)- PORTABLE HOUSEHOLDS IN CASES OF RESIDENCE RELOCATION.
- G)- TRANSPORT OPERATIONS MENTIONED IN ARTICLE 7
- H)- CONSIGNMENTS RELATED TO THE HUMANITARIAN AIDS

GENERAL PROVISIONS

ARTICLE 7

WEIGHTS AND DIMENSIONS OF ROAD VEHICLES

- 1- AS REGARDS THE WEIGHTS AND DIMENSIONS OF ROAD VEHICLES, EACH OF THE CONTRACTING PARTIES UNDERTAKES NOT TO IMPOSE ON VEHICLES REGISTERED IN THE TERRITORY OF THE OTHER CONTRACTING PARTY CONDITIONS WHICH ARE MORE RESTRICTIVE THAN THOSE IMPOSED ON VEHICLES REGISTERED WITHIN ITS OWN TERRITORY.

- 2- IF THE WEIGHT OR DIMENSIONS OF THE VEHICLE EXCEED THE MAXIMUM LIMITS PERMITTED IN THE TERRITORY OF EITHER CONTRACTING PARTY, ALSO IN THE CASE OF DANGEROUS GOODS TRANSPORT, THE VEHICLE REQUIRES A SPECIAL PERMIT FROM THE COMPETENT AUTHORITY OF THE CONTRACTING PARTY CONCERNED.

WHERE SUCH A PERMIT STIPULATES THAT THE VEHICLE MUST USE A SPECIFIC ROUTE, TRANSPORT IS ONLY PERMISSIBLE ON THAT ROUTE.

ARTICLE 8

PERMITS

ISSUANCE AND EXCHANGE OF TRANSPORT PERMITS MENTIONED IN THIS AGREEMENT ARE ASCERTAINED IN ACCORDANCE TO THE AGREEMENTS REACHED BETWEEN THE COMPETENT AUTHORITIES OF THE CONTRACTING PARTIES.

ARTICLE 9

PROHIBITION OF INTERNAL TRANSPORT

THE CARRIERS OF ONE CONTRACTING PARTY ARE NOT ALLOWED TO TRANSPORT PASSENGERS OR GOODS WITHIN TWO POINTS LOCATED IN THE TERRITORY OF THE OTHER CONTRACTING PARTY.

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ARTICLE 10
TRANSPORT DOCUMENTS

TRANSPORT DOCUMENTS REQUIRED IN ACCORDANCE WITH THE PROVISIONS OF THIS AGREEMENT, MUST BE CARRIED BY THE DRIVER OF THE VEHICLE CONCERNED IN ORDER TO BE PRESENTED TO THE CONTROL AUTHORITIES IF REQUESTED.

ARTICLE 11
PAYMENTS

ALL PAYMENTS RESULTING FROM THE IMPLEMENTATION OF THIS AGREEMENT WOULD BE EFFECTED IN ACCORDANCE TO THE AGREEMENTS REACHED BETWEEN THE CONTRACTING PARTIES.

ARTICLE 12
TAXES AND CHARGES

IN ACCORDANCE TO THIS AGREEMENT, TRANSPORTATION OF GOODS AND PASSENGERS BY CARRIERS OF ONE OF THE CONTRACTING PARTIES, AND ALSO OPERATION OF VEHICLES ARE MUTUALLY EXEMPTED FROM CHARGES OF ISSUANCE OF PERMITS FORESEEN IN THIS AGREEMENT AS WELL AS TAXES AND CHARGES LEVIED ON INCOME AND PROFIT FROM TRANSPORT OPERATIONS, USING AND / OR MAINTENANCE OF ROADS, POSSESSION AND CIRCULATION OF VEHICLES IN THE TERRITORY OF THE OTHER CONTRACTING PARTY.

ARTICLE 13
CUSTOMS FORMALITIES

1- TEMPORARY IMPORTATION OF VEHICLES TO THE TERRITORY OF THE OTHER CONTRACTING PARTY IS SUBJECT TO THE NATIONAL LAWS AND REGULATIONS OF THE SAID CONTRACTING PARTY.

