

**No. 49158**

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**Turkey  
and  
Russian Federation**

**Agreement between the Government of the Republic of Turkey and the Government of the Russian Federation on organizing mixed international transportation through railway-ferryboat via the ports of Samsun (Republic of Turkey) and Kavkaz (Russian Federation). Ankara, 12 May 2010**

**Entry into force:** *18 August 2011 by notification, in accordance with article 14*

**Authentic texts:** *English, Russian and Turkish*

**Registration with the Secretariat of the United Nations:** *Turkey, 9 December 2011*

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**Turquie  
et  
Fédération de Russie**

**Accord entre le Gouvernement de la République turque et le Gouvernement de la Fédération de Russie concernant l'organisation du transport international mixte chemin de fer-navire transbordeur par les ports de Samsun (République turque) et Kavkaz (Fédération de Russie). Ankara, 12 mai 2010**

**Entrée en vigueur :** *18 août 2011 par notification, conformément à l'article 14*

**Textes authentiques :** *anglais, russe et turc*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Turquie, 9 décembre 2011*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT  
BETWEEN THE GOVERNMENT OF THE REPUBLIC OF TURKEY  
AND  
THE GOVERNMENT OF THE RUSSIAN FEDERATION  
ON  
ORGANIZING MIXED INTERNATIONAL TRANSPORTATION THROUGH  
RAILWAY-FERRYBOAT VIA THE PORTS OF SAMSUN (REPUBLIC OF TURKEY)  
AND KAVKAZ (RUSSIAN FEDERATION)**

The Government of the Republic of Turkey and The Government of the Russian Federation, hereinafter referred to as “the Parties”,

Found on the mutual interest and respect,

Taking into account the requirement of further development of cooperation in the field of organizing mixed international transportation through railway-ferryboat via the ports of Samsun (Republic of Turkey) and Kavkaz (Russian Federation),

Have agreed as follows:

**Article 1**

The Parties shall cooperate and carry out duly mutual support in the organization and further development of mixed freight transport through railway-ferryboat via the ports of Samsun (Republic of Turkey) and Kavkaz (Russian Federation) (hereinafter referred to as ports of Samsun and Kavkaz).

**Article 2**

For the purpose of this Agreement, the following terms shall have the following meaning:

“Sea forwarder”, “railway forwarder” shall mean the natural or legal persons that have been established and registered under the national legislation of the relevant Party and that perform railway or sea transportation, respectively, and participate in the exercise of mixed international transportation through railway-ferryboat.

The railway freight forwarders of the Parties are:

- from the Turkish Party – “General Directorate of State Railways of the Republic of Turkey” (TCDD).

- from the Russian Party – joint stock company “Rossiyskiye Zhelezniye Dorogi” (JSC Russian Railways) and the other railway carriers;

“Railway-Ferryboat” shall mean a special boat (ferryboat) that is equipped with railway rails and specially designed for carrying railway wagons with or without load;

**"Operators of railway-ferryboats and ferry piers" – shall mean the natural or legal persons that have been established and registered under the national legislation of the relevant Party and that operate railway-ferryboats or ferry piers, which are own or leasehold properties, in according to the other legal basis.**

### **Article 3**

**For the purpose of implementations this Agreement, competent authorities of the Parties to this Agreement shall be as follows:**

- Turkish Party – Ministry of Transport and Communications of the Republic of Turkey**
- Russian Party – Ministry of Transport of the Russian Federation**

**In case of a change to the titles of the competent authorities of the Parties, each Party shall inform about the other Party by diplomatic channels.**

### **Article 4**

**1. For ensuring the efficient execution of the mixed international freight transport through railway-ferryboat between the ports of Samsun and Kavkaz the competent authorities (the representatives authorized by the competent authorities) of the Parties shall establish the Council of Railway-Ferryboat Between the ports of Samsun and Kavkaz, (hereinafter referred as the Council), consisted of Samsun and Kavkaz seaport administrations, railway forwarders and authorized representatives of the railway forwarders and railway-ferryboat owners participating in the organization of the mixed international transportation through railway-ferryboat.**

