

# **Basic Multilateral Agreement on International Transport for Development of the Europe-the Caucasus-Asia Corridor**

The States-participants of this Agreement, hereinafter referred to as the Parties, desirous to develop economic relations, trade and transport communication in the regions of Europe, the Black Sea, the Caucasus, the Caspian Sea and Asia have agreed to conclude a Basic Multilateral Agreement on International Transport for Development of the Europe-the Caucasus-Asia Corridor (hereinafter referred to as the Basic Agreement).

## **Article 1 General Provisions**

The provisions of the Basic Agreement shall regulate the international transport of goods and passengers between the Parties and transport in transit through the territories of the Parties.

## **Article 2 Definitions**

For the purpose of the Basic Agreement "International Transport" means the movement of goods or passengers by or in:

- a) road transport (including trailer and semi-trailer);
- b) railway transport;
- c) water transport;
- d) air transport;
- e) any container within the meaning of the Customs Convention on Containers;
- f) pipeline,

when the place of taking over the goods or passengers and the place designated for delivery, as specified in the contract, are situated in two different countries, where at least one is Party to the Basic Agreement, and includes storage in the course of transit.

## **Article 3 Objectives of the Basic Agreement**

The objectives of the Basic Agreement are:

- a. to develop economic relations, trade and transport communication in the regions of Europe, the Black Sea, the Caucasus, the Caspian Sea and Asia;
- b. to facilitate access to the international market of road, air and railway transport and also commercial maritime navigation;
- c. to facilitate international transport of goods and passengers and international transport of hydrocarbons;
- d. to ensure traffic safety, security of goods and environmental protection;
- e. to harmonize transport policy and also the legal framework in the field of transport;
- f. to create equal conditions of competition between different types of transport.

**Article 4**  
**Facilitation of International Transport**

1. Each Party shall grant to other Parties the right of transit of international means of transport, goods and passengers through its territory under the conditions mentioned in the Basic Agreement.

2. The Parties shall ensure the most effective arrangements for facilitation of transport in transit on their territories.

3. The Provisions of the Basic Agreement shall not affect the rights and obligations of the Parties arising from other international conventions and agreements to which they are or may become Parties.

**Article 5**  
**Payment of Taxes, Duties and other Payments**

Taxes, duties and other payments, irrespective of their names and origin shall not be imposed for transport in transit, except payments for transport and customs services, services related to transport, as well as payments for use of transport infrastructure.

**Article 6**  
**Preferential Terms and Tariffs**

1. Tariffs for transport transit services shall be established on the basis of preferential terms.

2. The Parties have agreed that should preferential terms and tariffs be established between two Parties for types of transport referred to in Article 1 of the Basic Agreement, no less preferential terms and tariffs will be applicable between these Parties and other Parties.

**Article 7**  
**Traffic Safety, Security of Goods and Environmental Protection**

The Parties shall take appropriate measures to ensure safety of traffic, passengers and carriers, security of goods and means of transport as well as protection of the environment in international transport referred to in Article 1 of the Basic Agreement.

## **Article 8**

### **Inter-Governmental Commission**

1. The Parties shall set up an Inter-Governmental Commission to regulate the issues regarding the implementation and the application of provisions of the Basic Agreement.

2. The Inter-Governmental Commission shall consist of the Highest Governmental Authorities of the Parties or their representatives with full authority to make decisions under the Basic Agreement.

The Inter-Governmental Commission shall take decisions on the basis of consensus.

3. The Inter-Governmental Commission shall meet regularly, not less than once a year, alternating in each of the Parties each hosting for one year. As such, the host Party shall be Chairman for one year. The Chairman of the Inter-Governmental Commission shall be the head of the delegation of the Party in which the meeting takes place.

The Inter-Governmental Commission shall meet at the proposal of the Chairman, or of any Party, with the participation of representatives of the Parties, who can invite relevant experts.

4. The Inter-Governmental Commission shall draw up its own Rules of Procedure.

5. If necessary, the Inter-Governmental Commission may present proposals for amendments and changes to the Basic Agreement as well as adoption of new Technical Annexes to the Basic Agreement.

6. The Inter-Governmental Commission shall formulate decisions for adoption by the Parties and appropriate recommendations on questions within the Basic Agreement, including the following subjects:

- a. coordination of transport policies;
- b. ensuring the enforcement of the provisions of the Basic Agreement;
- c. collection and free exchange of relevant information;
- d. harmonious development of transport between the Parties, taking into account primarily traffic safety, goods security and environmental aspects involved;
- e. promotion of cooperation between transport enterprises and institutions;
- f. promotion of multimodal transport;
- g. simplifying customs procedures and practices which are to be applied at established crossing points.

