



**ECONOMIC AND SOCIAL  
COUNCIL**

Distr.  
LIMITED  
E/ESCWA/EDID/2015/IG.3/4(Part III)  
10 November 2015  
ENGLISH  
ORIGINAL: ARABIC

---

**Economic and Social Commission for Western Asia (ESCWA)**

Committee on Transport  
Sixteenth session  
Cairo, 23-24 November 2015

Item 5 (d) of the provisional agenda

**Progress achieved in the field of transport since the fifteenth session  
of the Committee on Transport**

**Updating the Agreement on International Railways, the Agreement  
on International Roads and the Memorandum of Understanding  
on Maritime Transport Cooperation in the Arab Mashreq  
to include the Maghreb States that have recently  
joined ESCWA**

**Summary**

The present document sets out the legal mechanisms and articles regarding amendments to the Agreement on International Railways, the Agreement on International Roads and the Memorandum of Understanding on Maritime Transport Cooperation in the Arab Mashreq to include the Maghreb States that have recently joined the Economic and Social Commission for Western Asia (ESCWA).

This document was prepared pursuant to recommendations by the ESCWA Committee on Transport at its fifteenth session (Rabat, 27-28 January 2015) on the three above-mentioned agreements, in which the Committee requested the ESCWA secretariat to examine the necessary legal procedures to redesignate the agreements to reflect the broader membership of ESCWA following the accession of Maghreb countries, and to provide technical support to facilitate their accession to the agreements.

This document reviews the articles on amendments and their approval, as set out in the three agreements, the necessary modifications to the annexes of these agreements, and the voting process for States acceding to the agreements.

**CONTENTS**

	<i>Paragraphs</i>	<i>Page</i>
Introduction .....	1-4	3
<i>Chapter</i>		
<b>I. AGREEMENT ON INTERNATIONAL ROADS IN THE ARAB MASHREQ.....</b>	5-10	3
<b>II. AGREEMENT ON INTERNATIONAL RAILWAYS IN THE ARAB MASHREQ.....</b>	11-16	5
<b>III. MEMORANDUM OF UNDERSTANDING ON MARITIME TRANSPORT COOPERATION.....</b>	17-20	6

## Introduction

1. In 1999, the Economic and Social Commission for Western Asia (ESCWA) launched the Integrated Transport System in the Arab Mashreq (ITSAM), whose key components include the following: the Agreement on International Roads in the Arab Mashreq; the Agreement on International Railways in the Arab Mashreq; the Memorandum of Understanding on Maritime Transport Cooperation in the Arab Mashreq; national trade and transport facilitation committees; road safety; multimodal transport; the ITSAM methodological framework; institutional structures and legislation; and the associated geographical information system (GIS).
2. It should be noted that the names of the System and its components, and their affiliation to the Arab Mashreq, stem from the fact that the initial membership of ESCWA consisted exclusively of Arab Mashreq countries. Following the accession of the Sudan (2009), Morocco, Libya and Tunisia (2013) and Mauritania (2015), the Committee on Transport requested the ESCWA secretariat to expand and amend these components (especially the two agreements and Memorandum) to include the Maghreb States that have recently joined ESCWA, and to urge member States that have yet to accede to or ratify the agreements and Memorandum to expedite the process. The Committee issued related recommendations at its fifteenth session, held in Rabat on 27 and 28 January 2015.<sup>1</sup>
3. Pursuant to these recommendations, the secretariat called upon the Maghreb States that have recently joined ESCWA, including Mauritania, to join the ITSAM agreements and sent them model membership forms.
4. The present document reviews the States parties to the Agreement on International Railways and the Agreement on International Roads, their respective articles on amendments and the proposed route additions to cover the Maghreb countries. It also reviews the States parties to the Memorandum of Understanding and its suggested amendment. At its sixteenth session, the Committee has allocated a session for States parties to the three agreements to propose amendments and vote thereon.

### I. AGREEMENT ON INTERNATIONAL ROADS IN THE ARAB MASHREQ

5. The Agreement on International Roads in the Arab Mashreq<sup>2</sup> was adopted on 10 May 2001 and came into force on 19 October 2003. Following its enforcement, ESCWA prepared a draft action plan for its implementation, which it presented to the Committee on Transport at its fifth session (Beirut, 2-4 March 2004),<sup>3</sup> where it was adopted after amending the schedule proposed for its implementation.
6. The Agreement aims to facilitate transport on international roads in the Arab Mashreq and increase cooperation and intraregional trade and tourism through the formulation of a well-studied plan for the construction and development of an international road network that satisfies both future traffic needs and environmental requirements.
7. Table 1 sets out the States parties to the Agreement that have ratified it to date. These are the countries that have the right to approve any proposed amendments to the Agreement.

