

AGREEMENT  
between the Government of the Kyrgyz Republic and the Government  
of the Republic of Kazakhstan on International Road Transport

The Government of the Kyrgyz Republic and the Government of the Republic of Kazakhstan, hereinafter referred to as the Parties,

guided by the Treaty on Eternal Friendship between the Kyrgyz Republic and the Republic of Kazakhstan of 8 April 1997,

aspiring to develop on mutual basis the road transport of passengers and goods between two states and transit transport through their territories, as well as to facilitate the road transport, have agreed to the following:

Article 1

1. In accordance with this Agreement the road transport of passengers and goods between the states of the Parties, transit transport through their territories, as well as to (from) the third states shall be carried out by the vehicles registered in one of states of the Parties.

2. The Agreement has no impact on rights and obligations of the Parties stipulated by other international agreements and treaties they joined.

Article 2

For the purposes of this Agreement:

a) “competent authorities” shall refer to:

- from Kazakhstan side – the Ministry of Transport and Communications of the Republic of Kazakhstan,

in respect to the Articles 6, 10 and 15 – jointly with the Ministry of Internal Affairs of the Republic of Kazakhstan.

- from Kyrgyz side – the Ministry of Transport and Communications of the Kyrgyz Republic,

in respect to the Articles 7, 8, 11 and 15 – jointly with the Ministry of Internal Affairs of the Kyrgyz Republic.

The Parties shall inform each other about changes in the names or responsibilities of abovementioned competent authorities through diplomatic channels.

b) “carrier” shall refer to a physical or juridical person registered in the territory of state of one of the Parties and permitted in accordance with the national legislation to carry out international road transport of passengers and goods.

c) “vehicle” shall refer to:

- in case of transport of passengers – bus, i.e. a vehicle designed for transport of passengers that has more than nine seats including driver’s seat;

- in case of transport of goods – track, truck with trailer, motor tractor or motor tractor with semi-trailer.

d) “permit” shall refer to a document which grants the right for vehicle registered on the territory of state of one Party to pass on the territory of state of another Party.

e) “transit transport” shall refer to transport of passengers or goods on the territory of state of one of the Parties when its start and end points are situated outside the territory of this state.

f) “regular transport of passengers” shall refer to transport of passengers by bus which is carried out on the routes, timetable, tariffs and stop-points agreed with the competent authorities of states of the Parties.

g) “irregular transport of passengers” shall refer to transport of passengers by bus which does not corresponds with the definition of “regular transport of passengers”.

### Article 3

The regular bilateral and transit transport of passengers by buses shall be organized as agreed (in written form) by the competent authorities of states of the Parties. The competent authorities of states of the Parties shall approve (in written form) the timetable, route, bus stops for boarding and disembarkation of passengers, as well as border crossings.

### Article 4

1. Permits shall be required for irregular bilateral and transit transport of passengers by buses registered in the territory of states of the Parties with the exception of cases indicated in paragraphs 2 and 3 of this Article.

2. No permits shall be required for irregular bilateral and transit transport of passengers by buses in case of transport of the same group of passengers by the same bus and:

a) the transport starts and ends in the territory of state of the Party where the bus is registered;

b) the transport starts on the territory of state of the Party where the bus is registered and ends on the territory of state of another Party on condition that the bus shall leave this territory being empty.

3. No permits shall be also required:

a) for entry of empty buses with purpose of return transport by the same carrier of the group of passengers from the point on the territory of state of another Party, where this group was previously transported (the case specified in sub-paragraph “b” of paragraph 2), to the start point.

b) in case of replacement of a damaged bus by another.

4. In case of irregular transport of passengers specified in paragraph 2 and sub-paragraph “a” of paragraph 3 of this Article, driver of a bus must have the list of passengers made in special form approved by the competent administrations of states of the Parties.

#### Article 5

No permit shall be required for transport of goods between two states or transit transport through their territories from the territory of state of another Party to the territory of third state, as well as from the territory of third state to the territory of state of another Party.

#### Article 6

1. Road transport under this Agreement may be carried out only by the carriers permitted to fulfil international road transport in accordance with their national legislation.

2. Vehicles used in international road transport should have registration and specific signs of their states. Trailers and semi-trailers may have registration and specific signs of other states on condition that tracks and motor tractors have registration and specific signs of the Kyrgyz Republic or the Republic of Kazakhstan.

