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Translation from Lithuanian

GOVERNMENT OF THE REPUBLIC OF LITHUANIA

R E S O L U T I O N No. 938

On Approval of Regulations of Transportation
of Dangerous and Military Goods
of Foreign States across the Territory of the
Republic of Lithuania

Vilnius, 3 October 1994

The Government of the Republic of Lithuania r e s o l v e s :

To approve the Regulations of Transportation of Dangerous and Military Goods of Foreign States
across the Territory of the Republic of Lithuania (attached).

Prime Minister

Adolfas Dlepevičius

Minister of Foreign Affairs

Povilas Gylys

APPROVED

by Resolution No. 938
of 3 October 1994
of the Government of
the Republic of Lithuania

Regulations of Transportation
of Dangerous and Military Goods
of Foreign States across the Territory of the
Republic of Lithuania

General Provisions

1. Dangerous (falling into the first-ninth classes of dangerousness in accordance with Part One of the Regulations concerning the International Carriage of Dangerous Goods by Rail (RID)) and military goods, as well as unarmed military and civil employees of foreign state armed forces may be transported across the territory of the Republic of Lithuania only on the basis of a single permit issued by the Transportation Division of the Ministry of National Defence of the Republic of Lithuania (hereinafter - single permit) according to a form. The form of the permit is attached.

2. The transportation of military goods, unarmed military and civil employees of foreign states armed forces (hereinafter - military transportation) across the territory of the Republic of Lithuania shall be carried out according to the order established by the laws of the Republic of Lithuania, by -laws and the present Regulations.

3. The transportation of dangerous military goods of foreign states across the territory of the Republic of Lithuania shall be subject to the conditions and requirements as stipulated in Article 1 of the regulations indicated above (Appendix 1 to Supplement B of the Convention concerning International Carriage by Rail (COTIF) if these Regulations do not state otherwise.

4. A single permit to transport armed troops and military equipment of foreign states across the territory of the Republic of Lithuania is issued only under the approval of the Seimas of the Republic of Lithuania and provided the United Nations or other international organizations, in which the Republic of Lithuania has a membership status, mediate thereon. In this event the restrictions indicated in Articles 10, 17-23, 25-36, and 57-59 of these Regulations shall be invalid.

5. The transportation of dangerous goods of foreign states across the territory of the Republic of Lithuania shall be regulated according to the procedure established by the Ministry of the Environmental Protection of the Republic of Lithuania.

6. The transportation of military units, armament, combat equipment, supply (including the goods of the first-ninth class of dangerousness) shall be deemed military transportation if the consignor and the consignee of the goods (or at least one of them) are entitled by a military institutions of a foreign state or if the consignor and the consignee act on behalf of these institutions.

7. The military goods hauled from consignor to the consignee occupying no less than one wagon, but no more than one train shall be deemed military transport of foreign states (hereinafter - military transport).

8. A group of the military men of the foreign state armed forces comprised of no less than four military men shall be deemed a military detachment of a foreign state (hereinafter - military detachment).

9. Transportation of weapons of mass destruction (nuclear, chemical, biological), as well as their components across the territory and the airspace of the Republic of Lithuania shall be prohibited.

10. The military transportation across the territory of the Republic of Lithuania shall be carried out by rail only.

11. The military aircraft of foreign states shall be allowed to fly over the territory of the Republic

of Lithuania.

Permits to the military aircraft of foreign states to fly in the airspace of the Republic of Lithuania shall be issued by the Ministry of Foreign Affairs of the Republic of Lithuania in coordination with the Ministry of National Defence of the Republic of Lithuania.

Authorized Institutions

12. The military transportation and traffic across the territory of the Republic of Lithuania shall be planned, coordinated and its execution controlled by the Transportation Division of the Ministry of National Defence of the Republic of Lithuania.

13. Single permit for the transportation of military transport or military detachment across the territory of the Republic of Lithuania shall be issued by the Head of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania - the Official, authorized by the Government of the Republic of Lithuania for the military transportation (hereinafter - Government Commissioner).

14. The military transportation by rail across the territory of the Republic of Lithuania shall be carried out by the state enterprise "Lietuvos gelepinkeliai" (Lithuanian Railways). The state enterprise "Lietuvos gelepinkeliai" shall establish upon coordination with the Ministry of Transport of the Republic of Lithuania, the tariffs and the settlement procedure for the military transportation.

