

**Economic and Social Commission for Asia and the Pacific**
Committee on Transport**Third session**

Bangkok, 10-12 October 2012

Item 3 of the provisional agenda

**Adoption of the finalized draft intergovernmental agreement
on dry ports****Finalized draft intergovernmental agreement on dry ports***Summary*

In accordance with the decision of the Ad hoc Intergovernmental Meeting on an Intergovernmental Agreement on Dry Ports, the secretariat transmits to the Committee on Transport the text of the finalized draft intergovernmental agreement on dry ports.

I. Introduction

1. Pursuant to Commission resolution 66/4 of 19 May 2010 on the implementation of the Bangkok Declaration on Transport Development in Asia, the secretariat has been working towards the development of an intergovernmental agreement on dry ports.
2. The process of drafting an intergovernmental agreement on dry ports started with the organization of the Regional Expert Group Meeting on the Development of Dry Ports along the Asian Highway and Trans-Asian Railway Networks and the second session of the Committee on Transport, both of which were held in Bangkok from 1 to 3 November 2010.
3. Subsequently, a working draft of an intergovernmental agreement on dry ports was prepared by the secretariat, in consultation with the Treaty Section of the Office of Legal Affairs. Three subregional meetings—for South-East Asia, South and South-West Asia, and Central and North-East Asia—were held in 2011 to facilitate the review by member States of the working draft of the agreement.
4. The working draft of the agreement was revised on the basis of the outcome of the three subregional meetings and incorporated feedback received from member States as well as further advice received from the Office of Legal Affairs.
5. The Ad hoc Intergovernmental Meeting on an Intergovernmental Agreement on Dry Ports, held in Bangkok from 20 to 22 June 2012, considered the revised draft intergovernmental agreement on dry ports. The Meeting finalized the draft intergovernmental agreement on dry ports as contained in the present document and recommended that the finalized draft

agreement be adopted by the Committee on Transport at its third session (see E/ESCAP/IADP/IGM.1/2 and 3).

6. The Committee may wish to adopt the finalized draft intergovernmental agreement on dry ports.

II. Finalized draft intergovernmental agreement on dry ports

The States Parties,

Recalling Economic and Social Commission for Asia and the Pacific resolution 66/4 of 19 May 2010 on the implementation of the Bangkok Declaration on Transport Development in Asia and the request contained therein to work towards the development of an intergovernmental agreement on dry ports,

Conscious of the need to promote and develop an international integrated intermodal transport and logistics system in Asia and with neighbouring regions,

Mindful of the expected increase in international goods transport as a consequence of growing international trade in the ongoing process of globalization,

Determined to strengthen connectivity and seamless international movement of goods, facilitate increased efficiency and reduce the cost of transport and logistics as well as to extend its reach to inland areas and wider hinterlands,

Encouraged by the successful regional cooperation that led to the entry into force of the Intergovernmental Agreement on the Asian Highway Network¹ and the Intergovernmental Agreement on the Trans-Asian Railway Network,²

Considering that, in order to strengthen relations and promote international trade among members of the Economic and Social Commission for Asia and the Pacific, it is essential to develop dry ports of international importance to the requirement of international transport and to reduce the adverse impact of transport on the environment,

Recognizing the need to develop guiding principles for the development and operation of dry ports of international importance for harmonization and facilitation of intermodal transport in Asia and the Pacific,

Keeping in view the role of dry ports of international importance as an important component of an effective and efficient international integrated intermodal transport and logistics system, especially in addressing the specific needs of landlocked, transit and coastal States,

Have agreed as follows:

¹ United Nations, *Treaty Series*, vol. 2323, No. 41607.

² United Nations, *Treaty Series*, vol. 2596, No. 46171.

Article 1

Definition

For the purposes of the Intergovernmental Agreement on Dry Ports (the “Agreement”), a dry port of international importance (“dry port”) shall refer to an inland location as a logistics centre connected to one or more modes of transport for the handling, storage and regulatory inspection of goods moving in international trade and the execution of applicable customs control and formalities.

Article 2

Identification of dry ports

The Parties hereby adopt the list of dry ports, contained in annex I to the Agreement, as the basis for the coordinated development of important nodes in an international integrated intermodal transport and logistics system. The Parties intend to develop these dry ports within the framework of their national programmes and in accordance with national laws and regulations.

