

No. 10584

**TURKEY
and
JORDAN**

Agreement on transit transport of goods and passengers through their territories as well as transport between the two countries (with protocol and exchanges of letters). Signed at Ankara on 1 April 1968

Authentic text : English.

Registered by Turkey on 8 July 1970.

**TURQUIE
et
JORDANIE**

Accord sur le transport en transit des marchandises et des voyageurs à travers leur territoire, ainsi que sur les transports entre les deux pays (avec protocole et échanges de lettres). Signé à Ankara le 1^{er} avril 1968

Texte authentique : anglais.

Enregistré par la Turquie le 8 juillet 1970.

AGREEMENT¹ BETWEEN THE REPUBLIC OF TURKEY
AND THE HASHEMITE KINGDOM OF JORDAN ON
TRANSIT TRANSPORT OF GOODS AND PASSENGERS
THROUGH THEIR TERRITORIES AS WELL AS TRANS-
PORT BETWEEN THE TWO COUNTRIES

H. E. the President of the Republic of Turkey on one side, and His Majesty the King of the Hashemite Kingdom of Jordan on the other,

Desirous of further expanding the economic relations between the two countries and, with a view to extending greater facilities in the field of transit transport, and transport between their two countries, recognizing that the facilities and advantages which the Contracting Parties reciprocally accord to each other will be consistent with the provisions of the Convention on the Freedom of Transit adopted by the Conference of Barcelona on April 14,² 1921,³ as well as with the provisions of international conventions and agreements relating to transport and communications under which the Contracting Parties assumed obligations,

Considering that it is essential to adopt by mutual agreement the appropriate measures which will secure the achievement of the above-mentioned objectives within the framework of the said international conventions and agreements without prejudice to the sovereign rights and authority of the Contracting Parties and the authority of the State on the roads available for transport,

Having decided to conclude an agreement to this end,

Nominated their plenipotentiaries, namely:

For H. E. the President of the Republic of Turkey

Mr. Rahmi Gümrükçüoğlu, on one side

For His Majesty the King of the Hashemite Kingdom of Jordan

Mr. Ali Al-Hassan, on the other

¹ Came into force provisionally on 1 April 1968 by signature, and definitively on 6 October 1969 by the exchange of the instruments of ratification, which took place at Amman, in accordance with article 14.

² Should read « April 20, 1921 » — Devrait se lire « April 20, 1921 ».

³ League of Nations, *Treaty Series*, vol. VII, p. 11.

and the said representatives, after having exchanged their credentials which have been found valid and in due form, have agreed as follows :

Article 1

Each of the High Contracting Parties recognize the right of free transit in respect of passengers, their personal belongings, goods and road vehicles of the other Contracting Party which will pass or be carried through its territory in conformity with the provisions of the present Agreement.

The passengers, goods or road vehicles travelling or being carried in the territory of a Contracting Party are considered in transit therein, in case the points of departure and destination of which are located outside of the territory of that Contracting Party.

Transshipment, unloading, maintenance, temporary storage, manipulation and packing of the transit goods in conformity with the purpose of transit do not alter their transit nature.

Article 2

Each of the High Contracting Parties, in order to secure proper functioning of transit transport, will endeavour to carry out necessary repairs and maintenance of roads and railroads used in transit transport and keep them in good condition so that they may be utilized by the means of transport in all seasons and will take all the measures which it deems necessary as regards the completion and extension of such roads. The roads that are open to international transport will be available for transit transport in the two countries.

Article 3

Each of the High Contracting Parties, with a view to promoting transit transport of goods and passengers, will take all the measures which it considers necessary to simplify and accelerate to the maximum extent possible customs and other formalities relating to transit.

In order to achieve this purpose, the measures indicated in the annexed Protocol I are taken.

Article 4

Each of the High Contracting Parties will grant permission to the enterprises and companies — physical or juridical — of the other Contracting Party dealing with transit transport of passengers and goods to carry out

transit transport in its territory. Such permission will also cover the transport of passengers and goods, the point of departure of which will be in the territory of one of the Contracting Parties and the destination in the other.

Article 5

The High Contracting Parties, with the exception of the following, will not impose any import or export duty or tax (including customs duty) on personal effects of passengers, goods and vehicles which are in transit in their respective territories.

- a) taxes, duties, charges and fees collected to meet the expenses relating to the administration, maintenance and protection of transport.
- b) charges or fees collected in return for services provided in respect of transport.

However taxes, duties, charges or fees collected in connection with paragraph (a) above can be abolished, on the basis of reciprocity, by mutual agreement between the Parties.

Article 6

No tax will be imposed on oil and fuel in the standard tanks of motor-vehicles.

Article 7

Each of the High Contracting Parties, with a view to facilitating surface transport, will provide and maintain to the extent possible, and commensurate with the quantity and volume, storage buildings, means of loading and unloading on the roads used in transit traffic in its territory. It will also endeavour to furnish wagons and other means of transport so that no delay will occur in the transit traffic of passengers and goods of the other Contracting Party.

