

**ORIGINAL**

**PROTOCOL FOR THE IMPLEMENTATION OF THE ROAD TRANSPORT AGREEMENT  
BETWEEN  
THE GOVERNMENT OF THE KINGDOM OF CAMBODIA  
AND  
THE GOVERNMENT OF THE LAO PEOPLE'S DEMOCRATIC REPUBLIC**

General Department of Administration  
ICT Working Group

The Ministry of Public Works and Transport on behalf of the Government of the Kingdom of Cambodia and the Ministry of Public Works and Transport on behalf of the Government of the Lao People's Democratic Republic, hereinafter referred to as "the Contracting Parties"

Recalling the Agreement between the Government of the Kingdom of Cambodia and the Government of the Lao People's Democratic Republic on Road Transport done at Vientiane, Lao PDR on 21 October 1999;

Recognizing that Article 18 of the said Agreement provides for the Ministry of Public Works and Transport of the Kingdom of Cambodia and the Ministry of Communication, Transport, Post and Construction of the Lao People's Democratic Republic to conclude a Protocol to specify the details of Procedures for the Implementation of Road Transport Agreement;

Considering that the conclusion of the Protocol for the Implementation of Road Transport Agreement, hereinafter referred to as "the Protocol" provides the most effective arrangement for facilitating cross-border transport between the territories of the Contracting Parties;

Desiring to promote and facilitate cross-border transport;

Have agreed as follows:

**ARTICLE 1  
DEFINITIONS**

For the purpose of this Protocol:

"Cross-Border Transport" shall mean inter-state transport and transit transport.

"Inter-State Transport" shall mean transport of goods or passengers between the territories of the Contracting Parties.

"Transit Transport" shall mean international and national transit transport of goods or passengers.

"International Transit" shall mean the segment of the transport operation between two international border crossing points, where the goods/passengers respectively enters and exits the territory of other Contracting Party.

"National Transit (inland)" shall mean (a) the segment of the transport operation between the inland clearance point and the international border-crossing point where the goods/passengers exit the territory of the other Contracting Party; or (b) the segment of the

transport operation between the international border-crossing point where the goods/passengers enter the territory of the other Contracting Party and the inland clearance point.

“Transport Operator” shall mean a natural or legal private or public person who carries goods and/or passengers by road for reward.

“Special Transport” shall mean transport of oversize goods and dangerous goods.

## **ARTICLE 2 BORDER CROSSING POINTS**

The Contracting Party, for the purpose of transport of goods and passengers between the two countries, agrees to allow the transport vehicles of the other Contracting Party to enter/exit its territory at all existing and future national (for the Lao PDR)/bilateral (for the Kingdom of Cambodia) and international border crossing points.

## **ARTICLE 3 TRANSPORT VEHICLES**

Each Contracting Party shall authorize the categories and types of transport vehicles to perform cross-border transport as specified in **Annex A**, duly registered and licensed by the other Contracting Party, to transport goods and passengers under this Protocol.

The Contracting Parties hereby agree on the categories and types of transport vehicles such as goods vehicles, passenger vehicles and non-commercial vehicles.

Vehicles that are only incidentally used for carrying persons or goods by road or for drawing on the road, such as agricultural tractors, rail-borne vehicles, mopeds, and motorcycles or road building contracting equipment shall not be allowed to perform cross-border transport.

## **ARTICLE 4 EXCHANGE OF TRAFFIC RIGHTS FOR GOODS VEHICLES**

1. Initially for a period of 12 months, the Contracting Parties hereby agree that the number of goods vehicles which shall be allowed to perform cross-border transport, shall be not more than 40 permits for each country. Thereafter, the quantities of transport vehicles shall be discussed from time to time between the Contracting Parties.
2. As an interim measure until such time that a guaranteeing mechanism is established, a list of transport permits that are eligible for cross-border movement mutually agreed by the Contracting Parties shall be exchanged between the relevant competent authorities. These transport permits shall be allowed to goods vehicles to be temporary admitted to the Contracting Parties without guarantee.

