

No. 12957

**GREECE
and
TURKEY**

Agreement on international road transport (with protocol of application and exchange of letters). Signed at Ankara on 4 April 1970

Authentic text: English.

Registered by Greece on 11 January 1974.

**GRÈCE
et
TURQUIE**

Accord relatif aux transports routiers internationaux (avec protocole d'application et échange de lettres). Signé à Ankara le 4 avril 1970

Texte authentique : anglais.

Enregistré par la Grèce le 11 janvier 1974.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE KINGDOM OF GREECE AND THE GOVERNMENT OF THE REPUBLIC OF TURKEY ON INTERNATIONAL ROAD TRANSPORT

The Government of the Kingdom of Greece and the Government of the Republic of Turkey, desirous of regulating the carriage of passengers and goods between the two countries and across their territories by commercial motor vehicles, including trailers, registered in their respective countries, have agreed as follows:

I. TRANSPORT OF PASSENGERS

Article 1. 1. Occasional transport of passengers between the two countries and in transit across their territories is not subject to a regime of authorization.

2. Transport of passengers in regular lines and in shuttle services and transport other than occasional transport between the two countries and in transit across their territories are subject to a regime of authorization.

Article 2. For the purposes of this Agreement the following has been established:

a) Transport of passengers on regular lines is the transport which is carried out on itineraries defined with time-tables and tariffs fixed beforehand by mutual agreement between the competent authorities of the Contracting Parties and during which passengers are embarked and disembarked at the points of departure and destination as well as at the intermediary stations.

b) Transport of passengers in shuttle services is the transport which is carried out with regular intervals with the groups of passengers between determined points of departure and destination where the passengers stay a certain length of time.

The same group of passengers undertaking the journey on the going course must undertake the journey on the return course after spending the agreed period of time in the point of destination. The vehicles which transport one group of passengers in the going course may be utilized to transport on the return course another group of passengers which were previously transported.

The first return course and the last going course of the vehicle used in a shuttle service must be undertaken as empty.

c) Occasional transport is the transport undertaken by the same group of passengers carried in the same vehicle in the going course and in the return course, without embarking or disembarking passengers on the way.

Article 3. The competent authorities of the Contracting Parties establish by mutual agreement the procedure for the issue of the authorizations for the transport mentioned in article 2.

For this purpose, the annexed protocol is agreed upon.

Article 4. During the transport of passengers in transit, it is not permitted to receive or disembark passengers in the territory of the other Contracting Party unless otherwise is agreed upon between the Contracting Parties.

¹ Came into force on 10 July 1971, the date of the last of the notifications by which the Contracting Parties informed each other that the necessary constitutional formalities had been fulfilled, in accordance with article 28.

II. TRANSPORT OF GOODS

Article 5. The vehicles including trailers registered in one of the two countries and which are utilized for the transport of goods between or in transit across the two countries are required to have a permit.

Article 6. 1. A separate permit shall be issued for each journey and for each vehicle (including trailers). The same permit will also be valid for the return journey.

2. The permit will not be transferable.

Article 7. No permits shall be required for vehicles transporting the following:

1. Post articles.
2. Fish stock.
3. Corpses transported by vehicles intended for this purpose.
4. Goods and equipment intended for fairs, exhibitions and advertising and information activities.
5. Works and objects of art intended for fairs, exhibitions or for commercial purposes.
6. Household removals carried out by vehicles intended for this purpose.
7. Properties, equipment, accessories and animals intended for theatrical, musical, film, sports or circus performances, fairs, exhibitions or other similar activities, radio recordings, films or television programmes.
8. Aid material and goods in cases of natural disasters.
9. Damaged vehicles, emergency repair and drawing vehicles.
10. Empty vehicles.

Article 8. 1. The competent authorities of the Contracting Parties will determine each year jointly a quota for permits to be issued for the following year.

2. The competent authorities of the two Contracting Parties will determine by mutual agreement the form and the quota for permits and the procedure for their issue and utilization. For this purpose, the annexed protocol has been agreed upon.

