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

2nd meeting

Bangkok, 14 and 15 November 2017

Item 4 of the provisional agenda*

Status of implementation of the Intergovernmental Agreement on Dry Ports

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Note by the secretariat

Summary

The present document contains information on the current status of the Intergovernmental Agreement on Dry Ports with regard to the number of signatories and parties to the Agreement and the obligations of the parties.

The Working Group on Dry Ports may wish to consider the present document with a view to encouraging the participation of member States in the implementation of the Agreement in order to develop dry ports of international importance as a means to (a) promote efficient intermodal transport connectivity in the region, (b) support the identification and operationalization of international intermodal corridors and (c) contribute towards achieving a more sustainable transport sector.

I. Introduction

1. The Intergovernmental Agreement on Dry Ports is a treaty¹ aimed at promoting and developing dry ports of international importance as a means to promote and develop an international integrated intermodal transport and logistics system within Asia as well as between Asia and its neighbouring regions. In the present document, the status of the Agreement in respect of its signatories and parties is outlined and the obligations of the parties to the Agreement reviewed.

II. Status of implementation of the Agreement

A. Signatures and ratifications

2. The Agreement was opened for signature in Bangkok on 7 and 8 November 2013 and thereafter at United Nations Headquarters in New York from 11 November 2013 to 31 December 2014. The Agreement entered into

* E/ESCAP/DP/WG(2)/L.1.

¹ Commission resolution 69/7, annex.

force on 23 April 2016, which was 30 days after the requisite number of States had deposited their instruments of ratification, acceptance, approval or accession with the Secretary-General of the United Nations in New York. As of 31 August 2017, 17 member States had signed the Agreement and 13 had become parties through ratification, acceptance, approval or accession. Annex I contains a list of signatories and parties.

3. In this regard, member States may wish to update the Working Group on Dry Ports on the progress made by their respective Governments towards the ratification, acceptance and approval of and accession to the Agreement.

4. 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. A model instrument of ratification, acceptance or approval is given in annex II. Member States that have not signed the Agreement can become a party to the Agreement by accession. A model instrument of accession is given in annex III.

5. Member States wishing to deposit their instruments in relation to paragraph 4 should contact the Treaty Section of the Office of Legal Affairs at United Nations Headquarters in New York (telephone: 1 212 963 5047; facsimile: 1 212 963 3693; email: treaty@un.org) to make the necessary arrangements. The Transport Division of the secretariat of the Economic and Social Commission for Asia and the Pacific (ESCAP) stands ready to assist member States in this process by receiving the said instruments and liaising with the Office of Legal Affairs (telephone: 66 2 288 1371; facsimile: 66 2 288 3050; email: escap-ttd@un.org).

6. Reservations may not be made with respect to any of the provisions of the Agreement, except as provided for in article 13, paragraph 5, of the Agreement, whereby 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 article 13 relating to conciliation. A model instrument of reservation/declaration is given in annex IV.

B. Obligations of the parties to the Agreement

7. The main obligations of the parties to the Agreement are to:

(a) 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;

(b) Develop these dry ports within the framework of their national programmes and in accordance with national laws and regulations;

(c) Be guided, in the development and operation of these dry ports, by the principles set out in annex II to the Agreement, which concern the functions of a dry port; the establishment of institutional, administrative and regulatory frameworks conducive to the development and smooth operation of dry ports; the design, layout and capacity of dry ports; and the desired minimum infrastructure, equipment and facilities to handle expected freight volumes efficiently.

8. Altogether, 27 ESCAP member countries have designated a total of 240 dry ports to fall under the above obligations, comprising 153 dry ports that already exist and 87 potential ones. These dry ports were selected on the basis that:

(a) They were located in the vicinity of (i) inland capitals and/or provincial/state capitals, and/or (ii) existing and/or potential production and consumption centres with access to highways and/or railways including the Asian Highway and/or the Trans-Asian Railway networks, as appropriate;

(b) They had transport connections to other dry ports, border posts/land customs stations/integrated check posts, seaports, inland waterway terminals and/or airports.