---

<sup>1</sup> ESCWA, Report of the fifteenth session of the Committee on Transport, E/ESCWA/EDGD/2014/IG.1/8/Report. Available from [www.escwa.un.org/information/pubaction.asp?PubID=1747](http://www.escwa.un.org/information/pubaction.asp?PubID=1747).

<sup>2</sup> ESCWA, Agreement on International Roads in the Arab Mashreq, Beirut, 18 May 2001, E/ESCWA/TRANS/2001/3. Available from <http://documents.un.org>.

<sup>3</sup> ESCWA, Work plan to implement the Agreement on International Roads in the Arab Mashreq, Beirut, 30 March 2004, E/ESCWA/GRID/2004/1/Rev.1. Available in Arabic from <http://documents.un.org>.

TABLE 1. STATES THAT HAVE SIGNED AND RATIFIED THE AGREEMENT ON INTERNATIONAL ROADS IN THE ARAB MASHREQ TO DATE

State	Date of signature	Date of ratification
Bahrain	8 March 2002	Instrument of ratification was deposited on 13 December 2006
Egypt	10 May 2001	Instrument of ratification was deposited on 5 May 2004
Iraq	19 December 2002	Instrument of ratification was deposited on 17 March 2008
Jordan	10 May 2001	Instrument of ratification was deposited on 18 January 2002
Kuwait	---	Instrument of ratification was deposited on 12 May 2006
Lebanon	10 May 2001	Instrument of ratification was deposited on 1 May 2003
Palestine	10 May 2001	Instrument of ratification was deposited on 28 November 2006
Qatar	8 April 2002	Instrument of ratification was deposited on 28 June 2002
Saudi Arabia	7 March 2002	Instrument of ratification was deposited on 26 July 2004
Sudan	---	Instrument of ratification was deposited on 30 July 2009
Syrian Arab Republic	10 May 2001	Instrument of ratification was deposited on 21 July 2003
United Arab Emirates	10 May 2001	Instrument of ratification was deposited on 26 February 2011
Yemen	4 July 2001	Instrument of ratification was deposited on 15 November 2002

8. Article 7 on amendments of the Agreement indicates that after the entry of the Agreement into force, any party thereto may propose amendments to it, including its annexes. Proposed amendments shall be submitted to the ESCWA Committee on Transport. Amendments to the Agreement shall be considered adopted if approved by a two-thirds majority of the parties thereto, present at a meeting convened for that purpose. In the case of amendments to annex I to the Agreement, such a majority must include all parties directly concerned by the proposed amendment. The ESCWA Committee on Transport shall inform the depositary, within a period of 45 days, of any amendments adopted. The depositary shall notify all parties of the adopted amendments, which shall enter into force for all parties three months after the date of such notification unless objections from more than one-third of the parties are received by the depositary within that period.

9. For the Agreement to include the Maghreb countries, it routes must be amended to cover these countries and tie them to other ESCWA member States. The following are the proposed amendments:

#### **North-South routes**

*M 85 North-South Libya (2,500 Km) from Misrata to the southern borders of Libya, through Baksar al-Boukhari - Laghouat - Ghardaia - An Salah.*

#### **East-West routes**

*M 40: Iraq - Jordan - Occupied Palestinian Territories - Mediterranean Southern Coast (4,100 Km) from Munthareya (Iraq/Iran) to Jordan, Palestine via the King Hussein Bridge crossing, then Egypt via the Rafah crossing – Al Salum (Egypt/Libya)- (Libya) Al Marj- Benghazi – Ajdabiya – Misrata – Tripoli – Sabratha – Zuwarah – Ras Jadir – (Tunisia) Ras Jadir – Hammamet – Tunis – Souk Ahras – (Algeria) Algiers – Tlemcen – (Morocco) Meknes – Rabat – Casablanca – Agadir – Oyouun – (Mauritania) Nouadhibou – Nouakchott.*

10. In view of the amendments above, it is proposed that the title of the Agreement be changed to “Agreement on International Roads in the Arab Region”.