Article 8

Each of the High Contracting Parties, in order to facilitate and organize surface transport, will accord permission within the framework of their national legislation to the enterprises and companies dealing with surface transport of the other Contracting Party to establish liaison offices and agencies in its territory in places which will be determined by mutual consent.

Article 9

The High Contracting Parties, with a view to promoting transit trade and transport, will accord, to the greatest extent possible and on the basis of reciprocity, reductions in passenger fares and freight rates relating to sea and railroad transportation as well as in charges for port and railroad services; they will inform each other of these reductions by writing.

Article 10

In case the High Contracting Parties become a party to an international agreement facilitating transit transport further than the measures provided by the articles of the present Agreement, they will apply to each other the measures in the international agreement without a need to modify the present Agreement.

Article 11

The stipulations in the domestic legislation of each of the High Contracting Parties, according to which transit transport of certain goods is prohibited or subject to special permission are reserved.

No provision in this Agreement will prevent the High Contracting Parties from taking measures which they deem necessary regarding goods, transit transport of which is prohibited or restricted by the stipulations of an international or regional agreement or convention to which the Contracting Parties are signatories.

Article 12

Each of the High Contracting Parties has the right to take all the measures they deem necessary with a view to maintaining safety of traffic and law and order on the roads in its territory.

This Agreement will not prevent the Contracting Parties to take necessary measures for safeguarding their national security.

Article 13

Upon the request of one of the High Contracting Parties, a Mixed Commission composed of the representatives of the two countries would be set up in order to ensure an effective implementation of this Agreement and to settle any probable difficulties which may arise therefrom.

The meetings of the Commission will be held alternately in Ankara and Amman.

The decisions taken by the Mixed Commission within the framework of the provisions of this Agreement will be implemented in their entirety. However, if the Commission finds it necessary to make any modification in any provision of the present Agreement or in those of the Protocol annexed hereto, it will submit such modifications to the approval of the competent authorities of the Contracting Parties.

The Contracting Parties will designate their central authority which will be responsible for the conduct of matters relating to transport and for taking necessary measures in this field and which will also supervise proper implementation of the Agreement. They will inform each other of the names of the authorities in question.

Article 14

The present Agreement and the Protocol annexed thereto, will enter into force provisionally upon signature and definitely upon ratification in accordance with the legislation of the High Contracting Parties and they will remain in force for five years from the date of exchange of instruments of ratification; and if they are not denounced by one of the Contracting Parties six months before their date of expiration, they will be considered automatically renewed for another five years.

DONE at Ankara on the 1st of April 1968, in the English language.

For the Government
of the Republic of Turkey :

RAHMI GÜMRÜKÇÜOĞLU

For the Government
of the Hashemite Kingdom
of Jordan:

ALI AL-HASSAN

PROTOCOL (I)

(On the simplification of customs formalities)

Referring to the Agreement signed between the Republic of Turkey and the Hashemite Kingdom of Jordan today 1st of April, 1968, the two Governments, with a view to facilitating and simplifying the customs formalities concerning transport, agreed as follows :

Article 1

If private or public road vehicles registered in one of the Contracting Parties, or owned by their nationals, possess international travel documents such as "carnet

de passage” or “triptique” valid for the two countries, such travel documents will be accepted as guarantee by the customs authorities.

Article 2

If the transit transportation is carried out by the vehicles with following qualifications and conditions, of the enterprises or companies which the Contracting Parties will recommend each other, the customs authorities of the Contracting Parties will simplify the customs formalities to the greatest extent possible as regards the goods carried in these vehicles.

The amount of guarantee and conditions for the deposit of this guarantee are indicated in the letter annexed hereto.

Following are the conditions and qualifications of vehicles referred to above :

The dimensions and tonnage of the road vehicles to be employed in surface road transportation should conform to the international standards and specifications indicated in the international conventions.

However, in the transportation of heavy and bulky goods internal laws and regulations of the Contracting Parties should be complied with. The Road vehicles carrying heavy and bulky goods should possess a special permission obtained from the competent authorities of the Contracting Party, in the territory of which such goods will be transported.

The freight compartment of the vehicle should be closed as railroad freight wagons. The compartment should have a single door and once it is sealed by the customs authorities the contents of it should not be accessible.

Goods too heavy or bulky to be carried in the compartments described above can be transported in open trucks provided that they are inaccessibly covered with a tilt which is tied to the truck with a rope without knots, the two ends of which are joined with a seal.

Article 3

If the seals affixed by the customs authorities of one of the High Contracting Parties to the vehicles belonging to the enterprises and companies referred to in Article 2 of this Protocol are found intact in the same places and in exact number indicated in the manifests of goods and if there exists no reason for suspicion and no denunciation, vehicles will be inspected by the customs authorities of the other Contracting Party externally; be sealed off and be permitted to enter or leave the country.

Article 4

In the case of transportation made by the vehicles not having the necessary qualifications and conditions referred to in Article 2, and belonging to enterprises and companies (physical or juridical) recommended by the High Contracting Parties to each other as well as in the case of transportation made by the enterprises or companies not recommended by the Contracting Parties, the internal legislation

of each Contracting Party will be applied in respect of customs guarantee and formalities.

