



## **Agreement On Single Transit Permit of TRACECA**

The Governments of the Member countries of the present Agreement, hereinafter referred to as the Parties,

*Referring* to the objectives of the Basic Multilateral Agreement on International Transport for Development of the Europe -the Caucasus-Asia Corridor,

*Guided by* the striving for further development of road communication within the framework of the ITC TRACECA and improvement of the international freight traffic conditions,

*Recognizing* the significance of attracting freight flow between Europe and Asia in transit communication across the territories of the Parties,

*Taking into consideration* the significance of realizing the transit potential of the Parties,

*Have agreed* on the following:

### **Article 1. Definitions and abbreviations**

1. Definitions and abbreviations in the present Agreement have the following meaning:

*Road Carrier* – any physical or legal person, registered in the territory of one of the Parties and, pursuant to the national legislation, admitted to international road carriage of goods;

*Motor vehicle* – a vehicle registered in the territory of one of the Parties, and admitted to international road carriage of goods (truck, trailer truck, motor tractor or tractor with semitrailer)

*Carriage* – the movement of laden or unladen motor vehicles for reward or for one's own account by roads of the Parties or the third countries, including in multimodal communication, i.e., in cases that a part of the carriage is performed by other modes of transport (river, maritime, rail);

*Transport from/to the third countries* - the transport of goods, loaded and unloaded in the countries not being the Parties to this Agreement and performed by a motor vehicle registered in the country being the Party to this Agreement;

*Cabotage* – the carriage of goods loaded in one point on the territory of other country to another point of the same country.

*Trip* – a passage of motor vehicles from the point of departure to the point of destination.

*Third country*– a country which is not a member to the present Agreement;

*Transit traffic* – a passage of laden or unladen motor vehicles, through the territory of the Party to the present Agreement without loading/unloading of goods, whereby the points of departure and destination are situated on the other states' territory;

*Single Transit Permit of TRACECA* - an e-document, issued in the established order in accordance with the present Agreement, and entitling the road carrier to perform transit traffic (in the unladen state as well as loaded) through the territory of the Parties upon the conditions determined in the present Agreement;

*Information system (web-portal)* – the information system designed for e-implementation of permit procedures regarding generating and issuing electronic transit permits TRACECA provided with the reference number and series, forwarding notifications and ensuring proper functioning of these procedures;

*Satellite navigation equipment* – multi-purpose electric-technical ground based devices mounted on a motor vehicle designed for establishing its exact location, as well as motion specifications (speed, motion directions, etc.);

*Quota* – an amount of permits issued for the passage of a motor vehicle of each of the Parties based on the present Agreement throughout a certain period;

*ITC TRACECA* – the International Transport Corridor Europe-the Caucasus-Asia;

*Basic Agreement* – the Basic Multilateral Agreement on International Transport for Development of the Europe-the Caucasus-Asia Corridor signed on 8 September 1998, in Baku, the Republic of Azerbaijan with the existing amendments and changes;

*Permanent Secretariat (PS IGC TRACECA)* - the Permanent Secretariat of the Intergovernmental Commission TRACECA;

*Competent authority/authorities* - the authorized body/bodies responsible for the implementation of this Agreement in the member country of the present Agreement;

## **Article 2. General provisions**

1. The provisions of the Agreement shall regulate international transport of goods performed by a motor vehicle in transit across the territories of the Parties using a Single Transit Permit of TRACECA, shall determine the conditions and procedure of its issuance, application, as well as other provisions directly connected with a Single Transit Permit TRACECA.

## 2. Single Transit Permit of TRACECA:

- a) is a permit that entitles to perform transit traffic through the territories of the Parties;
- b) shall give the right to a carrier, who received the Permit, to perform transit traffic through the territories of the Parties, through which the route passes, and exempt from the need of having a permit envisaged in the corresponding bilateral Agreements on International Road Communication between the Parties;
- c) shall be processed only in electronic form in accordance with the form determined by the Permanent Secretariat upon agreement with the competent authorities of the Parties and shall entitle to perform traffic.

3. The provisions of this Agreement shall be applied to international transportation of goods by road in transit through the territory of no less than two Parties or one Party using maritime transport.

For the transportation in bilateral communication or to/from the third countries, a corresponding permit is required, unless otherwise provided by the existing bilateral agreements between the Parties.

