

# **AGREEMENT**

**between**

## **the Governments of the Member States of the Shanghai Cooperation Organization on Creating Favorable Conditions for International Road Transportation**

The Governments of the Members States of the Shanghai Cooperation Organization, hereinafter referred to as the Parties,

Seeking to strengthen mutual trust, friendship and equal cooperation between the Parties,

Guided by the purposes and principles of the Charter of the Shanghai Cooperation Organization of June 7, 2002,

Recognizing the importance of reliable and efficient international road transportation for the development of foreign trade relations of the Parties,

Wishing to continue improving conditions for international road transportation of passengers and freight on the basis of existing experience and relevant international treaties,

**Have agreed as follows:**

### **Article 1**

The main objectives of this Agreement shall be:

- creating favorable conditions for international road transport;
- coordinating the efforts of the Parties in support of the development of international road transportation;
- simplifying and harmonizing documentation, procedures and requirements of the Parties related to international road transportation.

### **Article 2**

The terms used in this Agreement shall be as follows:

"International road transportation" means transportation of goods or passengers by vehicles crossing the state borders and/or through the territory of at least one of the Parties;

"Carrier" means an individual or legal entity registered in the territory of one of the Parties and approved in accordance with the laws of that Party for participating in international road transportation;

"Driver" means an individual approved by the competent authority of a Party to operate a vehicle;

"Driver's license" means a document issued by the competent authority of a Party granting a driver the right to operate a vehicle;

"Permit" means a document issued by the competent authority of the Party authorizing the use in the territory of this Party of the vehicle registered in the territory of the other Party to carry out international road transportation;

"Special permit" means a one-time permit for the transit of the vehicle of a carrier of one Party with heavy, bulky or hazardous cargo through the territory of the other Party that has issued such permit in accordance with its laws and regulations;

"vehicle":

when carrying passengers, means a bus, i.e. a motor vehicle designed and constructed to carry passengers, having more than 9 seats with the driver's seat, including a motor vehicle with a trailer for luggage for transportation in the territory of the Parties, where the operation of such trailers is not prohibited by legislation;

when carrying cargo, means a motor vehicle designed and constructed for cargo carriage, including truck, trailer truck, tractor truck and tractor truck with semi-trailer.

### **Article 3**

1. In accordance with this Agreement, the Parties shall grant carriers the right to participate in international road transportation on the territory of their States with the vehicles registered in the territory of one of the Parties.

2. The carrier registered in the territory of one Party shall not be allowed to transport cargo or passengers by vehicle between locations within the territory of the other Party.

### **Article 4**

1. Based on this Agreement, international road transportation shall be carried out via routes and through state border crossing checkpoints in accordance with Annex 1. This provision shall not affect the application of bilateral and multilateral international treaties which the Parties are parties to, that envisage possibility of international road transportation without defining routes and state border crossing checkpoints or via other routes and border crossing points.

2. The issue of amending and supplementing routes and/or state border crossing checkpoints shall be reviewed in the framework of the Joint Commission on Creating Favorable Conditions for International Road Transportation to be

established in accordance with Article 17 of this Agreement (hereinafter - the Joint Commission), following the agreement of the Parties on whose territory such routes and/or state border crossing checkpoints are located.

### **Article 5**

International road transportation shall be implemented based on permits pursuant to Annex 2, except cases where bilateral or multilateral international treaties which the Parties are parties to, envisage international road transportation without permits.

### **Article 6**

1. Size and weight, including axle load, and other parameters of vehicles used for international road transportation should comply with the law of the Party on whose territory such transportation takes place.

2. If the size or weight of the vehicle, with or without cargo, exceeds the standards established by the law of the Party in the territory of which this vehicle will be used for international road transportation, the carrier should first obtain a special permit from the competent authorities of this Party in accordance with the law of that State.