Article 9. The permits referred to in article 6 must be on board of the vehicle on every journey performed on the territory of the other Contracting Party.

Article 10. For transports of goods by road vehicles under this Agreement, a separate consignment note shall be required for each journey.

Article 11. With a view to further facilitating transport of goods by road, envisaged in this Agreement, the Contracting Parties may agree to abolish quotas totally. Such agreement will be concluded through diplomatic channels and will be put into application without a need to modify the present Agreement.

III. GENERAL PROVISIONS

Article 12. In case the weight and/or the dimensions of the vehicle to be utilized for transport exceed the maximum weight and/or dimensions permitted in the territory of the Contracting Party where the transport will be carried out, it is necessary to obtain a special authorization from the competent authority of the Contracting Party.

Article 13. The crew of the vehicles, the persons escorting the passengers transported, should have valid travel documents for the passage of frontiers of the Contracting Parties.

Article 14. National legislation of each of the Contracting Parties will be applied as regards the issue of visas and passport control, customs and health controls.

Article 15. 1. Fuel contained in standard tank of the vehicle provided by the manufacturer is exempted from the customs duties and all other taxes and charges.

2. The crew of the vehicles are allowed to import temporarily, free of customs duty and without prior authorization for import, their personal effects as well as the tools for repairs that are normally carried in the vehicle.

Article 16. National legislation and international conventions to which the Contracting Parties have adhered to will be applied as regards customs guarantee for the vehicles, spare parts of the vehicles and goods.

Article 17. Vehicles registered in one Contracting Party and entering into the territory of the other Contracting Party shall have a third party liability insurance, valid in the latter Contracting Party.

Article 18. 1. Vehicles registered in the territory of one of the Contracting Parties shall not be utilized to carry out transports of passengers and goods between two points, both of which are in the territory of the other Contracting Party.

2. Vehicles registered in the territory of one of the Contracting Parties cannot undertake transports of goods destined to a third country from the territory of the other Contracting Party and vice-versa without a special authorization issued by the authorities of this other Contracting Party. Such authorizations will be issued on a basis of reciprocity.

3. Likewise, a special permission will be required to take load on the return journey to the country of registration.

Article 19. 1. The transport of passengers and goods carried out with the vehicles registered in one Contracting Party, in the territory of the other Contracting Party, is exempt in the latter country from all the specific taxes, charges and duties affecting such transport.

2. The vehicles which are utilized for transports mentioned in the first paragraph of this article are exempt in the territory of the other Contracting Party from all the taxes, duties and charges related to their entry and circulation in the country.

Article 20. Payments which will be made in pursuance of the provisions of the present Agreement will be settled according to the national legislation of the Contracting Party on whose behalf the payment is effected.

Article 21. The modalities regarding the issue, utilization and sale of tickets, the procedure of presentation of documents required in the transport of passengers and goods, exchange of statistics between the competent authorities as well as all other questions concerning the documents of transport will be decided by mutual agreement by the competent authorities of the Contracting Parties.

Article 22. Each of the Contracting Parties reserves the right to take measures which it considers necessary in order to ensure traffic safety and to protect national security.

Article 23. The national legislation of each of the Contracting Parties and the obligations which they have taken under the international conventions to which they are parties, relating to goods the transportation of which is prohibited or subject to a special authorization are reserved.

Article 24. 1. In case of violation of the provisions of this Agreement, the competent authorities of the Contracting Party, in the territory of which the violation is committed, takes the measures envisaged by the legislation of that Contracting Party and informs thereof the competent authorities of the country of registration of the vehicle, if it considers it necessary.

2. The competent authorities of the Contracting Party, in the territory of which the violation is committed, may request from the competent authorities of the other Contracting Party the application of the following measures:

- a) Warning,
- b) Withdrawal on a temporary or definitive basis, partially or totally of the right of carrying out transports on the territory of the other country where the violation is committed.

3. The competent authorities concerned take appropriate steps in connection with this request and inform the competent authorities of the other Contracting Party of the measures taken. It may, however, ask from the former before doing so a re-examination of their request.

