

CAREC Cross-Border Transport Agreement (CBTA)

9th TSCC Meeting

11-12 October 2010, Manila, Philippines



The Agreement

Agreement on the Cross-Border Transport of Persons, Vehicles and Goods within the Framework of Central Asian Regional Economic Cooperation (CAREC)

- ✓ designed to facilitate international transit along the corridors, providing the basis for exchange of traffic rights between and among the participating countries, and facilitation of frontier crossing formalities
- ✓ encouraged other countries along CAREC corridors to accede to/sign the CBTA

MAIN TEXT

I: GENERAL PROVISIONS

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III: CROSS-BORDER MOVEMENT OF PEOPLE

IV: CROSS-BORDER MOVEMENT OF MEANS OF TRANSPORT

V: CROSS-BORDER ACTIVITY OF TRANSPORT OPERATORS

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1. GOODS

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3: CHARGES OF INTERSTATE AND TRANSIT TRAFFIC

4: CUSTOMS

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7: ROAD TRANSPORT OPERATORS

8: INFRASTRUCTURE AND FACILITIES

9: OTHER BORDER CROSSING FACILITATION MEASURES

Annexes

1. GOODS

prohibited, restricted goods, oversized, overweight, perishable, sanitary and quarantine

2. ROUTES AND POINTS OF BORDER CROSSINGS

3. CHARGES OF INTERSTATE AND TRANSIT TRAFFIC

4. CUSTOMS

exemption of personal effects, customs transit regime for goods, temporary admission regime for motor vehicles and containers

5. THIRD PARTY MOTOR LIABILITY INSURANCE

6. MARKET ACCESS – QUOTAS AND PERMITS

7. ROAD TRANSPORT OPERATORS

licensing criteria, conditions of carriage of transport services and road carrier liability

8. INFRASTRUCTURE AND FACILITIES

9. OTHER BORDER CROSSING FACILITATION MEASURES

simplification of clearance procedures, commodity description and coding, cargo valuation system, document harmonization

Annex 1: Goods

Prohibited Goods

Media containing information and materials of a subversive nature with violence, pornography, ethnic and religious hatred, terrorism, and extremism; protected animal and plant species; cultural heritage objects; weapons; narcotics; human substances and body parts; and counterfeited goods.

Restricted Goods

Oversized, overweight, dangerous, and other goods the cross-border movement of under national legislation of the Contracting Parties requires a permit

