

Agreement
between the Government of the Republic of Turkey
and the Government of the Russian Federation
on International Road Transport

The Government of the Republic of Turkey and the Government of the Russian Federation, hereinafter referred to as the Parties,

Guided by the desire to develop road transport services based on reciprocity between the two States and in transit through their territories, and also wishing to facilitate these services,

Have agreed as follows:

Scope and Definitions

Article 1

1. Pursuant to this Agreement, international transport of passengers and goods by road shall be carried out between the States of the Parties and in transit through their territories, as well as to third countries (from third countries) by vehicles registered in the Republic of Turkey or in the Russian Federation.

2. Issues not regulated by this Agreement, as well as international treaties to which the Republic of Turkey and the Russian Federation are parties, shall be resolved in accordance with the laws of the States of the Parties.

Article 2

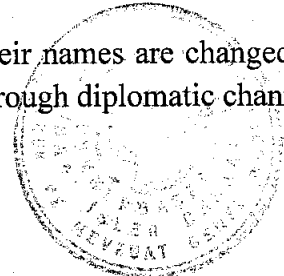
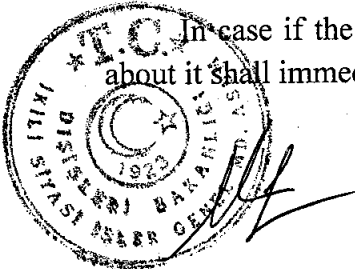
The terms used in this Agreement shall mean the following:

1) '*Competent authorities of the Parties*':

For and on behalf of the Turkish Party — shall mean the Ministry of Transport and Infrastructure of the Republic of Turkey, the Directorate General for Regulation of Transport Services;

For and on behalf of the Russian Party — shall mean the Ministry of Transport of the Russian Federation, and in terms of monitoring the fulfillment of the terms and conditions provided for in Articles 11 and 12 of this Agreement — also the Ministry of Internal Affairs of the Russian Federation;

In case if the competent authorities of one Party or their names are changed, information about it shall immediately be transferred to the other Party through diplomatic channels.



2) 'Carrier' shall mean any individual or any legal entity registered on the territory of the State of either Party and authorized in accordance with the legislation of that State to engage in the international road transport of passengers and goods;

3) 'Vehicle' shall mean a motor vehicle that is at the disposal of the carrier due to being the carrier's property or on any other legal basis:

for transport of goods — a truck, a truck with a trailer, an automobile tractor, an automobile tractor with a semitrailer;

for transport of passengers — a bus, i.e. a vehicle intended for the carriage of passengers and having more than 9 seats, including the driver's seat, possibly with a luggage trailer;

4) 'Transport' shall mean the movement of a laden or empty vehicle;

5) 'Territory of the State of a Party' shall mean the territory of the Republic of Turkey; or the territory of the Russian Federation.

6) 'Regular transport of passengers' shall mean the transport of passengers by bus between the territories of the States of the Parties in accordance with routes, traffic schedules, tariffs and stopping points mutually approved between of the competent authorities of the Parties;

7) 'Occasional transport of passengers' shall mean transport of passengers by bus not falling under the definition of 'regular transport of passengers';

8) 'Sanitary control' shall mean sanitary, veterinary, and phytosanitary control;

9) 'Bilateral transport' shall mean the transport of passengers or goods where the departure point (loading point) is on the territory of the State of one of the Parties and the destination (unloading point) is on the territory of the State of the other Party;