Article 3

Development of the dry ports

The dry ports listed in annex I to the Agreement should be brought into conformity with the guiding principles for the development and operation of dry ports as described in annex II to the Agreement.

Article 4

Signature, ratification, acceptance, approval and accession

1. The Agreement shall be open for signature to States that are members of the United Nations Economic and Social Commission for Asia and the Pacific at (**name of city and country**) from **xx to xx xxxx 2013**, and thereafter at United Nations Headquarters in New York from **xx xxxx 2013 to 31 December 2014**.

2. The Agreement shall be subject to ratification, acceptance or approval by signatory States.

3. The Agreement shall be open to accession by non-signatory States which are members of the United Nations Economic and Social Commission for Asia and the Pacific.

4. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument in good and due form with the Secretary-General of the United Nations.

Article 5

Entry into force

1. The Agreement shall enter into force on the thirtieth day following the date on which at least eight (8) States have deposited instruments of ratification, acceptance, approval of or accession to the Agreement pursuant to Article 4, paragraphs 3 and 4.

2. For each State which deposits its instrument of ratification, acceptance, approval or accession after the date upon which the conditions for the entry into force of the Agreement have been met, the Agreement shall

enter into force for that State thirty (30) days after the date of its deposit of the said instrument.

Article 6
Working Group on Dry Ports

1. A Working Group on Dry Ports (the “Working Group”) shall be established by the United Nations Economic and Social Commission for Asia and the Pacific to consider the implementation of the Agreement and to consider any amendments proposed. All States which are members of the United Nations Economic and Social Commission for Asia and the Pacific shall be members of the Working Group.

2. The Working Group shall meet biennially. Any Party may also, by a notification addressed to the secretariat, request that a special meeting of the Working Group be convened. The secretariat shall notify all members of the Working Group of the request and shall convene a special meeting of the Working Group if not less than one third of the Parties signify their assent to the request within a period of four (4) months from the date of the notification by the secretariat.

Article 7
Procedures for amending the main text

1. The main text of the Agreement may be amended by the procedure specified in this Article.

2. Amendments to the Agreement may be proposed by any Party.

3. The text of any proposed amendment shall be circulated to all members of the Working Group by the secretariat at least forty-five (45) days before the Working Group meeting at which it is proposed for adoption.

4. An amendment shall be adopted by a two-thirds majority of the Parties to the Agreement present and voting at the meeting of the Working Group. The amendment as adopted shall be communicated by the secretariat to the Secretary-General of the United Nations, who shall circulate it to all Parties for acceptance.

5. An amendment adopted in accordance with paragraph 4 of the present Article shall enter into force thirty (30) days after it has been accepted by two thirds of the number of States which are Parties to the Agreement at the time of adoption of the amendment. The amendment shall enter into force with respect to all Parties except those which have not accepted the amendment. Any Party which does not accept an amendment adopted in accordance with this paragraph may at any time thereafter deposit an instrument of acceptance of such amendment with the Secretary-General of the United Nations. The amendment shall enter into force for that State thirty (30) days after the date of deposit of the said instrument.

Article 8
Procedures for amending annex I

1. Annex I to the Agreement may be amended by the procedure specified in this Article.

2. Amendments shall be proposed by any Party in whose territory the subject of the proposed amendment is located.

3. The text of any proposed amendment shall be circulated to all members of the Working Group by the secretariat at least forty-five (45) days before the Working Group meeting at which it is proposed for adoption.

4. The proposed amendment shall be deemed adopted if the Party in whose territory the subject of the proposed amendment is located reconfirms the proposal after consideration of the proposal at the Working Group meeting. The amendment as adopted shall be communicated by the secretariat to the Secretary-General of the United Nations, who shall circulate it to all Parties.

5. The amendment adopted in accordance with paragraph 4 of the present article shall be deemed accepted and shall enter into force for all Parties after a period of forty-five (45) days following the date of the circular notification of the Secretary-General.

Article 9

Procedures for amending annex II

1. Annex II to the Agreement may be amended by the procedure specified in this Article.

2. Amendments may be proposed by any Party.

3. The text of any proposed amendment shall be circulated to all members of the Working Group by the secretariat at least forty-five (45) days before the Working Group meeting at which it is proposed for adoption.