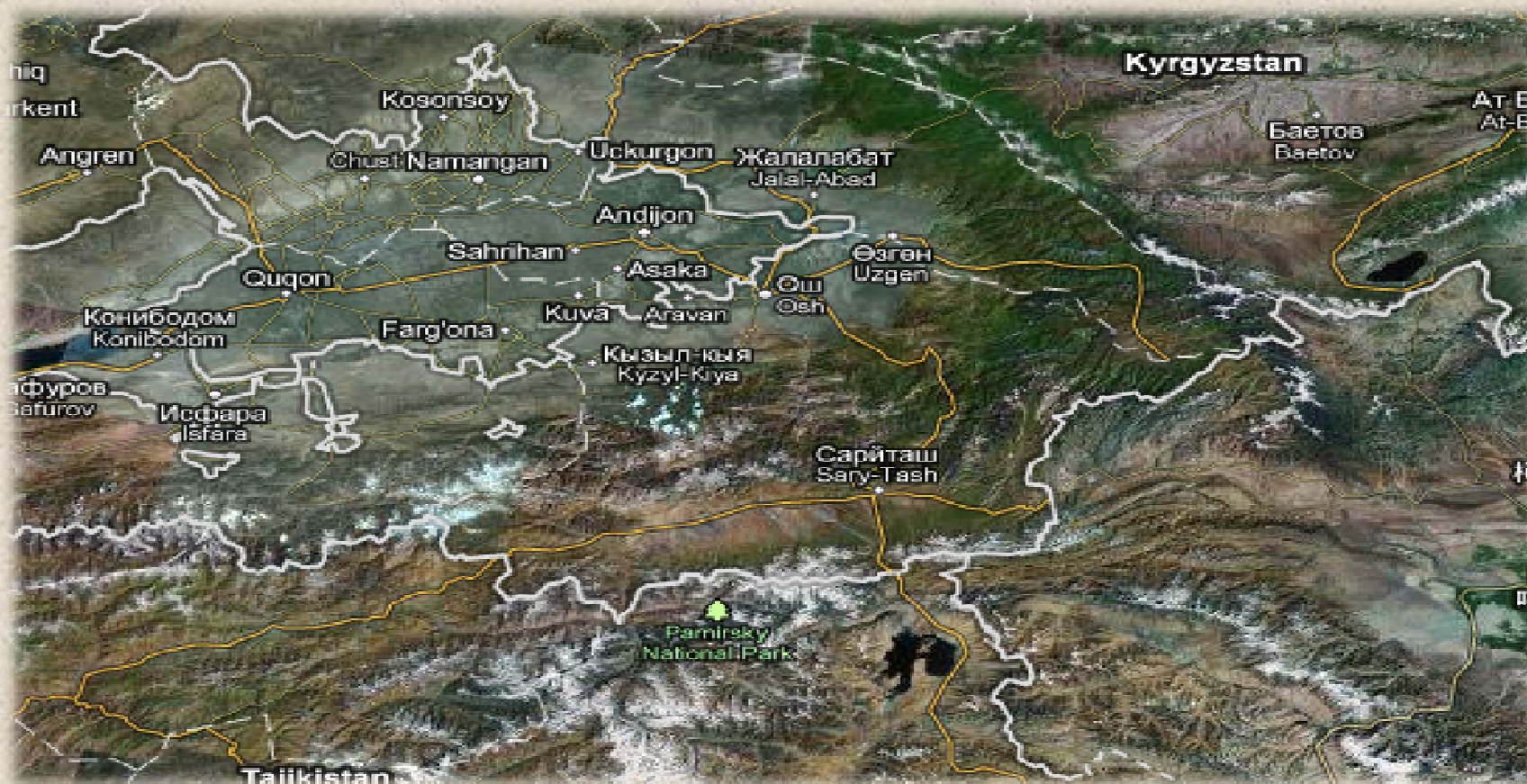
Oversized, Overweight, Perishable Subject to

Specified itinerary, time schedule, prior recon. of itinerary; escort vehicle(s), special warning signage strive to follow "ATP", Geneva, 1 Sept 1970

