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

13th Session
12-13 March 2008
Almaty, Kazakhstan

**Accession to and effective implementation of international conventions
recommended by the Group**

(Item 5.1 of the agenda)

Note by UNESCAP

1. At the 12th session the Working Group encouraged the SPECA countries to consider further accession to and implementation of relevant international conventions, including the important TIR and “Harmonization” conventions. Noting that accession to the international legal instruments would only serve transport facilitation if followed by proper implementation/enforcement, the Group encouraged regular consultations and effective cooperation of national authorities with representatives of the business sector in order to identify the most urgent implementation issues and most efficient ways to resolve them. It also asked UNECE and UNESCAP to persist in their fund-raising efforts to continue the flow of advisory activities through national workshops and international conferences.

2. Since the 12th session, Kyrgyzstan has ratified the Customs Container Convention, 1972. To date the situation of accession to the international legal instruments listed in ESCAP Resolution 48/11 of 1992 is rather positive, with two SPECA countries (Kyrgyzstan and Uzbekistan) having ratified all the seven conventions. The accession status to the seven conventions recommended by Resolution 48/11 is shown in Annex 1. With respect to transit transport, it is observed that all the SPECA countries and the majority of their neighbours have ratified the TIR Convention. Except for Afghanistan which faces special difficulties at present, all of the SPECA countries are also implementing the convention. Ensuring territorial continuity of the legal instruments should remain high on the agenda of competent authorities at subregional and regional levels. As it can be seen from Annex 1, implementation of the TIR and other relevant conventions by Pakistan and PR China would considerably diminish the physical and economic distance to markets for the landlocked SPECA countries

3. With respect to the additional legal instruments adopted by the second Session of SPECA PWG TBC, the situation has only changed marginally and might be interpreted as reflecting the trade flows of the SPECA countries. Where the European countries are major export/import partners, ADR, AETR and ATP have been ratified and are implemented as they constitute prerequisites for SPECA transport operators to be granted traffic rights. The accession status to the legal instruments adopted by the second meeting of SPECA PWG TBC is shown in Annex 2 and the status of accession to the infrastructure related agreements is shown in Annex 3.

4. It is expected that the new Annex 8 to the “Harmonization” Convention will enter into force on 20 May 2008 covering the following aspects:

- (a) facilitation of visa procedures for professional drivers;

- (b) operational measures to speed-up border crossing procedures for goods, particularly for urgent consignments, such as live animals and perishable goods;
- (c) harmonized technical provisions relating to faster control of road vehicles (technical inspections) and equipment used for transport of goods under controlled temperatures;
- (d) standardized weighing operations and procedures to avoid, to the extent possible, repetitive weighing procedures at border crossings;
- (e) minimum infrastructure requirements for efficient border crossing points;
- (f) monitoring provisions facilitating appropriate implementation of the Annex in all Contracting Parties to the Convention

It would therefore be most beneficial if Tajikistan and Turkmenistan ratify the “Harmonization” Convention and if all SPECA countries improve its implementation, in order to ensure territorial continuity and consequently facilitate transport and implicitly trade within the subregion and beyond.

5. Since the 12th session of the Working Group the ESCAP secretariat has prepared a study “Towards Harmonized Legal Regimes in Transport Facilitation” based on regional and subregional experience and on previous work done by other organizations including the ECE. The guidelines under preparation are designed to support the effort of ESCAP member countries in their endeavour to facilitate international land transport/transit, through suggesting possible ways to progress towards harmonized legal regimes.

Issues for consideration

2. The Project Working Group may wish to consider the following recommendations to improve the acceptance and implementation of the key transport-related international legal instruments in the SPECA region.

- a) Reaffirm the importance of the international legal instruments listed in the protocol of its second session and re-iterate the invitation addressed to SPECA countries to intensify their efforts to accede to all of them as soon as possible and to properly implement them.
- b) Stress that accession to the international legal instruments would only serve transport facilitation if followed by proper implementation/enforcement measures.
- c) Encourage public and private sectors to establish partnerships in order to identify problems in the implementation of the international legal instruments and find timely solutions thereto.
- d) Identify further assistance needed from the ECE and ESCAP secretariat in assessing the implications of acceding to and implementing the transport-related international legal instruments.

