

No. 31342

**LITHUANIA
and
RUSSIAN FEDERATION**

Agreement concerning international road transport (with protocols). Signed at Vilnius on 18 November 1993

Authentic texts: Lithuanian and Russian.

Registered by Lithuania on 28 October 1994.

**LITUANIE
et
FÉDÉRATION DE RUSSIE**

Accord relatif au transport routier international (avec protocoles). Signé à Vilnius le 18 novembre 1993

Textes authentiques : lituanien et russe.

Enregistré par la Lituanie le 28 octobre 1994.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA AND THE GOVERNMENT OF THE RUSSIAN FEDERATION CONCERNING INTERNATIONAL ROAD TRANSPORT

The Government of the Republic of Lithuania and the Government of the Russian Federation, hereinafter called “the Contracting Parties”, in accordance with the Treaty between the Republic of Lithuania and the Russian Soviet Federative Socialist Republic on the basis for relations between States of 29 July 1991² and the Agreement between the Government of the Republic of Lithuania and the Government of the Russian Federation on the principles of cooperation and the terms for reciprocal relations in the field of transport of 12 February 1992,³ guided by the desire to further develop road transport between the two countries and transit traffic through the territories of the Republic of Lithuania and the Russian Federation,

Have agreed as follows:

Article 1

The regular and non-regular transportation of passengers and goods by road transport vehicles between the two countries and their transit through their territories shall be effected in accordance with this Agreement.

Article 2

The specification of the competent bodies of the Contracting Parties, the definition of the special terminology used in this Agreement, and the provisions connected with the use of registration and distinguishing marks and consignment documents are contained in annex 1 to this Agreement, which forms an integral part thereof.

I. TRANSPORTATION OF PASSENGERS

Article 3

1. Regular transportation of passengers by coach shall be organized by agreement between the competent bodies of the Contracting Parties.

2. Proposals for the organization of such transportation shall be passed to each other by the competent bodies of the Contracting Parties in advance of travel. These proposals must contain details concerning the name of the carrier, the intended route, timetable details, tariffs, stopping points at which the carrier shall pick up and set down passengers, and also the projected journey time.

¹ Came into force on 19 January 1994, the date on which the Contracting Parties notified each other of the completion of the required internal procedures, in accordance with article 24.

² United Nations, *Treaty Series*, vol. 1787, No. I-31051.

³ See p. 53 of this volume.

Article 4

1. The operation of non-regular transportation of passengers by coach between the two countries or in transit through their territories, with the exception of the transport operations envisaged in article 5 of this Agreement, shall require permits issued by the competent bodies of the Contracting Parties.

2. The procedure for issuing permits to operate non-regular transportation of passengers envisaged in paragraph 1 of this article shall be determined jointly by the competent bodies of the Contracting Parties.

3. For each non-regular transportation of passengers by coach a separate permit must be issued entitling the bearer to make one outward and one return journey, unless otherwise stipulated in the permit.

Article 5

1. Permits shall not be required for effecting non-regular transportation of passengers by coach if the same group of passengers is transported on the same coach:

(a) For an entire journey beginning and ending in the territory of the Contracting Party where the coach is registered;

(b) For one journey beginning in the territory of the Contracting Party where the coach is registered and ending in the territory of the other Contracting Party, provided that the coach leaves the latter territory or arrives there empty;

(c) In the event of the replacement of a defective coach by another coach.

2. In effecting the transportation envisaged in paragraph 1 of this article, the driver of the coach must have a list of passengers.

II. TRANSPORTATION OF GOODS*Article 6*

1. The transportation of goods between the two countries or in transit through their territories, with the exception of the operations envisaged in articles 7 and 8 of this Agreement, shall be effected by road transport goods vehicles on the basis of permits issued by the competent bodies of the Contracting Parties.

2. For each transportation of goods effected by a road transport goods vehicle, a separate permit must be issued entitling the bearer to make one outward and one return journey, unless otherwise stipulated on the permit.

3. The competent bodies of the Contracting Parties shall send each other annually an agreed number of permit forms for the transportation of goods.

4. The transportation of goods from or to third countries shall be effected on the basis of special permits.

Article 7

1. Permits shall not be required for the transportation of the following:

(a) Movable property during resettlement;

(b) Exhibits, equipment and materials for fairs and exhibitions;

(c) Vehicles, animals and various equipment and property intended for use in holding sports events;

(d) Theatre scenery and props, musical instruments, equipment and accessories for filming and for radio and television broadcasts;

(e) Bodies or ashes of the dead;

(f) Humanitarian aid supported by appropriate documentation;

(g) Medical equipment and medicines sent to provide assistance in the event of accidents or natural disasters;

(h) Mail;

(i) Defective road transport vehicles sent from the territory of one Contracting Party to the territory of the other Contracting Party where the said road transport vehicles were registered;

(j) Goods conveyed by motor vehicles with a maximum freight-carrying capacity of 3.5 tonnes and a total maximum weight of 6 tonnes inclusive.