4. An amendment shall be adopted by a two-thirds majority of the Parties to the Agreement present and voting at the meeting of the Working Group. The amendment as adopted shall be communicated by the secretariat to the Secretary-General of the United Nations, who shall circulate it to all Parties.

5. An amendment adopted in accordance with paragraph 4 of the present Article shall be deemed accepted if during a period of ninety (90) days from the date of the notification, less than one third of the Parties notifies the Secretary-General of the United Nations of their objection to the amendment.

6. An amendment accepted in accordance with paragraph 5 of the present Article shall enter into force for all Parties thirty (30) days after the expiry of the period of ninety (90) days referred to in paragraph 5 of the present Article.

Article 10

Reservations

Reservations may not be made with respect to any of the provisions of the Agreement, except as provided in Article 13, paragraph 5.

Article 11

Withdrawal

Any Party may withdraw from the Agreement by written notification addressed to the Secretary-General of the United Nations. The withdrawal shall take effect twelve (12) months after the date of receipt by the Secretary-General of such notification.

Article 12
Suspension of validity

The operation of the Agreement shall be suspended if the number of Parties becomes less than eight (8) for any period of twelve (12) consecutive months. The provisions of the Agreement shall again become operative thirty (30) days after the number of Parties reaches eight (8). In such situations, the Secretary-General of the United Nations shall notify the Parties.

Article 13
Settlement of disputes

1. Any dispute between two or more Parties which relates to the interpretation or application of the Agreement and which the Parties in dispute are unable to settle by negotiation or consultation shall be referred to conciliation if any of the Parties in dispute so requests and shall, to that end, be submitted to one or more conciliators to be mutually agreed by the Parties in dispute. If the Parties in dispute fail to agree on the choice of conciliator or conciliators within ninety (90) days after the request for conciliation, any of those Parties may request the Secretary-General of the United Nations to appoint a single independent conciliator to whom the dispute shall be submitted.

2. The recommendation of the conciliator or conciliators appointed in accordance with paragraph 1 of this Article, while not binding in character, shall become the basis of renewed consideration by the Parties in dispute.

3. The Parties in dispute may agree in advance to accept the recommendation of the conciliator or conciliators as binding.

4. Paragraphs 1, 2 and 3 of the present Article shall not be construed as excluding other measures for the settlement of disputes mutually agreed between the Parties in dispute.

5. Any State may, at the time of depositing its instrument of ratification, acceptance, approval or accession, deposit a reservation stating that it does not consider itself bound by the provisions of the present Article relating to conciliation. Other Parties shall not be bound by the provisions of the present Article relating to conciliation with respect to any Party which has deposited such a reservation.

Article 14
Limits to the application

1. Nothing in the Agreement shall be construed as preventing a Party from taking such action, compatible with the provisions of the Charter of the United Nations and limited to the exigencies of the situation, as it considers necessary for its external or internal security.

2. A Party shall make every possible effort to develop the dry ports in accordance with national laws and regulations in a manner that is consistent with the Agreement. However, nothing in the Agreement shall be construed as acceptance of an obligation by any Party to permit the movement of goods across its territory.

Article 15
Annexes

Annexes I and II to the Agreement shall form an integral part of the Agreement.

Article 16
Secretariat

The United Nations Economic and Social Commission for Asia and the Pacific shall be designated the secretariat of the Agreement.

Article 17
Depositary

The Secretary-General of the United Nations shall be designated the depositary of the Agreement.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed the present Agreement, in a single copy in the Chinese, English and Russian languages, the three texts being equally authentic.

Annex I

Dry ports of international importance

1. The dry ports are normally located in the vicinity of: (a) inland capitals, provincial/state capitals; and/or (b) existing and/or potential production and consumption centres with access to highways and/or railways including the Asian Highway and/or Trans-Asian Railway, as appropriate.
2. Dry ports have transport connections to other dry ports, border posts/land customs stations/integrated check posts, seaports, inland waterway terminals and/or airports.
3. Dry ports are listed below.
4. The name of a dry port is followed by its location or the name of the nearest town/city.
5. Potential dry ports are indicated below in square brackets.