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2- FUEL AND OIL CONTAINED IN THE STANDARD TANKS OF THE VEHICLE OF ONE OF THE CONTRACTING PARTIES WHICH ARE TEMPORARILY IMPORTED INTO THE TERRITORY OF THE OTHER CONTRACTING PARTY SHALL BE EXEMPTED FROM IMPORT DUTIES AND TAXES AND SHALL NOT BE SUBJECT TO IMPORT PROHIBITIONS AND RESTRICTIONS PROVIDED THAT THE TANKS ARE THE ONES ORIGINALLY INSTALLED BY THE MANUFACTURING COMPANY OF THE VEHICLE.

3- SPARE PARTS IMPORTED FOR THE PURPOSE OF REPAIRING OF A CERTAIN VEHICLE, WHICH HAS PREVIOUSLY BEEN TEMPORARILY IMPORTED, ARE TEMPORARILY EXEMPTED FROM IMPORT TAXES AND DUTIES AS WELL AS IMPORT PROHIBITIONS OR RESTRICTIONS. THE CONTRACTING PARTIES MAY DEEM IT NECESSARY TO ISSUE TEMPORARY IMPORT PERMIT FOR SUCH SPARE PARTS.

THE SPARE PARTS WHICH HAVE BEEN REPLACED, SHALL BE EITHER CLEARED, OR RETURNED, OR DESTROYED UNDER THE SUPERVISION OF THE CONCERNED CUSTOMS AUTHORITIES OR PLACED AT THE FREE DISPOSAL OF THESE AUTHORITIES IN ACCORDANCE WITH THE NATIONAL LAWS AND REGULATIONS OF THE COUNTRY IN WHICH THE AFOREMENTIONED PARTS WERE IMPORTED IN.

ARTICLE 14

CIVIL LIABILITY INSURANCE

IN ACCORDANCE TO THIS AGREEMENT, THE CARRIERS OF EITHER CONTRACTING PARTY, ARE OBLIGED TO COVER THE CIVIL LIABILITY INSURANCE FOR THE OTHER CONTRACTING PARTY WHILE ENTERING THEIR VEHICLE TO ITS TERRITORY.

ARTICLE 15

IMPLEMENTATION OF NATIONAL LEGISLATION

FOR ALL MATTERS NOT FORESEEN BY THIS AGREEMENT, OR BY OTHER INTERNATIONAL AGREEMENTS TO WHICH BOTH COUNTRIES ARE

PARTIES TO, CARRIERS AND DRIVERS OF VEHICLES OF ONE CONTRACTING PARTY ARE BOUND TO RESPECT THE LEGAL PROVISIONS AND REGULATIONS OF THE OTHER CONTRACTING PARTY, WHILE THEY ARE RESIDING IN THE TERRITORY OF THE OTHER CONTRACTING PARTY.

ARTICLE 16
INFRINGEMENTS

1- THE COMPETENT AUTHORITIES OF THE CONTRACTING PARTY WHERE THE VEHICLE HAS BEEN REGISTERED SHALL IN CASE ITS CARRIERS OR DRIVERS OF VEHICLES WHILE ON THE TERRITORY OF THE OTHER CONTRACTING PARTY, INFRINGE ON THE REGULATIONS OF THE PRESENT AGREEMENT AND THE LAWS AND REGULATIONS ON TRAFFIC AND TRANSPORTATION WHICH ARE IN FORCE IN THAT TERRITORY, TAKE THE FOLLOWING STEPS AS AND WHEN REQUESTED BY THE COMPETENT AUTHORITIES OF THE LATTER CONTRACTING PARTY:

A)- ISSUING WARNING TO THE CARRIER

B)- SUSPENSION OF PERMISSION TO EFFECT TRANSPORTATION ON THE TERRITORY OF THE CONTRACTING PARTY WHERE THE INFRINGEMENT HAS TAKEN PLACE, EITHER TEMPORARILY, OR PARTLY, OR COMPLETELY.

