

Protocol 1: Designation of Corridors, Routes, and Points of Entry and Exit (Border Crossings)

To the Agreement between and among the Governments of the Kingdom of Cambodia, the People’s Republic of China, the Lao People’s Democratic Republic, the Union of Myanmar, the Kingdom of Thailand, and the Socialist Republic of Viet Nam for the Facilitation of Cross-Border Transport of Goods and People
(hereinafter referred to as “the Protocol”)

The Governments of the Kingdom of Cambodia, the People’s Republic of China, the Lao People’s Democratic Republic, the Union of Myanmar, the Kingdom of Thailand, and the Socialist Republic of Viet Nam (hereinafter referred to as “the Contracting Parties”),

Referring to the Agreement between and among the Governments of the Lao People’s Democratic Republic, the Kingdom of Thailand, and the Socialist Republic of Viet Nam for the Facilitation of Cross-Border Transport of Goods and People, originally signed on 26 November 1999 at Vientiane, amended at Yangon on 29 November 2001, acceded to by the Kingdom of Cambodia at Yangon on 29 November 2001, acceded to by the People’s Republic of China on 3 November 2002 at Phnom Penh, and acceded to by the Union of Myanmar on 19 September 2003 at Dali City (hereinafter referred to as “the Agreement”),

Referring to Articles 3(b) and (n) of the Agreement to the effect that Annexes and Protocols contain technical details or time- and/or site-specific variable elements and that they form an integral part of the Agreement and are equally binding,

Referring to Article 36 of the Agreement, as amended, per which the Agreement may be signed and ratified or accepted and enter into force separately from the Annexes and Protocols,

Referring to the Ninth GMS Ministerial Conference held in Manila in January 2000, the Seventh Meeting of the Subregional Transport Forum held in Ho Chi Minh City in August 2002, and the 11th GMS Ministerial Conference held in Phnom Penh in September 2002, where the Governments agreed to a work program to finalize the Agreement and its Annexes and Protocols by 2005, and

Referring to Articles 6, 20, and 25 of the Agreement, calling for this Protocol to provide variable elements,

HAVE AGREED AS FOLLOWS:

Article 1: Corridors, Routes, and Border Crossings

The corridors/routes and border crossings to which the Agreement applies shall be as prescribed in the Attachment to this Protocol: “List of Corridors, Routes, and Border Crossings”, and Associated Map (A4-format).

Article 2: Opening of Additional Border Crossings and Routes

In addition to the border crossings and routes originally designated in this Protocol, groups of Contracting Parties are entitled to open additional border crossings and routes through a memorandum of understanding between or among them. Such additional border crossings or routes will enjoy the same status as the originally designated ones. Any such opening will be promptly notified to the Joint Committee and put forward for inclusion in Article 1 of this Protocol by amendment. However, such additional border crossings may be opened before ratification or acceptance of such an amendment, provided they satisfy the same requirements as the originally designated ones.

Article 3: Amendment

Any Contracting Party may propose amendments to the Protocol via the Joint Committee. Such amendments shall be subject to the unanimous consent of the Contracting Parties.

Article 4: Ratification or Acceptance

The Protocol is subject to ratification or acceptance of the Governments of the Contracting Parties. The same applies to an amendment to the Protocol, if any.

Article 5: Entry into Force

The Protocol will enter into force on the day that at least two Contracting Parties have ratified or accepted it, and will become effective only among the Contracting Parties that have ratified or accepted it. The same applies to an amendment to the Protocol, if any.

Article 6: Conforming National Law

Where necessary, the Contracting Parties undertake to conform their relevant national legislation with the contents of the Protocol.

Article 7: Reservations

No reservation to the Protocol shall be permitted.

Article 8: Suspension of the Protocol

Each Contracting Party may temporarily suspend wholly or partly the application of the Protocol with immediate effect in the case of emergencies affecting its national safety. The Contracting Party will inform the other Contracting Parties as soon as possible of such suspension, which will end as soon as the situation returns to normal.

Article 9: Relationship with the Agreement

As a measure to implement the principles laid down in the Agreement, the Protocol cannot depart from or be contrary to these principles. In case of incompatibility between the Protocol and the Agreement, the latter shall prevail. In case of incompatibility between the Protocol and an annex or another protocol, such incompatibility shall be interpreted in light of the Agreement.

Article 10: Relationship of the Attachments to the Protocol

The attachments shall form an integral part of the Protocol and shall be equally binding.

Article 11: Dispute Settlement

Any dispute between or among two or more Contracting Parties on the interpretation or application of the Protocol shall be settled directly or by amicable negotiation in the Joint Committee.

Article 12: Denunciation

Once entered into force, the Protocol cannot be denounced separately from the Agreement.

Protocol 1 Attachment: List of Corridors, Routes and Border Crossings, and Associated Map (A4-format)

In witness whereof, the undersigned, being duly authorized, have signed this Protocol.

Done at Phnom Penh on 30 April 2004 in six originals in the English language.