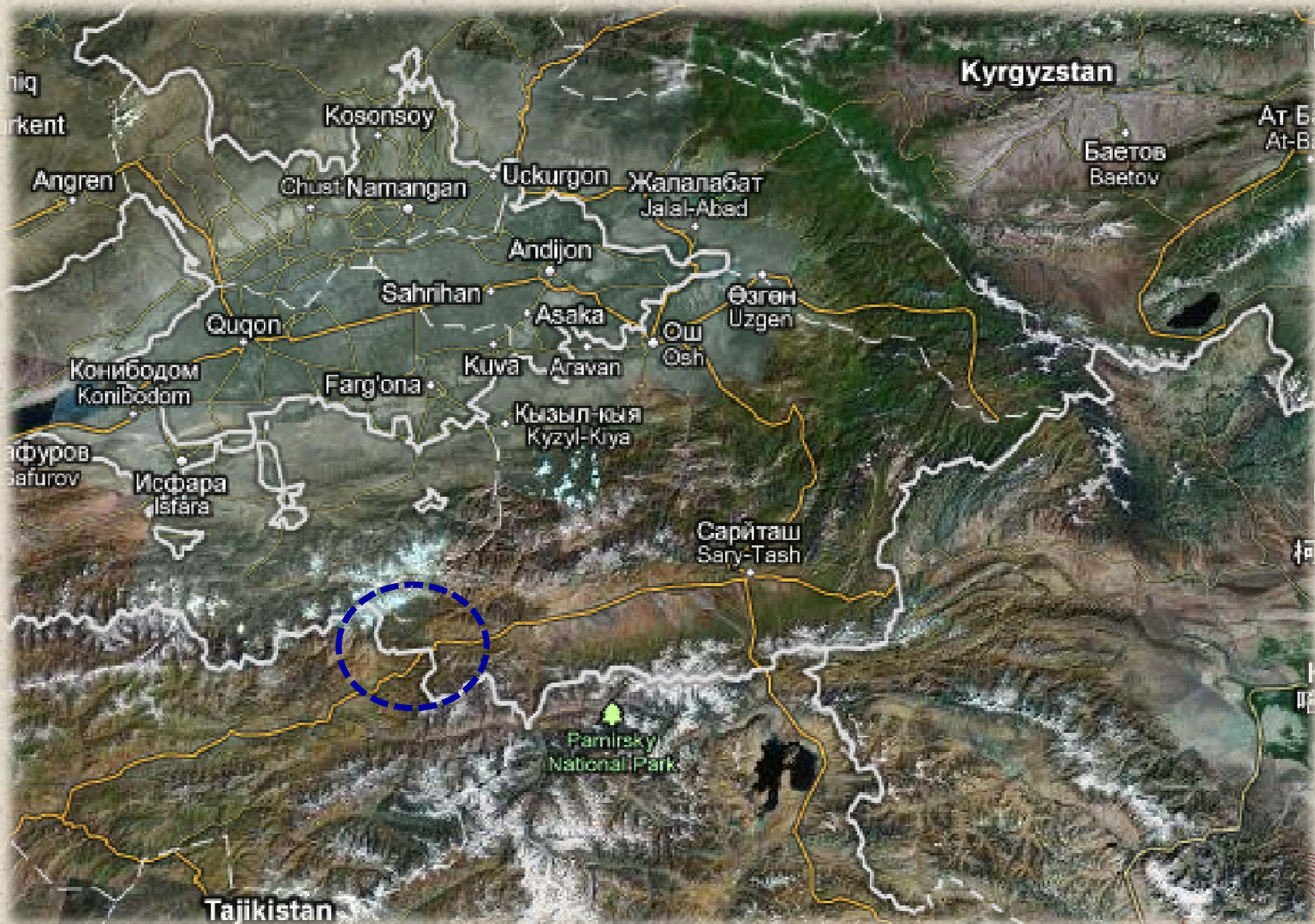
Sanitary, Quarantine Regulations

Shall be observed under international agreements signed by the Contracting Parties.

Annex 2: Routes and Points of Border Crossings



Opening of Additional Routes and Border Crossings: the Contracting Parties entitled to open additional border crossings and routes through an amendment by a Protocol that will form an integral part of this Agreement



Annex 3: Charges on Interstate and Transit Traffic

Application of Principles	Following general principles: exemption from non-cost related charges; efficiency in collection; legality and authorized collector; transparency of legislation and regulation; and non-discrimination
Permissible Charges	may levy charges in accordance with their national legislation

Annex 4: Customs

Temporary Admission	Temporary importation of personal effects by non-resident private persons exempt from customs duties and taxes in Host, subject to re-exportation within the permissible period of stay and without having undergone any change, apart from depreciation and/or consumption
Duty-Free Importation	Allowed to import, free of import duties and taxes, following items in reasonable quantities for personal use, subject to Host Country regulations
Customs Transit Regime for Goods	Apply the Customs Convention on the International Transport of Goods under Cover of TIR Carnets, Geneva, 14 Nov 1975
Temporary Admission for Motor Vehicles	Strive to follow the Customs Convention on the Temporary Importation of Commercial Road Vehicles, Geneva 18 May 1956
Temporary Admission for Containers	Strive to follow the Customs Convention on Containers, Geneva on 2 December 1972