### **Article 7**

1. During transportation under this Agreement, on the basis of reciprocity, the following items imported by the carrier of one Party into the territory of the other Parties shall be exempt from customs duties, fees and taxes:

- a) fuel in the tanks envisaged by the manufacturer for each vehicle model that are technologically and structurally related to the engine power supply system, as well as fuel in the tanks installed by the manufacturer in trailers and semitrailers and intended for heating or cooling systems of this vehicle;
- b) lubricants in a volume needed for the operation of the vehicle during transportation;
- c) spare parts and tools required for repairing vehicle used for international road transportation that has suffered damage on the road.

2. Unused spare parts and tools referred to in subparagraph c) of paragraph 1 of this Article shall be subject to re-export. Replaced spare parts shall be re-exported or made subject to the customs procedure (regime) of destruction or other customs procedure (regime) in the manner prescribed by the customs laws of the Party in whose territory the customs procedure (regime) in respect of these spare parts is amended.

## **Article 8**

1. During the international road transportation in the framework of this Agreement, on the basis of reciprocity, the carriers of the Parties shall be exempt in the other Party from payment of fees and charges in connection with possession or use of vehicles, as well as with the use or maintenance of highways of the other Party.

2. This exemption shall not apply to fees and charges charged for using toll roads, bridges and tunnels imposed in a non-discriminatory manner.

## **Article 9**

International road transportation under this Agreement shall be conducted provided there is a valid insurance civil liability of the vehicle's owners for the damage caused to third parties in the territory of the Party where transportation takes place.

## **Article 10**

1. The driver of a vehicle must carry the driver's license issued by the competent authority of his/her state and valid in respect of the category of the vehicle used for international road transportation, as well as this vehicle's registration documents. These documents must be accompanied by a certified translation into the Chinese, and/or Russian languages.

2. The vehicle employed for international road transportation must have registration number plates and distinctive signs of the State of registration.

3. Trailers and semi-trailers may have registration number plates and distinctive signs of other states provided that the trucks, road tractors and buses (unless the national law of the Party on whose territory the transportation takes place prohibits the operation of buses with trailers for luggage) have registration number plates and distinctive signs of one of the Parties.

4. Each Party shall recognize as valid driver's licenses, vehicle registration documents and registration plates issued by the competent authorities of the other Parties.

## **Article 11**

Permits and other documents required pursuant to the provisions of this Agreement shall be retained by the driver of the vehicle and produced if so requested by the competent control authorities of the Parties.

## **Article 12**

Carriers and drivers of vehicles engaged in international road transportation must comply with the provisions of this Agreement, as well as the legislation including the traffic rules of the Party where the vehicle is located. In case of their violation, the liability shall be governed by the law of the Party where the violation has been committed.

## **Article 13**

1. Hazardous goods shall be transported in accordance with international treaties which the Parties are parties to, as well as the law of the Party where they are transported.

2. In the event that the transportation of hazardous goods, in accordance with the treaties and law specified in paragraph 1 of this Article, requires a special permit, the carrier shall, prior to transportation, obtain such permit from the competent authority of the Party where this transportation will take place.

3. The competent authorities of the Parties shall exchange lists of hazardous goods, and information on the requirements regarding their transportation under their respective laws in the framework of the Joint Commission.

## **Article 14**

1. The Parties shall intend to simplify the formalities and procedures regarding visa issuance, border, customs, transport, phyto-sanitary and veterinary controls for international road transportation.

Specific measures to simplify these formalities and procedures shall be agreed in separate agreements between the Parties.

2. Within the framework of the Joint Commission, the Parties shall consider measures to improve conditions for international road transportation by harmonizing and simplifying documentation, procedures and requirements related to international road transportation.

3. The Parties shall provide mutual assistance in acceding to international conventions aimed at creating favorable conditions for international road transportation, as well as in applying these conventions.

## **Article 15**

1. The Parties shall take necessary steps to seek opportunities to develop and implement joint investment projects aimed at development of road transport corridors linking the territory of the Parties.

2. The Parties shall participate in the development and implementation of joint programs and projects of the infrastructure development of the road corridors linking the territory of the Parties.

### **Article 16**

1. Within sixty days from the date of entry of this Agreement into force, the Parties shall exchange through the Depository lists of the competent authorities of the Parties responsible for the implementation of this Agreement.