## II. AGREEMENT ON INTERNATIONAL RAILWAYS IN THE ARAB MASHREQ

11. The Agreement on International Railways in the Arab Mashreq was adopted on 14 April 2003.<sup>4</sup> When it came into force on 23 May 2005, ESCWA prepared a draft action plan for its implementation, which it presented to the Committee on Transport at its seventh meeting (Beirut, 17-19 April 2006) that adopted it with amendments.<sup>5</sup>

12. The Agreement affirms the necessity of providing railway links between countries of the region in accordance with a well-studied plan for the construction and development of an international railway network to meet future transport needs, protect the environment and facilitate the movement of goods and passengers and, as a result, increase the exchange of trade and tourism in the Arab Mashreq.

13. Table 2 sets out the States parties to the Agreement that have ratified it to date. These are the countries that have the right to approve any proposed amendments to the Agreement.

TABLE 2. STATES THAT HAVE SIGNED AND RATIFIED THE AGREEMENT ON INTERNATIONAL RAILWAYS IN THE ARAB MASHREQ TO DATE

State	Date of signature	Date of ratification
Bahrain	17 April 2003	Instrument of ratification was deposited on 18 May 2007
Egypt	14 April 2003	Instrument of ratification was deposited on 5 May 2004
Jordan	14 April 2003	Instrument of ratification was deposited on 16 April 2004
Kuwait	10 May 2004	---
Lebanon	14 April 2003	Instrument of ratification was deposited on 26 April 2004
Palestine	14 April 2003	Instrument of ratification was deposited on 28 November 2006
Saudi Arabia		Instrument of ratification was deposited on 12 July 2006
Sudan		Instrument of ratification was deposited on 30 July 2009
Syrian Arab Republic	14 April 2003	Instrument of ratification was deposited on 22 February 2005
United Arab Emirates	14 April 2003	Instrument of ratification was deposited on 25 February 2011
Yemen	14 April 2003	Instrument of ratification was deposited on 10 December 2007

14. Article 6 on amendments of the Agreement provides that after the entry into force of the Agreement, any party thereto may propose amendments to it, including its annexes. Proposed amendments shall be submitted to the ESCWA Committee on Transport. Amendments shall be considered adopted if approved by a two-third majority of the parties thereto present at a meeting convened for that purpose. Amendments to annex I to the Agreement shall be considered adopted if approved by a two-thirds majority of the parties thereto present at the meeting, including those directly concerned by the proposed amendment. The ESCWA Committee on Transport shall, within a period of 45 days, inform the depository of any amendment adopted. The depository shall notify all parties hereto of amendments thus adopted, which shall enter into force for all parties three months after the date of such notification unless objections from more than one-third of the parties are received by the depository within that period.

15. For the Agreement to include the Maghreb countries, its routes must be amended to cover these countries and tie them to other ESCWA member States. The following are the proposed amendments:

<sup>4</sup> ESCWA, Agreement on International Railways in the Arab Mashreq, Beirut, 5 March 2003, E/ESCWA/TRANS/2002/1/Rev.2. Available from <http://documents.un.org>.

<sup>5</sup> ESCWA, Plan of action for the implementation of the Agreement on International Railways in the Arab Mashreq, 25 November 2006, E/ESCWA/GRID/2006/Technical Paper.1. Available from [www.escwa.un.org/information/pubaction.asp?PubID=362](http://www.escwa.un.org/information/pubaction.asp?PubID=362).

**North-South axes**

- S 95: *Algeria – Mauritania border (1,538 Km)*
- Oran – Oued Tlelat – Sidi Bel Abbes – Rajm Damush – Mashriya – Bechar – Ghar Jbeilat mines (Algeria/Mauritania).

**East-West axes**

- S 50: *Palestine – Jordan – Jordanian Mediterranean Southern Coast – Atlantic Coast (8,343 Km)*
- Amman – Jerusalem – Gaza – Rafah crossing (Palestine/ Egypt) – Al Arish – Bir el Abd – Koubri al Fardan – Ismailia – Tanta – Alexandria – Marsa Matruh – Al Salum crossing (Egypt/Libya) – Amsaed (Linya/Egypt) – Tobruk – Derna - Bayda – Benghazi – Ajdabiya – Sirte – Al Hayshah – Misrata – Khams – Tripoli – Ras Jadir (Libya/Tunisia) – Madanin –Kabes – Sfax – Sousse – Tunis – Beja – Jendouba – Ghar ad Dima` (Tunisia/Algeria) – Annaba – Qasnatina – Algiers – Oran (Moroccan border/Algeria – Oujda – Bani Wakil – Al Naima – Karsif – Taza – Fez – Miknas – Sidi Kacem – Quneitra – Rabat City – Ail el Sab’ – Casablanca travellers – Sidi al Ayidi – Ibn Jarir – Marrakech – Agadir – Goulmima – Al Ayoun – Dakhla – (Moroccan border/Mauritania) – Nouadhibou

16. In view of the amendments above, it is proposed that the title of the Agreement be changed to “Agreement on International Railways in the Arab Region”.