Article 25. The questions which are not envisaged by the provisions of this Agreement or by the provisions of international conventions to which the two countries are parties will be subject to the national legislation of each of the Contracting Parties.

Article 26. 1. Each Contracting Party will inform the other Contracting Party of the competent authority which will be in charge of the implementation of the present Agreement.

These competent authorities are indicated in the annexed protocol.

2. The representatives of the competent authorities of the Contracting Parties may meet, when it is necessary, in mixed commission for the purpose of regulating transport activities and settling problems which may arise from the implementation of the present Agreement.

3. Decisions taken by the mixed commission, when it is necessary, will be subject to the approval of the competent authorities of the Contracting Parties.

Article 27. Should the Contracting Parties find it desirable they may indicate to each other by writing through diplomatic channels the points of entry and the roads to be followed by transit traffic in their respective territories.

Article 28. 1. This Agreement will enter into force upon the notification of the Contracting Parties to each other that the necessary constitutional formalities have been fulfilled.

2. The date of the entry into force of the Agreement will be the date of the last notification.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

DONE in Ankara on the 4th of April 1970, in two original copies in English, the two copies being equally authentic.

For the Government
of the Kingdom of Greece:
[Signed]

EMMANUEL SPYRIDAKIS

For the Government
of the Republic of Turkey:
[Signed]

RAHMI GÜMRÜKÇÜOĞLU

PROTOCOL OF APPLICATION

ESTABLISHED IN CONNECTION WITH THE AGREEMENT BETWEEN THE GOVERNMENT OF THE KINGDOM OF GREECE AND THE GOVERNMENT OF THE REPUBLIC OF TURKEY ON INTERNATIONAL ROAD TRANSPORT

I. TRANSPORT OF PASSENGERS

1. *Regular lines*

a) The authorizations for regular lines between the two countries and in transit across the territories of the Contracting Parties will be issued on the basis of reciprocity by the competent authorities of the two Contracting Parties.

b) The competent authorities of the Contracting Parties will issue the authorization for the section of the line on their respective territories.

c) The competent authorities of the Contracting Parties establish by mutual agreement the conditions such as duration, frequency, time table, itinerary and tariffs for the regular lines between the two countries only which are required for the issue of authorizations.

d) The application for authorization to establish a regular line should be addressed to the competent authority of the country where the vehicle is registered.

e) Such applications should be accompanied with necessary documents (name or commercial title of the transporter, proposed time-table, tariff and itinerary to be applied, stations including intermediary ones, indication of the length of time that the service will function in the course of a year, the proposed date for the start of the service, arrangements—if any—concluded between the transporters proposing to operate the line jointly). In addition, the competent authorities of each of the Contracting Parties may request other information which they deem necessary.

f) The competent authorities of each of the Contracting Parties will communicate to the competent authorities of the other Contracting Party the applications which they have the intention to accept. Such applications will be accompanied by necessary documents and will be submitted at least three months prior to the proposed date for the start of the service. The competent authorities of the other Contracting Party will communicate its decision within two months from the receipt of the application.

2. *Shuttle services*

a) The application for authorization will be submitted to the competent authority of the country of the registration of the vehicle.

b) The applications must contain among others such information as, the name, commercial title and the address of the transporter and, if required, the name of the agency providing the passengers, the make, the registration number and the number of seats available in the vehicle, itinerary, time-table and the dates of the consecutive trips to be undertaken.

c) The competent authority of the country of registration of the vehicle, upon receipt of the applications in question, will consider them and transmit those which it is prepared to accept to the competent authority of the other Contracting Party at least two months before the proposed starting date of the service. The competent authority of the other Contracting Party will communicate its decision within one month from the receipt of the application.

3. *Occasional transport not subject to authorization*

Each of the Contracting Parties may require that the vehicles transporting passengers should carry a list of passengers indicating the names, age, home address, profession of passengers on board.

4. *Other transport*

Transport of passengers other than those indicated above will be subject to a special authorization for each journey and for each vehicle.