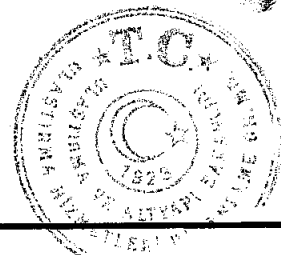
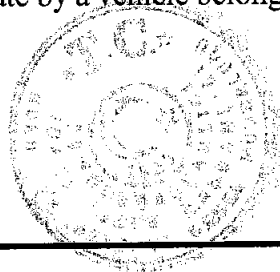
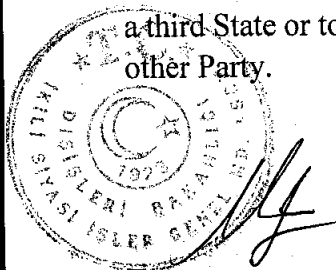
10) 'Transport from the territory of a third country or to the territory of a third country' shall mean the transport of passengers and goods by a vehicle belonging to a carrier of one of the Parties when either the departure point (loading point) is on the territory of the State of the other Party and the destination point (unloading point) is on the territory of a third country, or the departure point (loading point) is on the territory of a third country and the destination point (unloading point) is on the territory of the State of the other Party;

11) 'Transit transport' shall mean the transport of passengers or goods on the territory of the State of one of the Parties when the departure point (loading point) and the destination point (unloading point) are outside the territory of that State;

12) 'Permit' shall mean a document that grants a vehicle belonging to a carrier from the State of one Party the right to undertake a trip on the territory of the State of the other Party;

13) 'Special permit' shall mean a document on the basis of which one Party grants the right to perform a transport on the territory of its State by a heavy and (or) oversized vehicle, or a vehicle with a dangerous cargo belonging to a carrier of the State of the other Party.

14) 'Special permit for transport to third States (from third States)' shall mean a document on the basis of which one Party grants the right to perform a single transport from the territory of a third State or to the territory of a third State by a vehicle belonging to a carrier of the State of the other Party.



Transport of Passengers

Article 3

1. The organization of regular transport of passengers shall be subject to mutual approval of the competent authorities of the Parties.

2. The competent authorities of the Parties shall exchange information on the name of the carrier, the itinerary, the traffic schedule, tariffs and stopping points where the carrier lets passengers embark and disembark, as well as the period and regularity of the transport operations.

Article 4

1. Occasional bilateral and transit transport of passengers shall be carried out on the basis of permits issued by the competent authorities of the Parties.

2. A carrier of the State of one Party may transport passengers from the territory of a third country to the territory of the State of the other Party or from the territory of the State of the other Party to the territory of a third country if the carrier has a special permit for transport to third States (from third States) issued by the competent authorities of that other Party.

3. For each occasional transport of passengers one permit shall be issued, giving the right to a single outward and return trip, unless a different number of trips is stipulated in the permit itself.

Article 5

1. Permits for occasional bilateral and transit transport of passengers shall not be required if the same group of passengers is transported on the same bus during the whole trip and:

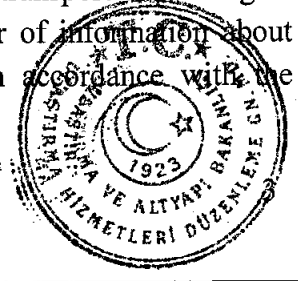
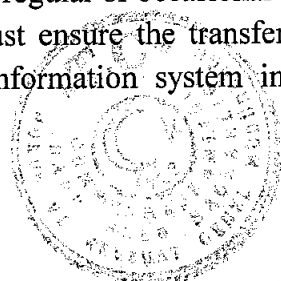
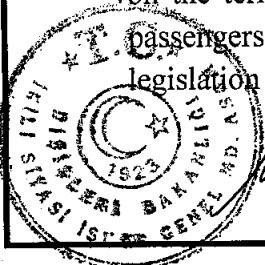
- a) the trip starts and ends on the territory of the State of the Party where the bus is registered;
- b) the trip starts on the territory of the State of the Party where the bus is registered and ends on the territory of the State of the other Party, provided that the bus leaves that territory empty;
- c) the bus enters the territory of the State of the other Party empty in order to collect a group of passengers that was brought there earlier by the same carrier.

2. Permits shall likewise not be required in case of replacement of an out-of-repair or broken down bus with another bus.

3. In case of occasional transport of passengers referred to in paragraph 1 of this Article, the bus driver shall have a list of passengers, drawn up according to a special form agreed upon by the competent authorities of the Parties.

Article 6

A carrier of the State of one Party carrying out regular or occasional transport of passengers on the territory of the State of the other Party must ensure the transfer of information about passengers and vehicle personnel (crew) to an information system in accordance with the legislation of that other Party.