Article 5

The preparation and registration of transit declaration and manifests and other customs formalities will be completed in accordance with the procedures outlined in the respective customs legislations of the two Parties.

These formalities will be simplified to the greatest extent possible.

Article 6

In respect of transit transport by railroad and air, international regulations regarding customs formalities will be applied.

Article 7

All articles other than personal belongings which are carried with passengers and which will later be taken out of the country will be subject to relevant customs formalities.

Article 8

The drivers of vehicles should have a national or international driving licence.

Article 9

In respect of transportation which will be carried out under this Agreement and Protocol I, vehicles will be subject to the insurance legislation of the Contracting Party, in the territory of which the transportation is carried out; and goods and passengers to the insurance legislation of the Contracting Party where the vehicles are registered.

As regards the damages occurred during the transportation, the legislation of the Contracting Party, in the territory of which damage is caused, will be applied.

Article 10

In case an infraction occurred in the course of transportation carried out under the present Agreement, the relevant laws and regulations of the Contracting Parties including those regarding smuggling, will be applied.

Article 11

If the customs formalities of goods which are imported into one of the Contracting Parties are to be completed in one of the customs offices inside the territory of that Contracting Party instead of the customs offices on the frontier, these goods will be considered as in transit in the territory of that Contracting Party between the point of entry and the place of destination and Article 2, 3, 10 of this Protocol regarding customs guarantee, inspection and infraction will be applied in this respect.

Article 12

In case the customs authorities of the High Contracting Parties consider appropriate to apply procedures which simplify and facilitate customs guarantee and formalities further than the provisions of this Protocol such procedures will be applied without a need to modify the present Protocol.

For the Government
of the Republic of Turkey :

RAHMI GÜMRÜKÇÜOĞLU

For the Government
of the Hashemite Kingdom of Jordan :

ALI AL-HASSAN

EXCHANGES OF LETTERS

I, *a*

Mr. President,

Referring to the negotiations which resulted in the signature of an agreement between Turkey and the Hashemite Kingdom of Jordan with today's date, I have the honour to propose, concerning the customs facilities mentioned in Article 3 of the said Agreement and Article 2 of Protocol I, annexed thereto, the following :

1. Enterprises and companies of transport recommended by one of the Contracting Party to the other Contracting Party will, as customs guarantee, deposit a sum equivalent to \$12 000, in local currency which can be either in cash or in a letter of credit, in favour of the customs authorities of the other Contracting Party, for each point of entry. This sum, in case of necessity, will be convertible into foreign exchange acceptable to the banks of both parties and be transferred accordingly.

2. The Contracting Parties, if they feel necessary, can decrease or increase by mutual agreement, the amount of guarantee which will be deposited in cash or in a letter of credit.

I would appreciate if you would be kind enough to inform me of your Government's concurrence with the above proposal.

Please accept, Mr. President, the assurances of my highest consideration.

ALI AL-HASSAN

Head of the Delegation
of the Hashemite Kingdom of Jordan

H. E. Mr. Rahmi Gümrükçüoğlu
Head of the Delegation of Turkey

II, *a*

Mr. President,

I have the honour to acknowledge the receipt of your following letter :

[See letter I, a]

I hasten to inform you of the concurrence of the Government of the Republic of Turkey with the proposal made by the Government of the Hashemite Kingdom of Jordan.

Please accept, Mr. President, the assurances of my highest consideration.

RAHMI GÜMRÜKÇÜOĞLU

Head of the Delegation of Turkey

Mr. Ali Al-Hassan
Head of the Delegation
of the Hashemite Kingdom of Jordan

I, *b*

Ankara, April 1, 1968

Mr. President,

Referring to Article 5 of the Agreement between the Republic of Turkey and the Hashemite Kingdom of Jordan on " Transit Transport of Goods and Passengers Through Their Territories As Well As Transport Between the Two Countries " which we have signed today, April 1, 1968 in Ankara, I have the honour, on behalf of the Government of Turkey, to inform you that the taxes, duties and fees mentioned in paragraph (a) of Article 5 of the said Agreement have already been abolished on the basis of reciprocity by an exchange of letter made on December 28, 1967 between the two Governments.

I would appreciate if you kindly confirm the above.

Please accept, Mr. President, the assurances of my highest consideration.

RAHMI GÜMRÜKÇÜOĞLU

Head of the Delegation of Turkey

H. E. Mr. Ali Al-Hassan
Head of the Delegation
of the Hashemite Kingdom of Jordan

II, b

Ankara, April 1, 1968

Mr. President

I have the honour to acknowledge the receipt of your letter of today as follows :

[See letter I, b]

I have the honour on behalf of my Government to concur with the contents of your letter.

Please accept, Mr. President, the assurances of my highest consideration.

H. E. Mr. ALI AL-HASSAN

Head of the Jordanian Delegation

Mr. Rahmi Gümrükçüoğlu
Head of the Turkish Delegation
