

3. CONVENTION ON TRANSIT TRADE OF LAND-LOCKED STATES

New York, 8 July 1965

ENTRY INTO FORCE: 9 June 1967, in accordance with article 20.
REGISTRATION: 9 June 1967, No. 8641.
STATUS: Signatories: 27. Parties: 43.
TEXT: United Nations, *Treaty Series*, vol. 597, p. 3.

Note: The Convention was adopted by the United Nations Conference on Transit Trade of Land-locked Countries, which had been convened pursuant to the decision of the General Assembly of the United Nations taken at its 1328th plenary meeting on 10 February 1965. The Conference met at the Headquarters of the United Nations in New York from 7 June to 8 July 1965.

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Succession(d)</i>	<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Succession(d)</i>
Afghanistan.....	8 Jul 1965		Republic.....		
Argentina.....	29 Dec 1965		Lesotho.....		28 May 1969 a
Armenia.....		24 May 2013 a	Luxembourg.....	28 Dec 1965	
Australia.....		2 May 1972 a	Malawi.....		12 Dec 1966 a
Belarus.....	28 Dec 1965	11 Jul 1972	Mali.....		11 Oct 1967 a
Belgium.....	30 Dec 1965	21 Apr 1970	Mongolia.....		26 Jul 1966 a
Bolivia (Plurinational State of).....	29 Dec 1965		Montenegro ⁴		23 Oct 2006 d
Brazil.....	4 Aug 1965		Nepal.....	9 Jul 1965	22 Aug 1966
Burkina Faso.....		23 Mar 1987 a	Netherlands.....	30 Dec 1965	30 Nov 1971
Burundi.....		1 May 1968 a	Niger.....		3 Jun 1966 a
Cameroon.....	10 Aug 1965		Nigeria.....		16 May 1966 a
Central African Republic.....	30 Dec 1965	9 Aug 1989	Norway.....		17 Sep 1968 a
Chad.....		2 Mar 1967 a	Paraguay.....	23 Dec 1965	
Chile.....	20 Dec 1965	25 Oct 1972	Russian Federation.....	28 Dec 1965	21 Jul 1972
Congo.....		11 Jun 2014 a	Rwanda.....	23 Jul 1965	13 Aug 1968
Croatia ¹		3 Aug 1992 d	San Marino.....	23 Jul 1965	12 Jun 1968
Czech Republic ²		30 Sep 1993 d	Senegal.....		5 Aug 1985 a
Denmark.....		26 Mar 1969 a	Serbia ¹		12 Mar 2001 d
Eswatini.....		26 May 1969 a	Slovakia ²		28 May 1993 d
Finland.....		22 Jan 1971 a	Spain.....		5 May 2010 a
Georgia.....		2 Jun 1999 a	Sudan.....	11 Aug 1965	
Germany ³	20 Dec 1965		Sweden.....		16 Jun 1971 a
Holy See.....	30 Dec 1965		Switzerland.....	10 Dec 1965	
Hungary.....	30 Dec 1965	20 Sep 1967	Tajikistan.....		13 Jul 2011 a
Italy.....	31 Dec 1965		Turkey.....		25 Mar 1969 a
Kazakhstan.....		1 Nov 2007 a	Uganda.....	21 Dec 1965	
Lao People's Democratic	8 Jul 1965	29 Dec 1967	Ukraine.....	31 Dec 1965	21 Jul 1972
			United States of America.....	30 Dec 1965	29 Oct 1968
			Uzbekistan.....		7 Feb 1996 a

<i>Participant</i>	<i>Signature</i>	<i>Ratification, Accession(a), Succession(d)</i>
Zambia.....	23 Dec 1965	2 Dec 1966

Declarations and Reservations
(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)

BELARUS

The Byelorussian Soviet Socialist Republic considers it necessary to draw attention to the discriminatory nature of articles 17, 19, 22 and 23 of the Convention, under which a number of States are deprived of the opportunity to become Parties to the Convention. The Convention deals with matters that affect the interests of all States, and it should therefore be open for participation by all States. According to the principle of sovereign equality, no States have the right to exclude other States from participation in a Convention of this type.