15. The State Civil Aviation Inspectorate of the Republic of Lithuania shall establish, upon coordination with the Ministry of Transport of the Republic of Lithuania, tariffs and settlement procedures for the use of the airspace of the Republic of Lithuania.

16. Tariffs and settlement procedures may be established by a bilateral international agreement.

Procedure of Issue of Permits

17. The military authorities of the sending foreign state (transportation service), no later than twenty one day prior to the intended military transportation across the territory of the Republic of Lithuania, shall submit through diplomatic channels a written application either in the Lithuanian or English or Russian language.

18. The application shall include:

code numbers of the military transport or the military detachment and the route of transportation;
name of the goods (codes of identification and classes of dangerous goods according to the list of the United Nations, packaging and marking);

types and quantity of wagons;

consignor and consignee;

intended time of arrival of the military transport or the military detachment at the state border-crossing point of the Republic of Lithuania;

composition of the group of guards and specialists of the foreign state armed forces (number of

officers, soldiers and civil employees), quantity, types and code numbers of guards arms, quantity of ammunition, baggage, equipment if these are allowed for transportation according to these Regulations.

19. The military transportation service of a foreign state shall present together with the application a copy of the permit issued by an authorized institution of the neighboring state to the territory of which the military transport or the military detachment shall proceed from the territory of the Republic of Lithuania.

20. The Ministry of Foreign Affairs of the Republic of Lithuania shall convey to the Transportation Division of the Ministry of National Defence the applications of the military transportation service of foreign state received through diplomatic channels for the intended military transportation .

21. The Government Commissioner within seven days of the receipt of the application shall adopt a decision concerning the issue or withholding of a single permit for the military transport or the military detachment to proceed across the territory of the Republic of Lithuania, shall inform of his decision the military transportation service of the foreign state and shall forward through diplomatic channels the copies of single permit.

The Transportation Division of the Ministry of National Defence of the Republic of Lithuania upon the issue of a single permit shall inform the offices of border police, customs, transport and other interested institutions of the Republic of Lithuania.

22. The Transportation Division of the Ministry of National Defence of the Republic of Lithuania shall provide each military transport or military detachment with a code number. This agency shall forward a copy of the single permit onto the border police authorities of the state border-crossing point of the Republic of Lithuania which is designated as the point-of-entry.

23. The military transportation service of foreign state shall submit to the Transportation Division of the Ministry of National Defence of the Republic of Lithuania the lists of officials authorized by their country to organize and control military transportation and suggestions concerning the way of communication with them.

24. Applications and other information are intended only for the use of the officials of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania and of the institutions participating in the transportation process, who have been granted a special permission (clearance) for the use [of these documents]; they are forwarded in an established order to the indicated addressee only and are classified accordingly.

25. The guards of the foreign state armed forces shall be allowed to escort military transport across the territory of the Republic of Lithuania only under the permission of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania.

26. If special protection measures or special training (knowledge) are required for the transportation of dangerous and military goods, one or two specialists of the foreign state armed forces shall be allowed to follow together with the guards of the foreign state armed forces.

27. The following restrictions shall be applied to the military transportation across the territory of the Republic of Lithuania:

- 27.1 military detachment and armament or combat equipment may not be carried on the same train;
- 27.2 transportation of military detachment and armament or combat equipment may not be carried out at the same time, by the same route but in different directions;
- 27.3 equipment and ammunition or fuel may not be carried on the same train;
- 27.4 armament and ammunition may not be carried on the same train;
- 27.5 the total number of wagons of military transport may not exceed two freight trains in the period of twenty four hours (no more than 110 wagons);
- 27.6 no more than 180 unarmed military men of a foreign state without the right to get off on the territory of the Republic of Lithuania may be carried at the same time across the territory of the Republic of Lithuania;
- 27.7 military detachment shall be escorted by officers of the foreign state armed forces.

Required Documents

28. The military and the civil employees of the foreign state armed forces, when moving across the territory of the Republic of Lithuania, shall carry the following documents:

28.1 personal identification documents:

28.1.1 officers - valid foreign travel passport;

28.1.2 enlisted men - military personal identification document which is issued by an authorized institution of the sending-state and which contains the forenames, surname, date of birth, rank, official duties, and a person's photograph;

28.1.3 civil employees - valid foreign travel passport;

28.2 a copy of the single permit to travel across the territory of the Republic of Lithuania issued by the government Commissioner (the second copy shall be held at the state border-crossing point of the Republic of Lithuania);

28.3 movement order issued by an authorized institution of the sending-state (in the Lithuanian, English or Russian language) and certifying to the status of the military or civil employee of the foreign state armed forces to the armed forces of that state, and the purpose of the movement;

28.4 personal insurance documents;

28.5 accompanying documents.