Goods Transport

Article 7

1. Bilateral and transit transport of goods, except for the transport provided for in Article 8 of this Agreement, shall be carried out on the basis of a permit issued by the competent authorities of the Parties and entitling its holder to a single outward and return trip, unless the permit specifies otherwise.

2. A carrier of the State of one Party may transport goods from the territory of a third country to the territory of the State of the other Party or from the territory of the State of the other Party to the territory of a third country on the basis of a special permit for transport to third States (from third States) issued by the competent authorities of the other Party.

3. Permits and special permits for transport to third States (from third States) mentioned in this Agreement may be issued in the form of an electronic document if that is provided for by the legislation of the States of the Parties. The procedure for their transfer is agreed by the competent authorities of the Parties.

Article 8

1. The permit mentioned in paragraph 1 of Article 7 of this Agreement shall not be required for the following:

a) Transport of goods by a vehicle whose total permissible laden weight, including the trailer or semitrailer, does not exceed 6 tonnes or whose authorized load-carrying capacity, including the trailer or semitrailer, does not exceed 3.5 tonnes.

b) Transport of vehicles which are damaged or have broken down as well as passage of technical assistance vehicles.

c) Unladen runs by a vehicle sent to replace a vehicle which has broken down on the territory of the State of the other Party, and also the return run, after repairs, of the vehicle that had broken down.

d) Transport of livestock in vehicles purpose-built or permanently converted for the transport of livestock and recognized as such by the competent authorities of the Parties.

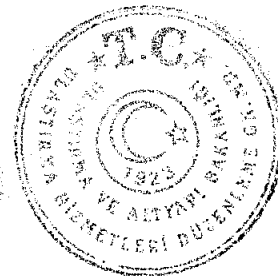
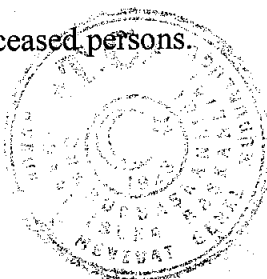
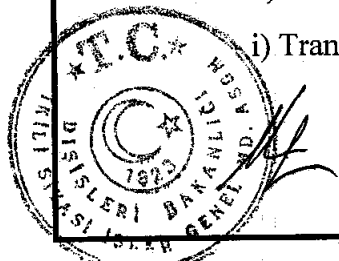
e) Transport of medical supplies and equipment needed for emergencies, in particular in case of natural disasters and for humanitarian needs.

f) Transport of exhibits, works and objects of art, equipment and materials for fairs and exhibitions.

g) Transport of properties, accessories, and animals for theatrical, musical, cinematic, sports or circus performances, fairs or fêtes, as well as items for use in radio recordings or for film or television production.

h) Transport of bodies or ashes of deceased persons.

i) Transport of postal consignments.



j) The first unladen runs to the territory or on the territory of the State of one of the Parties by vehicles purchased by carriers of the State of the other Party but not registered in the State of the other Party to the place of their destination on the territory of the State of the that Party.

2. The exceptions stipulated in sub-paragraphs "f" and "g" of paragraph 1 of this Article shall apply only in the cases when the load must be returned to the State where the vehicle is registered or when the load must be transported to a third country.

Article 9

1. If the weight parameters or the dimensions of a vehicle (with or without goods) of the carrier of the State of one Party travelling on the territory of the State of the other Party exceed the limits established by the legislation of the State of that other Party, the transport shall be carried out on the basis of a special permit issued by the competent authorities of this other Party.

2. Transport of dangerous goods on the territories of the States of the Parties shall be carried out in accordance with the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) of 30 September 1957, as well as with the legislation of the State of the Party on whose territory the transport is performed.

3. If the special permit stipulated in this Article prescribes the movement of the vehicle along a certain route, transport shall be carried out along that route.

4. Equipment used to monitor driving and resting times of the vehicle crew must comply with the provisions of the European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) of 1 July 1970.

