INTERNATIONAL ROAD TRANSPORT AGREEMENT
BETWEEN
THE GOVERNMENT OF MONGOLIA
AND
THE GOVERNMENT OF THE REPUBLIC OF TURKEY

The government of Mongolia and the Government of the Republic of Turkey (hereinafter referred to as the "Contracting Parties")

Desiring to develop the mutual beneficial trade and economical cooperation; desiring to facilitate transportation of passengers and goods by road between the two countries, as well as 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 for the international transportation 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 territory of the former Contracting Party.

Article 2

For the purpose of this Agreement;

a) "The Competent Authorities of the Contracting Parties" means in case of Mongolia, the Ministry of Infrastructure Development and, in case of the Republic of Turkey, the Ministry of Transport;

b) "Carrier" means any physical or juridical person authorized to carry passengers and goods in conformity with according to the laws, regulations and rules of the contracting Parties;

c) "Vehicle" means:

i) for the carriage of goods-any power driven road vehicle built for carriage of goods or towing such vehicles, and a trailer or semi-trailer built for the carriage of goods connected to it;
ii) for carriage of passengers-buses and/or any power driven road vehicle for carriage of passengers more than eight excluding the driver and trailer built for the carriage of passengers connected to it.

d) "Regular passengers transportation service" means the carriage of passengers on prescribed routes with the fixed points of departure and destination in accordance with traffic schedule agreed in advance by the Contracting Parties;

e) "Non-regular (charter) carriage of passengers means any passenger services other than stipulated in d) of this Article;

f) "Transit Transport" means carriage of passengers and goods through the territory of either Contracting Party to the territory of the third Country.

g) "Third Country" means any States not being Parties to this Agreement;

h) "Permit means the permits issued by the other Contracting Party for a road vehicle to permit to enter and leave or travel through to territory of the latter;

i) "Quota" means the number of permits to be annually exchanged by the Competent Authorities of the Contracting parties

I. CARRIAGE OF PASSENGERS

Article 3

1. Regular bus services shall be organized on mutually agreed bases of the Contracting Parties by obtaining a permit in advance from the Competent Authorities of the Contracting Parties.

2. Competent Authorities of the either Contracting Party shall forward the proposal on organization of the regular passenger transportation service to the Competent authority of the Contracting Party in advance. The proposal should reflect the name of carriers, the route of the trip, the time schedule, transport tariff, terminals and the information on the time and frequencies of the service.

Article 4

1. A non-regular carriage of passengers to or through the territory of the Contracting Parties by road transportation vehicle shall be subject to prior permit except the cases defined in Article 5 of this Agreement.
2. The Competent Authorities of each Contracting Party shall issue a permit only on a part of the road network crossing its territory.

3. A non-regular carriage of passengers by road transportation vehicles will be carried out obtaining a permit valid for one road trip, if it is not otherwise defined in the permission.

Article 5

A permit stipulated in the Article 4 of this Agreement shall not be required for a vehicle to be replaced by damaged on during the international carriage of passengers.

II. CARRIAGE OF GOODS

Article 6

1. The carriage of goods between and transit through the territories of the Contracting Parties using any power driven road vehicle or towing such vehicles and trailer and semi-trailer in the cases other than stipulated in Article 7 of this Agreement shall be subject to prior permit issued by the Competent Authorities of the Contracting Parties.

2. Carriage of goods by road transportation vehicles shall be subject to obtaining a permit valid for one round trip if it is not defined otherwise in it.

Article 7

The permit stipulated in the Article 6 of this Agreement shall not be required in the cases defined below:

a) Carriage of material and equipment for fairs and exhibitions.
b) Carriage of vehicle, animal and goods needed for sports activities.
c) Carriage of decorative articles, goods, equipment and musical instruments for theatrical performances, cinema and recording TV and radio programmes.
d) Carriage of body and ash of dead.
e) Postal carriage.
f) Carriage of damaged vehicles or vehicles out of operation,
g) Carriage of aid material in cases of natural disasters,
h) Motor vehicles for technical services.
3. Provisions a), b) and c) of this Article are valid only in the cases of carriage of goods to enter or travel through the territory of either Contracting Party where the vehicle is registered.

Article 8

1. If weight and dimensions of the loaded and unloaded vehicle exceed the prescribed limits in the national legislation of the Contracting Party or in case of carriage of dangerous goods shall be subject to a special permit obtained for this purpose.

2. If the permit stipulated in the Provision 1 of this Article describes a route of the vehicle traffic a carriage should only be carried out by this route.

3. The carriage of arms, ammunitions and military equipment, explosives and other dangerous goods, prohibited by domestic legislation of each Contracting Party, between two Contracting Parties or transit through each Party’s territory shall be excluded from the rights of entry and transit.

Article 9

Each Contracting Party shall organize the collection of return load for vehicle registered in the territory of other Contracting Party only through its authorized representative.

Although, it is prohibited to collect passengers and goods at the territory of other Contracting Party unless a special permit is issued for this purpose.

II. GENERAL PROVISIONS

Article 10

1. The Competent Authorities of the Contracting Party shall annually exchange permits based on quota, for the transportation of the passengers and goods by road between and in transit through their territories.

The permit should be signed by responsible officer and bear a seal of the issuing Competent Authority.