### III. MEMORANDUM OF UNDERSTANDING ON MARITIME TRANSPORT COOPERATION

17. ESCWA member States adopted the Memorandum of Understanding on Maritime Transport Cooperation in the Arab Mashreq at the twenty-third ESCWA session (Damascus, 9-12 May 2005),<sup>6</sup> recognizing that maritime transport plays an important role in strengthening intraregional and foreign trade and promotes the economic and social integration of the ESCWA region and the Arab region in general, in an endeavour to establish cooperation and integration between ESCWA members in the Arab Mashreq, and believing in the need to ensure the systematic development of the national merchant fleets of the region and the balanced development of maritime transport and seaports. The Memorandum came into effect on 4 September 2006. At its twelfth meeting, held in Beirut from 17 to 19 May 2011, the Committee on Transport adopted an action plan to implement article 5 on coastal transportation of the Memorandum.

18. Table 3 sets out the States parties to the Memorandum that have ratified it to date. These are the countries that have the right to approve any proposed amendments to the Agreement.

TABLE 3. STATES THAT HAVE SIGNED AND RATIFIED THE MEMORANDUM OF UNDERSTANDING  
ON MARITIME TRANSPORT TO DATE

State	Date of signature	Date of ratification
Bahrain	---	---
Egypt	9 May 2005	---
Iraq		Instrument of ratification was deposited on 17 March 2008
Jordan	9 May 2005	Instrument of ratification was deposited on 27 September 2005
Lebanon	9 May 2005	Instrument of ratification was deposited on 25 December 2005

<sup>6</sup> ESCWA, Memorandum of Understanding on Maritime Transport Cooperation in the Arab Mashreq, Beirut, 17 November 2005, E/ESCWA/GRID/2005/11. Available from [www.esewa.un.org/arabic/information/pubaction.asp?PubID=283](http://www.esewa.un.org/arabic/information/pubaction.asp?PubID=283).

TABLE 3 (continued)

State	Date of signature	Date of ratification
Oman	31 December 2005	Instrument of ratification was deposited on 25 February 2009
Palestine		Instrument of ratification was deposited on 9 May 2005
Qatar	9 May 2005	---
Saudi Arabia	9 May 2005	Instrument of ratification was deposited on 6 June 2006
Sudan		Instrument of ratification was deposited on 30 July 2009
Syrian Arab Republic	9 May 2005	Instrument of ratification was deposited on 24 February 2006
United Arab Emirates	---	Instrument of ratification was deposited on 29 October 2007
Yemen	9 May 2005	Instrument of ratification was deposited on 9 May 2005

19. Article 18 on amendments of the Memorandum provides that once the Memorandum of Understanding has entered into force, any party thereto may propose amendments. Any proposed amendments shall be submitted to the ESCWA Committee on Transport. Amendments shall be adopted if they are approved by two-thirds of the parties to the Memorandum that are present at a meeting to be called for that purpose, which includes the parties directly concerned with the proposed amendment. The ESCWA Committee on Transport shall inform the depository of amendments that are adopted no later than 45 days after the adoption of those amendments. The depository shall inform all parties to the Memorandum of amendments thereto that are adopted. Such amendments shall enter into force with respect to all parties three months after those parties have been informed thereof, unless the depository receives objections thereto from more than one-third of the parties to the Memorandum during that period. No amendment may be made to the Memorandum during the period specified in article 19 (12 months after a withdrawal notice is deposited) if, upon the withdrawal of one party, the number of parties to the Memorandum becomes fewer than five.

20. Given that the Memorandum does not specify maritime routes or an action plan for the implementation of its article 5,<sup>7</sup> the proposed amendment applies only to the title of the Memorandum, to be redesignated as “Memorandum of Understanding on Maritime Transport in the Arab Region”.

-----

---

<sup>7</sup> Progress achieved in implementing the components of the integrated transport system in the Arab Mashreq: Memorandum of Understanding on maritime transport cooperation in the Arab Mashreq E/ESCWA/EDGD/2011/IG.1/5(Part I). Available from <http://css.escwa.org.lb/edgd/1562/tran12e6a.pdf>.