Signed:

For the Royal Government of Cambodia

(Signed) His Excellency Tram Iv Tek
Secretary of State, Ministry of Public Works and Transport

For the Government of the People's Republic of China

(Signed) His Excellency Hu Xijie
Vice Minister of Communications

For the Government of the Lao People's Democratic Republic

(Signed) His Excellency Sommad Pholsena
Vice Minister of Communication, Transport, Post and Construction

For the Government of the Union of Myanmar

(Signed) His Excellency Thura Thaug Lwin
Deputy Minister of Rail Transportation

For the Government of the Kingdom of Thailand

(Signed) His Excellency Nikorn Chamnong
Deputy Minister of Transport

For the Government of the Socialist Republic of Viet Nam

(Signed) His Excellency Pham The Minh
Vice Minister of Transport

Protocol 1 Attachment: List of Corridors, Routes and Border Crossings, and Associated Map

1. North-South Economic Corridor:
 - (a) Route: Kunming-Yuxi-Yuanjiang-Mohei-Simao-Xiaomenyang-Mohan (CHN)-Boten-Houayxay (LAO)-Chiang Khong-Chiang Rai-Tak-Bangkok (T)
 - (i) Border Crossing: Mohan (CHN) - Boten (LAO)
 - (ii) Border Crossing: Houayxay (LAO) - Chiang Khong (T)
 - (b) Route: Kengtung-Tachilek (MYA)-Mae Sai-Chiang Rai-Tak-Bangkok (T)
 - (i) Border Crossing: Tachilek (MYA) - Mae Sai (T)
 - (c) Route: Kunming-Mile-Yinshao-Kaiyuan-Mengzi-Hekou (CHN)-Lao Cai-Hanoi-Haiphong (VN)
 - (i) Border Crossing: Hekou (CHN) - Lao Cai (VN)
2. East-West Economic Corridor:
 - (a) Route: Mawlamyine-Myawaddy (MYA)-Mae Sot-Phitsanulok-Khon Kaen-Kalasin-Mukdahan (T)-Savannakhet-Dansavanh (LAO)-Lao Bao- Dong Ha-Hue-Da Nang (VN)
 - (i) Border Crossing: Myawaddy (MYA) - Mae Sot (T)
 - (ii) Border Crossing: Mukdahan (T) - Savannakhet (LAO)
 - (iii) Border Crossing: Dansavanh (LAO) - Lao Bao (VN)
3. Southern Economic Corridor:
 - (a) Route: <Bangkok-Kabin Buri-Sra Kaeo-Aranyaprathet OR Bangkok-Laem Chabang-Phanom Sarakham-Kabin Buri-Sra Kaeo-Aranyaprathet> (T)-Poipet-Sisophon-Pursat-Phnom Penh-Neak Loueng-Bavet (KH)-Moc Bai-Ho Chi Minh City-Vung Tau (VN)
 - (i) Border Crossing: Aranyaprathet (T) - Poipet (KH)
 - (ii) Border Crossing: Bavet (KH) - Moc Bai (VN)
 - (b) Route: Bangkok-Trat-Hat Lek (T)-Cham Yeam-Koh Kong-Sre Ambil-Kampong-Lork(KH)
 - (i) Border Crossing: Hat Lek (T) - Cham Yeam (KH)
4. Other Corridors/Routes/Border Crossings:
 - (a) Route: Kunming-Chuxiong-Dali-Baoshan-Ruili (CHN)-Muse-Lashio (MYA)
 - (i) Border Crossing: Ruili (CHN) - Muse (MYA)
 - (b) Route: Vientiane-Ban Lao-Thakhek-Seno-Pakse (LAO)-LAO/KH border-Stung Treng-Kratie-Phnom Penh-Sihanoukville (KH)
 - (i) Border Crossing: Veunekham (LAO)/Dong Kralor (KH) border
 - (c) Route: Nateuy-Oudomxai-Pakmong-Louang Phrabang-Vientiane-Thanaleng (LAO)-Nong Khai-Udon Thani-Khon Kaen-Bangkok (T)
 - (i) Border Crossing: Thanaleng (LAO)-Nong Khai (T)
 - (d) Route: Vientiane-Bolikhambay (LAO)-Ha Tinh (VN)
 - (i) Border Crossing: Nam Phao (LAO) - Cau Treo (VN)
 - (e) Route: Champassak (LAO)-Ubon Ratchathani (T)
 - (i) Border Crossing: Wang Tao (LAO)-Chong Mek (T)

Editor's Note:

The Associated Map for Protocol 1 is not included in this publication. Developments after the signing of Protocol 1 on 30 April 2004 have included the following :