#### Article 7

In cases when vehicle’s dimensions or weight or axle load exceed values established for the territory of the other Party (heavyweight and large dimension), a carrier should receive a special permit from the competent authorities of the other Party.

#### Article 8

Transport of dangerous goods shall be carried out under condition of fulfilment of all requirements of international treaties joined by the Parties, as well as national legislation of states of the Parties.

## Article 9

A carrier of state of one Party shall not be permitted to undertake transport of passengers and goods between points situated on the territory of state of another Party.

## Article 10

1. Drivers shall be in possession of a national or international driver's license for the relevant to type of vehicle they drive, as well as national vehicle registration documents.

2. Permit and other documents required under the provisions of this Agreement shall accompany the driver of the vehicle and be presented upon request of the competent authorities of states of the Parties.

## Article 11

Transport of passengers and goods under this Agreement undertaken by carriers of state of one of the Parties on the territory of state of another Party, as well as vehicles used for this transport, shall be exempted from taxes and duties related to use or maintenance of roads, ownership or use of vehicles, excluding charges for use of toll roads (bridges, tunnels).

## Article 12

1. During transportation under this Agreement the following items carried to the territory of another Party shall be mutually exempted from Customs duties and taxes:

a) fuel in main tanks installed for a relevant type of vehicle that are technologically and structurally connected to the engine's fuel system, as well as additional fuel in quantity of two hundred liters for each cooling or other equipment of tracks or special containers;

b) lubricants in quantity necessary for transportation;

c) units, spare parts and tools necessary to repair a vehicle damaged during international road transport.

2. Unused spare parts and tools shall have to be re-exported, and replaced spare parts shall have to be re-exported or converted to another Customs regime as required by national legislation of state of the relevant Party.

## Article 13

Transport of passengers and goods under this Agreement shall be carried out under condition of obligatory third party liability insurance for damage inflicted on third parties.

The carrier must insure each vehicle used in international road transport in advance.

#### Article 14

Border, sanitary and customs controls shall be carried out without waiting during transportation of persons in need of emergency medical assistance, regular transport of passengers, as well as transportation of animals and perishable goods.

#### Article 15

1. Carriers of states of the Parties shall be obliged to adhere to the provisions of this Agreement as well as to national legislation, including traffic rules of state of the Party on the territory of which the vehicle is located.

2. In case of violation of any provisions of this Agreement on the territory of state of one of the Parties, the competent authority of state of the Party, where the vehicle is registered, upon request of the competent authority of state of another Party shall carry out all relevant measures to provide abidance of the Agreement.

3. Provisions of this Agreement shall not exempt application of sanctions against the carriers of state of the Parties in accordance with the national legislation of state of the Party on the territory of which a violation is happened.

#### Article 16

Issues not covered by this Agreement and international treaties joined by both Parties shall be solved in accordance with the national legislation of state of each Party.

#### Article 17

1. For implementation of this Agreement the competent administrations of states of the Parties shall exchange information on all amendments in the national legislation of their states affecting to realization of this Agreement.

2. Disputes between the Parties with regard to interpretation or implementation of this Agreement shall be resolved by way of negotiations and consultations.

#### Article 18

The Parties shall hold meetings on the level of competent administrations for implementation of this Agreement and handling the issues in the field of international road transport.

The meetings shall be held on the territories of states of the Parties on rotation basis upon proposal of one of the Parties which shall be sent though diplomatic channels one month in advance.

#### Article 19

By mutual consent of the Parties, amendments and additions to this Agreement may be done by way of separate protocols, which shall constitute an integral part of this Agreement and enter into force in order specified in Article 20 of this Agreement.

#### Article 20

1. This Agreement shall enter into force from the date of receipt of the last written notification on completion by the Parties of domestic procedures necessary for its entry into force.

2. This Agreement shall be concluded for unlimited period of time and continue to be in force six months after one of the Parties has informed another Party in writing on its intention to terminate the Agreement.

3. The Agreement between the Government of Kyrgyz Republic and the Government of the Republic of Kazakhstan on International Road Transport of 26 October 1993 shall be terminated from the date of entry into force of this Agreement.

Done in Astana on 25 December 2003 in two original copies in Kyrgyz, Kazakh and Russian languages each, all texts being equally authentic.

In case of disputes with regard to interpretation of the provisions of this Agreement, the Parties shall refer to the text on Russian language.

For the Government  
of Kyrgyz Republic  
(signed)

For the Government  
of the Republic of Kazakhstan  
(signed)