List of dry ports

Afghanistan

Haqueena, Mimana	Heiratan Dry Port, Mazar-e-Sharif
Islam Qala, Herat	Kabul Dry Port, Kabul
Shirkhan Bander Dry Port, Konduz	Speenboldake Chaman Dry Port, Kandahar
Torkham Dry Port, Jalalabad	Turghundi, Herat

Armenia

International Logistics Centre at Zvartnots International Airport, Yerevan

Azerbaijan

Baku Cargo Terminal of Heydar Aliyev International Airport, Baku

Balakan Cargo Terminal, Azerbaijan-Georgia border

Bilasuvar Cargo Terminal, Azerbaijan-Islamic Republic of Iran border

Gabala International Airport, Gabala Ganja International Airport, Ganja

Heydar Aliyev International Airport, Baku

Julfa Cargo Terminal, Azerbaijan-Islamic Republic of Iran border

Lenkoran International Airport, Lenkoran

Nakhichevan International Airport, Autonomous Republic of Nakhichevan

Silk Way Cargo Terminal, Baku Zagatala International Airport, Zagatala

[Baku City Goods Depot, Khirdalan Station]

[Cargo Terminal on frontier point at state border, Samur]

[Cargo Terminal on frontier point at state border, Sinig-Korpu]

[Container Terminal of Baku International Sea Trade Port, Baku]

[Ganja Station, Ganja]

[International Logistics Centre, Alyat] [Keshla Station, Baku]

[New Baku International Sea Trade Port, Alyat]

[South Terminal on frontier point at state border (Astara)]

[Sumgait Station, Sumgait]

Bangladesh

Akhaura, Brahmanbaria

Benapole, Jessore

Bibirbazar, Comilla

Burimari, Lalmonirhat

Hili, Dinajpur

Kamlapur ICD, Dhaka

Sonamasjid, Chapai Nawabganj

Teknaf, Cox's Bazar

[Bangladbandh, Panchagargh]

[Bhomra, Satkhira]

[Bilonia, Feni]

[Dhirasram ICD, Gajipur]

[Gobrakura, Mymensingh]

[Koraitali, Mymensingh]

[Nakugao, Sherpur]

[Ramgarh, Khagrachari]

[Tamabil, Sylhet]

Bhutan

Phuentsholing Dry Port, Phuentsholing

[Gelephu, Sarpang]

[Gomtu, Samtse]

[Nganglam, Samdrupjongkhar]

[Samdrupjongkhar, Samdrupjongkhar]

[Samtse, Samtse]

Cambodia

CWT Dry Port, Phnom Penh

Olair World Wide Dry Port, Phnom Penh

Phnom Penh International Port, Phnom Penh

Phnom Penh Special Economic Zone, Phnom Penh

So Nguon Dry Port, Bavet

Tech Srun Dry Port, Phnom Penh

Teng Lay Dry Port, Phnom Penh

China

[Changchun]

[Erenhot]

[Harbin]

[Hekou]

[Horgos]

[Hunchun]

[Jinghong]

[Kashi]

[Kunming]

[Manzhouli]

[Nanning]

[Pingxiang (Youyiguan)]

[Ruili]

[Suifenhe]

[Urumqi]

[Yiwu]

[Zhangmu]

Georgia

Poti Free Industrial Zone, Poti [Tbilisi International Logistics Centre, Tbilisi]

India

Ajni, Nagpur, Maharashtra	Amingaon, Guwahati, Assam
Aroor, Kerala	Ballabhgarh, Faridabad, Haryana
Bhadohi, Sant Ravidas Nagar, Varanasi, Uttar Pradesh	
Bhagat Ki Kothi, Jodhpur, Rajasthan	Chehreta, Amritsar, Punjab
Dadri, Noida, Uttar Pradesh	Daulatabad, Aurangabad, Maharashtra
Dhandarikalan, Punjab	Dhannad Rau, Indore, Madhya Pradesh
Dronagiri Node, Navi Mumbai, Maharashtra	Durgapur, West Bengal
Garhi Harsaru, Gurgaon, Haryana	Irugur, Coimbatore, Tamil Nadu
Jamshedpur, Jharkhand	Janory, Nasik, Maharashtra
Kanakpura, Jaipur, Rajasthan	Kanpur, Uttar Pradesh
Khodiyar, Gujarat	Loni, Ghaziabad, Uttar Pradesh
Majerhat, Kolkata, West Bengal	Mandideep, Bhopal, Madhya Pradesh
Moradabad, Uttar Pradesh	Patli, Gurgaon, Haryana
Pithampur, Dhar, Madhya Pradesh	Raipur, Chhattisgarh
Sachin, Surat, Gujarat	Sanath Nagar, Hyderabad, Andhra Pradesh
Senewal, Ludhiana, Punjab	Tondiarpet, Chennai, Tamil Nadu
Tughlakabad, Delhi	Vadodara, Gujarat
Whitefield, Bangalore, Karnataka	