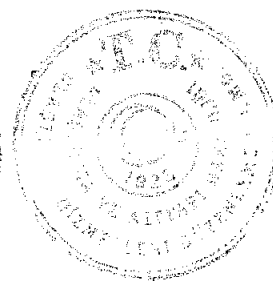
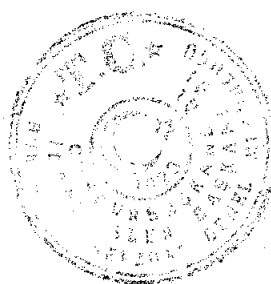
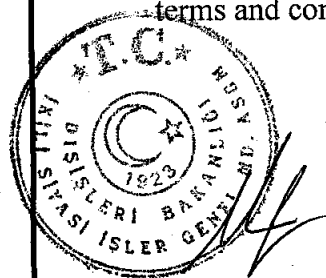
5. The Parties undertake to promote, within the framework of this Agreement, the use of vehicles meeting safety and environmental standards.

General Provisions

Article 10

1. The competent authorities of the Parties shall transfer a mutually agreed number of permits and special permits for transport to third States (from third States) stipulated in Articles 4 and 7 of this Agreement to each other on an annual and free-of-charge basis. Forms of permits and special permits for transport to third States (from third States) shall be authorized by the competent authority of the Party that issued the permit in accordance with the legislation of the State of this Party. Permits and special permits for transport to third states (from third States) issued during each year shall be valid until 31st January of the following year.

2. The competent authorities of the Parties shall agree upon the procedure for the exchange of permit and special permit for transport to third states (from third States) forms, as well as the terms and conditions for their use.



Article 11

1. The driver of a vehicle shall have a national driving license or an international driving license, presented with a national one, corresponding to the category of the vehicle that he drives and national registration documents for the vehicle.

2. The national or international driving license shall correspond to the model established by the Convention on Road Traffic of 8 November 1968.

3. Transport of passengers and goods under this Agreement shall be carried out subject to compulsory insurance of the civil liability of the carrier for damage caused to third parties. The carrier must insure each vehicle used for transport under this Agreement in advance.

4. Permits, special permits, special permits for transport to third States (from third States) and other documents required in accordance with the provisions of this Agreement shall be in possession of the driver of the vehicle and shall be presented by the driver upon request of the competent authorities of the Parties.

Article 12

1. Vehicles registered on the territories of the States of the Parties, when carrying out international transport, shall have registration and identification signs of their State.

2. Trailers and semi-trailers which are used for transport between the territories of the States of the Parties may have registration and identification signs of other countries, provided that trucks, tractors and buses have registration and identification signs of the States of the Parties.

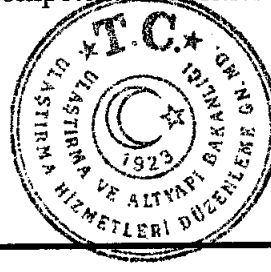
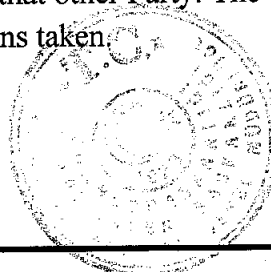
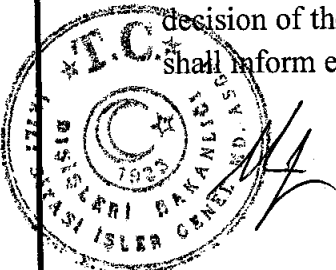
Article 13

A carrier of the State of one Party is not allowed to carry passengers or goods between points located on the territory of the State of the other Party.

Article 14

1. Carriers of the State of one Party shall, while on the territory of the State of the other Party, comply with the legislation of the State of that other Party.

2. In case a carrier violates the provisions of this Agreement, the competent authorities of one Party in whose territory the violation has occurred shall inform the competent authorities of the other Party, who shall take measures in accordance with the legislation of the State of that other Party. In case such violations are detected, the competent authorities of one Party may temporarily prohibit the carrier of the other Party from entering the territory of their State pending a relevant decision of the competent authorities of that other Party. The competent authorities of the Parties shall inform each other about the decisions taken.



