

**Economic and Social Commission for Asia and the Pacific**  
Working Group on Dry Ports**Fifth meeting**

Bangkok and online, 12 and 13 September 2023

Item 2 of the provisional agenda\*

**Status of the Intergovernmental Agreement on Dry Ports****Status of the implementation of the Intergovernmental Agreement on Dry Ports****Note by the secretariat***Summary*

The present document contains information on the status of the implementation of the Intergovernmental Agreement on Dry Ports. The Working Group on Dry Ports may wish to take note of: (a) changes to the number of parties to the Agreement; (b) information regarding amendment proposals considered and adopted at the fourth meeting of the Working Group, held in Bangkok and online on 2 and 3 June 2021; (c) the depositary notifications issued by the Secretary-General since the fourth meeting; and (d) the entry into force of amendments to annex I to the Agreement since the fourth meeting.

Member States may wish to inform the Working Group of progress made towards becoming parties to the Agreement and the Working Group may wish to provide guidance on how the secretariat can assist the parties in implementing their legal obligations under the Agreement.

**I. Introduction**

1. The Intergovernmental Agreement on Dry Ports<sup>1</sup> entered into force on 23 April 2016. The parties to the Agreement undertake, in accordance with article 3 and without prejudice to article 14, to bring the dry ports listed in annex I to the Agreement into conformity with the guiding principles for the development and operation of dry ports contained in annex II to the Agreement. Since its entry into force, the Agreement has provided a basis for the coordinated development of important nodes in an international integrated intermodal transport and logistics system.

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\* ESCAP/DP(5)/1.

<sup>1</sup> United Nations, *Treaty Series*, No. 53630.

2. Over the course of four meetings, the Working Group on Dry Ports has, in line with article 6 of the Agreement, considered and adopted a series of proposed amendments to annex I to the Agreement.<sup>2</sup>

## II. Status of parties to the Agreement

3. On 18 October 2021, the Secretary-General, acting in his capacity as depositary, informed the parties that the Government of Uzbekistan had deposited its instrument of accession to the Agreement and that the Agreement would, in accordance with its article 5, paragraph 2, enter into force for Uzbekistan on 17 November 2021.<sup>3</sup>

4. Consequently, 17 States are now parties to the Agreement, namely Afghanistan, Azerbaijan, Bangladesh, China, India, Iran (Islamic Republic of), Kazakhstan, the Lao People's Democratic Republic, Mongolia, Myanmar, the Republic of Korea, the Russian Federation, Tajikistan, Thailand, Turkmenistan, Uzbekistan and Viet Nam.

5. Signatory States wishing to become parties to the Agreement should deposit their instrument of ratification, acceptance or approval of the Agreement after completing the related national procedures.

6. Member States that have not signed the Agreement can become parties to the Agreement by depositing an instrument of accession, which is a one-step action.

7. Member States wishing to deposit instruments of ratification, acceptance, approval or accession should contact the Treaty Section of the Office of Legal Affairs at United Nations Headquarters (tel.: +1 212 963 5047, fax: +1 212 963 3693, email: [treaty@un.org](mailto:treaty@un.org)) to make the necessary arrangements. The Transport Division of the Economic and Social Commission for Asia and the Pacific (tel.: +66 2 288 1371, email: [escap-td@un.org](mailto:escap-td@un.org)) stands ready to assist member States in this process by receiving the instruments and liaising with the Office of Legal Affairs.

8. Reservations may not be made with respect to any of the provisions of the Agreement, except as provided for in its article 13, paragraph 5, whereby any State may, at the time of definitive signature or of the depositing of its instrument of ratification, acceptance, approval or accession, deposit a reservation stating that it does not consider itself bound by the provisions of article 13 relating to the procedure for the settlement of disputes (conciliation).

9. Model instruments of ratification, acceptance, approval, accession and reservation are available at the website of the Treaty Section.<sup>4</sup>

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<sup>2</sup> The certified true copies of the Agreement and all amendments thereto are available at: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XI-E-3&chapter=11&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-E-3&chapter=11&clang=_en).

