
Economic and Social Commission for Asia and the Pacific
Working Group on the Trans-Asian Railway Network

6th meeting

Bangkok, 10 and 11 December 2019

Item 3 of the provisional agenda*

**Status of the Intergovernmental Agreement on
the Trans-Asian Railway Network**

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Note by the secretariat

Summary

The present document contains information on the current status of the Intergovernmental Agreement on the Trans-Asian Railway Network. Specifically, the Working Group on the Trans-Asian Railway Network will take note of (1) any changes to and the current number of parties to the Agreement; (2) information regarding proposals for amendments considered and adopted at the previous meeting of the Working Group in June 2017; (3) depositary notifications issued by the Secretary-General following the previous meeting of the Working Group; and (4) the entry into force of amendments to annex I since the previous meeting.

Member States may wish to inform the Working Group about the status of progress towards becoming parties to the Agreement. Members of the Working Group may also wish to provide the secretariat with further guidance on how the secretariat can assist its member States in implementing the legal obligations under the Agreement.

I. Introduction

1. The Intergovernmental Agreement on the Trans-Asian Railway Network¹ entered into force on 11 June 2009. The parties to the Agreement commit, per article 3 and without prejudice to article 14, to bring the routes of the Trans-Asian Railway network, as contained in annex I to the Agreement, into conformity with the guiding principles related to technical characteristics described in annex II to the Agreement. Since its entry into force, the Agreement has served as a coordinated plan for the development of railway lines of international importance within the framework of the national programmes of the parties.

* ESCAP/TARN/WG/2019/L.1.

¹ United Nations, *Treaty Series*, vol. 2596, No. 46171.

2. The Working Group on the Trans-Asian Railway Network, as the decision-making body for the Agreement, over the course of five meetings, has considered and adopted a series of amendments to annex I to the Agreement. These amendments, which have since entered into force, consist of the following:

- (a) Amending the alignment of 12 existing Trans-Asian Railway lines;
- (b) Introducing 1 new Trans-Asian Railway line;
- (c) Removing 1 Trans-Asian Railway line.

3. Since the entry into force of the Agreement, there has been one amendment to annex II, adopted at the 4th meeting of the Working Group. The present document contains information on changes to the Agreement since the 5th meeting of the Working Group (13 and 14 June 2017).

II. Status of parties to the Agreement

4. On 11 June 2019, the Secretary General, in his capacity as depositary, issued depositary notification C.N.242.2019.TREATIES-XI.C.5,² informing the parties that the Government of Turkey had deposited its instrument of ratification of the Agreement. With the entry into force of the Agreement for Turkey per article 5, paragraph 2, on 9 September 2019, the number of parties to the Agreement is 20: Bangladesh, Cambodia, China, the Democratic People's Republic of Korea, Georgia, India, the Islamic Republic of Iran, the Lao People's Democratic Republic, Mongolia, Nepal, Pakistan, the Republic of Korea, the Russian Federation, Sri Lanka, Tajikistan, Thailand, Turkey, 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 their instruments as referred to in paragraphs 5 and 6 should contact the Treaty Section of the Office of Legal Affairs at United Nations Headquarters (telephone: 1 212 963 5047, fax: 1 212 963 3693, email: treaty@un.org) to make the necessary arrangements. The Transport Division of the Economic and Social Commission for Asia and the Pacific (ESCAP) (telephone: 66 2 288 1371, fax: 66 2 288 3050, email: escap-td@un.org) stands ready to assist member States in this process by receiving the said 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 article 13, paragraph 5, of the Agreement, whereby any State may, at the time of definitive signature or 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 the procedure for the settlement of disputes (conciliation).

² The authentic text of the Agreement as adopted and all subsequent amendments thereto can be found in the United Nations Treaty Collection. Available at <https://treaties.un.org/doc/Publication/CN/2019/CN.242.2019-Eng.pdf>.

III. Status of proposals for amendments considered at the 5th meeting of the Working Group

9. At its 5th meeting, the Working Group considered amendments to annex I to the Agreement proposed by the Governments of Cambodia and Thailand in accordance with article 8, paragraph 4, of the Agreement.

10. In conformity with article 8, paragraph 6, of the Agreement, the Working Group adopted these proposals and the secretariat transmitted the text of these amendments, as adopted, to the Secretary-General for circulation to all parties. The Secretary-General, acting in his capacity as depositary, issued the following depositary notifications:

(a) C.N.423.2017.TREATIES-XI.C.5 of 27 July 2017, informing the parties of the adoption of these amendments;³

(b) C.N.68.2018.TREATIES-XI.C.5 of 5 February 2018 notifying the parties of the entry into force of these amendments on 27 April 2018.⁴

11. The secretariat periodically publishes consolidated versions of the text of the Agreement and its annexes on its website.⁵ However, it should be duly noted that the consolidated text is prepared by the secretariat for information and ease of reference by member States and does not constitute a certified true copy 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 text and amendments thereto, as well as information on depositary notifications can be found on the United Nations Treaty Collection website.

IV. Issues for consideration by the Working Group

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

13. Members of the Working Group may also wish to provide the secretariat with further guidance on how the secretariat can assist its member States in implementing the legal obligations under the Agreement.

³ Available at <https://treaties.un.org/doc/Publication/CN/2017/CN.423.2017-Eng.pdf>.

⁴ Available at <https://treaties.un.org/doc/Publication/CN/2018/CN.68.2018-Eng.pdf>.

⁵ www.unescap.org/resources/intergovernmental-agreement-trans-asian-railway-network.