29. The military and the civil employees of the foreign state armed forces holding the documents specified in Article 28.1, shall be issued with transit visas of the Republic of Lithuania for a charge at the border-crossing point.

The enlisted men of the foreign state armed forces who are included in the guard of the foreign

state armed forces or in the military command shall be issued with a general transit visa for a charge.

30. All the military and civil employees of the foreign state armed forces, travelling across the territory of the Republic of Lithuania shall acquaint themselves with the Recommendations to the Representatives of the Foreign States Armed Forces Travelling by Transit Across the Territory of the Republic of Lithuania, which is approved by the Transportation Division of the Ministry of National Defence of the Republic of Lithuania.

Guards of the Armed Forces of Foreign States and Their Firearms

31. The military men of the foreign state armed forces moving across the territory of the Republic of Lithuania may carry service firearms and ammunition only provided with the permit issued by the Transportation Division of the Ministry of National Defence of the Republic of Lithuania and only in special metal cases sealed by the commander of the armed escort of this Division.

32. The special metal case shall be fitted with a lock and a sealing device.

33. The guards of the foreign state armed forces shall be issued with permits to carry arms on the military transport only if this has been specified in the application.

34. In exceptional cases permission to carry arms shall be granted to the military men who move in a separate compartment on the passenger train if they hold permits to carry arms and are returning to their military base(unit) having escorted military transport across the territory of the Republic of Lithuania; or are moving from their military unit to receive into their charge the military transport they are to escort as guards across the territory of the Republic of Lithuania to their unit. Arms and ammunition shall be carried in locked special metal cases which shall be sealed by the border police officials of the Republic of Lithuania.

35. The following composition of the guard of the transportation of the armed forces of foreign states by military transport shall be allowed:

35.1. from one to fifteen wagons - no more than four military men;

35.2. from five to thirty wagons - no more than seven military men;

35.3. over thirty wagons - no more than eight military men.

36. The guard of the armed forces of a foreign state shall move across the territory of the Republic of Lithuania in a special wagon for guard.

The Armed Escort of the Transportation Department of the Ministry of National Defence of the Republic of Lithuania

37. Each military transport with the guards or military detachment of the foreign state armed forces moving across the territory of the Republic of Lithuania shall be escorted and guarded by the armed escort of the Transportation Division of the Ministry of National Defence of the Republic of

Lithuania.

38. In the case of danger arising to the members of the guard of the foreign state armed forces, to the goods or the vehicle, the guard of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania who directly watches over the military goods, shall take all the necessary measures to eliminate danger.

39. The chief of the armed escort of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania shall carry out inspection of the military detachment and the guards of the foreign state armed forces escorting the military transport, shall examine the quantity of the arms and ammunition and the code numbers of the firearms. The chief of the armed escort of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania shall examine whether all the arms and ammunition of the military men of the foreign state armed forces are sealed in the special metal cases.

40. The military and the civil employees of the foreign state armed forces shall carry and produce upon the request of the chief of the armed escort of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania the documents as specified in Article 28.1 of these Regulations.

41. The chief of the armed escort of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania together with the customs officials of the Republic of Lithuania shall examine whether the goods listed in the single permit is consistent with the name and quantity, seals and code numbers as specified in the transportation documents.

Upon the discovery of any irregularities, these officials shall point his findings on the permit and inform the official at the Transportation Division of the Ministry of National Defence of the Republic of Lithuania who in his turn shall take a decision whether or not to suspend the transportation.

The chief of the armed escort of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania together with the customs officials of the Republic of Lithuania shall enter the results of the inspection into a special register book.

42. The officials of the armed escort of the Transportation Division of the Ministry of National Defence shall indicate in the permit the discovered irregularities of the documents of the military transport and the military detachment, and shall inform the official of this service who in his turn shall take a decision whether or not to suspend the transportation.

The officials of the armed escort of the Ministry of National Defence of the Republic of Lithuania shall enter the results of the inspection into a special register book.

43. During the movement by the military transport, the chief of guards of the foreign state armed forces or the officer of the foreign state armed forces escorting the military detachment shall assist the authorized officials of the Republic of Lithuania to carry out their duties and to inform them without delay about all the cases which have not been specified in these Regulations.