Annex 1

Status of accession by SPECA countries and their neighbouring transit countries to the legal instruments listed in Commission resolution 48/11 of 1992, as of 18 January 2008

Country or area	Convention on Road Traffic (1968)	Convention on Road Signs and Signals (1968)	Customs Convention on the International Transport of Goods under Cover of TIR Carnets (1975)	Customs Convention on the Temporary Importation of Commercial Road Vehicles (1956)	Customs Convention on Containers (1972)	International Convention on the Harmonization of Frontier Controls of Goods (1982)	Convention on the Contract for the International Carriage of Goods by Road (CMR) (1956)
Afghanistan	-	-	x	x	-	-	-
Azerbaijan	x	-	x	x	x	x	x
Kazakhstan	x	x	x	-	x	x	x
Kyrgyzstan	x	x	x	x	x	x	x
Tajikistan	x	x	x	-	-	-	x
Turkmenistan	x	x	x	-	-	-	x
Uzbekistan	x	x	x	x	x	x	x
Armenia	x	-	x	-	x	x	x
Mongolia	x	x	x	-	-	x	x
China, P R of	-	-	-	-	x	-	-
Pakistan	-	-	-	-	-	-	-
Iran, I R of	x	x	x	-	-	-	x
Russian Federation	x	x	x	-	x	x	x
Turkey	-	-	x	x	x	x	x
Georgia	x	x	x	-	x	x	x

Source: official UNECE publications.

Legend: x – Contracting Party, S- signature

Status of accession by SPECA countries and their neighbouring transit countries to the legal instruments listed in the report of the second meeting of SPECA PWG TBC, as of 18 January 2008

Country or area	European Agreement supplementing the Convention on Road Traffic (1 May 1971)	European Agreement supplementing the Convention on Road Signs and Signals (1 May 1971)	Customs Convention on the Temporary Importation of Private Road Vehicles (4 June 1954)	European Agreement concerning the Work of Crews of Vehicles engaged in International Road Traffic (AETR) 1 July 1970	European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) 30 September 1957	Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage (ATP), 1 September 1970
Afghanistan	-	-	-	-	-	-
Azerbaijan	-	-	-	x	x	x
Kazakhstan	-	-	-	x	x	x
Kyrgyzstan	-	-	-	-	-	-
Tajikistan	-	-	-	-	-	-
Turkmenistan	-	-	-	x	-	-
Uzbekistan	-	-	-	x	-	x
Armenia	-	-	-	x	-	-
Mongolia	-	-	-	-	-	-
China, P R of	-	-	-	-	-	-
Pakistan	-	-	-	-	-	-
Iran, I R of	-	-	x	-	-	-
Russian Federation	x	x	x	x	x	x
Turkey	-	-	x	x	-	-
Georgia	-	x	-	-	-	x

Source: official UNECE publications.

Legend: x – Contracting Party, S- signature

Status of accession by SPECA countries and their neighbouring transit countries to international legal instruments relating to transport infrastructure,
as of 18 January 2008

Country or area	Intergovernmental Agreement on the Asian Highway Network	Intergovernmental Agreement on the Trans Asian Railway	European Agreement on Main International Traffic Arteries (AGR)*, 15 November 1975	European Agreement on Main International Railway Lines (AGC)*, 31 May 1985	European Agreement on Important International Combined Transport Lines and Related Installations (AGTC)*, 1 February 1991
Afghanistan	x	NA	-	-	-
Azerbaijan	x	S	x	-	-
Kazakhstan	x	S	x	-	x
Kyrgyzstan	x	-	-	-	-
Tajikistan	x	S	-	-	-
Turkmenistan	-	-	-	-	-
Uzbekistan	x	S	-	-	-
Armenia	x	S	x	-	-
Mongolia	x	S	-	-	-
China, P R of	x	S	-	-	-
Pakistan	x	S	-	-	-
Iran, I R of	S	S	-	-	-
Russian Federation	x	x	x	x	x
Turkey	S	S	x	x	x
Georgia	x	S	x	-	x

Source: official UNECE publications.

Legend: x – Contracting Party, S- signature, NA- not applicable

* These Agreements are also part of the list adopted by the second meeting of SPECA PWG TBC