<sup>3</sup> See <https://treaties.un.org/doc/Publication/CN/2021/CN.296.2021-Eng.pdf>.

<sup>4</sup> See [https://treaties.un.org/pages/Content.aspx?path=Publication/ModelInstruments/Page1\\_en.xml](https://treaties.un.org/pages/Content.aspx?path=Publication/ModelInstruments/Page1_en.xml).

### III. Status of amendment proposals considered at the fourth meeting of the Working Group

10. At its fourth meeting, the Working Group considered proposals to amend annex I to the Agreement made, in accordance with article 8, paragraph 2, by Myanmar and the Russian Federation.

11. In conformity with article 8, paragraph 4, of the Agreement, and following the reconfirmation at the meeting by the representatives of Myanmar and the Russian Federation of the proposed amendments, the Working Group adopted those amendments.

12. In accordance with article 8, paragraph 4, of the Agreement, the secretariat transmitted the texts of the adopted amendments to the Secretary-General for circulation to all parties. The Secretary-General, acting in his capacity as depositary, informed the parties of the adoption of the amendments.<sup>5</sup>

13. In accordance with article 8, paragraph 5, of the Agreement, the above-mentioned amendments entered into force 45 days after the date of issuance of the depositary notification, on 12 September 2021.

14. The secretariat of the Economic and Social Commission for Asia and the Pacific periodically publishes consolidated versions of the text of the Agreement on its website, in Chinese,<sup>6</sup> English<sup>7</sup> and Russian.<sup>8</sup> The versions currently available include the updates to the Agreement as at 11 February 2022. However, it should be noted that these versions are prepared by the secretariat for information and ease of reference by member States and do not constitute certified true copies of the Agreement. Only the Secretary-General, or the Office of Legal Affairs on his behalf, can establish and issue certified true copies of an agreement deposited with him. The authoritative texts and amendments thereto, as well as information on depositary notifications, can be found online.<sup>9</sup>

### IV. Issues for consideration by the Working Group

15. In the light of the information contained in the present document, member States may wish to inform the Working Group of progress made towards becoming parties to the Agreement.

16. Individual members of the Working Group may wish to update the Working Group on national, bilateral or subregional plans, activities and developments aimed at bringing the dry ports of international importance listed in annex I to the Agreement into conformity with the guiding principles for the

<sup>5</sup> See <https://treaties.un.org/doc/Publication/CN/2021/CN.245.2021-Eng.pdf>.

<sup>6</sup> See [www.unescap.org/sites/default/d8files/2022-02/CHN\\_IntergovernmentalAgreement\\_Dry\\_Ports\\_Consolidated2022.pdf](http://www.unescap.org/sites/default/d8files/2022-02/CHN_IntergovernmentalAgreement_Dry_Ports_Consolidated2022.pdf).

<sup>7</sup> See [www.unescap.org/sites/default/d8files/2022-02/EN\\_IntergovernmentalAgreement\\_Dry\\_Ports\\_Consolidated2022.pdf](http://www.unescap.org/sites/default/d8files/2022-02/EN_IntergovernmentalAgreement_Dry_Ports_Consolidated2022.pdf).

<sup>8</sup> See [www.unescap.org/sites/default/d8files/2022-02/RU\\_IntergovernmentalAgreement\\_Dry\\_Ports\\_Consolidated2022\\_0.pdf](http://www.unescap.org/sites/default/d8files/2022-02/RU_IntergovernmentalAgreement_Dry_Ports_Consolidated2022_0.pdf).

<sup>9</sup> See [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XI-E-3&chapter=11&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XI-E-3&chapter=11&clang=_en).

development and operation of dry ports contained in annex II to the Agreement.

17. The Working Group may also wish to provide guidance on how the secretariat can assist the parties in implementing their legal obligations under the Agreement.

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