## **ARTICLE 5 TECHNICAL REQUIREMENTS OF TRANSPORT VEHICLES**

Transport vehicles used for transport under this Protocol shall conform to the technical requirements regarding vehicle dimensions, maximum weight and loads, and related matters as specified in **Annex A** of this Protocol. The Contracting Parties will notify the permissible loads to each other.

**ARTICLE 6  
REGISTRATION PLATE**

Every motor vehicle in cross-border traffic shall display its registration number on a special flat vertical plate(s) fixed at the front and at the rear of the vehicle at right angles to the vehicle's median longitudinal plane, legible at a distance of 35-40 meters. The surface of the plate may be of a reflecting material. Semi-trailers need to display the registration number at least at the rear.

The Contracting Parties shall provide the English translation of registration plate.

**ARTICLE 7  
DISTINGUISHING NATIONALITY SIGN**

1. Every motor vehicle in cross-border traffic shall in addition to its registration number, display at the rear a distinguishing sign of the Country in which it is registered. This distinguishing sign shall consist of one to three letters in capital Latin Characters, at least 0.08 meter high and with strokes at least 0.01 meter wide. The letters shall be painted in black on white background in the shape of an ellipse with the major axis horizontal.
2. The distinguishing sign shall not be incorporated in the registration number or be affixed in such a way that it could not be confused with that number or impair its legibility.
3. The way of display shall follow the rules with respect to the registration number.
4. The distinguishing sign for the motor vehicles of each Contracting Party shall be as follows:
  - The Kingdom of Cambodia: KH.
  - The Lao People's Democratic Republic: LAO.

**ARTICLE 8  
TRANSPORT VEHICLE DOCUMENTS**

1. In carrying out transport operations under this Protocol, transport vehicles of one Contracting Party when in the territory of the other Contracting Party shall carry the following documents certified by the relevant authorities together with the English translation thereof:
  - i. Transport Vehicle Registration Certificate which contains details of the vehicle and name of vehicle owner;
  - ii. Valid Transport Vehicle Inspection Certificate;
  - iii. International Transport Permit for Lao PDR/Cross-Border Transport Permit for the Kingdom of Cambodia;
  - iv. Third Party Motor Vehicle Liability Insurance;
  - v. Supporting documents for transport of goods (goods vehicles);
  - vi. Passenger list, in case of transport of passengers;
  - vii. Valid driver's license issued by the relevant authority of that Contracting Party.
2. A Contracting Party may deny any transport operator of the other Contracting Party to enter its territory, in case of that transport operator produces incorrect documents or fails to produce all required documents as mentioned above.

**ARTICLE 9  
MUTUAL REGOGNITION**

Each Contracting Party shall recognize the motor vehicle registration plate, the motor vehicle registration certificate and the motor vehicle inspection certificate and/or inspection mark and driving licenses and cross-border/international transport permit issued by the competent authorities of the other Contracting Party.

**ARTICLE 10  
TRANSPORT OPERATOR, DRIVERS, VEHICLE PERSONNEL AND TRANSPORT VEHICLES**

1. Transport Operator, Drivers and Vehicle Personnel of the Contracting Party shall comply with the provisions of this Protocol, laws and regulations of the other Contracting Party.
2. While in the territory of the other Contracting Party, transport vehicles under this Protocol shall park at the rest areas or parking areas.
3. Transport vehicles shall exit the territory of that Contracting Party within 30 days from the date of entry. Should the transport vehicles be unable to exit the territory of the other Contracting Party due to a breakdown or accident or force majeure the relevant authorities shall be notified as soon as possible.
4. If the transport operator of the Contracting Party is unable to timely complete the transport operation under the regime of this Protocol in the territory of the other Contracting Party or to discharge the transit customs, due to force majeure or other reasonable cause, he/she is to file a request for extension with the other Contracting Party Customs Authority before the expiry date. The Contracting Party Customs Authorities will grant such extension if they are satisfied that the timely completion of the transport operation and/or discharge of the Customs Clearance Document was/were prevented by force majeure or other reasonable cause.