Indonesia

Gedebage Bandung Dry Port Jababeka Cikarang Dry Port

Iran (Islamic Republic of)

Aprin Dry Port, Tehran

Aras Free Economic and Industrial Zone, East Azerbaijan Province

Arvand Economic and Industrial Free Zone, Khuozestan Province

Motahari Station, Mashhad

Salafchegan Special Economic Zone, Qom Province

Sarakhs Special Economic Zone, Sarakhs	Sirjan Special Economic Zone, Sirjan
[Chabahar Special Economic Zone, Chabahar]	[Maragheh Special Economic Zone, Maragheh]

Kazakhstan

Aktobe Centre, Aktobe
 [High Tech Logistics, Almaty Region]
 [Korgas International Border Cooperation Centre, Almaty Region]
 [Tau Terminal, Almaty Region]

Kyrgyzstan

Alamedin, Bishkek
 Osh, Osh

Lao People's Democratic Republic

Thanaleng, Vientiane
 [Laksao, Borikhamsai]
 [Nateuy, Luangnamtha]
 [Pakse, Champasack]
 [Thakhek, Khammouane]

[Houyxai, Bokeo]
 [Luangprabang, Luangprabang]
 [Oudomsai, Muangxai]
 [Seno, Savanakhet]

Malaysia

Inland Clearance Depot Kontena Nasional, Prai
 Internal Clearance Depot Seri Setia, Kuala Lumpur
 Ipoh Cargo Terminal, Ipoh
 Tebedu Inland Port, Sarawak

Inland Container Depot, Padang Besar
 Nilai Inland Port, Nilai
 [Pulau Sebang Inland Depot, Pulau Sebang]

Mongolia

Altanbulag
 Ulaanbaatar
 [Choibalsan]

Sainshand
 Zamyn-Uud

Myanmar

[Bago]
 [Mawlamyine]
 [Muse]
 [Tamu]

[Mandalay]
 [Monywa]
 [Pyay]
 [Yangon]

Nepal

Bhairahawa ICD, Bhairahawa
 Birgunj ICD, Birgunj
 [Tatopani ICD, Larcha]

Biratnagar ICD, Biratnagar
 Kakarbhitta ICD, Kakarbhitta

Pakistan

Customs Dry Port, Hyderabad
 Faisalabad Dry Port Trust, Faisalabad
 Margalla Dry Ports, Islamabad

Customs Dry Port, Peshawar
 Lahore Dry Port, Mughalpura
 Multan Dry Port Trust, Multan

National Logistics Center Container Freight Station, Lahore

National Logistics Center Dry Port, Quetta Pakistan Railways Prem Nagar Dry Port, Kasur
Railways Dry Port, Quetta Sambrial Dry Port, Sialkot

Silk Route Dry Port, Sost, Gilgit, Baltistan

Philippines

[Clark, Angeles City] [Davao City, Eastern Mindanao]
[Koronadal City, South Cotabato] [Laguindingan, Misamis Oriental]
[Zamboanga City, Western Mindanao]

Republic of Korea

Uiwang ICD, Uiwang

Russian Federation

Janino Logistic Park, Saint Petersburg Region
Multimodal Logistic Complex “Rostov universal port”, Rostov-on-Don Region
Terminal Logistics Centre “Baltiysky”, Leningrad Region
Terminal Logistics Centre “Kleshchiha”, Novosibirsk
Terminal Logistics Centre “Doskino”, Nizhny Novgorod,
[Dmitrovsky Multimodal Centre, Moscow Region]
[Kaliningrad] [Kazan]
[Multimodal Logistic Complex “Southern Primorsky Terminal”, Primorsky Region]
[Svijazhsky Multimodal Logistic Centre, Tatarstan]
[Terminal Logistics Centre “Primorsky” Ussuriysk, Primorsky Region]
[Terminal Logistics Centre “Tamansky”, Krasnodar Region]
[Terminal Logistics Centre “Beliy Rast”, Moscow Region]
[Volgograd] [Yekaterinburg]