The Government of the Byelorussian Soviet Socialist Republic does not consider itself bound by the provisions of article 16 of the Convention on Transit Trade of Landlocked States, under which members of the arbitration commission may be appointed by the President of the International Court of Justice, and declares that, in each individual case, the consent of the contending States is necessary for the appointment of members of the arbitration commission by the President of the International Court of Justice.

BELGIUM

1. With regard to the application of article 3 of the Convention, the Belgian Government considers that the exemption relates exclusively to duties or taxes on imports or exports, and not to taxes on transactions, such as the Belgian tax on transport and auxiliary services, which also apply to internal trade.

2. Belgium can apply article 4, paragraph 1, only in so far as State-owned means of transport and handling equipment are concerned.

3. The Belgian Government intends, upon depositing its instrument of ratification of the Convention, to make a reservation concerning the rights and obligations of Belgium arising from its adherence to certain international treaties relating to economic matters or trade.

BOLIVIA (PLURINATIONAL STATE OF)

I have been instructed by my Government to place on record the Bolivian view, which is already to be found in the records of the Conference, that Bolivia is not a landlocked State but a nation which is deprived by temporary circumstances of access to the sea across its own coast and that unrestricted and unconditional freedom of transit must be recognized in international law as an inherent right of enclosed territories and countries for reasons of justice and because of the need to facilitate such transit as a contribution to general progress on a basis of equality.

Bolivia will on no occasion fail to maintain these views, which are inherent in national sovereignty, and, by signing the Convention, will give evidence of its willingness to co-operate with the United Nations and the developing countries without a sea-coast.

CHILE

In any dispute with American countries over the interpretation or implementation of this Convention, Chile shall proceed in accordance with whatever inter-American instruments concerning the peaceful settlement of disputes may be binding both on Chile and on the other American country.

CZECH REPUBLIC²

GERMANY

"In respect of article 2, paragraph 1, article 5 and article 7 :

"The Federal Republic of Germany starts from the assumption that normal frontier controls which, in accordance with international agreements and with existing national legislation, are carried through in an adequate and non-discriminatory manner, meet the requirements of article 2, paragraph 1, article 5 and article 7.

"In respect of article 2, paragraph 2 :

"The Federal Republic of Germany understands this provision to imply that, as long as agreements according to article 2, paragraph 2, have not been concluded, the national regulations of the transit state will apply.

"In respect of article 4, paragraph 1 and article 6, paragraph 1 :

"The Federal Republic of Germany is not in a position to assume obligations as provided for in article 4, paragraph 1 and in article 6, paragraph 1. Considering transport conditions in the Federal Republic of Germany, however, it may be taken for granted that sufficient means of transport as well as handling equipment and storage facilities will be available for traffic in transit. Should difficulties arise nevertheless, the Government of the Federal Republic of Germany would be prepared to seek remedies.

" In respect of article 4, paragraph 2 and article 6, paragraph 2 :

"The Federal Republic of Germany is not in a position to assume obligations as contained in article 4, paragraph 2 and article 6, paragraph 2. The Government of the Federal Republic of Germany is, however, prepared, within the scope of its possibilities, to use its influence as regards tariffs and charges so as to facilitate traffic in transit as much as possible."

HUNGARY⁵

The Hungarian People's Republic is of the opinion that articles 17, 19, 22 and 23 of the Convention, which deprive a number of States the right to become parties to the Convention, are of a discriminatory nature. The Convention is a general multilateral international treaty, and therefore, as follows from the principles of international law, every State shall have the right to become a party to it.

ITALY

The Permanent Representative of Italy wishes to notify the Secretary-General that the Italian Government intends to enter specific reservations to the Convention on depositing its instrument of ratification.

LUXEMBOURG

The Government of Luxembourg envisages the possibility, on depositing the instrument of ratification of the Convention on Transit Trade of Land-locked States, of entering a reservation relating to its membership in regional economic unions or common markets.