**ARTICLE 11  
DESGINATION OF CROSS-BORDER TRANSPORT ROUTES OF GOODS IN TRANSIT**

For the benefit of transport under this Protocol, the Contracting Parties hereby designate transport routes between and through their territories as follows:

In the Kingdom of Cambodia:

1. Trapeang Kreal-Stung Treng-Kampong Cham-Phnom Penh-Sihanoukville;
2. Trapeang Kreal-Stung Treng-O Yadav;
3. Trapeang Kreal-Stung Treng-Kratie-Trapeang Sre;
4. Trapeang Kreal-Stung Treng-Kratie-Krek-Trapeang Plong;
5. Trapeang Kreal-Stung Treng-Kratie-Kampong Cham-Prey Veng-Svay Rieng-Bavet;
6. Trapeang Kreal-Stung Treng- Kratie-Kampong Cham-Phnom Penh-Kampot-Prek Chak;

7. Trapeang Kreal-Stung Treng-Kratie-Kampong Cham-Phnom Penh-Battambang-Banteay Meanchey-Poi Pet.

In the Lao People's Democratic Republic:

1. NR 13 South: Nongnokkhien Border Crossing Point-Pakse-Savannakhet-Thakhek-Paksane-Vientiane;
2. NR 13 North: Vientiane-Luangprabang-Oudomxay-Nateuy-Boten (Lao-Chinese Border Crossing Point);
3. NR 13 South: Nongnokkhien Border Crossing Point-Pakse-NR 16: Pakse-Vangtao (Lao-Thai Border Crossing Point);
4. NR 13 South: Nongnokkhien Border Crossing Point -Pakse-NR 16A:Pakse-Attapeu-18B:Attapeu-Ban Het (Lao-Vietnamese Border Crossing Point);
5. NR 13 South: Nongnokkhien Border Crossing Point -Pakse-Savannakhet-NR 9 Seno-Dansavanh (Lao-Vietnamese Border Crossing Point);
6. NR 13 South: Nongnokkhien Border Crossing Point-Pakse-Savannakhet- Thakhek-NR 12: Thakhek-Nhommalath-Thongkham (Lao-Vietnamese Border Crossing Point).

The Contracting Parties agree that the transport routes may be added or amended through consultation from time to time.

**ARTICLE 12  
TRANSPORT OF PASSENGERS**

1. Inter-state transport of passengers between the territories of the Contracting Parties shall be subject to the consent of the Contracting Parties.
2. Each Contracting Party shall facilitate the transport of passengers, from the territory of the other Contracting Party in transit through its territory to a third country or from a third country in transit through its territory to the territory of the other Contracting Party whether or not such transport is carried out by transport vehicles of the other Contracting Party or by those of a third country which has concluded Trilateral Agreement with the Kingdom of Cambodia and the Lao PDR.

**ARTICLE 13  
TRANSPORT OF GOODS**

1. Each Contracting Party shall authorize transport operators duly licensed by other Contracting Party to provide Inter-state transport of goods between the territories of the Contracting Parties by using its transport vehicles or transport vehicles of the other Contracting Party or of a third country which has concluded Trilateral Agreement with the Kingdom of Cambodia and the Lao PDR.
2. Each Contracting Party shall facilitate the transport of goods from the territory of the other Contracting Party in transit through its territory to a third country or from a third country in transit through its territory to the territory of the other Contracting Party whether or not such transport is carried out by transport vehicles of the other Contracting

Party or by those of a third country which has concluded Trilateral Agreement with the Kingdom of Cambodia and the Lao PDR.

3. The Contracting Parties shall allow transshipment of goods in transit en route in the present of customs and/or relevant agencies, in the following circumstances:
  - a. A vehicle is involved in a traffic accident or experienced a breakdown and is immobilized
  - b. Force majeure.
4. Inter-state transport and transit transport of goods under this Protocol shall strictly comply with the relevant regulations of the Contracting Parties.
5. Price setting for transport of goods shall be determined by market forces.

#### **ARTICLE 14 SPECIAL TRANSPORT**

1. Transport of oversize goods under this Protocol shall be subject to special authorization from the relevant authorities of the other Contracting Party. Each Contracting Party shall notify the relevant authorities to the other Contracting Party.
2. Transport of dangerous goods under this protocol shall conform to the provisions of Annex 1 of the Greater Mekong Sub-region Cross Border Transport Agreement (GMS CBTA).

