

**AGREEMENT FOR TRAFFIC IN TRANSIT AMONG THE GOVERNMENTS OF THE PEOPLE'S
REPUBLIC OF CHINA, THE KYRGYZ REPUBLIC, THE REPUBLIC OF KAZAKHSTAN AND
THE ISLAMIC REPUBLIC OF PAKISTAN**

The Governments of the Peoples Republic of China, the Kyrgyz Republic, the Republic of Kazakhstan and the Islamic Republic of Pakistan (hereinafter called the Contracting Parties), recognizing the need to promote traffic in transit amongst the contracting states and desiring to maintain, develop and strengthen the existing friendly relations have agreed as under:-

ARTICLE - I

The Contracting parties undertake to provide facilities for traffic in transit on routes mutually agreed upon.

The Contracting parties agree to adopt multi-modal transport regime to carry out the traffic in transit. No distinction shall be made based on the ownership of the means of transport.

ARTICLE - II

The transportation of goods including baggage and vehicle of one Contracting party through the territories of the other contracting parties shall be deemed as "Traffic in Transit".

ARTICLE - III

The transit shall be undertaken by vehicles registered in the contracting parties. The system of international road transit permit shall be implemented for the vehicles approved for transit traffic.

ARTICLE - IV

The list of border posts and the land routes for traffic in transit is attached as Annex.

Additional routes may be agreed upon amongst the Contracting parties from time to time.

The procedures for handling the traffic in transit shall be agreed upon by the competent authorities of the Contracting parties.

ARTICLE - V

No vehicle duties and taxes on transport earning and profits the territories of the transit countries shall be levied on traffic in transit except charges for transportation entailed by traffic in transit or for the cost services rendered in accordance with each countries internal regulations.

ARTICLE - VI

A Contracting party may impose toll taxes, including road maintenance fee, on vehicles performing the traffic in transit.

ARTICLE - VII

In order to facilitate movement of goods in transit, the toms authorities of the Contacting parties shall devise as mutually agreed, uniform customs procedures and formalities.

ARTICLE - VIII

The Contracting parties shall endeavor to improve the wayside infrastructure facilities in their territories, and provide at point or points of entry or exit, sheds and open spaces for vehicles in transit waiting Customs clearance before onward transmission, which will be a charged service. For vehicles with hazardous goods and awkward loads separate arrangements will be made.

ARTICLE - IX

The Contracting parties undertake to meet the requirements of railway wagons, road vehicles and merchant ships subject to availability.

ARTICLE - X

Contracting parties agree that railway freight, road freight lies, port and other charges due shall not be less favourable than those larges by the Contracting parties on goods owned by their nationals.

ARTICLE - XI

The Contracting parties with a view to facilitating the quick and efficient transit of goods between the contracting states agree to adopt a uniform set of consignment notes.

ARTICLE - XII

The Contracting parties have the right to apply all prohibitions and restrictions for the traffic and transit, deriving from their national legislation which are not only those based on considerations of public security, public hygiene, public morals or health or veterinary or psychopathological consideration, trademarks and copyright but also those imposed on economic or any other grounds.

ARTICLE - XIII

Contracting parties offer each other facility of free transit across their territories for goods belonging to the Contracting parties as well as to the third countries (which are not the party to the present agreement) excluding smuggled goods, weapons and ammunition, narcotic drugs, and also the goods whose export and import are forbidden by the laws of the Contracting parties.

Transit goods, imported in accordance with International radices of trade, customs regulations and other international obligations will be protected by the Contracting Parties, through the territory of which transit is taking place.

ARTICLE - XIV

Issues which are not covered by this agreement shall be settled by mutual consultations among the Contracting parties.

ARTICLE - XV

Each Contracting party shall appoint Liaison Officer to look jointly into the working of this agreement and to refer for expeditious solution to the competent authorities of their own country, any question rising from the operation of this Agreement. The Liaison Officers of all contracting parties will meet as often as may be mutually agreed. Such consultation shall take place at least once in a calendar year.

In order to implement the present agreement the competent authorities of the contracting parties will meet to work out procedure and rues.

ARTICLE - XVI

The Contracting parties agree to resolve any differences relating to the interpretation of this Agreement through consultations, and in the event of failure to reach a settlement to refer the matter to an arbitrator acceptable to concerned parties, whose decision shall be binding.

ARTICLE - XVII

Amendments can be made in the present Agreement. Any proposed amendment should be sent to the depository state who shall inform the Contracting parties.

Amendments will be adopted by agreement of all the Contracting parties through signing of separate protocols.

ARTICLE - XVIII

The present Agreement shall come into effect on the date of the last notification by Contracting parties on completion of legal procedures required for the entering into force of the Agreement.

The notifications will be received by the depository state.

The depository state will be the state on whose territory the agreement will be signed.

ARTICLE- XIX

The present Agreement shall remain valid for a period of 5 years. Thereafter, it shall be automatically renewed for a further period 5 years, unless either contracting party gives termination notice in writing to the others, 6 months before the expiration of the 5 years period the said Agreement.

ARTICLE - XX

The Present Agreement is open to other states who can join it with the concurrence of all the contracting parties.

ARTICLE - XXI

Done at Islamabad, on the 9th day of March, 1995 in English, Russian and state languages of the Contracting parties. All texts being equally valid.

The original copy is being deposited in the Islamic Republic of Pakistan which will send copies of it to the other Contracting parties.

For the purpose of interpretation of this Agreement the Contracting parties will use the English version of the text.

ANNEX

BORDER POSTS AND LAND ROUTES FOR TRAFFIC IN TRANSIT

The contracting parties agreed on the following routes and controlling border posts for traffic in transit.

1. Border posts

Pakistan: Sust and Karachi Port

China: Khunjerab, Torgurt and Khorgos

Kyrgyzstan: Torgurt and Ak-jol (Lugovaja)

Kazakhstan: Georgijevka and Khorgos

2. Land Routes

Land Routes shall be temporarily agreed as under:

- A. - Pakistan - China - Kyrgyzstan - Kazakhstan
- B. - China - Kazakhstan
- C. - China - Kyrgyzstan

The contracting parties recognize the need to maintain trade routes in travel worthy condition in their respective areas.