



Project Working Group on Transport and Border Crossing (PWG-TBC)

20th Session
10-11 September 2015
Almaty, Kazakhstan

International Conventions and Agreements

(Item 4.2 of the Agenda)

Note by UNECE/UNESCAP

1. Harmonizing the legal regimes relating to international transport continues to be a prerequisite to ensure the smooth and efficient movement of goods through national borders. During its previous sessions, the Working Group reaffirmed the importance of the international legal instruments listed in the protocol of its second session and re-iterated the invitation to SPECA countries to intensify their efforts to accede to all of them as soon as possible. The Working Group stressed that accession to the international legal instruments would only serve transport facilitation if followed by proper implementation/enforcement measures.
2. The accession status to the conventions recommended by UNESCAP resolution 48/11 and the Group is shown in Annex 1. Azerbaijan, Kyrgyzstan and Uzbekistan have acceded to all the seven conventions recommended by UNESCAP resolution 48/11, and Kazakhstan has acceded to six of the seven conventions. There is a need for other SPECA countries to take concrete steps towards accession to the rest of the seven core conventions.
3. With respect to the additional legal instruments adopted by the second Session of SPECA PWG- TBC, the situation is the same as last year, i.e.:
 - Taking into consideration the fact that the new Annex 8 to the “Harmonization” Convention has already been in force since 20 May 2008, it would be beneficial for the whole region if Afghanistan and Turkmenistan ratify this Convention and if all SPECA countries improve its implementation, with a view to ensuring territorial continuity and consequently facilitating transport within the sub region and beyond;
 - Bearing in mind the development of equipment certification centers for the transportation of perishable goods in Kazakhstan, Kyrgyzstan, Tajikistan,

Turkmenistan and Uzbekistan in the frame of ATP Agreement and under the European Union's TRACECA Programme for Central Asia, it is highly advisable that Turkmenistan become as soon as possible party of the ATP Agreement.

- At the 18th and 19th session of the Working Group, detailed information has been provided on the Agreement concerning the International Carriage of Dangerous Goods by Road (ADR). Bearing in mind that such type of transport is at high risks for safety and security, it might be opportune that SPECA countries consider the relevance of joining the Agreement.

4. The Inter-Governmental Agreement of the Shanghai Cooperation Organization Member States on the Facilitation of International Road Transport was signed during the annual Meeting of the Council of Heads of State of the Shanghai Cooperation Organization (SCO) held between 11 and 12 September in Dushanbe, Tajikistan.

Under the auspices of the SCO, this subregional transport facilitation agreement is expected to promote regional and subregional connectivity and integration, in addition to revitalizing the ancient Silk Road connecting China, Russian Federation and the Central Asian countries.

The UNESCAP secretariat has supported the formulation of the Agreement since its initiation in 2004 by providing technical and financial assistance for the negotiation and drafting of the Agreement and its annexes.

The SCO Road Transport Facilitation Agreement is expected to open more than 15,000 km of Asian Highway routes for transport operation and services, with the longest route stretching more than 9,000 km from Saint Petersburg, Russian Federation to Lianyungang, China. The Agreement will also develop landlocked Central Asia's access to sea by road through China and Russian Federation.

5. Taking into consideration the complexity of dealing with different international, subregional and bilateral agreements, the UNESCAP secretariat has established a Regional Network of Legal and Technical Experts on Transport Facilitation which could provide advice and promote the harmonization and coordination of different legal instruments on transport facilitation. The network is a key modality for building an effective legal regime and technical capacity for international transport facilitation in the region.

6. The Second Meeting of the Regional Network of Legal and Technical Experts on Transport Facilitation was held in Incheon, Republic of Korea, on 25-26 March 2015. The Meeting was attended by representatives of three SPECA countries. The Meeting had an

extensive discussion on the model subregional transport facilitation agreement proposed by the UNESCAP secretariat and: (i) in principle agreed with the proposed model agreement; (ii) recommended to use it as guideline for gradual harmonization towards a regional transport facilitation agreement or as a template to follow while negotiating subregional agreements; (iii) noted the possibility of its utilization by the secretariat for provision of technical assistance to member countries in negotiating agreements on transport facilitation; (iv) recommended the secretariat to undertake capacity building activities in member countries relevant to the proposed model agreement. (More information on the Meeting can be found at: <http://www.unescap.org/events/second-meeting-regional-network-legal-and-technical-experts-transport-facilitation>).

7. The Project Working Group may wish to

- Reaffirm the importance of the UN legal instruments listed in the protocol of its second session and reiterate the invitation addressed to SPECA countries to intensify their efforts to accede all of them as soon as possible;
- Stress the importance of proper implementation/enforcement measures for international legal instruments;
- Encourage concerned SPECA countries to proceed swiftly with the ratification of the SCO Agreement on Facilitation of International Road Transport to ensure its soonest entry into force;
- Invite SPECA countries to assign members to the UNESCAP Regional Network of Legal and Technical Experts on Transport Facilitation and to further more actively participate in its activities;
- Indicate further technical assistance needed from UNECE and UNESCAP secretariats in relation to the accession and/or implementation of the transport-related UN legal instruments.

**Accession Status to the UN International Agreements and Conventions Listed in the
Protocol of the second Session of the PWG-TBC
by 2 July 2015**

№	Agreements and Conventions	AFG	AZE	KAZ	KGZ	TJK	TKM	UZB
<i>Conventions Recommended by UNESCAP Resolution 48/11</i>								
1	Convention on Road Traffic (1968)		X (2002)	X (1994)	X (2006)	X (1994)	X (1993)	X (1995)
2	Convention on Road Signs and Signals (1968)		X (2011)	X (1994)	X (2006)	X (1994)	X (1993)	X (1995)
3	Convention on the Contract for the International Carriage of Goods by Road (CMR, 1956)		X (2006)	X (1995)	X (1998)	X (1996)	X (1996)	X (1995)
4	Customs Convention on the Temporary Importation of Commercial Road Vehicles (1956)	X (1977)	X (2000)		X (1998)			X (1999)
5	Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention) (1975)	X (1982)	X (1996)	X (1995)	X (1998)	X (1996)	X (1996)	X (1995)
6	International Convention on the Harmonization of Frontier Controls of Goods (1982)		X (2000)	X (2005)	X (1998)	X (2011)		X (1996)
7	Customs Convention on Containers (1972)		X (2005)	X (2005)	X (2007)			X (1996)
<i>Additional Agreements and Conventions:</i>								
8	European Agreement on Main International traffic arteries (AGR) (1975)		X (1996)	X (1995)				
9	European Agreement on Main International Railway Lines (AGC) (1985)							
10	European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) (1991)			X (2002)				
11	European Agreement supplementing the Convention on Road Traffic opened for signature at Vienna on 8 November 1968 (1971)			X (2011)				
12	European Agreement supplementing the Convention on Road Signs and Signals (1971)		X (2011)	X (2011)				
13	European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) (1970)		X (1996)	X (1995)		X (2011)	X (1996)	X (1998)
14	Customs Convention on the Temporary Importation of Private Road Vehicles (1954)							
15	European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) (1957)		X (2000)	X (2001)		X (2011)		
16	Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be used for such Carriage (ATP) (1970)		X (2000)	X (1995)	X (2012)	X (2011)		X (1999)

Notes: 1. X - Final signature, ratification, accession;
2. AFG – Afghanistan; AZE – Azerbaijan; KAZ – Kazakhstan; KGZ – Kyrgyzstan; TJK - Tajikistan; TKM – Turkmenistan; and UZB – Uzbekistan.