Sri Lanka

[Peliyagoda, Colombo] [Telangapata, Colombo]

Tajikistan

Dushanbe, Dushanbe Karamyk, Jirgital
Khujand, Khujand Kurgan-Tube, Kurgan-Tube
Nizhniy Panj, Qumsamgir Tursunzade, Tursunzade
Vakhdat, Vakhdat

Thailand

Lat Krabang ICD, Bangkok [Chiang Khong, Chiang Rai]
[Natha, Nong Khai]

Turkey

Gelemen, Samsun	Kazan, Ankara
[Bogazkopru, Kayseri]	[Bozuyuk, Bilecik]
[Gokkoy, Balikesir]	[Habur]
[Halkali, Istanbul]	[Hasanbey, Eskisehir]
[Kaklik, Denizli]	[Kars]
[Kayacik, Konya]	[Kosekoy, Izmit]
[Mardin]	[Palandoken, Erzurum]
[Sivas]	[Turkoglu, Kahramanmaras]
[Usak]	[Yenice, Mersin]
[Yesilbayir, Istanbul]	

Viet Nam

ICD Lao Cai, Lao Cai Province	ICD Song Than, Binh Duong Province
ICD Tan Cang-Long Binh, Dong Nai Province	ICD Tien Son, Bac Ninh Province
[Hanoi]	[ICD Gia Lai, Gia Lai Province]
[ICD Vinh Phuc, Vinh Phuc Province]	[Lang Son]

Annex II

Guiding principles for the development and operation of dry ports

1. General

The development and operation of dry ports, as listed in annex I of the Agreement, shall be guided by the principles described below. Parties shall make every possible effort to conform to these principles in constructing, upgrading and operating dry ports.

2. Functions

The basic functions of dry ports shall include the handling, storage and regulatory inspection of goods moving in international trade and the execution of applicable customs control and formalities. Additional functions of dry ports may include, but are not limited to:

- (a) Receipt and dispatch;
- (b) Consolidation and distribution;
- (c) Warehousing;
- (d) Transshipment.

3. Institutional, administrative and regulatory framework

Parties shall initiate institutional, administrative and regulatory frameworks that are favourable to the development and smooth operation of dry ports, including procedures for regulatory inspection and the execution of applicable customs control and formalities in line with the national laws and regulations of the Party concerned. Dry ports, as listed in annex I of this Agreement, may be designated as points of origin or destination in transport and customs documentation. The Parties shall collaborate with relevant transport service providers, international organizations and institutions to ensure recognition of dry ports. The ownership of dry ports can be public, private or public-private partnerships.

4. Design, layout and capacity

Dry ports shall be developed with adequate capacity and layout to allow for the secure and smooth flow of containers, cargoes and vehicles within and through the dry port and to make provision for expansion of capacity, as appropriate, taking into account the modes of transport served, the requirements of the users of the dry port and expected future container and cargo volumes.

5. Infrastructure, equipment and facilities

Dry ports shall have infrastructure, equipment and manpower commensurate with existing and expected freight volumes at the discretion of the Parties in accordance with their national laws, regulations and practices. This provision is recommendatory in nature and shall not be binding with respect to the following:

- (a) A secure area with a gate for dedicated entrance and exit;
 - (b) Covered and open storage areas separated for import, export and transshipment, and for perishable goods, high-value cargoes and dangerous cargoes, including hazardous substances;
 - (c) Warehousing facilities, which may include customs bonded warehousing facilities;
 - (d) Customs supervision, control, inspection and storage facilities;
 - (e) Appropriate cargo and container handling equipment;
 - (f) Internal service roads and pavement for use in the operation and stacking area;
 - (g) Vehicle holding areas with adequate parking space for freight vehicles;
 - (h) An administrative building for customs, freight forwarders, shippers, customs brokers, banks and other related agencies;
 - (i) Information and communication systems, which include electronic data interchange systems, scanners and vehicle weighing equipment;
 - (j) A container, vehicle and equipment repair yard, if necessary.
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