2- THE COMPETENT AUTHORITIES OF THE FORMER CONTRACTING PARTY SHALL NOTIFY THE COMPETENT AUTHORITIES OF THE LATTER CONTRACTING PARTY OF THE MEASURES TAKEN, AS STIPULATED IN PARA. (1) OF THIS ARTICLE.

3- THE MEASURES MENTIONED IN PARA. (1) OF THIS ARTICLE WOULD NOT BE IN CONTRADICTION WITH EXECUTION OF NATIONAL LAWS AND REGULATIONS OF THE CONTRACTING PARTY IN WHICH THE INFRINGEMENT HAS BEEN COMMITTED.

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ARTICLE 17
JOINT COMMISSION

- 1- FOR THE PURPOSE OF INVESTIGATING ALL THE ISSUES RELATED TO THE IMPLEMENTATION OF THIS AGREEMENT, THE COMPETENT AUTHORITIES OF THE CONTRACTING PARTIES SHALL SET UP A JOINT COMMISSION CONSISTING OF THEIR REPRESENTATIVES.
- 2- THE JOINT COMMISSION WOULD BE HELD WHEN DEEMED NECESSARY ON PROPOSAL OF EITHER CONTRACTING PARTY. THE DECISIONS MADE BY THIS COMMISSION WOULD BE OBLIGATORY TO BOTH PARTIES.

ARTICLE 18
COMPETENT AUTHORITIES

THE COMPETENT AUTHORITIES DESIGNATED FOR THE IMPLEMENTATION OF THIS AGREEMENT SHALL BE AS FOLLOWS :

- ON BEHALF OF THE REPUBLIC OF KYRGHYZSTAN:
MINISTRY OF TRANSPORT
- ON BEHALF OF THE ISLAMIC REPUBLIC OF IRAN:
MINISTRY OF ROADS AND TRANSPORTATION

ARTICLE 19

ENTRY INTO FORCE AND DURATION OF VALIDITY

- 1- THIS AGREEMENT SHALL ENTER INTO FORCE THIRTY DAYS AFTER THE CONTRACTING PARTIES HAVE NOTIFIED EACH OTHER IN WRITING THROUGH DIPLOMATIC CHANNELS THAT THEY HAVE COMPLIED WITH REQUIREMENTS OF THEIR OWN LAWS AND REGULATIONS FOR THE ENTRY INTO FORCE OF THIS AGREEMENT.

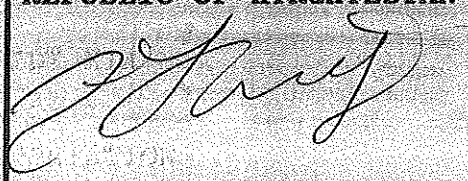
2- THIS AGREEMENT IS CONCLUDED FOR AN UNLIMITED PERIOD OF TIME SUBJECT TO THE RIGHT OF EITHER CONTRACTING PARTY TO GIVE TO THE OTHER CONTRACTING PARTY A 90 DAYS WRITTEN NOTICE OF TERMINATION THROUGH DIPLOMATIC CHANNELS.

DONE IN TEHRAN ON JUNE 22, 1993 CORRESPONDING TO TIR 1st, 1372 IN ONE PREAMBLE AND 19 ARTICLES, IN TWO ORIGINAL COPIES IN KYRGHYZI, PERSIAN AND ENGLISH LANGUAGES, ALL TEXTS BEING EQUALLY AUTHENTIC, IN CASE OF DIVERGENT INTERPRETATION THE ENGLISH TEXT SHALL PREVAIL.

FOR

FOR

THE GOVERNMENT OF THE REPUBLIC OF KYRGHYZSTAN THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN



MOHAMMAD SAEIDI KIA

MINISTER OF
ROADS & TRANSPORTATION

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