C. Issues for consideration by the Working Group

9. The Working Group may wish to consider the present document with a view to encouraging the participation of member States in the implementation of the Agreement in order to promote the development of dry ports of international importance as a means to establish efficient intermodal transport connectivity, support the establishment and operationalization of international intermodal corridors and contribute towards achieving a more sustainable transport sector, taking into account the relevant provisions of the Agreement. Most significantly, the Working Group may wish to encourage all member States to (a) become parties to the Agreement, (b) expedite plans to further modernize or build the dry ports listed in annex I to the Agreement and (c) communicate to the secretariat related projects with estimated costs and projected time frame for completion.

Annex I

Intergovernmental Agreement on Dry Ports

Signatories/parties

To date, 17 member States have signed the Intergovernmental Agreement on Dry Ports and 13 have deposited their instruments of ratification, acceptance, approval or accession with the Secretary-General of the United Nations.¹

<i>Member States</i>	<i>Date of signature</i>	<i>Date of ratification, acceptance, approval or accession</i>
Afghanistan		1 August 2016 (accession)
Armenia	7 November 2013	
Bangladesh	25 September 2014	8 March 2016
Cambodia	7 November 2013	
China	7 November 2013	24 March 2016 (approval)
India		17 December 2015 (accession)
Indonesia	7 November 2013	
Iran (Islamic Republic of)	7 November 2013	10 April 2017
Kazakhstan		8 April 2016 (accession)
Lao People's Democratic Republic	7 November 2013	
Mongolia	7 November 2013	30 June 2016
Myanmar	7 November 2013	
Nepal	7 November 2013	
Republic of Korea	7 November 2013	22 April 2014
Russian Federation	7 November 2013	30 December 2015 (approval)
Sri Lanka	16 May 2014	
Tajikistan	7 November 2013	20 November 2015 (approval)
Thailand	7 November 2013	7 November 2013
Turkey	15 December 2014	
Turkmenistan		27 November 2016 (accession)
Viet Nam	7 November 2013	29 October 2014 (approval)

¹ In accordance with articles 4 (4) and 5 (1) of the Agreement, the Agreement entered into force on the thirtieth day following the date on which the eighth instrument of ratification, acceptance or approval of or accession to the Agreement was deposited with the Secretary-General of the United Nations.

Annex II

Model instrument of ratification, acceptance or approval

(To be signed by the Head of State, Head of Government or Minister for Foreign Affairs)

WHEREAS the Intergovernmental Agreement on Dry Ports was adopted in Bangkok on 1 May 2013 and opened for signature in Bangkok on 7 and 8 November 2013, and thereafter at United Nations Headquarters in New York from 11 November 2013 to 31 December 2014,

AND WHEREAS the said Intergovernmental Agreement on Dry Ports has been signed on behalf of the Government of **[name of State]** on **[date]**,

NOW THEREFORE, I, **[name and title of the Head of State, Head of Government or Minister for Foreign Affairs]**, declare that the Government of **[name of State]**, having considered the above-mentioned Intergovernmental Agreement on Dry Ports, **[ratifies, accepts or approves]** the same and undertakes faithfully to perform and carry out the stipulations therein contained.

IN WITNESS WHEREOF, I have signed this instrument of **[ratification, acceptance or approval]** in **[place]** on **[date]**.

[Signature]

Annex III

Model instrument of accession

(To be signed by the Head of State, Head of Government or Minister for Foreign Affairs)

WHEREAS the Intergovernmental Agreement on Dry Ports was adopted in Bangkok on 1 May 2013 and opened for signature in Bangkok on 7 and 8 November 2013, and thereafter at United Nations Headquarters in New York from 11 November 2013 to 31 December 2014,

NOW THEREFORE, I, **[name and title of the Head of State, Head of Government or Minister for Foreign Affairs]**, declare that the Government of **[name of State]**, having considered the above-mentioned Intergovernmental Agreement on Dry Ports, accedes to the same and undertakes faithfully to perform and carry out the stipulations therein contained.

IN WITNESS WHEREOF, I have signed this instrument of accession in **[place]** on **[date]**.

[Signature]

Annex IV

Model instrument of reservation/declaration

(To be signed by the Head of State, Head of Government or Minister for Foreign Affairs)

I, **[name and title of the Head of State, Head of Government or Minister for Foreign Affairs]**,

HEREBY DECLARE that the Government of **[name of State]** makes the following **[reservation/declaration]** in relation to article 13 (5) of the Intergovernmental Agreement on Dry Ports, adopted in Bangkok on 1 May 2013:

[Substance of reservation/declaration]

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

Done at **[place]** on **[date]**

[Signature]