Article 15

1. Carriers transporting passengers or goods on the territory of the State of the other Party on the basis of this Agreement shall be exempted on a reciprocal basis from payment of duties, levies and taxes connected with obtaining permits provided for by this Agreement, as well as connected with the ownership or use of vehicles or with maintenance of roads in the State of the other Party.

2. The exemption referred to in paragraph 1 of this Article shall not apply to taxes, fees and charges levied in accordance with the legislation of the Parties on a non-discriminatory basis as compensation of damage caused to roads by vehicles, as well as for the use of roads, bridges and tunnels on a paid basis.

Article 16

1. When transport is carried out under this Agreement, the following items shall be reciprocally exempted from customs duties, levies and taxes when imported into the territory of the State of the other Party:

a) Fuel contained in the tanks provided by the manufacturer for each model of the vehicle, technologically and constructively connected with the engine feed system, as well as fuel contained in the tanks provided by the manufacturer on trailers and semi-trailers and intended for operation of heating or cooling installations of the vehicle;

b) Lubricants in quantities necessary for the operation of a motor vehicle on the road;

c) Spare parts and tools intended for the repair of a vehicle carrying out an international transport and damaged en route.

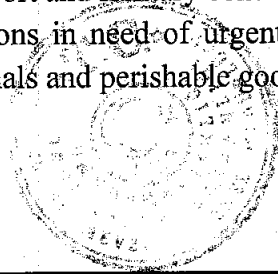
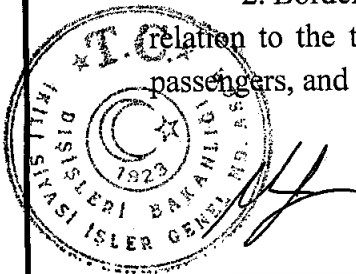
2. Any other payments collected according to the legislation of the State of the Parties, except those payments mentioned in paragraph 1 of this Article, shall be imposed on a non-discriminatory basis.

3. Spare parts, whether replaced or unused, and tools stipulated in subparagraph c) of paragraph 1 of this Article shall be re-exported or placed under the customs destruction procedure or another customs procedure in accordance with the customs legislation of the State of the Party in whose territory the change of the customs procedure applied to those spare parts and tools takes place.

Article 17

1. Border, customs, transport and sanitary inspections shall be subject to the provisions of international treaties to which the Republic of Turkey and the Russian Federation are parties, while matters not regulated by such treaties shall be resolved in accordance with the legislation of the State of the Party in whose territory the inspection in question takes place.

2. Border, customs, transport and sanitary control shall be carried out on a priority basis in relation to the transport of persons in need of urgent medical assistance, regular transport of passengers, and transport of animals and perishable goods.



Article 18

1. The Parties shall resolve all disputable issues that may arise between them in connection with the interpretation or implementation of this Agreement through mutual consultations between the competent authorities of the Parties.

2. The competent authorities of the Parties shall establish a Joint Commission, which shall consider all matters relating to the interpretation or implementation of this Agreement.

Article 19

1. This Agreement shall come into force after 30 days have elapsed following the date of receipt through diplomatic channels of the latest of the written notifications that the Parties have completed their internal state procedures required for its entry into force.

2. This Agreement is concluded for an indefinite time period and shall be valid until the expiration of six months from the date when one of the Parties receives through diplomatic channels a notice from the other Party of its intention to terminate it.

3. From the date of entry into force of this Agreement, the Agreement between the Government of the Republic of Turkey and the Government of the Union of Soviet Socialist Republics on international road transport signed in Ankara on 20 June 1988 ceases to be in force between the Republic of Turkey and the Russian Federation.

Done in *Moscow* on *06.11.2010* in duplicate, each counterpart in the Turkish, Russian and English languages, all the texts being of equal legal force and effect. In case of any divergence, the English text shall be used for the purpose of interpretation.

For and on behalf of the
Government of the Republic of Turkey

For and on behalf of the
Government of the Russian Federation