1. On 14–16 December 2004, on the occasion of the 13th GMS Ministerial Meeting in Vientiane, Lao PDR, the GMS countries agreed that Guangxi Zhuang Autonomous Region of the People's Republic of China would become part of the GMS. Please refer to page vii for the latest GMS map.
2. Consistent with the requirements of Article 2 of Protocol 1, the Memorandum of Understanding (MOU) to include the Nanning–Ha Noi route with the border crossing points at Youyiguan (PRC) and Huu Ngi (Viet Nam) in Protocol 1 of the GMS Cross-Border Transport Facilitation Agreement was signed on 30 March 2008 on the occasion of the 3rd GMS Summit in Vientiane, Lao PDR.
3. The MOU to include the Xa Xia–Ha Tien–Kien Luong–Rach Gia–Ca Mau–Nam Can route with the border crossing points at Prek Chak/Lork (Cambodia) and Xa Xia (Viet Nam) in Protocol 1 of the CBTA was signed on 12 February 2007.
4. As required by Article 2 of Protocol 1, the Joint Committee was duly notified of these developments.

Protocol 2: Charges Concerning Transit Traffic

To the Agreement between and among the Governments of the Kingdom of Cambodia, the People’s Republic of China, the Lao People’s Democratic Republic, the Union of Myanmar, the Kingdom of Thailand, and the Socialist Republic of Viet Nam for the Facilitation of Cross-Border Transport of Goods and People
(hereinafter referred to as “the Protocol”)

The Governments of the Kingdom of Cambodia, the People’s Republic of China, the Lao People’s Democratic Republic, the Union of Myanmar, the Kingdom of Thailand, and the Socialist Republic of Viet Nam (hereinafter referred to as the “Contracting Parties”),

Referring to the Agreement between and among the Governments of the Lao People’s Democratic Republic, the Kingdom of Thailand, and the Socialist Republic of Viet Nam for the Facilitation of Cross-Border Transport of Goods and People, originally signed at Vientiane on 26 November 1999, amended at Yangon on 29 November 2001, acceded to by the Kingdom of Cambodia at Yangon on 29 November 2001, acceded to by the People’s Republic of China at Phnom Penh on 3 November 2002, and acceded to by the Union of Myanmar at Dali City on 19 September 2003, and amended at Phnom Penh on 30 April 2004 (hereinafter referred to as “the Agreement”),

Referring to Articles 3 (n) of the Agreement to the effect that Protocols contain time- and/or site-specific variable elements and that they form an integral part of the Agreement and are equally binding,

Referring to Article 36 of the Agreement, as amended, per which the Agreement may be signed and ratified or accepted and enter into force separately from the Annexes and Protocols,

Referring to the Ninth GMS Ministerial Conference held in Manila in January 2000, the Seventh Meeting of the Subregional Transport Forum held in Ho Chi Minh City in August 2002, and the 11th GMS Ministerial Conference held in Phnom Penh in September 2002, where the Governments agreed to a work program to finalize the Agreement and its Annexes and Protocols by 2005, and

Referring to Article 8 of the Agreement, calling for this Protocol to provide technical details,

HAVE AGREED AS FOLLOWS:

Article 1: General Provisions

(a) Definitions

For the purpose of this Protocol, the following meanings shall apply to the underlined terms:

- (i) Charges: any charges, fees, tolls, taxes, or other levies imposed on transport operations, except customs duties.
 - (ii) Cross-Border Traffic: interstate traffic and transit traffic.
 - (iii) Interstate Traffic: inbound and outbound traffic between two Contracting Parties.
 - (iv) Transit Traffic: traffic across the territory of a Contracting Party, when the passage through that territory is only a portion of a complete journey starting and ending in other Contracting Parties.
 - (v) Nondiscrimination: equal treatment in objectively the same circumstances, without undue preferential treatment.
- (b) **Scope of Application**
This Protocol will apply to cross-border traffic.

Article 2: Nondiscrimination

- (a) Without prejudice to existing bilateral agreements governing special border zones, which provide preferential treatment, the Host Country shall, with regard to the levying of charges, not discriminate:
 - (i) among other grounds, on the basis of nationality of the transport operator, the place of registration of the vehicle, or the origin or destination of the transport operation; and
 - (ii) in particular, between cross-border traffic and its domestic traffic.
- (b) However, the least developed Contracting Parties (determined on the basis of the United Nations' designation of least developed countries) may apply preferential toll rates and other charges to the vehicles registered within their territories, when undertaking domestic transport.

Article 3: Transparency

- (a) The Contracting Parties shall exchange information on charges on cross-border traffic in accordance with Article 31 of the Agreement and Article 7 of Annex 4 to the Agreement.
- (b) Each Contracting Party shall communicate to the National Transport Facilitation Committees of the other Contracting Parties any subsequent amendment of the cross-border traffic charges regime at least 15 days prior to its taking effect.

Article 4: Legality

The Contracting Parties shall take the necessary measures so that:

- (a) all charges are levied on a legal basis only;
- (b) only legally authorized authorities are entitled to collect the charges;
- (c) authenticated receipts are issued upon payment of the charges;
- (d) any unauthorized collection of charges is prohibited and punished according to national law or regulations, or made a criminal offense; and
- (e) victims of unauthorized collection of charges can file a complaint.