2. The exemptions envisaged in paragraph 1, subparagraphs (b), (c) and (d) of this article shall be valid only if the goods are to be returned to the country in which the road transport vehicle is registered or if the goods are to be transported onward to the territory of a third country.

Article 8

1. If the dimensions or the weight of a road transport vehicle travelling with or without goods exceeds the standards established in the territory of the other Contracting Party, or if dangerous goods are being transported, the carrier must obtain a special permit from the competent bodies of the other Contracting Party.

2. If the permit referred to in paragraph 1 of this article stipulates a specific route, the transportation must be effected along that route.

III. GENERAL STIPULATIONS

Article 9

1. The transportation of goods and passengers by road transport vehicles in transit through the territory of the Republic of Lithuania to and from the Kaliningrad region shall be effected in accordance with the procedure and terms stipulated in annex 2 to this Agreement, which forms an integral part thereof.

2. The two-way transportation of goods and passengers by road transport vehicles between the Republic of Lithuania and the Kaliningrad region shall be effected without permits.

Article 10

1. The transport operations envisaged in this Agreement may be performed only by carriers of the two Contracting Parties who, in conformity with the internal legislation of their own country, are permitted to carry out international transport operations.

2. Road transport vehicles involved in transport operations under this Agreement must carry the registration and distinguishing marks of their country.

Article 11

1. A carrier shall not be permitted to transport passengers or goods between two points in the territory of the other Contracting Party.

2. The transportation of passengers and goods between the Kaliningrad region and other regions of the Russian Federation through the territory of the Republic of Lithuania may be effected by Lithuanian carriers using special permits issued by the competent body of the Russian Federation. The procedure and terms for the issue of the said permits shall be determined by agreement between the competent bodies of the Contracting Parties.

Article 12

1. Drivers of road transport vehicles involved in transport operations under this Agreement must have a national (international) driving licence and national registration documents for road transport vehicles.

2. National (international) driving licences must conform to the generally recognized international models.

3. Each Contracting Party shall recognize in its territory vehicle registration documents and number plates issued by the competent bodies of the Republic of Lithuania and the Russian Federation, and also papers testifying to the driver's ability to drive a road transport vehicle.

Article 13

1. In the performance of transport operations on the basis of this Agreement, a carrier from either Contracting Party shall, while in the territory of the other Contracting Party, be obliged to observe the traffic laws and regulations in force in that territory.

2. In the event that a breach of the provisions of this Agreement occurs in the territory of one of the Contracting Parties, the competent bodies of the country where the road transport vehicle is registered shall, at the request of the competent body of the other Contracting Party, take measures stipulated under its internal legislation against the carrier who committed the breach.

At the request of the competent body of one of the Contracting Parties, the competent body of the other Contracting Party shall notify the former of the measures it has taken.

Article 14

Payments for transport operations effected on the basis of this Agreement shall be made in accordance with the agreement on payments between the Contracting Parties.

Article 15

The transportation of goods and passengers on the basis of this Agreement shall be performed under compulsory third-party civil liability insurance of the carrier in respect of any damage caused. The carrier shall be obliged to insure in advance against such liability each road transport vehicle undertaking the said transport operations.

Article 16

1. In relation to border, customs and health inspection, the provisions of international agreements to which both Contracting Parties are party shall be applied.

In deciding matters which are not regulated by these agreements, the national legislation of each of the Contracting Parties shall be applied.

2. Border, customs and health inspection shall give priority attention to seriously ill patients who are being transported, to passengers carried by regular coach services, and also to animals and perishable goods that are being transported.

Article 17

1. In the performance of transport operations on the basis of this Agreement, the following items imported into the territory of the other Contracting Party shall be mutually exempt from customs duties, import taxes and import permits:

(a) Fuel contained in the tanks fitted on each model of road transport vehicle which are linked technologically and structurally with the engine's fuel supply system;

(b) Lubricants in quantities necessary for normal use during the transport operation;

(c) Spare parts designed for the repair of a road transport vehicle performing international transport operations.

2. Unused spare parts shall be liable for re-export, while spare parts that have been replaced shall either be taken out of the country or destroyed or handed in in the manner prescribed in the territory of the Contracting Party concerned.

Article 18

The Contracting Parties shall promote the development of direct economic relations between road transport enterprises and organizations in the two countries, regardless of their organizational, legal and ownership structure, and the establishment of joint ventures in the field of road transport.

Article 19

The Contracting Parties shall, on a reciprocal basis, coordinate their work in the field of establishing conditions for the provision of technical assistance to rolling stock, the servicing of motor vehicles with fuel and lubricants, and the provision of assistance in the event of accidents.

Article 20

The Contracting Parties shall settle all contentious matters which may arise in connection with the interpretation or application of this Agreement through negotiations and consultations.

Article 21

In order to promote the implementation of this Agreement and the settlement of any contentious matters that may arise, the competent bodies of the Contracting Parties shall establish a Mixed Commission. Meetings of the Mixed Commission shall be held alternately in the territory of the two States.