4. The Parties provide equal access to transport services market to the road carriers without any discrimination and irrespective of the driver's nationality or the country of a vehicle registration.

5. A Single Transit Permit of TRACECA may be valid in the period from 1 January of the corresponding year until 31 January of the next year.

6. A Single Transit Permit of TRACECA contains the following data:

- a) Permit's title;
- b) Unique number of the Permit;
- c) Unique identification bar code;
- d) Validity period of a Permit;
- e) Registration number of a vehicle;
- f) Registration number of a trailer /semitrailer;
- g) Itinerary with the indication of the point of departure and the point of destination;
- h) Notes on replacement of a vehicle in case of technical problem;
- i) Other data as agreed by the Parties.

### **Article3. Range of application of Single Transit Permits of TRACECA**

1. A Single Transit Permit of TRACECA is a one-time document (designed for single use), and gives the right to a trip of loaded or unloaded vehicles, in forward and return directions during the entire trip (round trip). The number of entries to any TRACECA member state should not exceed 2 times.

2. A Single Transit Permit of TRACECA shall not give the right to cabotage.

3. A Single Transit Permit of TRACECA shall not exempt from the obligation to execute mandatory payments and charges the collection of which does not contradict Article 5 of the Basic Agreement.

4. A Single Transit Permit of TRACECA shall not exempt a carrier from obligation to comply with the requirements related to the transport of dangerous goods, movement of oversized and heavy weight motor vehicles, as well as the requirements of the national legislation of the country of entry or the transit country.

5. A Single Transit Permit of TRACECA cannot be used for other purposes except those indicated in article 2 of the present Agreement.

6. The following loading in the territory of the Party to this Agreement of a foreign motor vehicle travelling backwards from a transit trip, shall be authorized only when a corresponding permit is available, unless otherwise provided by the existing bilateral agreements between the Parties.

7. Movement of motor vehicles using a Single Transit Permit of TRACECA across the territory of the third countries shall be performed in compliance with bilateral agreements with these countries or other existing multilateral agreements, unless otherwise provided by the national legislation of the Parties.

8. When transporting goods, using a Single Transit Permit of TRACECA, the replacement of a tractor, a trailer or a semitrailer by another similar vehicle shall be allowed on condition, that it is registered in one of the Parties subject to an addition to the corresponding notes to an e-transit permit TRACECA by the competent authority of the Party where there is not possibility for further transport by this vehicle due to technical reasons. The procedure of making notes shall be determined by the Technical Manual on the information system (web -portal).

9. The Parties shall apply sanctions in accordance with the national legislation to road carriers which violate the provisions of the present Agreement.

10. The competent authorities of the Parties may prohibit a carrier to perform traffic on their territory using Single Transit Permits of TRACECA in case of repeated violations by this carrier of the safety rules, provisions concerning technical condition of vehicles, breach of the drivers' labour and rest hours, as well as the provisions of the present Agreement.

11. The competent authorities of the Parties shall inform each other and the Permanent Secretariat on the violations committed on their territories when performing traffic on the basis of Single Transit Permits of TRACECA and the sanctions imposed regarding carriers.

#### **Article 4. Procedure of issuance, accounting and implementation of electronic Transit Permits TRACECA**

1. Single Transit Permits of TRACECA shall be generated by the information system (web-portal) via Internet in the official languages of the Basic Agreement based on the information given in the application and registration documents for a road vehicle.

2. The Parties establish a quota for the issuance of Single Transit Permits of TRACECA. When establishing a quota, an equal number of Single Transit Permits of TRACECA shall be determined for all the Parties.

3. The Parties define the representative of the competent authority to make a decision on the establishment of quotas. The decision to establish a quota is drawn up in a separate Protocol, which comes into force from the date of its signing.

4. On the initiative of the Parties, the quota may be revised in accordance with points 2 and 3 of this Article, in case of written notification to the Permanent Secretariat by one of the Parties of the change in the quota for issuing Single Transit Permits of TRACECA through its territory.

5. The competent authorities of the Parties issuing permits for road traffic in their territory, customs and border procedures, as well as participants of the transportation process within the framework of this Agreement shall interact via the information system (web-portal).