2. The competent authorities of the Parties shall exchange, *inter alia*, in the framework of the Joint Commission, information on the legislation of each of the Parties, as well as other information in the field of international road transportation.

### **Article 17**

1. Within 6 months from the date of entry of this Agreement into force, the competent authorities of the Parties shall establish the Joint Commission.

2. Objectives, terms of reference, functions, composition and other issues related to the activities of the Joint Commission shall be defined in accordance with Annex 3.

### **Article 8**

Annexes 1 - 3 to this Agreement shall form an integral part thereof.

### **Article 19**

The issues not regulated by this Agreement and Annexes 1 - 3 thereto, shall be governed pursuant to the laws and international treaties of the Party where the international road transportation takes place.

### **Article 20**

1. This Agreement shall not affect the rights and obligations of the Parties under other international treaties which the Parties are members of.

2. More favorable conditions for international road transportation stipulated by bilateral or multilateral international treaties between the Parties shall remain in force.

## **Article 21**

This Agreement concluded for an indefinite period, shall enter into force after 30 days from the date of receipt by the Depository of the last written notification on completion by the Parties of internal procedures necessary for its entry into force.

## **Article 22**

Each Party may withdraw from this Agreement by forwarding a written notice to the Depository of its intention to withdraw from the Agreement at least six months before the day of withdrawal.

## **Article 23**

1. After its entry into force, this Agreement shall remain open for accession by any State wishing to accede to it by forwarding to the Depository of an instrument of accession.

2. For the acceding state which is a member of the Shanghai Cooperation Organization, this Agreement shall enter into force after 30 days following the date of receipt by the Depository of an instrument of accession.

For the acceding state which is not a member of the Shanghai Cooperation Organization, this Agreement shall enter into force following 30 days after date of receipt by the Depository of the last written notification of the States – Members of the Shanghai Cooperation Organization of the acceptance of this accession.

## **Article 24**

By mutual consent of the Parties, this Agreement may be amended and supplemented by separate protocols that form an integral part of this Agreement.

## **Article 25**

No reservations shall be permitted in respect of any of the provisions of this Agreement and its annexes.

## **Article 26**

Disputes between the Parties concerning the interpretation or application of this Agreement shall be settled through negotiations and consultations.

## **Article 27**

The Secretariat of the Shanghai Cooperation Organization shall be the Depository of this Agreement that shall send certified copies thereof to the Parties.

Done at the city of Dushanbe, on September 12, 2014, in a single original, in the Russian and Chinese languages, both texts being equally authentic.

*Signatures*



to the Agreement between the Governments of the Member States  
of the Shanghai Cooperation Organization on Creating  
Favorable Conditions for International Road Transportation

**Routes and state border crossing checkpoints  
for international road transportation**

**Paragraph 1**

In the framework of the Agreement between the Governments of the Member States of the Shanghai Cooperation Organization on Creating Favorable Conditions for International Road Transportations, international road transportation shall be conducted via the following routes and through the following state border crossing checkpoints:

1) Barnaul - Veseloyarsk (Russian Federation) / Auyl (Republic of Kazakhstan) - Semey - Bakhty (Republic of Kazakhstan) / Bakhtu (Peoples's Republic of China) - Tacheng Airport - Kuitun - Urumqi.

Opening of this route - no later than 2020;

2) St. Petersburg - Orenburg - Sagarchin (Russian Federation) / Zhaisan (Republic of Kazakhstan) - Aktobe - Kyzylorda - Shymkent - Taraz - Almaty - Khorgos (Republic of Kazakhstan) / Horgos (Peoples's Republic of China) - Urumqi - Lianyungang.

Opening of this route - no later than 2020;

3) Urumqi - Kashgar - Karasu (Peoples's Republic of China) / Kulma (Republic of Tajikistan) - Murghab - Khorog - Dushanbe (Vahdat).

Opening of the section Khorog - Dushanbe (Vahdat) - no later than 2018;

4) Urumqi - Khorgos (Peoples's Republic of China) / Korgas (Republic of Kazakhstan) - Almaty - Taraz - Shymkent - Konysbaeva (Republic of Kazakhstan) / Yallama (Republic of Uzbekistan) - Chinaz.