#### **ARTICLE 15 INSPECTIONS AT BORDER CROSSING POINTS**

1. Inspections of transport vehicles, goods, and people shall be carried out by each respective Contracting Party in accordance with the laws and regulations relating to the entry and exit at each Contracting Party border crossing points.
2. Inspection of goods in transit or goods transported by container shall comply with international practices.
3. The Contracting Parties agree to promote the implementation of the GMS Single Window Inspection (SWI) and GMS Single Stop Inspection (SSI).
4. The Contracting Party agrees to facilitate diplomatic vehicles, vehicles owned by international organizations, government vehicles and official mission vehicles of the other Contracting Party to enter and exit its territory.

#### **ARTICLE 16 FEES AND OTHER SERVICE CHARGES**

1. The fees and service charges related to the cross-border transport shall be collected in accordance with the laws and regulations of the Contracting Parties.
2. Each Contracting Party shall notify the details of the fees and service charges in English to the other Contracting Party three months prior to entering into force of the Protocol.

3. Fees for the usage of warehouse, storage yard, cargo terminal, transshipment of goods services and other services charges including fees for the port services shall be in accordance with the rates set by the Contracting Party providing the services and shall not exceed those collected from its transport operators. Any change to such fees and charges shall be notified to the other Contracting Party three months prior to entering into force.

#### **ARTICLE 17 REPRESENTATIVE OFFICE**

In order to provide relevant authorities of each Contracting Party points of communications with the transport operator of the other Contracting Party, each Contracting Party shall allow that transport operator of the other Contracting Party under this Protocol to set up a representative office in its territory or appoint an agent registered under its laws and regulations.

#### **ARTICLE 18 ASSISTANCE IN CASE OF TRAFFIC ACCIDENTS**

Should the transport vehicles under this Protocol including persons or goods of one Contracting Party be involved in a traffic accident in the territory of the other Contracting Party, the latter shall provide all possible assistance to the transport vehicles, including persons or goods, and inform such accident to the relevant authorities of such Contracting Party as soon as possible.

Reasonable costs incurred from providing such assistance under this Protocol shall be borne by the transport operators involved in the traffic accident.

#### **ARTICLE 19 DISPUTE SETTLEMENT**

Any dispute arising from the application or interpretation of this Protocol shall be settled through amicable negotiations between the Contracting Parties.

#### **ARTICLE 20 INSTITUTIONAL ARRANGEMENTS**

1. The Contracting Parties agree to meet every year to review and discuss new methods to increase efficiency in the implementation of this Protocol and to take turns to host the meeting. If it is necessary to negotiate issues related to cross-border transport, additional meetings can be held.
2. The Contracting Parties shall, for the purpose of effective implementation of this Protocol, assign the following competent authorities:  
For the Kingdom of Cambodia, the National Transit Transport Coordinating Committee (General Department of Transport).  
For the Lao PDR, the National Transport Committee (Department of Transport).

**ARTICLE 21  
AMENDMENTS**

Any amendment, modification or addition to any provision of this Protocol shall be mutually agreed upon in writing by the Contracting Parties.

**ARTICLE 22  
RELATIONSHIP BETWEEN THE AGREEMENT AND THE PROTOCOL**

The provisions laid down in this Protocol can not depart from or be contrary to the provisions set out in the Agreement. In case of divergence or incompatibility between the Agreement and the Protocol, the former shall prevail.

**ARTICLE 23  
ENTRY INTO FORCE**

This Protocol shall enter into force 60 days after signing and remain in force for a period of three years. It shall be renewed automatically from year to year unless either Contracting Party has given to the other Contracting Party three months notice in writing prior to the date of expiry of the Protocol of its intention to terminate the Protocol.

Done at Siem Reap, Cambodia on the 14<sup>th</sup> of December 2007, in two originals in English language, each text being authentic.