MONGOLIA⁶

The Government of the Mongolian People's Republic deems it essential to draw attention to the discriminatory nature of the provisions of articles 17, 19, 22 and 23 of the Convention, under which a number of States are excluded from participation in this Convention. The Convention deals with matters of interest to all States and should therefore be open for participation by all States.

RUSSIAN FEDERATION

The Union of Soviet Socialist Republics considers it necessary to draw attention to the discriminatory nature of articles 17, 19, 22 and 23 of the Convention under which a number of States are deprived of the opportunity to become Parties to the Convention. The Convention deals with matters that affect the interests of all States, and it should therefore be open for participation by all States. According to the principle of sovereign equality, no States have the right to exclude other States from participation in a Convention of this type.

The Government of the Soviet Socialist Republics does not consider itself bound by the provisions of article 16 of the Convention on Transit Trade of Land-locked States, under which members of the arbitration commission may be appointed by the President of the International Court of Justice, and declares that, in each individual case, the consent of the contending States is necessary for the appointment of members of the arbitration commission by the President of the International Court of Justice.

SLOVAKIA²

SUDAN

"The Government of the Republic of the Sudan will not consider itself bound by the third sentence of article 2, paragraph 1, of the Convention in respect of the passage across its territory of goods destined to or coming from South Africa or Portugal or goods the ownership of which could be claimed by South Africa or Portugal. The reservation is made in accordance with the spirit of Security Council resolution S/5773, in which the Security Council condemned the apartheid Policies of the Government of the Republic of South Africa, resolution A/AC.109/124 in which the Special Committee condemned the colonial policy of Portugal and its persistent refusal to carry out the resolutions of the General Assembly, the Security Council and the Special Committee, and resolution CM/Res.6 (1) of the Council of Ministers of the Organization of African Unity. The reservations will remain in force pending the ending of the prevailing situation in South Africa and the Portuguese colonies.

"Nor will the Republic of the Sudan, as a member of the Arab League, consider itself bound by the same provision in respect of the passage across its territory of goods destined for or coming from Israel."

UKRAINE

The Ukrainian Soviet Socialist Republic considers it necessary to draw attention to the discriminatory nature of articles 17, 19, 22 and 23 of the Convention, under which a number of States are deprived of the opportunity to become Parties to the Convention. The Convention deals with matters that affect the interests of all States, and it should therefore be open for participation by all States. According to the principle of sovereign equality, no States have the right to exclude other States from participation in a Convention of this type.

The Government of the Ukrainian Soviet Socialist Republic does not consider itself bound by the provisions of article 16 of the Convention on Transit Trade of Land-locked States, under which members of the arbitration commission may be appointed by the President of the International Court of Justice, and declares that, in each individual case, the consent of the contending States is necessary for the appointment of members of the arbitration commission by the President of the International Court of Justice.

Notes:

¹ The former Yugoslavia had signed and ratified the Convention on 8 July 1965 and 10 May 1967, respectively. See also note 1 under "Bosnia and Herzegovina", "Croatia", "former Yugoslavia", "Slovenia", "The Former Yugoslav Republic of Macedonia" and "Yugoslavia" in the "Historical Information" section in the front matter of this volume.

² Czechoslovakia had signed and ratified the Convention on 10 December 1965 and 8 August 1967, respectively, with reservations made upon signature and confirmed upon ratification. For the text of the reservations, see United Nations, *Treaty Series*, vol. 597, p. 111. See also note 1 under "Czech Republic" and note 1 under "Slovakia" in the "Historical Information" section in the front matter of this volume.

³ See note 2 under "Germany" in the "Historical Information" section in the front matter of this volume.

⁴ See note 1 under "Montenegro" in the "Historical Information" section in the front matter of this volume.

⁵ In a communication received on 8 December 1989, the Government of Hungary notified the Secretary-General that it had decided to withdraw the reservation relating to article 16 made upon ratification. For the text of the said reservation, see United Nations, *Treaty Series*, vol. 605, p. 399.

⁶ In a communication received on 19 July 1990, the Government of Mongolia notified the Secretary-General that it had decided to withdraw the reservation relating to article 16 made upon ratification. For the text of the said reservation, see United Nations, *Treaty Series*, vol. 593, p. 137.