Annex 5: Third-Party Motor Liability Insurance

Compulsory Policy	Motor vehicles used for cross-border movement under the Agreement covered by third-party liability insurance
Minimum Coverage	Liability incurred by the use of motor vehicles insured up to a minimum amount with national legislations
Mutual Recognition of Policy	Contracting Parties mutually recognize the insurance cover issued or recognized in the motor vehicle's home
Evidence of Policy	Home country insurance company issue a third-party motor liability insurance certificate with national legislations
Direct Right of Action and Representative of Insurer	Victims and prejudiced persons pursuant to a traffic accident involving a motor vehicle registered in another Contracting Party have a direct right of action against Home third-party motor liability insurer

Annex 6: Market Access - Quotas and Permits

Eligible Operations	Vehicles used for cross-border transport shall be those specified in Agreement Cross-border transport operations performed only by transport operators licensed by home
Quotas	Number of permits determined by the competent authorities of the Contracting Parties
Designation	Each Contracting Party entitled to designate (permit) without discrimination transport operators in its territory to perform cross-border transport operations
Exemption	Certain types of transport operations not be subject to the designation (permit) and quota restrictions

Annex 7: Road Transport Operators

Complier	Must fulfill the conditions with respect to reliability and professional competence
Professional Competence	Must demonstrate ability for sound management, supply of quality service, fair competition, and safety of transport operations
Tariffs	Non-scheduled – to be determined by market forces Scheduled - Contracting Parties to agree on the transport price Scheduled/non-scheduled - unaccompanied luggage governed by the regime stipulated for cargo conveyance
Liability	governed by the provisions of the Convention,

Annex 8: Infrastructure

Roadside Equipment	Give full consideration to issues of road safety by installing roadside equipment: illumination; anti-glare devices; acceleration and deceleration lanes; emergency stopping strip
Road and Border Crossing Infrastructure and Facilities	Strive to establish joint border posts, whose configuration of facilities is juxtaposed and straddling the border Dual channel border crossing so as to allow priority border clearance of transport operations Other border crossing infrastructure/equipment
Availability of Required Facilities and Services for User Comfort	Ensure required facilities and services for user comfort at BCPs

Annex 9: Other Facilitation Measures

Simplification and Rationalization	limit and/or reduce and eliminate number/extent of procedures/documents required for border crossing formalities
Synchronizing BCP Operating Hours	Coordinate operating hours of their BCPs
Preliminary Exchange of Information on Cargo Movement at Border Crossings	Dispatch relevant border crossing clearance documents to their corresponding host country authorities by all appropriate comnc means
Preliminary Clearance and Post Entry Audit	Use procedure of preliminary clearance and post entry audit in cargo's border crossing
Reduction of Routine and Exhaustive Physical Inspection Practice	Apply risk management techniques in border crossing clearance procedures

Annex 9: cont.

Priority Order of B-C Clearance	Formalities shall be in the following order without prejudice
Integrated B-C Management	Pursue border clearance procedures whereby user is subjected single window or one stop
Harmonized System	Undertake to conform set out in the International Convention
Use of More than 6 Digits	Not prevented from establishing subdivisions classifying goods beyond the level of HS, provided that any such subdivision is added and coded at a level beyond that of the six-digit code set

Negotiations History

Date/ Place	Activity
April 2009 – Manila, PHI	1 st Draft of the CBTA
May 2009 – Dushanbe, TAJ	1 st Negotiation Meeting
July 2009 – Bishkek, KGZ	2 nd Negotiation Meeting
November 2009 – Dushanbe, TAJ	3 rd Negotiation Meeting
March 2010 – Bishkek, KGZ	4 th Negotiation Meeting
Sept 2010 – Dushanbe/Bishkek	One-to-one consultation discussions to finalize the outstanding issues
October 2010 – Bishkek, KGZ	Initialing the Agreement by KGZ and TAJ
November 2010 – Manila, PHI	Signing of the Agreement (expected)
2011	Ratification and Implementation

Next Steps

Accession to the CBTA by other CAREC countries

Implementation of CBTA

- Ratifying KGZ-TAJ CBTA
- Facilitating Implementation of CBTA (KGZ-TAJ)
 - - Preparing implementation guidelines
 - - Improving cross-border infrastructure and facilities
 - - Simplifying/harmonizing cross-border procedures
 - - Capacity development

THANK YOU
СПАСИБО
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