5. *Commercial motor vehicle to be utilized for transport of passengers*

It is understood, for the purposes of this Agreement, that commercial motor vehicle for transport of passengers means autobus and autocar which has a capacity of carrying more than 9 persons including the driver and designed and utilized for such a purpose.

II. TRANSPORT OF GOODS

6. *Permits*

a) The competent authorities of the Contracting Parties determine the annual quota of permits for each calendar year, either through the mixed commission or by way of correspondence through diplomatic channels. In case no new quota is determined for the following year, the quota fixed for the current year will be applicable.

b) Transport mentioned in article 7 will be treated outside of quota.

c) The permits belonging to the Contracting Parties will be exchanged through diplomatic channels at the latest before the end of November of the current year for the following year.

d) The competent authority of one Contracting Party will deliver permits belonging to the other Contracting Party to the transporters for the vehicles registered in its country and which will be entering into or transiting the territory of the other Contracting Party.

e) The permits will be handed over at the last point of exit to the customs authority of the country to whom the permit belongs.

f) The competent authorities of the Contracting Parties will exchange information annually concerning the permits used by their transporters. Such information will be exchanged within the first three months of each year for the previous year.

g) The unused permits belonging to a Contracting Party will be returned through diplomatic channels to the competent authority of the other Contracting Party before the end of February of the year following the calendar year within which the permits are valid.

h) The competent authorities of the Contracting Parties will jointly determine the form of the permits. The permits will be prepared in the languages of the Contracting Parties, each permit will be valid for a single entry into or single transit through the country.

i) The quota of permits for the year 1970 is fixed as one thousand. Five hundred of them will be issued forthwith upon entry into force of the Agreement and the remaining five hundred, according to the needs of the traffic.

III. GENERAL PROVISIONS

7. For the purposes of this Agreement, the competent authorities shall be:

For the Republic of Turkey:

Ulaştırma Bakanlığı
Karayolları Ulaştırma Dairesi Başkanlığı
Ankara

For the Kingdom of Greece:

Ministry of Communications
Direction of Commercial and International Transport
Athens

8. With reference to article 12 of this Agreement, the Contracting Parties have agreed that the authorization in question will be granted if conducting such transport is technically possible and feasible.

9. With reference to article 16 of this Agreement, “*Carnet de Passage*” and “*TIR Carnet*” will be accepted as customs guarantee for the vehicles and goods transported.

10. As regards article 18, paragraph 3, of this Agreement, it is understood that the Greek Government is prepared to grant the right to take load on the return journey on a basis of reciprocity. When the Government of Turkey is in a position to grant the same right, it will communicate this to the Greek Government and this will be put into effect on the date of such communication.

Ankara, April 4, 1970

For the Greek Delegation:
[Signed]

EMMANUEL SPYRIDAKIS

For the Turkish Delegation:
[Signed]

RAHMI GÜMRÜKÇÜOĞLU

EXCHANGE OF LETTERS

I

Ankara, April 4, 1970

Mr. President,

With reference to the article 14 of the Agreement signed between our two Governments today on international road transport, I have the honour to propose that multiple visas valid for six months be issued to the drivers and the crew of the vehicles carrying out transport under this Agreement.

If the above proposal is acceptable to your Government, I have the honour to suggest that the present letter together with your reply confirming this should be regarded as constituting an agreement between the two Governments which shall take effect on the date of the entry into force of the above-mentioned Agreement.

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

The President of the Greek Delegation:
[Signed]

EMMANUEL SPYRIDAKIS

H. E. Rahmi Gümrükçüoğlu
President of the Turkish Delegation

II

Ankara, April 4, 1970

Mr. President,

I have the honour to acknowledge receipt of your letter dated April 4, 1970, which reads as follows:

[See letter I]

I have the honour to inform you of the concurrence of my Government with the contents of your above letter.

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

The President of the Turkish Delegation:

[Signed]

RAHMI GÜMRÜKÇÜOĞLU

Mr. Emmanuel Spyridakis
President of the Greek Delegation