For the Government of the Kingdom of  
Cambodia



**H.E Sun Chanthol**  
Minister of Public Works and Transport

For the Government of  
the Lao People's Democratic Republic



**H.E Sommad Pholsena**  
Minister of Public Works and Transport



**ANNEX A**  
**CATEGORY AND TYPE OF ROAD VEHICLES USED FOR TRANSPORT**

The Contracting Parties agree to specify the category and type of road vehicles used to carry out transport under this Protocol as follows:

**GOODS VEHICLES**

1. Goods vehicles shall conform to the specifications in protocols 3 and 4 of the ASEAN Framework Agreement on the Facilitation of Goods in Transit done at Hanoi on 16 December 1998.
2. Type of Goods Vehicles:
  - a. Rigid Motor Vehicle
  - b. Articulated Motor Vehicle

Vehicle dimension and technical requirements shall be as specified in the attachment to this Annex.

**PASSENGER VEHICLES**

Passenger vehicles shall conform to international standards with a maximum of 45 seats.

**MAXIMUM ROAD VEHICLE DIMENSION AND WEIGHT**

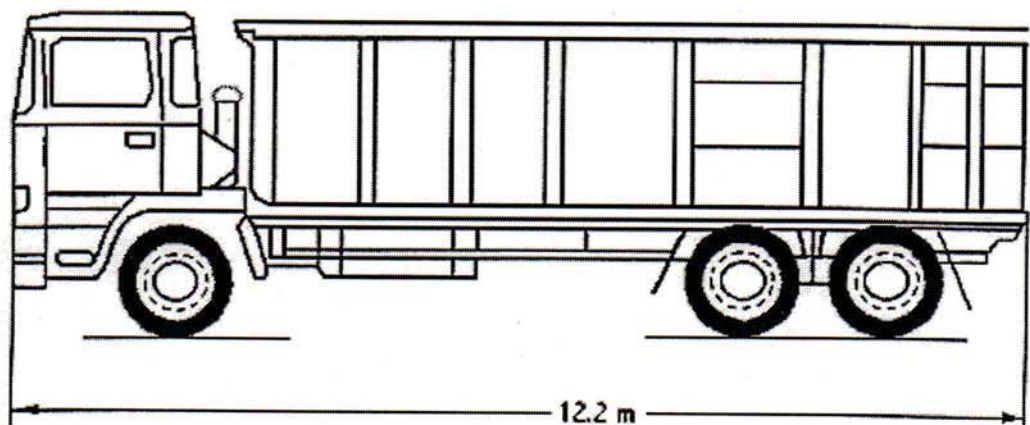
**DIMENSION**

**1. Maximum Length of Vehicle**

**1.1 Rigid Vehicle**

**Appendix A**

**MAXIMUM LENGTH OF VEHICLE**

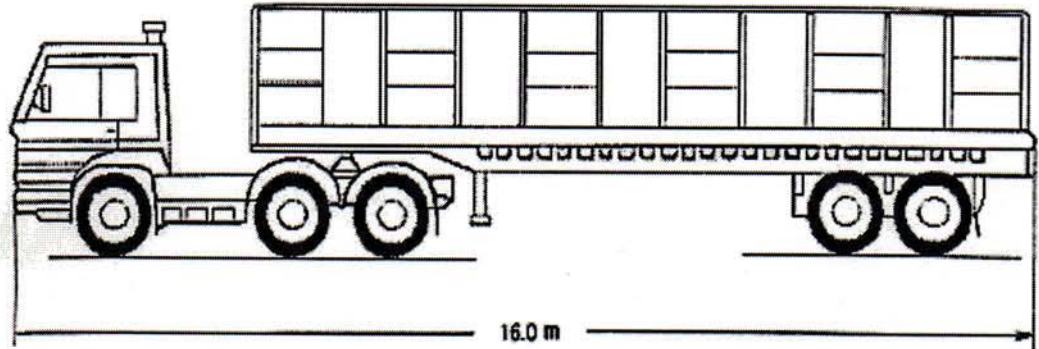


**RIGID MOTOR VEHICLE**

1.2 Articulated Vehicle

Appendix B

MAXIMUM LENGTH OF VEHICLE

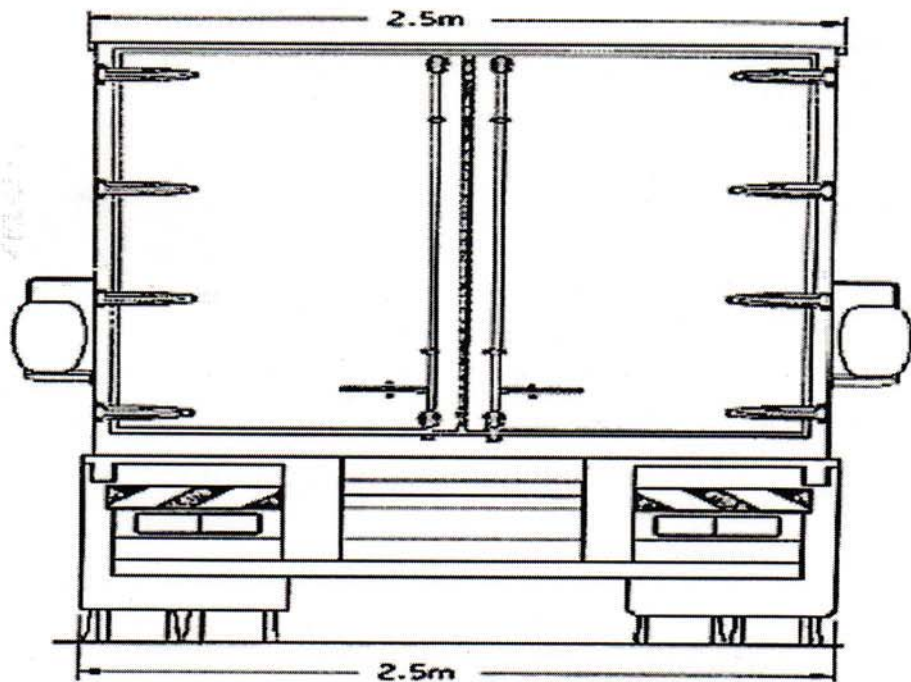


ARTICULATED VEHICLE

2. Maximum Width of all Vehicles

Appendix C

MAXIMUM WIDTH OF VEHICLE

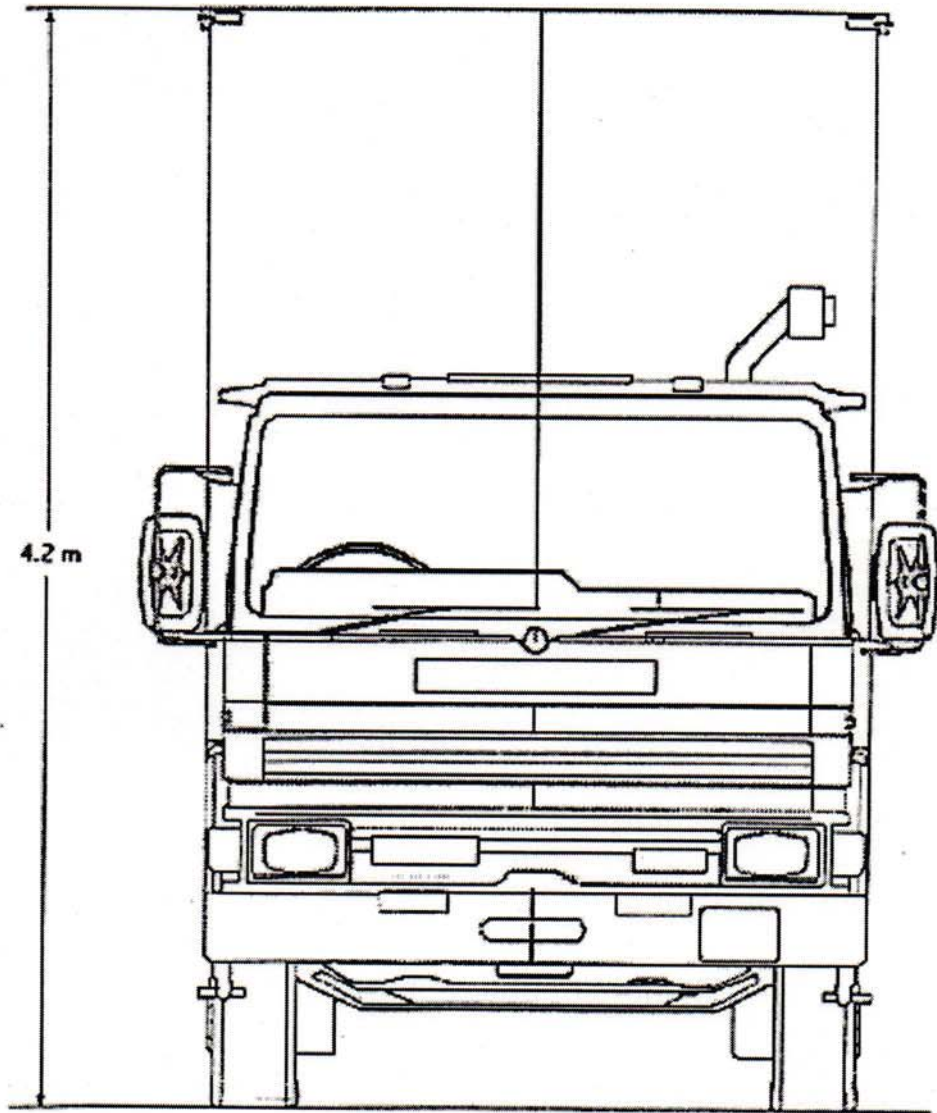


ALL VEHICLES

3. Maximum Height of all Vehicles

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MAXIMUM HEIGHT OF VEHICLE



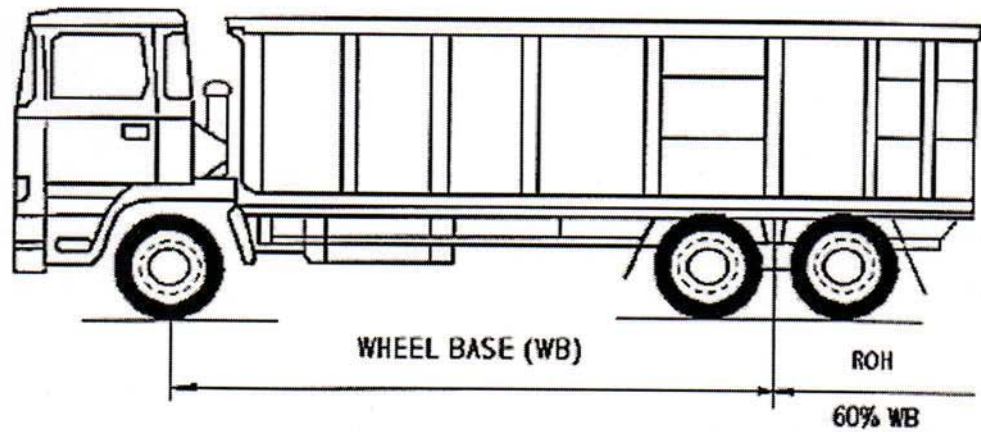
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#### 4. Maximum Rear Overhang (60% of wheelbase)

Appendix E

#### REAR OVERHANG



#### WEIGHT

Maximum Permissible Gross Vehicle Weight      not exceeding

3 Axle Rigid Vehicle	rear axle-dual tire	21.00 tones
4 Axle Rigid Vehicle	rear axle-dual tire	25.00 tones
4 Axle Articulated – Vehicle	rear axle-dual tire	32.00 tones
5 Axle Articulated – Vehicle	rear axle-dual tire	36.00 tones
6 Axle Articulated – Vehicle	rear axle-dual tire	38.00 tones.

**ANNEX B  
REST AREAS**

The Contracting Parties agree to designate rest areas or parking areas for road transport vehicles under this Protocol in the territory of each Contracting Party as follows:

- a. Rest areas and/or parking areas for goods vehicles.  
Goods vehicles of one Contracting Party shall stop at terminals or areas to be designated by each Contracting Party along the cross-border transport routes under Article 11 of this Protocol.
  
- b. Rest areas for passenger vehicles.  
Passengers vehicles of one Contracting Party used in international transport of passengers under this Protocol shall embark and disembark passengers at the designated points along the cross-border transport routes agreed upon by the Contracting Parties.