7. The Inter-Governmental Commission may establish working groups for each field referred to in clause 1 of Article 10 of the Basic Agreement and define their powers and duties.

## **Article 9 Permanent Secretariat**

1. The Inter-Governmental Commission shall establish a Permanent Secretariat in order to give effect to the provisions of the Basic Agreement.
2. The Secretariat shall be based in Baku, Republic of Azerbaijan, and shall maintain permanent representation in each of the Parties.
3. The Inter-Governmental Commission shall develop and approve Terms of Reference of the Permanent Secretariat, define the scope of its powers, rights and obligations, the procedure for the appointment of officials, and also prepare proposals on the system of jointly financing the work of the Permanent Secretariat.  
The system of financing shall be approved by the governments of the Parties.
4. The Permanent Secretariat shall supervise the implementation of the provisions of the Basic Agreement and shall also implement the decisions of the Inter-Governmental Commission and put forward appropriate proposals to the Inter-Governmental Commission.

## **Article 10 Technical Annexes**

1. The Technical Annexes on international road transport, international railway transport, international commercial maritime navigation and customs and documentation procedures are integral parts of the Basic Agreement as well as other Technical Annexes which may subsequently be adopted if necessary.
2. Technical Annexes shall be binding on Parties in the same manner and to the same extent as the Basic Agreement and shall provide detailed regulation of issues set out in the Basic Agreement. However, should any conflict arise between the provisions of the Basic Agreement and the provisions contained in any Technical Annex the provisions of the Basic Agreement shall prevail.
3. Any Party may propose amendments to the Technical Annexes and, if necessary, submit drafts of new Technical Annexes to the Permanent Secretariat.
4. Proposed amendments to the Technical Annexes and new drafts shall be considered by the Inter-Governmental Commission.

## **Article 11 Presentation of Amendments and Additions**

1. With the agreement of the Parties, amendments and additions to the Basic Agreement shall be incorporated by means of Protocols which shall form an integral part of the Basic Agreement.
2. The manner of entry into force of Protocols shall be the same as for the Basic Agreement.

## **Article 12**

### **Dispute Settlement**

1. Any dispute, controversy or claim between the Parties arising in connection with application, interpretation or from breach or termination of the Basic Agreement, and which cannot be settled by negotiation, shall be referred by any Party involved to the Inter-Governmental Commission for consideration.

2. Any such dispute, controversy or claim which is not settled by the Inter-Governmental Commission shall, at the request of all the Parties involved, be referred to the appropriate international court or arbitration body, or to the International Court of Justice at the Hague within the sphere of its competence.

## **Article 13**

### **Entry into Force**

1. The Basic Agreement shall enter into force 30 days after the notification by the fourth Party to the Depository referred to in Article 15 of the Basic Agreement of completion of the appropriate internal state procedures required by its respective national legislation.

2. The Basic Agreement shall enter into force for other Parties 30 days after notification to the Depository of completion of internal state procedures pursuant to their national legislation.

## **Article 14**

### **Accession to Agreement**

1. The Basic Agreement is open for accession of any State.

2. Documents concerning accession, upon approval by all Parties for such accession, shall be deposited for keeping with the Depository, referred to in Article 15 of the Basic Agreement.

3. The Basic Agreement shall come into force for the acceding States 30 days after depositing the documents on accession with the Depository.

4. Regional Economic Integration Organizations may accede to the Basic Agreement as associates.

5. The Inter-Governmental Commission may formulate the terms on which Regional Economic Integration Organizations may enter into association with Parties to the Basic Agreement.

**Article 15**  
**Depository**

1. The Depository of the Basic Agreement shall be the Republic of Azerbaijan which will send the certified copies of the Basic Agreement to the States who signed it.
2. The Depository shall inform the Parties of accession of other States to the Basic Agreement and of termination in respect of any of the Parties.

**Article 16**  
**Duration and Variation**

1. The Basic Agreement is made for the period of 10 years.

The validity of the Basic Agreement shall be extended for successive five-year periods unless the Parties declare otherwise.

2. The Basic Agreement may be terminated on the territory of any Party if this Party gives at least six months notice in writing to the Depository of its intention to terminate the Basic Agreement.