Article 5: Efficiency in the Collection of Charges

The Contracting Parties shall prevent the collection of charges from interfering with the facilitation of cross-border transport, e.g., by combining it to the extent possible with other border clearance procedures, as called for by Articles 4 and 35 of the Agreement and Annex 4 to the Agreement.

Article 6: Permissible Charges

- (a) The Contracting Parties may levy the following charges on cross-border traffic, subject to the conditions set out in this Protocol:
- (i) Tolls: direct charges for the use of road sections, bridges, tunnels, and ferries;
 - (ii) Charges for excess weight, where permissible under the national law and/or regulations of the Host Country;
 - (iii) Charges for administrative expenses;
 - (iv) Charges for the use of other facilities or services;
 - (v) Taxes on fuel purchased in the Host Country; and
 - (vi) Road maintenance charges (to the extent not included in the charges mentioned above).
- (b) The Contracting Parties shall refrain from levying any charges on cross-border traffic other than those listed above.

Article 7: Fuel Taxes

- (a) The Host Country may collect its fuel tax from vehicles engaged in cross-border traffic refueling within its territory.
- (b) The Host Country shall exempt in its territory, from its fuel tax, the fuel contained in the ordinary/original supply tanks of vehicles engaged in cross-border traffic in its territory.
- (c) The Contracting Parties shall however ensure that no vehicles engaged in cross-border traffic (both transit and interstate) be compelled to refuel before leaving their territories.

Article 8: Road Maintenance Fees

The road maintenance fees levied by the Host Country on vehicles engaged in cross-border traffic (both transit and interstate) shall be commensurate to the road maintenance fees levied by the Host Country on its domestic vehicles. The road maintenance fee charged by the Host Country on vehicles engaged in cross-border traffic (both transit and interstate) may be based on the ratio of the length of their scheduled stay in its territory to the period covered by the road maintenance fee charged on its domestic vehicles.

Article 9: Amendment

Any Contracting Party may propose amendments to the Protocol via the Joint Committee. Such amendments shall be subject to the unanimous consent of the Contracting Parties.

Article 10: Ratification or Acceptance

The Protocol is subject to ratification or acceptance of the Governments of the Contracting Parties. The same applies to an amendment to the Protocol, if any.

Article 11: Entry into Force

The Protocol will enter into force on the date that at least two Contracting Parties have ratified or accepted it, and will become effective only among the Contracting Parties that have ratified or accepted it. The same applies to an amendment to the Protocol, if any.

Article 12: Conforming National Law

Where necessary, the Contracting Parties undertake to conform their relevant national legislation with the contents of the Protocol.

Article 13: Reservations

No reservation to the Protocol shall be permitted.

Article 14: Suspension of the Protocol

Each Contracting Party may temporarily suspend wholly or partly the application of the Protocol with immediate effect in the case of emergencies affecting its national safety. The Contracting Party will inform the other Contracting Parties as soon as possible of such suspension, which will end as soon as the situation returns to normal.

Article 15: Relationship with the Agreement

As a measure to implement the principles laid down in the Agreement, the Protocol cannot depart from or be contrary to these principles. In case of incompatibility between the Protocol and the Agreement, the latter shall prevail. In case of incompatibility between the Protocol and an annex or another protocol, such incompatibility shall be interpreted in light of the Agreement.

Article 16: Dispute Settlement

Any dispute between or among two or more Contracting Parties on the interpretation or application of the Protocol shall be settled directly or by amicable negotiation in the Joint Committee.

Article 17: Denunciation

Once entered into force, the Protocol cannot be denounced separately from the Agreement.

In witness whereof, the undersigned, being duly authorized, have signed this Protocol.

Done at Kunming on 5 July 2005 in six originals in the English language.

Signed:

For the Royal Government of Cambodia

(Signed) His Excellency Sun Chantol
Minister of Public Works and Transport

For the Government of the People's Republic of China

(Signed) His Excellency Zhang Chunxian
Minister of Communications

For the Government of the Lao People's Democratic Republic

(Signed) His Excellency Somphong Mongkhonvilay
Minister to Prime Minister's Office

For the Government of the Union of Myanmar

(Signed) His Excellency Soe Tha
Minister of National Planning and Economic Development

For the Government of the Kingdom of Thailand

(Signed) His Excellency Suriya Jungrungreangkit
Minister of Transport

For the Government of the Socialist Republic of Viet Nam

(Signed) His Excellency Pham The Minh
Vice Minister of Transport

Protocol 3: Frequency and Capacity of Services and Issuance of Quotas and Permits

To the Agreement between and among the Governments of the Kingdom of Cambodia, the People's Republic of China, the Lao People's Democratic Republic, the Union of Myanmar, the Kingdom of Thailand, and the Socialist Republic of Viet Nam for the Facilitation of Cross-Border Transport of Goods and People
(hereinafter referred to as "the Protocol")