6. In order to receive Single Transit Permits of TRACECA, a road carrier shall lodge a corresponding application to the competent authority of the country of registration of a motor vehicle for a decision to be made.

7. The competent authorities shall consider the received applications in compliance with the national legislation of the country and make a decision on issuance or refusal. In case of a decision to issue a permit, the competent authorities shall input the data in the information system (web-portal) to generate a permit for a carrier. In case of refusal to issue a Single Transit Permit of TRACECA, the competent authorities of the Parties should give the reasons of the refusal.

8. An electronic copy of a Single Transit Permit of TRACECA shall be kept at a competent authority of the Party, which issued a Single Transit Permit of TRACECA.

9. The carrier, who received a Single Transit Permit of TRACECA via the information system (web-portal), cannot hand over, give up or hand over it to another carrier in a different way.

10. When crossing the state borders and carrying out corresponding control procedures, the competent authorities of the Parties shall verify the authenticity of a Single Transit Permit of TRACECA via the information system (web-portal).

11. The Permanent Secretariat shall approve a Technical Manual on the information system (web-portal), as well as the procedure of interaction between the Parties.

#### **Article 5. Conditions of admission of a carrier to a Single Transit Permit of TRACECA**

1. A carrier, who lodged an application for Single Transit Permits of TRACECA, shall be obliged:

a) to comply with the conditions determined by the national legislation concerning the admission to international road freight traffic;

b) to correspond to the requirements of the national legislation concerning road safety, as well as the standards set for drivers and vehicles.

2. Single Transit Permits of TRACECA may be used in the transport of goods by motor vehicles only, registered in the information system (web-portal).

3. With the view of monitoring the route, increasing the effectiveness of managing motor vehicles and ensuring the safety of the transport of goods, motor vehicles can be equipped with certified satellite navigation facilities, which should transmit the data on the transport of goods using Single Transit Permits of TRACECA to the information system (web-portal).

4. The traffic data, received from the certified satellite navigation equipment, shall be forwarded to the competent state authority, which issued a Single Transit Permit of TRACECA, and to the Permanent Secretariat. The data content shall be determined by the Technical Manual on the information system (web-portal) in coordination with the competent authorities.

## **Article 6. Settlement of disputes**

1. Any disputes, differences or claims between the Parties which arise in connection with the application, interpretation, breach or termination of the present Agreement and which cannot be settled by negotiations, shall be submitted for consideration of any of concerned Parties to the Intergovernmental Commission.

## **Article 7. Transitional provisions**

1. The present Agreement is open for accession of any state by consent of all the Parties received by the Depositary via diplomatic channels. The main condition for accession of the third countries is the provision of the right to entry/exit to/from their territory or transit passage through their territory of freight vehicles of the member states of the Basic Agreement.

2. The present Agreement shall enter into force thirty days after the fourth notification of the Depositary on the implementation of the relevant internal procedures.

3. The present Agreement shall enter into force for the Parties, which joined the Agreement 30 days after notification of the Depositary on the implementation of the relevant internal procedures.

4. By consent of the Parties, the present Agreement may be updated by amendments or additions to be maintained by the Protocol being an integral part of the present Agreement.

5. Entry into force of the Protocol on amendments and changes shall be done by the same procedure that the present Agreement.

6. The Republic of Azerbaijan is the Depositary of the present Agreements, which shall send its notarized copies to the Parties, which signed the Agreement.

7. The Depositary shall inform the Parties on the accession of other Parties to the Agreement and on the termination of the Agreement with regard to any Party.

8. The Agreement may be terminated on the territory of the Party, if this Party notifies in writing on its intention to terminate the Agreement on its territory not less than six months before.

9. The present Agreement shall be made for an indefinite period.

Done at (city) ....., on «...» ....., in one original copy in the English and Russian languages, both texts being equally authentic.

**For the Republic of Azerbaijan**

**For the Republic of Armenia**

**For the Republic of Bulgaria**

**For Georgia**

**For the Islamic Republic of Iran**

**For the Republic of Kazakhstan**

**For the Kyrgyz Republic**

**For the Republic of Moldova**

**For Romania**

**For the Republic of Tajikistan**

**For the Republic of Turkey**

**For the Republic of Uzbekistan**

**For Ukraine**