3. The obligations under the treaties, agreements and other understandings signed in accordance with provisions of the Basic Agreement shall remain in force after its termination until completely fulfilled.

DONE AT BAKU on 8<sup>th</sup> September 1998 in one original copy in English and Russian languages, both texts being equally authentic.

In witness whereof the undersigned Heads of States and Governments or their plenipotentiaries have signed the Basic Agreement which includes the reservations attached hereto.

For the Republic of Armenia

For the Republic of Azerbaijan

For the Republic of Bulgaria

For Georgia

For the Republic of Kazakhstan

For the Kyrgyz Republic

For the Republic of Moldova

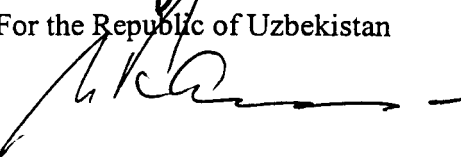
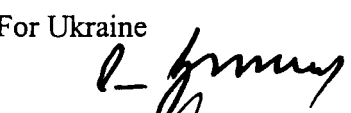
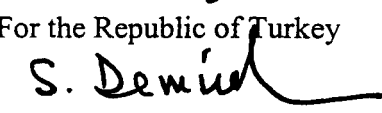
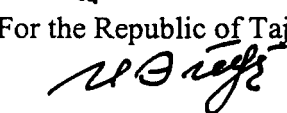
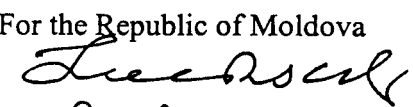
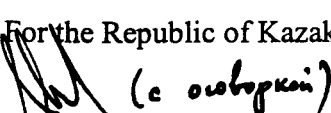
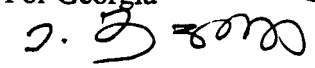
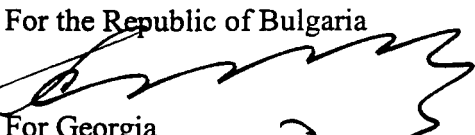

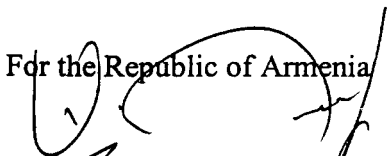
For Romania

For the Republic of Tajikistan

For the Republic of Turkey

For Ukraine

For the Republic of Uzbekistan



**Reservation  
of the Republic of Azerbaijan  
to the Basic Multilateral Agreement on International Transport for Development of  
the Europe - the Caucasus - Asia Corridor**

1. The Republic of Azerbaijan declares that none of the rights, obligations and provisions set out in the Basic Multilateral Agreement on International Transport for Development of the Europe - the Caucasus - Asia Corridor and its Technical Annexes shall be applied by the Republic of Azerbaijan in respect of transport passing across its territory for which the territory of the Republic of Armenia is an originating, transit or destination territory.
2. The Republic of Azerbaijan reserves the right to amend or revoke at any time the provisions of Paragraph 1 of the present Reservation, and other Parties shall be notified in writing of any such amendments or revocation.

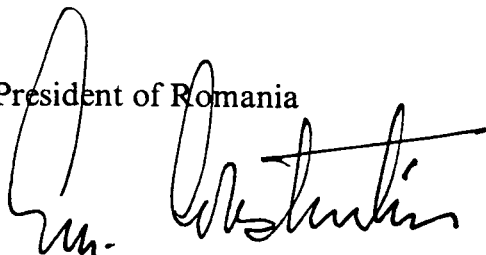
President  
of the Republic of Azerbaijan

  
Heydar Aliyev

**Reservation  
of Romania  
to the Basic Multilateral Agreement on International Transport for Development of  
the Europe - the Caucasus - Asia Corridor**

Appendix 2 to the Technical Annex regarding International Railway Transport is not to be applied in the case of Romania.

President of Romania

A handwritten signature in black ink, appearing to be 'K. Iohannis', written over a horizontal line.

Emil Constantinescu



**Reservation  
of the Republic of Kazakhstan  
to the Basic Multilateral Agreement on International Transport  
for Development of the Europe-the Caucasus-Asia Corridor**

Provisions of Article 4 of the Technical Annex on International Railway Transport to the Basic Agreement and Appendix 2 thereto shall not apply to the Republic of Kazakhstan.

Head of Delegation of the  
Republic of Kazakhstan  
Minister of Transport  
and Communications



Erkin Kaliyev