Article 22

Matters which are not regulated by this Agreement, or by international agreements to which both of the Contracting Parties are party, shall be decided in accordance with the legislation of each of the Contracting Parties.

Article 23

This Agreement shall not affect the rights and obligations of the Contracting Parties arising from other international treaties and agreements which they have concluded.

Article 24

This Agreement shall enter into force on the date on which the Contracting Parties notify each other through the diplomatic channel that the internal State procedures necessary for its entry into force have been fulfilled.

This Agreement has been concluded for an indefinite period.

However, either Contracting Party may at any time terminate this Agreement after giving at least six months' written notice through the diplomatic channel.

DONE at Vilnius, on 18 November 1993, in duplicate, in the Lithuanian and Russian languages, both texts being equally authentic.

For the Government
of the Republic of Lithuania:

JONAS BIRŽIŠKIS

For the Government
of the Russian Federation:

VITALIJ YEFIMOV

ANNEX 1

PROTOCOL TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA AND THE GOVERNMENT OF THE RUSSIAN FEDERATION CONCERNING INTERNATIONAL ROAD TRANSPORT

With respect to the application of the Agreement between the Government of the Republic of Lithuania and the Government of the Russian Federation concerning international road transport, signed in Vilnius on 18 November 1993, the Governments of the Republic of Lithuania and the Russian Federation have agreed as follows:

1. The competent bodies referred to in the Agreement shall be understood to be:

On the side of the Republic of Lithuania:

For articles 3, 4, 6, and 13 — the Ministry of Transport (Department of Road Transport).

For article 8 — the Ministry of Internal Affairs (Transport Police Administration of the Police Department).

On the side of the Russian Federation:

The Ministry of Transport of the Russian Federation.

2. The term “goods vehicle” in the Agreement means a goods vehicle, a towing vehicle with a semi-trailer or a goods vehicle with a trailer;

The term “coach” in the Agreement means a road transport vehicle designed for carrying passengers and having no fewer than eight seats, not including the driver’s seat, and also a trailer for carrying baggage.

The term “regular transportation of passengers” in the Agreement means transportation effected by road transport vehicles at regular intervals along an established route with stopping points at which the carrier may pick up and set down passengers in accordance with timetables and fares that have been agreed and published in advance.

3. When transporting goods, trailers and semi-trailers may carry the registration and distinguishing marks of other countries provided that the goods vehicle or towing vehicle carries the registration and distinguishing marks of the Republic of Lithuania or the Russian Federation.

4. In article 16 of the Agreement, the term “health inspection” should be understood to mean health, veterinary and phytosanitary inspection.

5. The transportation of goods provided for under this Agreement shall be undertaken under consignment notes, the contents of which should conform to the accepted international model and should be filled in in the Lithuanian and Russian languages.

This Protocol is an integral part of the Agreement.

DONE at Vilnius, on 18 November 1993, in duplicate, in the Lithuanian and Russian languages, both texts being equally authentic.

For the Government
of the Republic of Lithuania:

JONAS BIRŽIŠKIS

For the Government
of the Russian Federation:

VITALIJ YEFIMOV

ANNEX 2

PROTOCOL ON THE PROCEDURE AND TERMS FOR THE TRANSPORTATION OF GOODS AND PASSENGERS BETWEEN THE KALININGRAD REGION AND OTHER REGIONS OF THE RUSSIAN FEDERATION IN TRANSIT THROUGH THE TERRITORY OF THE REPUBLIC OF LITHUANIA

With respect to article 9 of the Agreement between the Government of the Republic of Lithuania and the Government of the Russian Federation concerning international road transport of 18 November 1993, the Contracting Parties

Have agreed as follows:

Article 1

The Contracting Parties shall ensure the unhindered transportation of passengers and goods by Lithuanian road transport vehicles through the Kaliningrad region to and from the Republic of Lithuania and, similarly, the transportation of passengers and goods by Russian road transport vehicles in transit through the territory of the Republic of Lithuania to and from the Kaliningrad region.

Article 2

1. With regard to the transport operations envisaged in article 1 of this Protocol, the competent bodies of the Republic of Lithuania and the competent bodies of the Russian Federation shall send each other a stated number of special permits.

2. For each transportation of goods effected by a road transport goods vehicle, a separate permit must be issued entitling the bearer to make one outward and one return journey, unless otherwise stipulated on the permit.

3. The transportation of dangerous goods and outsize loads under the terms envisaged in article 1 of this Protocol shall be effected on the basis of the special permits provided for in article 8 of the Agreement.

This Protocol is an integral part of the Agreement.

DONE at Vilnius, on 18 November 1993, in duplicate, in the Lithuanian and Russian languages, both texts being equally authentic.

For the Government
of the Republic of Lithuania:

JONAS BIRŽIŠKIS

For the Government
of the Russian Federation:

VITALIJ YEFIMOV