The Governments of the Kingdom of Cambodia, the People's Republic of China, the Lao People's Democratic Republic, the Union of Myanmar, the Kingdom of Thailand, and the Socialist Republic of Viet Nam (hereinafter referred to as "the Contracting Parties"),

Referring to the Agreement between and among the Governments of the Lao People's Democratic Republic, the Kingdom of Thailand, and the Socialist Republic of Viet Nam for the Facilitation of Cross-Border Transport of Goods and People, originally signed at Vientiane on 26 November 1999, amended at Yangon on 29 November 2001, acceded to by the Kingdom of Cambodia at Yangon on 29 November 2001, acceded to by the People's Republic of China at Phnom Penh on 3 November 2002, and acceded to by the Union of Myanmar at Dali City on 19 September 2003, and amended at Phnom Penh on 30 April 2004 (hereinafter referred to as "the Agreement"),

Referring to Articles 3 (n) of the Agreement to the effect that Protocols contain time- and/or site-specific variable elements and that they form an integral part of the Agreement and are equally binding,

Referring to Article 36 of the Agreement, as amended, per which the Agreement may be signed and ratified or accepted and enter into force separately from the Annexes and Protocols,

Referring to the Ninth GMS Ministerial Conference held in Manila in January 2000, the Seventh Meeting of the Subregional Transport Forum held in Ho Chi Minh City in August 2002, and the 11th GMS Ministerial Conference held in Phnom Penh in September 2002, where the Governments agreed to a work program to finalize the Agreement and its Annexes and Protocols by 2005, and

Referring to Article 23 of the Agreement, calling for this Protocol to provide technical details,

HAVE AGREED AS FOLLOWS:

Article 1: Permit Requirement

Transport operators of one Contracting Party shall be entitled to perform cross-border transport operations under Article 23 of the Agreement in other Contracting Parties'

territories only if they hold a GMS road transport permit (hereinafter referred to as "permit") in accordance with this Protocol.

Article 2: Eligible Operations

(a) Vehicles

The vehicles to be operated during Step 1 in accordance with the Agreement are the motor vehicles used for the carriage of people or goods by road as defined by Article 1 of Annex 2 to the Agreement.

(b) Operators

(i) Cross-border transport operations for reward shall be performed only by the transport operators that have been licensed in accordance with Article 21 of the Agreement and Annex 9 to the Agreement.

(ii) The Contracting Parties shall periodically communicate their updated register of licensed road transport operators holding permits for cross-border road transport operations, to the Joint Committee for dissemination to the other Contracting Parties as appropriate.

(c) Itineraries

Itineraries shall be restricted to the exit/entry points, routes, and corridors defined in Protocol 1 to the Agreement.

Article 3: Exemptions

The following transport operations shall be exempted from the permit requirement for the purpose of cross-border transport operations:

- (a) transport for own account, provided that a certificate to qualify for this exemption, issued by the National Transport Facilitation Committee of the Home Country or its authorized Competent Authority, shall be recognized by the Host Country;
- (b) movement of non-commercial vehicles;
- (c) funeral transport; and
- (d) emergency assistance operations (ambulances, firefighting vehicles, recovery vehicles, humanitarian missions).

Article 4: Types of Permits (Frequency and Capacity)

(a) For Scheduled Passenger Transportation

The permits shall be continuous during their period of validity and shall specify the itinerary, frequency, and maximum capacity of the transport operations.

(b) For Cargo Transportation and for Non-Scheduled Passenger Transportation

(i) The permits issued by one Contracting Party shall be continuous during their period of validity and shall entitle their holders to perform cross-border transport operations in the other Contracting Parties' territories.

(ii) The holder shall allocate permits to the vehicles of his/her choice employed in cross-border transport operations, but he/she can use a permit only for one vehicle at the same time.

Article 5: Permit Issuance and Distribution Procedure

- (a) The permits shall be issued and distributed by the National Transport Facilitation Committee of the Home Country or by its authorized Competent Authority to its transport operators, while observing the principle of non-discrimination. The Contracting Parties will mutually recognize the permits so issued.
- (b) For scheduled passenger transportation, the Contracting Parties whose territory is traversed by the itinerary, shall make appropriate arrangements on terms and conditions and/or on the number of permits.
- (c) For cargo transportation and for non-scheduled passenger transportation, each Contracting Party, shall be entitled to issue up to 500 permits. This arrangement shall be subject to annual review and modification by the Joint Committee.

Article 6: Period of Validity of Permits and Extensions

- (a) A permit shall be valid for a period of one year as from the date of its issuance. Provided the permit was first used before the expiry of its validity period by entering the territory of a Contracting Party other than the operator's Home Country, it shall however remain valid until the completion of the transport operation by the return of the vehicle to its Home Country.
- (b) Permits issued by the National Transport Facilitation Committee of the Home Country to its Transport Operators shall be nominative, non-negotiable, and non-transferable.
- (c) The validity of the Permit shall be subject to the validity of the holder's transport operator license issued in accordance with Article 21 of the Agreement and Annex 9 to the Agreement.
- (d) A border crossing transport operation shall be completed by the exit of the vehicle from the Host Country territory within a period of no more than 30 days as from the date of entry in the Host Country territory. If the transport operator is unable to leave the Host Country territory in time, he/she shall inform the Host Country Competent Authority and may be required to file for extension with the Host Country's Competent Authority, which shall grant the extension if the transport operator's delay was caused by force majeure or other reasonable cause.