**Working procedures of this Council shall be determined through a Council Regulation that shall be subject to the approval of the competent authorities (the representatives authorized by the competent authorities) of the Parties.**

**2. Railway and sea freight forwarders of the Parties shall be entitled to establish their branch offices and to appoint their own representatives in the territory of the other Party in accordance with the national legislation of this other Party.**

### **Article 5**

**Carriage of goods within the territory of the Republic of Turkey from the dispatch stations of the railways of the Republic of Turkey to the Port of Samsun and in the opposite direction shall be carried out under the legislation of the Republic of Turkey by issuing consignment notes that are foreseen for domestic rail traffic.**

**Carriage of goods within the territory of the Russian Federation from the dispatch stations of the railways of the Russian Federation to the Port of Kavkaz and in the opposite**

direction shall be carried out under the legislation of the Russian Federation by issuing consignment notes that are foreseen for domestic rail traffic.

#### **Article 6**

Transit carriage of goods through the territory of the Republic of Turkey to the Port of Samsun and in the opposite direction shall be carried out under the Convention Concerning International Carriage by Rail (COTIF) of 9 May 1980 including amendments dated 3 June 1999 by issuing CIM consignment note.

Transit carriage of goods through the territory of the Russian Federation to the Port of Kavkaz and in the opposite direction shall be carried out under the Agreement on International Carriage of Goods by Rail (SMGS) of 1 November 1951 by issuing SMGS consignment note, or under other agreements of the Russian Federation on international carriage of goods by rail to which the Russian Federation is a Party.

#### **Article 7**

1. The procedures for the interaction between railway and sea forwarders during the carriage of freight, wagons and containers in the mixed international transportation through railway-ferryboat via the ports of Samsun and Kavkaz shall be settled by the Rules, which shall be approved by the competent authorities (the representatives authorized by the competent authorities) of the Parties.

2. The procedures for the delivery of freight wagons and containers from railway freight forwarder to sea freight forwarder and from sea freight forwarder to railway freight forwarder shall be established under the Agreements to be concluded by the respective forwarders.

3. The Rules and the Agreements, envisaged in Paragraphs 1 and 2 of this Article should be worked up according to the legislation of the States of the Parties.

#### **Article 8**

In case of any changes to the legislation of the States of the Parties with regard to railway and sea freight transportation and the terms of freight transportation that may affect transportation made under this Agreement, the competent authority of the Party whose State legislation has been changed shall immediately so notify competent authority of the other Party.

#### **Article 9**

The competent authorities of the Parties shall immediately inform each other about any obstacles within their respective territories that may impede mixed international transportation through railway-ferryboat via the ports of Samsun and Kavkaz and shall take joint measures to remove such obstacles, where necessary.

#### **Article 10**

The operators of railway-ferryboats and ferry piers shall operate them in accordance with the legislation of the State of its Party and cover all kinds of expenses incurred for this purpose.

#### **Article 11**

1. The carriage of dangerous goods from the dispatch stations of the railways of the Republic of Turkey to the Port of Samsun and in the opposite direction shall be carried out under the legislation of the Republic of Turkey.

The carriage of dangerous goods from the dispatch stations of the railways of the Russian Federation to the Port of Kavkaz and in the opposite direction shall be carried out under the legislation of the Russian Federation.

2. The transit carriage of dangerous goods in the mixed international transportation through railway-ferryboats via the ports of Samsun and Kavkaz through the railways of the Republic of Turkey and the Russian Federation shall be carried out in accordance with international rules and regulations, applied by each of the Party.

3. The carriage of dangerous goods by sea shall be carried out in accordance with International Maritime Dangerous Goods Code (IMDG CODE).

#### **Article 12**

The disputes arising during the implementation of this Agreement shall be settled through negotiations to be held between the competent authorities.

#### **Article 13**

This Agreement is open to the accession of third States.

A State wishing to become party to this Agreement shall notify each Party of its intention through diplomatic channels. In case each Party agrees, the accession shall be set out by signing the Accession Protocol between the Parties and the State that has been accessed.

The Protocol shall enter into force in accordance with Article 14 of this Agreement.