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

18th Session
4-5 April 2013
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. It further encouraged SPECA countries to establish public-private partnerships to identify problems in the implementation of the international legal instruments and find timely solutions thereto.

2. Over last year, calls for accession to and implementation of the UN and other relevant international conventions with a special attention to the International Convention on the Harmonisation of Frontier Control of Goods (1982) have been made in the framework of the review of the implementation of the Almaty Program of Action for Landlocked developing countries.

3. 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.

4. With respect to the additional legal instruments adopted by the second Session of SPECA PWG- TBC, the situation is as follows:

- Taking into consideration the fact that the new Annex 8 to the “Harmonization” Convention has already been enforced 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 centres 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 parties of the ATP Agreement, if only for the sake of coherence and consistency.

5. At the last 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 and if requested that capacity building workshops be organized in the region for its proper implementation.

6. As regards other agreements outside the scope of those adopted at the session of SPECA PWG- TBC, the UNESCAP secretariat continued to support the formulation of the Agreement between the Governments of the Shanghai Cooperation Organization (SCO) Member States on Facilitation of International Road Transport and its Annexes. The negotiations of the Annexes to the Agreement were concluded in March 2012 in Beijing, China. The meeting on the preparation of the Agreement for signing was held in mid-2012 in Beijing, China.

7. Recognizing the need for an integrated and comprehensive approach to address non-physical barriers, the UNESCAP Ministerial Conference on Transport adopted a Regional Strategic Framework for the Facilitation of International Road Transport in March 2012.

8. The framework provides six common targets and seven modalities to support international road transport. It provides member countries with a guide post on each of the essential facilitation issues and will help ensure convergence in facilitation efforts over long run. (More information on the framework can be found at: <http://www.unescap.org/ttdw/common/TFS/RSF/RSF.asp>).

9. Taking into consideration the complexity of dealing with different international, (sub)-regional 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.

10. The initial activities of the network will include a series of comparative studies on the main sub-regional agreements on transport facilitation in the UNESCAP region in order to identify areas of possible legal conflicts between certain provisions of such sub-regional agreements. The reports on the studies are to be presented to the first meeting of the network, which is planned for December 2013. The meeting is set to formally launch the network and to approve the plan of its subsequent activities. The network is currently open for application for membership. (More information on the network can be found at: <http://www.unescap.org/ttdw/common/TFS/LegalNetwork/Legal-Network.asp>).

The Project Working Group may wish to

- Reaffirm the importance of the international legal instruments listed in the protocol of its second session and reiterate the invitation addressed to SPECA countries to intensify their efforts to accede to 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 signing of the SCO Agreement on Facilitation of International Road Transport;
- Advise SPECA countries to conceive and plan the facilitation measures in line with the Regional Strategic Framework for the Facilitation of International Road Transport to achieve synergies among facilitation measures;
- Invite SPECA countries to actively participate in the UNESCAP Regional Network of Legal and Technical Experts on Transport Facilitation; and
- Indicate further assistance needed from UNECE and UNESCAP secretariats in relation to the accession and/or implementation of the transport-related international legal instruments.

Accession Status to the UNECE International Agreements and Conventions Listed in the Protocol of the second Session of the PWG-TBC

by 11 March 2013

№	Agreements and Conventions	AFG	AZE	KAZ	KGZ	TJK	TKM	UZB
<u>Conventions Recommended by UNESCAP Resolution 48/11</u>								
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)
<u>Additional Agreements and Conventions:</u>								
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.