Article 7: Permit Format and Evidence

(a) Format

The permit form shall include the following particulars in the English language without prejudice to the parallel use of national languages:

- (i) the title: GMS Road Transport Permit;
- (ii) the name (and logo) of the issuing authority, its address, contact data, and country;
- (iii) a reference to Protocol 3 and Article 23 of the Agreement;
- (iv) country code (distinguishing nationality sign as per Article 7(d) of Annex 2 to the Agreement) and permit number;
- (v) its period of validity;
- (vi) the type of permit and the type of transport operation it covers (cargo/passenger, scheduled/non-scheduled);

- (vii) for scheduled passenger transport vehicles, the itinerary (including the points of origin and destination), frequency of operations, and the maximum capacity of vehicles, as appropriate;
- (viii) the identity of the transport operator beneficiary of the permit;
- (ix) a number of blank boxes to contain the registration number of the vehicle(s) to which the permit is allocated;
- (x) the place and date of issuance; and
- (xi) an authentication (seal/stamp, signature).

The Joint Committee may modify the particulars to be included in the permit form, as appropriate. The Joint Committee will determine the format, appearance, layout, and printing specifications of the permit form.

(b) Evidence

- (i) The vehicle to which the permit is allocated, shall carry the original permit form on board at all times during cross-border transport operations.
- (ii) Each permit shall be valid only for a vehicle of which the registration number is entered on the permit form.

Article 8: Time Frame for Implementation of Step 2

This Protocol shall be effective for a period of three years after its entry into force. Thereafter the Contracting Parties will reassess the road transport market situation and consider the transition to the free market system as described in Step 2 of Article 23 of the Agreement.

Article 9: Amendment

Any Contracting Party may propose amendments to the Protocol via the Joint Committee. Such amendments shall be subject to the unanimous consent of the Contracting Parties.

Article 10: Ratification or Acceptance

The Protocol is subject to ratification or acceptance of the Governments of the Contracting Parties. The same applies to an amendment to the Protocol, if any.

Article 11: Entry into Force

The Protocol will enter into force on the day that at least two Contracting Parties have ratified or accepted it, and will become effective only among the Contracting Parties that have ratified or accepted it. The same applies to an amendment to the Protocol, if any.

Article 12: Conforming National Law

Where necessary, the Contracting Parties undertake to conform their relevant national legislation with the contents of the Protocol.

Article 13: Reservations

No reservation to the Protocol shall be permitted.

Article 14: Suspension of the Protocol

Each Contracting Party may temporarily suspend wholly or partly the application of the Protocol with immediate effect in the case of emergencies affecting its national safety.

The Contracting Party will inform as soon as possible the other Contracting Parties of such suspension, which will end as soon as the situation returns to normal.

Article 15: Relationship with the Agreement

As a measure to implement the principles laid down in the Agreement, the Protocol cannot depart from or be contrary to these principles. In case of incompatibility between the Protocol and the Agreement, the latter shall prevail. In case of incompatibility between the Protocol and another annex or protocol, such incompatibility shall be interpreted in light of the Agreement.

Article 16: Dispute Settlement

Any dispute between or among two or more Contracting Parties on the interpretation or application of the Protocol shall be settled directly or by amicable negotiation in the Joint Committee.

Article 17: Denunciation

Once entered into force, the Protocol cannot be denounced separately from the Agreement.

In witness whereof, the undersigned, being duly authorized, have signed this Protocol.

Done at Beijing on 20 March 2007 in six originals in the English language.

Signed:

For the Royal Government of Cambodia

(Signed) His Excellency Tram Iv Tek
Secretary of State, Ministry of Public Works and Transport

For the Government of the People's Republic of China

(Signed) His Excellency Weng Mengyong
Vice Minister of Communications

For the Government of the Lao People's Democratic Republic

(Signed) His Excellency Sommad Pholsena
Minister of Communication, Transport, Post and Construction

For the Government of the Union of Myanmar

(Signed) His Excellency Thura Thaug Lwin
Deputy Minister of Rail Transportation

For the Government of the Kingdom of Thailand

(Signed) His Excellency Sansern Wongcha-um
Deputy Minister of Transport

For the Government of the Socialist Republic of Viet Nam

(Signed) His Excellency Tran Doan Tho
Vice Minister of Transport

Copies of the GMS Road Transport Permit

Editor's Note: The GMS Road Transport Permit was approved by the six GMS countries during the Customs Subcommittee¹⁸ Meeting on the GMS Customs Transit System on 3 April 2008 in Chengdu, PRC, and distributed to the GMS countries during the Negotiation Meeting on the Arrangement for Pilot Implementation of the GMS Customs Transit System (CTS) along the East–West and North–South Corridors, held in Chiang Mai, Thailand, on 29 July–1 August 2008. The permits for each of the six countries are presented on the following pages for reference.