2. The Competent Authorities of each Contracting Party shall mutually agree upon regulations related to the exchange of the permits.

3. It shall also be valid for one vehicle and only for the carrier to whom it is issued and shall not be transferable.
Article 11

1. Unless a special permit from the competent authority of the other Contracting Party is obtained, the vehicle 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.

2. 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 and vice versa.

Article 12

1. The carriages set forth in this Agreement shall be performed by the carriers of either Contracting Party authorized for the international carriage in conformity with its domestic legislation.

2. A vehicle performing international transport by road shall hold the registration number and sign of its country.

Article 13

For the carriage of goods under this Agreement shall be used a freight document in conformity with the international standards.

Article 14

1. A driver of vehicle shall hold the national and/or international driving license in conformity with the international standards valid for the vehicle and national registration documents for the vehicle.

2. A driver should hold all documents and permits required in accordance with this Agreement and submit them to the competent Control Authorities when they may require so.

Article 15

1. The practical issues related to the carriage of passenger and goods under this Agreement can be regulated directly between the carriers of the Contracting Parties.
2. Subject to its national legislation, each Contracting Party shall issue authorization to the carriers of the other Contracting Party to establish offices and/or to appoint representatives and/or agencies in its territory.

Article 16

1. The tariffs for the carriage of passengers and their baggage and goods by road to or from the territory of one Contracting Party shall be subject to mutual agreement between the Competent Authorities of the Contracting Parties.

2. The payments between the Contracting Parties concerning transport and transit operations shall be made in accordance with the Payment Agreement concluded between the Governments of the Contracting Parties and the Agreement concluded between the National Banks of the Contracting Parties.

Article 17

Either Contracting Party shall not levy any import or export tax or charge on vehicles of the other Contracting Party, which performs carriage of passengers and goods to or in transit through its territory other than:

a) The charges for using road network infrastructure (road and bridge tolls),
b) The charges for services related to the maintenance, technical services and protection of vehicles and administration of transport.
c) Charges, if weight dimensions or load of the vehicle exceed the prescribed limits in the national legislation of the Contracting Party.

Article 18

Under this Agreement the carriage of passengers and goods can be performed only in case if civil responsibilities of a driver of the vehicles is insured.

Carrier should in advance obtain an insurance for the vehicle to perform above carriage.

Article 19

The immigration, customs and sanitary formalities relating to carriage of passengers and goods under this Agreement shall be regulated by the Multilateral Agreements which the Contracting Parties are being Parties to.
and matters which are not covered by them shall be subject to laws, regulations and rules of the Contracting Party in whose territory transportation is operated.

Article 20

The immigration customs and sanitary formalities for regular passenger services and carriage of deceased, animals and quickly deteriorable goods should be done without order.

Article 21

1. The Contracting Parties shall mutually exempt from customs duties and all other taxes and duties the following goods to be transported under this Agreement to their respective territories.

   a) Fuel in the standard fuel tanks of vehicles provided by its manufactures.
   b) Lubrication necessary for the current transportation.
   c) A spare part, which has not been used, shall be re-exported. A spare part, which has been replaced, shall be transported back from the territory or destroyed in conformity with the regulations and rules of the Contracting Party in whose territory such an incident occurs.

Article 22

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

Article 23

In case, carriers and drivers of one Contracting Party offend regulations of traffic and transportation while on the territory of the other Contracting Party, the competent authorities of the latter shall take measures necessary for the implementation of this Agreement by the request of the competent authorities of the former Contracting Party.

The competent authorities of the latter Contracting Party shall notify the competent authorities of the former Contracting Party of the measures taken regarding the offences indicated in the first paragraph of this Article.

Article 24
1. For the purpose of the settlement of issues related to the application of this Agreement, a Joint Commission consisting of representatives of the Competent Authorities of two Contracting Parties shall be formed.

2. A Joint Commission shall meet in case both Contracting Parties consider necessarily to conduct a meeting on the request of one of the Contracting Parties alternately in Turkey and Mongolia.

3. If any disputes arises between the Contracting Parties relating to the interpretation or application of this agreement the Joint Commission shall endeavor to settle it by negotiation and consultation.

If the Contracting Parties fail to reach a settlement by negotiation and consultation, they may use other ways convenient for each Party.

Article 25

Any other matters pertaining to transportation which are not covered by this Agreement and International Agreements, which the Contracting Parties are being Parties to, shall be subject to the laws, regulations and rules of the Contracting Party in whose territory such transportation is being conducted.

Article 26

This Agreement shall not affect any rights enjoyed and obligations assumed by the Contracting Parties under Multilateral Agreements.

Article 27

Any amendments to this Agreement shall be made in written by mutual agreement between Contracting Parties.

Article 28

1. This Agreement shall enter into force as 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 five years.

2. Either Contracting Parties can terminate this Agreement when they wish by giving written notification to the other Contracting Party at least six months prior to the date of expire.

The Agreement shall be automatically renewed for periods of one year unless either Contracting Party notifies the other Contracting Part about it.
Done, in duplicate in the city of Ulaanbaatar, on this day of May of 2002 in English, Mongolian and Turkish languages, all texts being equally authoritative.

In the event of divergence of interpretation, the English text shall prevail.

FOR THE GOVERNMENT OF MONGOLIA

FOR THE GOVERNMENT OF THE REPUBLIC OF TURKEY