

**INTERNATIONAL ROAD TRANSPORT AGREEMENT BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF LATVIA AND THE GOVERNMENT OF
THE REPUBLIC OF TURKEY**

The Government of the Republic of Latvia and the Government of the Republic of Turkey, hereinafter referred to as "Contracting Parties",

Being desirous to facilitate transportation of passengers and goods by road between the two countries, as well as in transit through their territories,

Have agreed as follows:

Article 1

The provisions of this Agreement shall apply to the international carriage of passengers and goods by road, to or from the territory of one Contracting Party, and in transit through the territory of the other Contracting Party by using vehicles registered in the territories of the Contracting Parties.

Article 2

For the purpose of this Agreement:

The term "*carrier*" means any physical or legal person who is authorized to engage in the international carriage of passengers and goods in conformity with the laws, regulations and rules of the Contracting Parties.

The term "*vehicle*" means:

a) Any power driven road vehicle built either for carriage of passengers more than eight excluding the driver or goods or towing such vehicles, or

b) A combination comprising a vehicle as defined above in paragraph (a) and a trailer or a semi-trailer connected to it built for the carriage of passengers or goods.

The term "*permit*" means the permits issued to a road vehicle registered in the territory of one of the Contracting Parties by the competent authorities of the other Contracting Party to permit the vehicle to enter and leave or travel through the territory of the latter as well as other permits provided for by the present Agreement.

The term "*quota*" means the number of permits issued annually by the competent authorities of the each Contracting Party.

The term "*regular bus service*" means the carriage of passengers between the territories of the two Contracting Parties on a prescribed route in accordance with national schedules and tariffs.

The term "*regular transit bus service*" means a regular bus service: beginning in the territory of one Contracting Party, crossing the territory of the other Contracting Party without leaving or taking passengers and terminating in the territory of a third country.

The term "*shuttle service*" means an organized international transport of passengers previously grouped in accordance with their length of stay from one and the same point of departure to one and the same point of destination and their return to the point of departure at the end of a pre-scheduled period (passengers travelling in a group, are all required to return in the same group, the first return journey from and the last journey to the point of destination will be without passengers).

The term "*closed-door service*" means international carriage of one and the same group of passengers in one and the same vehicle in a tour, starting from a point in the territory of one of the Contracting Parties and terminating in the territory of the same Contracting Party without taking or leaving passengers.

The term "*transit transport*" means international carriage of passengers and goods through the territory of one Contracting Party, between points of departure and destination located outside the territory of that Contracting Party.

Article 3

Each Contracting Party, in conformity with the provisions of this Agreement, shall recognize the right of transit if carriers of the other Contracting Party perform transport of passengers, their personal effects, commercial goods and vehicles by road over the routes to be determined by the competent authorities of each Contracting Party.

Article 4

Subject to its national legislation, each Contracting Party shall grant authorization to the carriers of the other Contracting Party to establish offices and/or to appoint representatives and/or agencies in its own territory at places to be mutually agreed upon by the competent authorities of the Contracting Parties.

A carrier shall not act as a travel agency in the territory of the other Contracting Party.

Article 5

Either Contracting Party shall not levy any import or export tax or charge (including customs tax) on vehicles of the other Contracting Party, which are in transit in its territory other than:

- a) the charges for using road network infrastructure (road and bridge tolls),
- b) the charges for to meet the expenses relating to the maintenance, protection and administration of roads and transport,
- c) fees, on a non - discriminatory basis, to cover the difference between the national and the international price of fuel, for the fuel purchased in the territory of the other Contracting Party,
- d) charges levied, if weight, dimensions or load of the vehicle exceed the prescribed limits in the national legislation of the Contracting Parties.

The authorized carriage in transit through the territories of the Contracting Parties may be exempted on reciprocal basis from the charges stipulated in paragraph (b) of this Article.

Either Contracting Party shall not have the charges mentioned in paragraph (b) for the vehicles which are not passing transit.