¹⁸ The Customs Subcommittee is one of the subcommittees established under the Joint Committee (see Section IV B of this publication). As per Article 7 of Protocol 3 of the CBTA, the power to define the format of the road transport permit was delegated to the Joint Committee. In addition, the Third Meeting of the Joint Committee for the GMS CBTA (see Part IV C of this publication), held in Vientiane, Lao People's Democratic Republic, on 17 June 2010, referred to "agreement on a GMS Road Transport Permit."



National Transport Facilitation Committee, Cambodia

GMS Road Transport Permit¹

This document is issued in accordance with Protocol 3 and Article 23 of the Agreement between and among the Governments of the Kingdom of Cambodia, the People's Republic of China, the Lao People's Democratic Republic, the Union of Myanmar, the Kingdom of Thailand, and the Socialist Republic of Viet Nam for the Facilitation of Cross-Border Transport of Goods and People.

Permit No.	Country Code	Permit Number	Bar Code
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- Type of Permit/Transport Operation²:
- Scheduled passenger
 - Non-scheduled passenger
 - Cargo

1. Issuing Authority:

- 1.1 Name:
- 1.2 Address:
- 1.3 Contact Data³:

2. Beneficiary of the Permit⁴:

- 2.1 Name:
- 2.2 Address:
- 2.3 Contact Data:
- 2.4 Road Transport Operator's National License Number:⁵

3. Particulars for Scheduled Passenger Transport Operations Only:

- 3.1 Itenary:
- 3.2 Frequency of operations for the beneficiary:
- 3.3 Maximum Capacity (number of seats/persons):
- 3.4 Other Restrictions:⁶

4. Period of Validity: from until⁷

5. Allocated Vehicle Registration Number⁸:

	Prime mover/Truck/Bus	Semi-trailer		Prime mover/Truck/Bus	Semi-trailer
1			5		
2			6		
3			7		
4			8		

Place and date of Issuance:

Authentication (Seal/Stamp, Signature):

1. Warning: Counterfeiting is a criminal offence. This permit entitles its holder to perform cross-border road transport operations in the GMS region, subject to compliance with national laws of the Host Country, and the other conditions of the Agreement. The transport operator shall keep the original of this permit on board the vehicle at all times during cross-border transport operations for inspection and control purposes by authorities. This permit shall be valid only for the vehicle of which the registration number is entered on the permit form. Except for scheduled passenger transport operations, the Itineraries are restricted to the exit/entry point, routes, and corridors defined in Protocol 1 to the Agreement.
2. Please tick the type of transport operation.
3. Contact data may include: telephone number, fax number, email address, etc.
4. This permit is nominative and non-negotiable and non-transferable.
5. The validity of this permit shall be subject to the validity of the holder's transport operator license.
6. Other restrictions on this type of transport operations flowing from the arrangements on terms and conditions by the Country whose territory is traversed as per Article 5(b) of Protocol 3 to the Agreement.
7. Provided the permit was used before the expiry of its validity date by entering the territory of another GMS country than that of its holder transport operator, it shall remain valid until the completion of the transport operation by the return of the vehicle to its Home Country. A cross-border transport operation shall be completed by the exit of the vehicle from the Host Country territory within a period of 30 days from the date of entry in the Host Country territory. If the transport operator is unable to timely leave the Host Country territory, he/she shall inform the Host Country Competent Authority and may be required to file a request for extension.
8. Type of vehicle should be entered. Only the number(s) entered in the last box prevail(s). If the form has become full within its validity period, the issuing authority shall upon a simple request from its holder forthwith replace the original form.



National Transport Facilitation Committee, PRC

GMS Road Transport Permit¹

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Permit No.	Country Code	Permit Number	Bar Code
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- Type of Permit/Transport Operation²:
- Scheduled passenger
 - Non-scheduled passenger
 - Cargo

1. Issuing Authority:
 - 1.1 Name:
 - 1.2 Address:
 - 1.3 Contact Data³:
2. Beneficiary of the Permit⁴:
 - 2.1 Name:
 - 2.2 Address:
 - 2.3 Contact Data:
 - 2.4 Road Transport Operator's National License Number:⁵
3. Particulars for Scheduled Passenger Transport Operations Only:
 - 3.1 Itinerary:
 - 3.2 Frequency of operations for the beneficiary:
 - 3.3 Maximum Capacity (number of seats/persons):
 - 3.4 Other Restrictions:⁶
4. Period of Validity: from until⁷
5. Allocated Vehicle Registration Number⁸:

	Prime mover/Truck/Bus	Semi-trailer		Prime mover/Truck/Bus	Semi-trailer
1			5		
2			6		
3			7		
4			8		