Opening of this route - no later than 2020.

5) Kant - APT "Ak-Tilek" (Kyrgyz Republic) / Karasu (Republic of Kazakhstan) - Taraz - Shymkent - Kyzylorda - Aktobe - Zhaisan (Republic of Kazakhstan) / Sagarchin (Russian Federation) - Orenburg - Saint Petersburg.

The opening of this route is expected no later than 2020.

6) At-Bashy - Torugart (Kyrgyz Republic) / Turugart (Peoples's Republic of China)  
- Kashgar - Urumqi - Lianyungang.

The opening of this route is expected no later than 2020.

## **Paragraph 2**

Any Party may temporarily and fully or partially suspend the use of routes and/or state border crossing checkpoints envisaged by this Annex in the case of emergency in the territory of that Party affecting its national or transportation security. Such Party shall inform the other Parties and the Joint Commission on Creating Favorable Conditions for International Road Transportation as soon as possible of such suspension and it shall cancel the suspension as soon as the situation normalizes.

to the Agreement between the Governments of the Member States of the Shanghai Cooperation Organization on Creating Favorable Conditions for International Road Transportation

## **Permits for International Road Transportation**

### **Paragraph 1**

Within the framework of the Agreement between the Governments of the Member States of the Shanghai Cooperation Organization on Creating Favorable Conditions for International Road Transportation (hereinafter - the Agreement) the Parties shall recognize the annexed sample of the permit for cargo transportation via agreed routes specified in Annex 1 to the Agreement. This permit shall be valid for one round trip within one calendar year.

The Parties shall authorize the competent authorities of the Parties in the framework of the Joint Commission on Creating Favorable Conditions for International Road Transportation (hereinafter - the Joint Commission) to amend the sample permit, as well as develop and approve sample permits for other types of international road transportation.

### **Paragraph 2**

The quota for permits shall be decided by the Joint Commission.

### **Paragraph 3**

The Parties shall empower the Joint Commission to produce blank permits and pass them on to the Parties in accordance with decided quotas.

### **Paragraph 4**

Each of the Parties shall designate a national authority for issuance of permits and inform the Joint Commission and the other Parties accordingly.

### **Paragraph 5**

Through the national authority for issuance of permits, each of the Parties shall issue permits to the carriers registered in the territory of its State in accordance with the provisions of the Agreement and the laws of the respective State.

### **Paragraph 6**

The permit shall be fully filled without corrections. Information on return transportation may be included in the permit on the way back.

### **Paragraph 7**

Permits should be used within the calendar year specified in the permit and remain valid until the return of the vehicle to the territory of the Party of the permit issue and in no event later than the 31<sup>st</sup> of January of the following year.

### **Paragraph 8**

The permit may be used only by the carrier indicated in the permit and it cannot be transferred to a third party.

### **Paragraph 9**

In the event a fake permit is used or the permit is transferred to a third party, the competent supervisory body that revealed it shall immediately seize the fake permit or permit transferred to a third party and send it to the national authority for issuance of permits of its State. If the latter is not mentioned in seized permit, it shall pass this permit to the authority indicated in the permit.

### **Paragraph 10**

In case of the permit loss, the carrier shall notify the national authority for issuance of permits as soon as possible.

The national authority for issuance of permits that has received information about the permit loss from the carrier, shall accordingly and immediately inform the Joint Commission, as well as other national authorities for issuance of permits indicating the number of the lost permit.

### **Paragraph 11**

The permit form shall be filled in the official language(s) of the Shanghai Cooperation Organization applicable in the territory of the States where the route is located.



## 国际道路运输许可证

### Permit for international road transportation

编号: (国家代码)

Series №.: (Country code) 00000000



本许可证根据《上海合作组织成员国政府间国际道路运输便利化协定》签发。

This permit has been issued in accordance with the Agreement between the Governments of the Member States of the Shanghai Cooperation Organization on Creating Favorable Conditions for International Road Transportation of September 12, 2014.