Article 6

In the event that a carrier or the staff on board of the vehicle of one Contracting Party have not observed the legislation in force on the territory of the other Contracting Party, the provisions of this Agreement or the conditions mentioned in the permit, the competent authority of the country where the vehicle is registered, could at the demand of the competent authority of the other Contracting Party, take the following measures:

- a) to issue a warning for the carrier who committed the infringement;
- b) to cancel or to withdraw the permits allowing the right for the carrier to perform transports in the territory of the Contracting Party, where the infringement was committed.

The competent authority which has taken such a measure, shall notify the competent authority of the other Contracting Party about this.

The provisions of this Article shall not exclude the lawful sanctions which may be applied by the courts or administration authorities of the country where the infringement occurred.

Article 7

The Mixed Commission consisting of the representatives of the two competent authorities of the Contracting Parties shall be formed. The objectives of the Mixed Commission are:

- a) to supervise the proper implementation of this Agreement,
- b) to determine the form, the time and the ways of exchange of permits,
- c) to study and make proposals for the solution of possible problems not settled directly between the competent authorities referred to in Article 24 of this Agreement,
- d) to review all other relevant issues that fall within the scope of this Agreement and make recommendations thereof for settlement,
- e) to consider any other matters to be mutually agreed upon relating to transportation.

The Mixed Commission shall meet when required at the request of the competent authorities of one of the Contracting Parties alternately in the Republic of Latvia and the Republic of Turkey.

The agenda to be discussed at the Mixed Commission meeting shall be prepared in advance in the light of the objectives mentioned above by the competent authorities of the Contracting Parties and agreed upon by means of diplomatic channels.

The Mixed Commission can recommend to amend any Article of this Agreement and submit to the competent authorities for approval.

Article 8

The vehicles registered in the territory of one Contracting Party shall not carry passengers and goods between any two points within the territory of the other Contracting Party.

Unless a special permit from the competent authority of the other Contracting Party is obtained, a carrier from one Contracting Party shall not carry passengers and goods from the territory of the other Contracting Party to third countries.

Article 9

An unloaded vehicle, registered in one Contracting Party shall not enter the territory of the other Contracting Party for the purpose of collecting passengers and goods destined to the territory of the other Contracting Party or destined to a third country, unless a special permit is issued for this purpose by the competent authority of the other Contracting Party.

CARRIAGE OF PASSENGERS

Article 10

A carrier of one Contracting Party shall operate a regular passenger service to or a regular transit passenger service through the territory of the other Contracting Party by obtaining a yearly permit in advance from the competent authority of the other Contracting Party.

Article 11

a) The closed- door journey service and full outgoing and empty return service to be performed by vehicle registered in the territory of one Contracting Party to or from the territory of the other Contracting Party shall not be subject to obtaining permit.

b) The shuttle transportation service of passengers require the separate permit, issued by competent authority of the other Contracting Party.

The application in view to obtain the authorization for the shuttle transportation service shall be submitted to the competent authority of the other Contracting Party 30 days before beginning of this transportation.

CARRIAGE OF GOODS

Article 12

The carriage of goods between the territories of the Contracting Parties and in transit through the territories of the Contracting Parties shall be subject to prior permit based on quota except the cases defined below:

- a) Carriage of deceased (especially by vehicles designed for this purpose);
- b) Carriage of decorative articles for theatrical performance;

- c) Carriage of goods, equipments and animals needed for musical performances and cinema, circus and folkloric shows, sports activities and recording TV and radio programmes;
- d) Carriage of works of art;
- e) Carriage of animals other than those for slaughtering;
- f) Carriage of damaged vehicles or vehicles out of operation;
- g) Postal carriage;
- h) Occasional carriage of goods to or from airports as a result of change in flight itineraries;
- i) Carriage of aid material in case of emergencies and natural disasters;
- j) Carriage of materials for fairs and exhibitions;
- k) For transport services carried out by motor vehicles with a maximum total weight of 6 tons including trailer, or a maximum loading capacity of 3.5 tons, including trailer;
- l) Carriage of household removal goods;
- m) Other cases to be mutually agreed upon by the Mixed Commission.