Place and date of Issuance:

Authentication (Seal/Stamp, Signature):

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5. The validity of this permit shall be subject to the validity of the holder's transport operator license.
6. Other restrictions on this type of transport operations flowing from the arrangements on terms and conditions by the Country whose territory is traversed as per Article 5(b) of Protocol 3 to the Agreement.
7. Provided the permit was used before the expiry of its validity date by entering the territory of another GMS country than that of its holder transport operator, it shall remain valid until the completion of the transport operation by the return of the vehicle to its Home Country. A cross-border transport operation shall be completed by the exit of the vehicle from the Host Country territory within a period of 30 days from the date of entry in the Host Country territory. If the transport operator is unable to timely leave the Host Country territory, he/she shall inform the Host Country Competent Authority and may be required to file a request for extension.
8. Type of vehicle should be entered. Only the number(s) entered in the last box prevail(s). If the form has become full within its validity period, the issuing authority shall upon a simple request from its holder forthwith replace the original form.



National Transport Facilitation Committee, Lao PDR

GMS Road Transport Permit¹

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Permit No.	Country Code	Permit Number	Bar Code
------------	--------------	---------------	----------

- Type of Permit/Transport Operation²:
- Scheduled passenger
 - Non-scheduled passenger
 - Cargo

1. Issuing Authority:
 - 1.1 Name:
 - 1.2 Address:
 - 1.3 Contact Data³:
2. Beneficiary of the Permit⁴:
 - 2.1 Name:
 - 2.2 Address:
 - 2.3 Contact Data:
 - 2.4 Road Transport Operator's National License Number:⁵
3. Particulars for Scheduled Passenger Transport Operations Only:
 - 3.1 Itinerary:
 - 3.2 Frequency of operations for the beneficiary:
 - 3.3 Maximum Capacity (number of seats/persons):
 - 3.4 Other Restrictions:⁶
4. Period of Validity: from until⁷
5. Allocated Vehicle Registration Number⁸:

	Prime mover/Truck/Bus	Semi-trailer		Prime mover/Truck/Bus	Semi-trailer
1			5		
2			6		
3			7		
4			8		

Place and date of Issuance:

Authentication (Seal/Stamp, Signature):

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3. Contact data may include: telephone number, fax number, email address, etc.
4. This permit is nominative and non-negotiable and non-transferable.
5. The validity of this permit shall be subject to the validity of the holder's transport operator license.
6. Other restrictions on this type of transport operations flowing from the arrangements on terms and conditions by the Country whose territory is traversed as per Article 5(b) of Protocol 3 to the Agreement.
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National Transport Facilitation Committee, Myanmar

GMS Road Transport Permit¹

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Permit No.	Country Code	Permit Number	Bar Code
------------	--------------	---------------	----------

- Type of Permit/Transport Operation²:
- Scheduled passenger
 - Non-scheduled passenger
 - Cargo

1. Issuing Authority:
 - 1.1 Name:
 - 1.2 Address:
 - 1.3 Contact Data³:
2. Beneficiary of the Permit⁴:
 - 2.1 Name:
 - 2.2 Address:
 - 2.3 Contact Data:
 - 2.4 Road Transport Operator's National License Number:⁵
3. Particulars for Scheduled Passenger Transport Operations Only:
 - 3.1 Itinerary:
 - 3.2 Frequency of operations for the beneficiary:
 - 3.3 Maximum Capacity (number of seats/persons):
 - 3.4 Other Restrictions:⁶
4. Period of Validity: from until⁷
5. Allocated Vehicle Registration Number⁸:

	Prime mover/Truck/Bus	Semi-trailer		Prime mover/Truck/Bus	Semi-trailer
1			5		
2			6		
3			7		
4			8		

Place and date of Issuance:

Authentication (Seal/Stamp, Signature):

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National Transport Facilitation Committee, Thailand

GMS Road Transport Permit¹

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Permit No.	Country Code	Permit Number	Bar Code
------------	--------------	---------------	----------

- Type of Permit/Transport Operation²:
- Scheduled passenger
 - Non-scheduled passenger
 - Cargo

1. Issuing Authority:
 - 1.1 Name:
 - 1.2 Address:
 - 1.3 Contact Data³:
2. Beneficiary of the Permit⁴:
 - 2.1 Name:
 - 2.2 Address:
 - 2.3 Contact Data:
 - 2.4 Road Transport Operator's National License Number:⁵
3. Particulars for Scheduled Passenger Transport Operations Only:
 - 3.1 Itinerary:
 - 3.2 Frequency of operations for the beneficiary:
 - 3.3 Maximum Capacity (number of seats/persons):
 - 3.4 Other Restrictions:⁶
4. Period of Validity: from until⁷
5. Allocated Vehicle Registration Number⁸:

	Prime mover/Truck/Bus	Semi-trailer		Prime mover/Truck/Bus	Semi-trailer
1			5		
2			6		
3			7		
4			8		

Place and date of Issuance:

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