

Session 4

ENHANCING COOPERATION ON LEGAL FRAMEWORK FOR TRANSIT AT BILATERAL, REGIONAL, AND GLOBAL LEVELS

BACKGROUND

Besides building physical infrastructure and connectivity, the effective implementation of a transparent, comprehensive and conducive legal framework is a prerequisite to reducing the high costs of trade and facilitating more efficient transit transport. Due to high economic growth in many countries in the Euro-Asia region and their role as key exporters of energy and raw materials, the demand for a smooth transport connectivity in the region has grown rapidly.

compared to other regions, there is mixed success across the region in building an effective legal regime based on the international conventions.

At the same time, bilateral and regional agreements for facilitation of international transit transport provide important frameworks for (sub-)regional harmonization of legal instruments, cross-border documents and formalities, operational standards, and trade facilitation measures. The Intergovernmental Agreement on the Trans-Asian Railway Network, the Intergovernmental Agreements on the Asian Highway Network and the Intergovernmental Agreement on Dry Ports provide a set of institutional frameworks for enhancing regional transit and transport connectivity in Asia region.

Some countries have also entered into bilateral and/or subregional transit and transport facilitation agreements. For example, China, Mongolia and the Russian Federation have signed an intergovernmental agreement on international road transport along the Asian Highway network in December 2016.

Photo: Bhutan, Christopher Michel, Flickr



The Vienna Programme of Action for LLDCs for the Decade 2014-2024 (VPoA) stresses the need to promote harmonization, simplification and standardization of rules and documentation, including the full and effective implementation of international conventions on transport and transit as well as bilateral, sub-regional and regional agreements. Effective co-operation of LLDCs and the transit developing countries and promotion of an enabling legal environment are mutually beneficial for making transit transport and trade efficient and effective.

There are over 50 UN international conventions that offer a legal and regulatory framework to facilitate transport and trade at the international level. Such instruments of importance for transit include the International Convention on the Harmonization of Frontier Controls of Goods, the Customs Convention on the International Transport of Goods under Cover of TIR Carnets, Customs Convention

on Containers and Customs Convention on the Temporary Importation of Commercial Road Vehicles, among others. In addition, the WTO Trade Facilitation Agreement and the Revised Kyoto Customs Convention are also amongst the key important frameworks for facilitating transit transport and trade facilitation.

Harmonized international legal framework for transit cooperation means more efficient border and customs controls, simplified procedures, more transparency, enhanced cooperation and faster, safer and more reliable transit transport. Despite their benefits, the ratification and effective implementation of these legal instruments remains low at the global level and particularly among the LLDCs and transit countries. While the ratification by Euro-Asian LLDC and transit countries is higher

Bangladesh, Bhutan, India and Nepal signed a motor vehicle agreement in June 2015. It is important that these Agreements become operational.

There is need to support Member States to raise their awareness and understanding of the potential benefits and implications of accession to international and regional conventions related to the facilitation of transport and trade. Member States need to be informed about the Conventions and Agreements that can provide for faster transit and efficient border crossings. It is also important to intensify capacity-building assistance and training programmes to all stakeholders in order to enhance their knowledge and skills. Model (sub-)regional and multilateral agreements on transit and transport facilitation can provide useful tools in this regard.

ISSUES TO BE DISCUSSED:

- What are the challenges, and opportunities, in the Euro-Asia region in implementing the international agreements on transit and transport facilitation?
- What technical and capacity-building assistance can be made available to LLDCs and transit countries, including training programmes and model agreements, to enhance their knowledge and skills on building an effective legal regime for transit?
- What are the experiences and lessons learned from adopting agreements aimed at facilitating transit transport at the (sub) regional and bilateral levels?



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