Article 13

Permits shall be valid for one year and permits of the next year will be exchanged in November of every year. Some additional permits shall be exchanged whenever needed to meet the requirements of the competent authorities of the Contracting Parties on the basis of mutual agreement.

A permit shall be valid for one round trip to the territory of the other Contracting Party and/or in transit through the territory of the other Contracting Party.

It shall also be valid for one vehicle and only for the carrier to whom it is issued and shall not be transferable.

Article 14

A vehicle registered in the territory of one Contracting Party can collect return load to its territory only after delivery of goods to the territory of the other Contracting Party.

Article 15

The carriage of arms, ammunitions and military equipment and explosives between two Contracting Parties or transit through each Contracting Party's territory is subject to a special permit obtained for this purpose.

Transportation of goods, prohibited by national laws and regulations is allowed in the territories of the Contracting Parties according to their national laws and regulations with special permits issued by competent authorities.

Goods, which are prohibited to transport by international law are not permitted to transport to the territories of the Contracting Parties.

Article 16

The Contracting Parties shall take all the measures which they deem necessary in order to facilitate, simplify and accelerate to the greatest extent possible the customs and other formalities relating to carriage of passengers and goods.

Article 17

The international transport of goods by road in accordance with this Agreement shall be subject to the requirements of the Convention on the International Transport of Goods under cover of TIR Carnets and/or national laws and regulations.

Article 18

Fuel contained in the standard fuel tanks of vehicles shall be exempted from customs duties and all other taxes and duties. The standard fuel tank, is a tank provided by the manufacturers of vehicles technologically connected to the feed system of vehicles.

Article 19

The spare parts imported to the territory of the other Contracting Party in view to repair a vehicle already temporarily imported will be admitted without any custom duties and taxes.

A part which has not applied or been replaced shall either be re-exported or destroyed under the supervision of the customs authorities.

Article 20

a) A third- party- liability insurance complying with the laws and regulations in force in each of the Contracting Parties shall be applied to a vehicle used in the international carriage of passengers, baggages and/or goods between and/or in transit through the territory of the Contracting Parties.

b) Any kind of insurance complying with the laws and regulations in force in the Contracting Party in which the vehicle is registered shall be applied to passengers, baggage and/or goods, against damages that they will have during the carriage.

Article 21

The payments between the Contracting Parties concerning transport and transit operations shall be made in convertible currency to be accepted by the authorized banks of the Contracting Parties in accordance with currency laws, regulations and rules in force in the Contracting Parties.

Article 22

In cases of traffic accidents, breakdowns and violations of laws and regulations the competent authorities of the Contracting Party in whose territory such an incident occurs, shall

provide the competent authorities of the other Contracting Party with reports and other information and the results of inquiry immediately.

Article 23

Carriers and crew of the vehicles registered in one Contracting Party, shall comply with laws and regulations governing the road traffic of the other Contracting Party.

Any other matters pertaining to transportation which are not covered by this Agreement, shall be subject to the laws, regulations and rules of the Contracting Parties.

Article 24

If the weight, dimensions or axle load of the vehicle exceed the maximum limits in force in the territory of one Contracting Party, the national laws and regulations are applied.

Article 25

The competent authorities which are responsible for the implementation of this Agreement are:

a) In the Republic of Latvia:

Ministry of Transport of the Republic of Latvia
Road Department

b) In the Republic of Turkey:

Ministry of Transport
General Directorate of Road Transport
(Ulaştırma Bakanlığı Kara Ulaştırması Genel Müdürlüğü)
ANKARA

Article 26

This Agreement will be applied as provisional from the day of signing and will enter into force from the date of exchange of notes attesting its ratification in accordance with the national legislation of the Contracting Parties and shall remain in force for a period of one year.

This Agreement shall be automatically renewed for periods of one year unless either Contracting Party expresses its wish in writing to the other Contracting Party to terminate it at least three months prior to the date of expiry.

Done in Ankara on "15" September, 1995 in two original copies each of them in the Latvian, Turkish and English languages, all texts being equally authentic having equal legal force.

In case of any divergence of interpretation, the English text shall prevail.

For the Government of the Republic of Latvia

For the Government of the Republic of Turkey