

No. 30672

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**MONGOLIA  
and  
RUSSIAN FEDERATION**

**Agreement concerning access to the sea and transit transport  
for Mongolia across the territory of the Russian Feder-  
ation. Signed at Moscow on 19 October 1992**

*Authentic texts: Mongolian and Russian.*

*Registered by Mongolia on 2 February 1994.*

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**MONGOLIE  
et  
FÉDÉRATION DE RUSSIE**

**Accord concernant l'accès à la mer et le transport en transit  
pour la Mongolie à travers le territoire de la Fédération  
de Russie. Signé à Moscou le 19 octobre 1992**

*Textes authentiques : mongol et russe.*

*Enregistré par la Mongolie le 2 février 1994.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF MONGOLIA  
AND THE GOVERNMENT OF THE RUSSIAN FEDERATION  
CONCERNING ACCESS TO THE SEA AND TRANSIT TRANS-  
PORT FOR MONGOLIA ACROSS THE TERRITORY OF THE  
RUSSIAN FEDERATION

The Government of Mongolia and the Government of the Russian Federation, hereinafter referred to as “the Contracting Parties”,

Bearing in mind the traditional friendly relations, mutual trust and comprehensive cooperation between their two countries,

Affirming their adherence to those principles and norms of international law which recognize the need to consider the special interests and requirements of countries lacking access to the sea,

Desiring to promote the development and expansion of international trade,  
Have agreed as follows:

*Article 1*

For the purposes of this Agreement,

(a) “The State lacking access to the sea” shall mean Mongolia;

(b) “The transit State” shall mean the Russian Federation;

(c) “Transit transport” shall mean the movement, for the purpose of access to the sea, of persons, baggage or cargo, including the goods, packages and mails of the State lacking access to the sea, across the territory of the transit State, when such movement — whether with or without reloading, storage, splitting or consolidation of shipments or change of means of transport — represents only a part of a complete journey which begins or ends within the territory of the State lacking access to the sea;

(d) “Means of transport” shall mean railway rolling-stock, motor vehicles and sea- and river-going vessels. The Contracting Parties may by mutual agreement include other forms of transport among the means of transport.

*Article 2*

The transit State, in accordance with the generally recognized principles of international law and in conformity with the rules established by the transit State, shall accord the following rights to the State lacking access to the sea:

(a) Freely to engage in transit transport across the territory of the transit State to or from the sea in accordance with the provisions of this Agreement;

(b) To use the seaports and, for vessels sailing under the flag of the State lacking access to the sea, to pass freely through the internal and territorial waters of the transit State;

<sup>1</sup> Came into force on 19 October 1992 by signature, in accordance with article 13.

(c) To store, reload, split and consolidate the shipments of the State lacking access to the sea.

### Article 3

Vessels sailing under the flag of the State lacking access to the sea shall enjoy in the seaports of the transit State the same treatment as is accorded to the vessels of third States.

### Article 4

In accordance with article 2 of this Agreement, the transit transport of the State lacking access to the sea shall be carried out by the means of transport of both countries and, by agreement with the competent authorities of the Contracting Parties, by those of other States.

### Article 5

1. The State lacking access to the sea shall bear the transport costs arising from the transit of persons, baggage and cargo across the territory of the transit State.

2. The transit State shall devise in its territory the shortest possible transport routes and the State lacking access to the sea shall bear the costs arising from operation and provision of services by the transit State for transit transport.

3. The transit State shall establish the most favourable tariffs and fees for transit transport and services provided in connection with transit transport by the transit State, not exceeding the internal tariffs and fees charged in respect of the internal transport of the transit State or the tariffs and fees established by international agreements to which both States are parties.

4. All accounting and payment operations under this Agreement between the respective Mongolian and Russian organizations shall be effected in freely convertible currency. The respective organizations of both States may by mutual agreement decide to use a different currency or form of payment.

### Article 6

1. The transit State shall take all necessary measures to prevent delays or other difficulties of a technical nature with respect to the transit transport of the State lacking access to the sea.

2. In the event of delays or difficulties such as those mentioned in paragraph 1 of this article, the competent authorities of the Contracting Parties shall consult each other without delay and cooperate with a view to ensuring that such difficulties are rapidly overcome.

### Article 7

1. Customs and other forms of control of the transit transport of the State lacking access to the sea shall be organized and conducted by the customs and other control authorities of the transit State in accordance with that State's legislation.

2. The cargo and means of transport of the State lacking access to the sea shall as a rule be subject only to external customs inspection unless, for reasons of *ordre public* and, in particular, public security, morals and health, or with a view to pro-

tecting the environment, cultural heritage or industrial, commercial and intellectual property, it is necessary to conduct a full or partial internal inspection.

3. The baggage and cargo of the State lacking access to the sea shall not be subject to any customs duties, taxes or other fees apart from the fees relating to customs registration of cargo.

*Article 8*

1. The State lacking access to the sea may have special zones available for the storage, reloading, splitting and consolidation of its shipments of cargo at the sea-ports of the transit State.

The provision of such a facility shall be the subject of a separate agreement between the competent authorities of the two States.

2. The State lacking access to the sea may establish an office for its transport organizations in the territory of the transit State.

*Article 9*

The transit State, in exercising its full sovereignty over its territory, shall be entitled to take all measures necessary to ensure that the rights and facilities accorded under this Agreement to the State lacking access to the sea in no way prejudice the legitimate interests of the transit State.

*Article 10*

Any disputes between the Contracting Parties with respect to the interpretation and application of this Agreement shall be settled by negotiation.

*Article 11*

Any additions or amendments to this Agreement shall be agreed upon by the Contracting Parties and set out in writing.

*Article 12*

This Agreement is concluded for a period of ten years and shall automatically be renewed, on each occasion for a further five-year period, unless either Contracting Party informs the other Contracting Party in writing of its desire to terminate it 12 months before the expiry of the period in question.

*Article 13*

This Agreement shall enter into force on the day of its signature.

DONE at Moscow on 19 October 1992 in two original copies, each in the Mongolian and Russian languages, both texts being equally authentic.

For the Government  
of Mongolia:  
NYAMYN MISHIGDORJ

For the Government  
of the Russian Federation:  
VICTOR PETROVICH SHILIN