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## Economic and Social Commission for Asia and the Pacific Committee on Transport

### Third session

Bangkok, 10-12 October 2012

Agenda item 3

### Adoption of the finalized draft intergovernmental agreement on dry ports

## Finalized intergovernmental agreement on dry ports

*The Parties to this Agreement,*

*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 Network<sup>1</sup> and the Intergovernmental Agreement on the Trans-Asian Railway Network,<sup>2</sup>

*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,

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<sup>1</sup> United Nations, *Treaty Series*, vol. 2323, No. 41607.

<sup>2</sup> United Nations, *Treaty Series*, vol. 2596, No. 46171.

*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:

## **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. Instruments of ratification, acceptance, approval of or accession to the Agreement shall be deposited 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 the eighth instrument of ratification, acceptance,

approval of or accession to the Agreement is deposited pursuant to Article 4, paragraph 4 of the Agreement.

2. For each State which deposits its instrument of ratification, acceptance, approval of or accession to the Agreement after the date on which the eighth instrument of ratification, acceptance, approval of or accession to the Agreement is deposited, 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 shall 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 shall 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 of the United Nations.

**Article 9**  
**Procedures for amending annex II**

1. Annex II to the Agreement shall 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 of the Agreement.

## **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. Each 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

Akhuryan Logistic Center  
 Gyumri Airport  
 Karmir Blur/ Apaven Cargo Terminal  
 Zvartnots International Logistic Center

#### 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

Ballabgarh, Faridabad, Haryana

Bhadoli, 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 Dry Port, Bandung

Cikarang Dry Port, Bekasi

**Iran (Islamic Republic of)**

Imam Khomeini International Airport, Tehran Province

Motahari Rail Station, Mashhad, Khorasan Razavi Province

Salafchegan Special Economic Zone, Qom Province

Sirjan Special Economic Zone, Kerman Province

[Arvand Free Industrial Zone, Khuzestan Province]

[Sahlan Special Economic Zone, Tabriz, East Azerbaijan Province]

[Sarakhs Special Economic Zone, Khorasan Razavi Province]

[Shahid Dastgheyb International Airport, Shiraz, Fars Province]

[Zahedan Logistics Centre, Sistan and Baluchistan Province]

**Kazakhstan**

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

**Kyrgyzstan**

Alamedin, Bishkek	Osh, Osh
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**Lao People's Democratic Republic**

Thanaleng, Vientiane	[Houyxai, Bokeo]
[Laksao, Borikhamsai]	[Luangprabang, Luangprabang]
[Nateuy, Luangnamtha]	[Oudomsai, Muangxai]
[Pakse, Champasack]	[Seno, Savanakheth]
[Thakhek, Khammouane]	

**Malaysia**

Inland Clearance Depot Kontena Nasional, Prai	Inland Container Depot, Padang Besar
Internal Clearance Depot Seri Setia, Kuala Lumpur	
Ipoh Cargo Terminal, Ipoh	Nilai Inland Port, Nilai
Tebedu Inland Port, Sarawak	[Pulau Sebang Inland Depot, Pulau Sebang]

**Mongolia**

Altanbulag	Sainshand
Ulaanbaatar	Zamyn-Uud
[Choibalsan]	

**Myanmar**

[Bago]	[Mandalay]
[Mawlamyine]	[Monywa]
[Muse]	[Pyay]
[Tamu]	[Yangon]

**Nepal**

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

**Pakistan**

Customs Dry Port, Hyderabad	Customs Dry Port, Peshawar
Faisalabad Dry Port Trust, Faisalabad	Lahore Dry Port, Mughalpura
Margalla Dry Ports, Islamabad	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, Pampanga, Luzon]	[Davao City, Eastern Mindanao]
[Koronadal City, South Cotabato]	
[Laguindingan, Misamis Oriental, Northern Mindanao]	
[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]
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[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]
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**Sri Lanka**

[Peliyagoda, Colombo]	[Telangapata, Colombo]
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**Tajikistan**

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

**Thailand**

Lat Krabang ICD, Bangkok  
[Natha, Nong Khai]

[Chiang Khong, Chiang Rai]

**Turkey**

Gelemen, Samsun  
[Bogazkopru, Kayseri]  
[Gokkoy, Balikesir]  
[Halkali, Istanbul]  
[Kaklik, Denizli]  
[Kayacik, Konya]  
[Mardin]  
[Sivas]  
[Usak]  
[Yesilbayir, Istanbul]

Kazan, Ankara  
[Bozuyuk, Bilecik]  
[Habur]  
[Hasanbey, Eskisehir]  
[Kars]  
[Kosekoy, Izmit]  
[Palandoken, Erzurum]  
[Turkoglu, Kahramanmaras]  
[Yenice, Mersin]

**Viet Nam**

ICD Lao Cai, Lao Cai Province  
ICD Tan Cang-Long Binh, Dong Nai Province  
[Hanoi]  
[ICD Vinh Phuc, Vinh Phuc Province]

ICD Song Than, Binh Duong Province  
ICD Tien Son, Bac Ninh Province  
[ICD Gia Lai, Gia Lai 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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