年度: (年份)

Year: (indicate the year)

1. 承运人名称及地址 Carrier name and address			
2. 货车/拖车牌号/国家 Truck/tractor track registration plate number/country	3. 货车/拖车型号/自重(公斤) Truck/tractor truck model and weight (kg)	4. 挂车牌号/国家/自重(公斤) Trail/semi-trail registration plate number /country/weight (kg)	
5. 货物(品名)概述及毛重 (公斤) Cargo brief description (name) and gross weight (kg)		(1) 去程: To:  (2) 返程: Return:	
6. 将使用的线路 Routes to be used		(1) 线路号 Route №.:  (2) 起自 from:                      止至 to:	

签发机关印章、负责人签字 Signature and seal of the body of issuance of permits  (当事方主管机关负责人签字 当事方主管机关印) (Signature and stamp of the authorized body of the Party)  时间:                      地点: Date:                      Location:	7.本国口岸查验机关检查签章 Mark of passed inspection and signature/seal of the controlling body of the country of dispatch          时间: Date: 地点: Location:	(1)出境 Departure          时间: Date: 地点: Location:	(2)入境 Arrival          时间: Date: 地点: Location:

	入境 Arrival	出境 Departure
8.过境/抵达国口岸查验机关检查签章 Mark of passed inspection and signature/seal of the controlling body of the country of destination/transit	时间: Date: 地点: Location:	时间: Date: 地点: Location:

	入境 Arrival	出境 Departure
13.过境/抵达国口岸查验机关检查签章 Mark of passed inspection and signature/seal of the controlling body of the country of destination/transit	时间: Date: 地点: Location:	时间: Date: 地点: Location:

<p>9.过境/抵达国口岸查验机关检查签章</p> <p>Mark of passed inspection and signature/seal of the controlling body of the country of destination/transit</p>	<p>时间: Date:</p> <p>地点: Location:</p>	<p>时间: Date:</p> <p>地点: Location:</p>	<p>14.过境/抵达国口岸查验机关检查签章</p> <p>Mark of passed inspection and signature/seal of the controlling body of the country of destination/transit</p>	<p>时间: Date:</p> <p>地点: Location:</p>	<p>时间: Date:</p> <p>地点: Location:</p>
<p>10.过境/抵达国口岸查验机关检查签章</p> <p>Mark of passed inspection and signature/seal of the controlling body of the country of destination/transit</p>	<p>时间: Date:</p> <p>地点: Location:</p>	<p>时间: Date:</p> <p>地点: Location:</p>	<p>15.过境/抵达国口岸查验机关检查签章</p> <p>Mark of passed inspection and signature/seal of the controlling body of the country of destination/transit</p>	<p>时间: Date:</p> <p>地点: Location:</p>	<p>时间: Date:</p> <p>地点: Location:</p>
<p>11.过境/抵达国口岸查验机关检查签章</p> <p>Mark of passed inspection and signature/seal of the controlling body of the country of destination/transit</p>	<p>时间: Date:</p> <p>地点: Location:</p>	<p>时间: Date:</p> <p>地点: Location:</p>	<p>16.过境/抵达国口岸查验机关检查签章</p> <p>Mark of passed inspection and signature/seal of the controlling body of the country of destination/transit</p>	<p>时间: Date:</p> <p>地点: Location:</p>	<p>时间: Date:</p> <p>地点: Location:</p>

<p>12.过境/抵达国口岸查验机关检查签章</p> <p>Mark of passed inspection and signature/seal of the controlling body of the country of destination/transit</p>	<p>时间: Date:</p> <p>地点: Location:</p>	<p>时间: Date:</p> <p>地点: Location:</p>	<p>17.过境/抵达国口岸查验机关检查签章</p> <p>Mark of passed inspection and signature/seal of the controlling body of the country of destination/transit</p>	<p>时间: Date:</p> <p>地点: Location:</p>	<p>时间: Date:</p> <p>地点: Location:</p>
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编号(国家代码): Series №: (Country code) 00000000





## Instructions on Permit Use

1. This permit is used for cargo transportation via any of the following routes or portions of routes and through any of the following state border crossing checkpoints:

(Agreed routes and state border crossing checkpoints)

Note: The above-mentioned routes and state border crossing checkpoints will not affect the application of bilateral or multilateral treaties which some of the above mentioned countries are parties to, permitting the option of international road transportation without limiting routes and state border crossing checkpoints or via other routes and state border crossing checkpoints.

