

TRACECA Multilateral Permit User Guide

This Guide for use of TRACECA permits is designed for road carriers as well as competent authorities of the member states of the Basic Multilateral Agreement on International Transport for Development of the Europe-the Caucasus-Asia Corridor participating in the TRACECA Multilateral Permits System with the view of lawful compliance with the provisions given below.

1. Definitions and abbreviations

1.1 *Basic Agreement* – means the Basic Multilateral Agreement on International Transport for Development of the Europe-the Caucasus-Asia Corridor;

1.2. *MLA Member State* – means the state being the Party to the Basic Multilateral Agreement on International Transport for Development of the Europe-the Caucasus-Asia Corridor (including those not participating in the TRACECA Multilateral Permits System);

1.3. *Member country of the TRACECA Permits System* – means any MLA member state participating in the TRACECA Multilateral Permits System

1.4. *Third country* – means any country not being a member country of the TRACECA Permits System

1.5. *ITC TRACECA* – means the international transport corridor TRACECA (Europe-the Caucasus-Asia)

1.6. *PS IGC TRACECA* – means the Permanent Secretariat of the Intergovernmental Commission TRACECA

1.7. "*Road Carrier*" – means any physical or legal person, registered in the territory of one of the member countries of the TRACECA Permits System and, pursuant to the national legislation, admitted to international road carriage of goods

1.8. "*Motor vehicle*" – means a vehicle registered in the territory of one of the member countries of the TRACECA Permits system, and admitted to international road carriage of goods (a tractor, a motor-lorry, trailer lorry, tractor lorry, including those designed for carriage of certain categories of freight (cisterns, automobile transporters, refrigerators, timber lorries, cattle trucks, etc.)

1.9. "*Transit*" – means haulage of goods by road or movement of unladen motor vehicle via the territory of any country without loading or unloading operation.

1.10. "*Cabotage*" – means carriage of goods loaded in one point in the territory of other country to another point of the same country.

1.11. "*Haulage*" – means movement of laden or unladen motor vehicles for reward or for one's own account by road in the MLA member states or in third countries, including - in cases that a part of the route is operated by other transport mode (inland, sea, rail).

1.12. “TRACECA Permit” – means the document issued in the established order in accordance with the provisions of articles 6,7 and 8 of this Guide in accordance with the national legislation, and authorizing a road carrier to effect bilateral, transit operations or haulages to/from third countries (including movement of unladen motor vehicles) via the territory of the TRACECA Permits System member countries under the conditions given in this Guide.

1.13. “Competent authority”– means an authorized structure for control of the Basic Agreement implementation and/or for realization and control of this Guide in the member country of the TRACECA Permits System.

2. Validity and Functions of the Permit

2.1. TRACECA Permit is a multilateral permit authorizing to perform bilateral, transit traffic and road haulage to/from third countries by carriers’ vehicles of the member countries of the TRACECA Permits System through the territory of other TRACECA Permits System member countries over a certain period of time.

2.2. TRACECA Permit authorizes the carrier using it to perform road haulage within the territories of all the member countries of the TRACECA Permit System along the routes of goods delivery in accordance with this Article and Article 3 of this Guide and excuse carriers from **holding a permit**, provided by the corresponding bilateral Agreements on international road traffic between individual member countries of the TRACECA Permits System.

The format of the TRACECA permit must correspond to the standard, specified in Appendix 1 of this Guide.

3. Range of Application

3.1. The provisions of this Guide shall be applied to international road freight traffic in the territories of the TRACECA Permits System member countries and operate in the following traffic performed along the ITC TRACECA across the border check points of the MLA Parties open for international road carriage of goods:

a) transport services between the member countries of the TRACECA Permits System;

b) transit transport services through the territory of the member country of the TRACECA Permits System;

c) transport services to/from third countries from/to the member country of the TRACECA Permits System.

The member countries of the TRACECA Permits System provide the carriers an equal access to the market of transport services in the above-mentioned communications without any national discrimination of drivers or the country of a vehicle registration.

4. Limitations

4.1. The TRACECA Permit is valid for one occasion (designed for one-time use) and authorizes carriers to perform loaded or unloaded haulage in the forward and reverse directions over a period of one round trip. At the same time the number of entries to any member country of the TRACECA Permit System should not exceed two times.

4.2. The TRACECA Permit is universal and may be applied to perform bilateral, transit operations and haulage to/from third countries, as well as to combine them.

4.3. The TRACECA Permit does not authorize cabotage, unless otherwise provided in the national legislation of the TRACECA Permits System member countries.

4.4. The TRACECA Permit does not exempt the carrier from the liability of paying dues, fees as well as other charges provided in the national legislation of each country, the collection of which does not contradict the MLA provisions unless otherwise provided in bilateral agreements in the field of international road traffic between individual TRACECA Permits system member countries.

4.5. The TRACECA Permit does not exempt the carrier from meeting the requirements related to the carriage of dangerous goods, the passage of oversized and heavy-weight vehicles, as well as - from observing the national legislation of the country of entry or transit.

4.6. The TRACECA Permits may not be used for other trips except for those which are given in point 3 of this Guide.

4.7. The movement of motor vehicles using TRACECA Permits in the territory of third countries shall be performed in compliance with bilateral agreements with these countries or other existing multilateral agreements.

5. Duration

5.1 The TRACECA Permit may be valid for the period – from 1 January of the corresponding year till 31 January of the next year.

