

### 3. TRANSPORT LEGAL AND REGULATORY FRAMEWORK

<b>Geographic Focus:</b>	Republic of Armenia, Azerbaijan Republic, Georgia, Republic of Kazakhstan, Kyrgyz Republic, Republic of Tajikistan, Turkmenistan and Republic of Uzbekistan
<b>Project Budget:</b>	<b>EURO 1,500,000</b>
<b>Contractor:</b>	Scott Wilson
<b>Implementation timetable:</b>	December 1995 through December 1997

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#### **Background**

The Former Soviet Union (FSU) developed its own unique transport legal system which was recognised as being unable to adapt to a free market economy and to international transport operations.

#### **Objectives**

The overall objective of this project was to provide technical assistance and database support in the field of transport legislation and to create a Legal and Institutional environment conducive to establishing good management practice. The specific objectives were to:

- draft new harmonised transport legislation for the movement of freight by road, rail or sea
- assist the government in each state, in the enactment of such legislation
- introduce administrative processes for transport sector regulation compatible with the EU
- promote membership of international transport groupings such as the IRU and FIATA.
- develop and encourage implementation of transit agreements

The foregoing were to produce results compatible with eventual restructuring of the assets and management practices of the regions transport systems.

#### **Key Issues**

This project in particular was required to work very closely with the organs of government of the newly independent TRACECA states. It was seen to be necessary to establish an International Task Force (ITF) complemented by individual National Task Forces (NTF) in each TRACECA State that include officials from the Transport, Justice Ministries and other concerned authorities. The NTF's were the pilot action groups for legislative changes in each TRACECA State and their role was to work closely with the ITF while drafting transport legislation, and then to promote legislative changes within their respective states.

#### **Achievements**

Model legal drafts have been published which include a General Transport Law, a Road and Railway Transport Law and Draft Multilateral Agreements on Road Transport and Commercial Maritime Navigation as well as a Model Regional Transit Agreement. The recommended Drafts have been well received and included in propositions for legislation. The project has worked with key administrative and legislative personnel. In general the main constraint on progress is the availability of parliamentary time. The project has also assisted in the promotion of adherence of TRACECA states to the wider international transport conventions, such as TIR. The recognition by FIATA in Zurich of the National Associations of Freight Forwarders in Georgia, Azerbaijan Republic and Republic of Kazakhstan has been greatly helped by the work of this project in holding seminars and workshops, at the request of the participating states, to explain the benefits of such an Association.

This project has been of fundamental importance in the realisation of the 'Basic Multilateral Agreement' and the agreement on the establishment of a Joint Commission to regulate all questions concerning the implementation and application of further Agreements. This International Joint Commission will be implemented within the framework of TRACECA programme for 1999.