2. This permit may not be used for transportation between two locations in the same country.
3. This permit has been granted to the carrier specified therein and it may not be transferred to a third party.
4. The permit should be fully filled without corrections. Information on return transportation can be included in the permit on the way back.
5. Use of the fake permit is punishable under the law.
6. This permit must be used within the calendar year specified in the permit, and it remains valid until the return of the vehicle on the territory of the Party of the permit issue, and in any event no later than the 31<sup>st</sup> of January of the following year.
7. This permit shall be kept on board the vehicle and produced at the request of the competent control authorities.
8. Carriers must comply with the national law of the Party where the transportation takes place.

to the Agreement between the Governments  
of the Member States of the Shanghai Cooperation Organization on  
Creating Favorable Conditions for International Road Transportation

## **Terms of reference of the Joint Commission on Creating Favorable Conditions for International Road Transportation**

### **Paragraph 1**

The main task of the Joint Commission on Creating Favorable Conditions for International Road Transportation (hereinafter - the Joint Commission) shall be monitoring the implementation of the Agreement between the Governments of the Member States of the Shanghai Cooperation Organization on Creating Favorable Conditions for International Road Transportation (hereinafter – the Agreement) and ensure its effective application.

### **Paragraph 2**

The Joint Commission shall perform the following functions and responsibilities:

- 1) monitoring and coordinating activities to ensure coherent and consistent application of the provisions of the Agreement and addressing issues that arise during the implementation of the Agreement;
- 2) reviewing amendments and/or additions in respect of routes and/or state border crossing checkpoints related to the Agreement for the subsequent approval by the Parties;
- 3) discussing and deciding on matters related to permits for international road transportation, including:  
quota for permits and method of its calculation;  
amendments to the content, format, method of manufacture, distribution and rules for the use of the permits;
- 4) analyzing the use of permits and reporting on the operation of the permit system;
- 5) assisting the competent authorities of the Parties in the exchange of information on legislation and regulations in each of the Parties related to international road transportation, changes therein, as well as other information;

- 6) exchanging lists of hazardous goods and information on requirements for their transportation pursuant to the laws of each of the Parties;
- 7) developing proposals to improve the conditions of international road transportation;
- 8) assisting the States - Parties to the Agreement to facilitate their accession to international conventions aimed at creating favorable conditions for international road transportation, as well as their implementation of these conventions;
- 9) reviewing proposals on the implementation of joint investment projects aimed at the development of transport corridors linking the territory of the Parties;
- 10) discussing other matters related to the Agreement.

### **Paragraph 3**

The Joint Commission shall be composed of one representative and one alternate from each competent authority of the Parties.

### **Paragraph 4**

The chairmanship of the Joint Commission shall pass annually from one party to another in alphabetical order of the Russian alphabet.

### **Paragraph 5**

The meetings of the Joint Commission shall be attended by representatives of the Parties, and/or their alternates, representatives of other relevant departments of the Parties invited by the representatives of the Parties in view of the agenda of meetings, the Secretariat of the Shanghai Cooperation Organization, as well as representatives of relevant international organizations and individuals invited by the Chairman of the Joint Commission with the consent of the members of the Joint Commission.

### **Paragraph 6**

Decisions of the meetings of the Joint Commission shall be taken by consensus in the form of the minutes of meetings. The original minutes of the meetings shall be kept by the Depositary of the Agreement.

### **Paragraph 7**

The meeting of the Joint Commission shall be held once a year. On the initiative of one of the Parties and with the consent of the other Parties, extraordinary meetings may be convened.

### **Paragraph 8**

Regular annual meetings shall be normally held on the territory of the Party chairing the Joint Commission. Time and venue of extraordinary meetings shall be determined by prior arrangement.

### **Paragraph 9**

The meetings of the Joint Commission shall be held in the official languages of the Shanghai Cooperation Organization.