6. Drafting, Issuance, Record, Use and Return of TRACECA Permits

6.1. TRACECA Permits are issued by the PS IGC TRACECA by typographic printing in the official languages of the Basic Agreement and transferred to the TRACECA Permits System member countries in 200 permit forms per each member country. The number of TRACECA Permits may be changed upon the agreement between the member-countries of the TRACECA Permits System.

6.2. The TRACECA Permits shall be distributed by the competent authority (authorities) of the TRACECA Permits System member country for vehicles registered in this country according to the provisions of articles 6, 7 and 8 of this Guide.

6.3. The TRACECA Permits have their serial numbers depending on the country of a vehicle registration in accordance with Appendix 2 of this Guide.

6.4. In order to receive the TRACECA Permit a road carrier shall submit an application to the competent authority of the country where the vehicle is registered. The competent authorities establish the procedure for obtaining permits according to the national legislation of the country.

6.5. The carrier who obtained a TRACECA Permit may not transfer or sell it to another carrier.

6.6. In case of loss of the TRACECA Permit the road carrier has to immediately notify about it the competent authority distributing its Permit which in its turn has to inform the PS IGC TRACECA. The lost permit is cancelled and considered invalid.

6.7. Upon the expiry of the period of validity till 15 February of the next year the road carrier shall have to return the TRACECA Permits to the competent authorities.

6.8. The TRACECA Permits System member countries will impose sanctions pursuant to the national laws on their road carriers who break the provisions of this Guide or misuse the TRACECA Permit.

6.9. The competent authorities of the TRACECA Permits System member countries may forbid the carrier to perform operations in their territory using TRACECA Permits in case of repeated breaches of road safety rules by this road carrier, the provisions concerning operating conditions of motor vehicles, infringement of the work-rest schedule of drivers, the provisions of this Guide.

6.10. The competent authorities of the TRACECA Permits System member countries shall inform each other as well as the PS IGC TRACECA on the breaches committed in their territory in performing haulage on the basis of the TRACECA Permits and applied sanctions.

7. Procedure of Registration of TRACECA Permits

7.1. The TRACECA Permit is registered in the MLA official languages (English and Russian) on the basis of the information given in the application and vehicle registration documents, in the computer printing unit in two copies (an original and a copy). The original shall be distributed to the road carrier and kept on board the vehicle over the whole period of the trip, the copy being kept at the competent authority which distributed the TRACECA Permit. The registered TRACECA Permit is notarized by a seal (stamp) of the competent authority which distributed it.

7.2. In transferring the TRACECA Permits to the competent authorities of the TRACECA Permits System member countries the permits shall be attested by the seals of the PS IGC TRACECA.

7.3. Amendments in the completed TRACECA Permit shall not be allowed. In case of technical errors in the TRACECA Permit execution the competent authorities shall be entitled to resort to reserve TRACECA permits handed over to them together with main TRACECA Permits.

7.4. The number of reserve TRACECA Permits makes 15 % of the given number. In case of their nonuse over the calendar year the member country of the TRACECA Permits System shall hand them over to the PS IGC TRACECA. In case of obtaining reserve permits the spoiled forms instead of which they had been distributed shall be given back. Unused reserve and spoiled forms shall be given to the PS IGC TRACECA till 1 April of the next year.

8. Terms of Access to TRACECA Permits for Road Carriers

8.1. A road carrier who applied for the TRACECA Permit shall have to:

- a) Fulfill the conditions established in the national legislation related to access to international road freight traffic;
- b) Meet the requirements of the national legislation on road safety as well as standards for drivers and enabled vehicles;
- c) Use the TRACECA Permits for international carriage of goods regarding only those motor vehicles which meet the requirements of the category not lower than “EURO 3 safe” and observe the noise level established for this category. The conformity of the road vehicle with the category not lower than “EURO 3 safe” is based on the certificate of compliance with technical objectives and safety requirements issued according to the established regulations of the European Conference of Ministers of Transport (International Transport Forum). Such certificate is to be given in distributing the TRACECA Permit, and to be kept on board the vehicle over the period of the whole trip.

9. Settlement of Arguments

9.1. To settle the issues and arguments not envisaged in this Guide the TRACECA Permits system member countries shall be guided by the MLA provisions. In the event that the settlement of issues and arguments does not apply to the provisions of this Guide and the MLA, the member countries shall be guided by the existing international agreements and national legislation.

9.2. In the event of arising issues and arguments the member countries shall have the right to apply to the PS IGC TRACECA authorized to settle them.

10. Transitional Provisions

10.1 Accession of the countries to the TRACECA Multilateral Permits System shall be possible only by consent of the TRACECA Permits System member countries.

10.2. Observance of this Guide shall be controlled through preparation of the PS IGC TRACECA Report for the accounting period submitted for consideration at the IGC, and any further activities or proposals in this sphere shall be stipulated in this Report.

10.3. This Guide shall be observed by road carriers of the TRACECA Permits System member countries, as well as by competent authorities of these countries.

10.4. This Guide shall be approved at the IGC TRACECA meeting.

Appendix 2

Procedure of generating serial numbers of TRACECA Multilateral Permits issued by competent authorities of the TRACECA Multilateral Permits System member countries for international road carriage of goods

Member countries	<i>Numeration beginning</i>	<i>Numeration completion</i>
The Republic of Armenia	AR 00001	AR 00230
Georgia	GE 00301	GE 00530
The Republic of Moldova	MD 00601	MD 00830
Romania	RO 01201	RO 01430
The Republic of Turkey	TC 01501	TC 01730
Ukraine	UA 01801	UA 02030