Transportation of Over-Sized and Heavy Goods

44. The transportation of over-sized and heavy military goods across the territory of the Republic of Lithuania is permitted only after it is coordinated with the State enterprise "Lietuvos Geležinkeliai".

45. The numbers of the coordination papers must be indicated by the consignor in an application to the Government Commissioner and entered in the accompanying documents.

46. The State enterprise "Lietuvos Geležinkeliai" draws up a special schedule for the military transportation across the territory of the Republic of Lithuania by a stipulated route, appoints the railway and other personnel which ensures letting through, moving, escort, and supervision of trains carrying over-sized or heavy military goods.

47. The transportation of over-sized or heavy military goods across the territory of the Republic of Lithuania is directed by the General Directorate of the State enterprise "Lietuvos Geležinkeliai" and responsible officials of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania.

Precise Notification

48. The military transportation service of foreign state present the facsimile information about the arrival of the military transport not later than 24 hours prior to its arrival at the border-crossing point of the Republic of Lithuania. The information includes:

the exact date and time of the arrival of the train carrying the military transport to the border station, the wagons numbers, the quantity of wagon and the route of transportation;

the name, surname and military rank of the Chief of guard of foreign state armed forces, the number of the military unit, the composition of the guard, the armament, baggage and the equipment.

49. The military transportation service of foreign state presents the facsimile information about the arrival of the military detachment not later than 12 hours prior to its arrival to the border-crossing point of the Republic of Lithuania. The information includes the name and surname as well as the military rank of the officer of the foreign state armed forces who escorts the military detachment, the composition of the detachment as well as the train and wagon numbers.

Transportation by Rail

50. The State enterprise "Lietuvos Geležinkeliai" carries dangerous and military goods of foreign states across the territory of the Republic of Lithuania according to the permits issued by the Transportation Division of the Ministry of National Defence of the Republic of Lithuania and ensures that following conditions are fulfilled:

50.1. military transport and military detachment shall be conveyed by locomotives belonging to the State enterprise "Lietuvos Geležinkeliai" only and in accordance with the drawn up schedule which provides for the safe intervals between the transportation of the military transport and military detachment

across the territory of the Republic of Lithuania.

50.2. the train is formed so that the military transport escorted by the guard of the foreign state armed forces is placed in the front part of the train;

50.3. in the case of force majeure conditions, additional measures to ensure the military transportation security shall be taken jointly with the Transportation Division of the Ministry of National Defence of the Republic of Lithuania;

50.4. trains carrying the military transport and the military detachment shall stop only on schedule agreed upon with the Transportation Division of the Ministry of National Defence of the Republic of Lithuania at the designated railway stations and for the fixed period of time;

50.5. all the information about the military transportation shall be given to the Transportation Division of the Ministry of National Defence of the Republic of Lithuania within the fixed time;

50.6. conditions shall be provided for the armed escort of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania to fulfill their duties;

50.7. the officials of the armed escort of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania shall be provided with the telephone communication facilities for making calls to the authorities of this service;

50.8. in case of need, in accordance with the regulations for goods transportation by rail, valid in the Republic of Lithuania, the goods being transported, shall be confirmed (fixed) and re-confirmed. The military transportation services of foreign states pay additionally for such services according to the tariffs fixed by the State enterprise "Lietuvos Geleþinkeliai".

51. In case the State enterprise "Lietuvos Geleþinkeliai" detects the damage or the wagon, the maintenance services of the enterprise shall take measures to repair the damaged wagon without uncoupling it and informs the Transportation Division of the Ministry of National Defence of the Republic of Lithuania about it.

52. If the damaged wagon is impossible to repair uncoupled, on the decision of the Transportation Division of the Ministry of National Defence of the Republic of Lithuania, the whole of the military transport shall be detained to repair the damage or reload the goods into another wagon.

53. The Transportation Division of the Ministry of National Defence of the Republic of Lithuania shall notify the Military Transportation Service of the foreign state - the owner of the goods - of the holdup and after receiving the facsimile consent shall send the State enterprise "Lietuvos Geleþinkeliai" a facsimile permission to reload the goods into another wagon, at the same time notifying of it the Customs of the Republic of Lithuania as well as other state institutions concerned.

54. The State enterprise "Lietuvos Geleþinkeliai" reloads dangerous military goods and only upon coordinating the issue with the Transportation Division of the Ministry of National Defence of the Republic of Lithuania and other competent institutions, and in case of need, under the supervision of the military transportation specialist of the foreign state to which the goods belongs.

55. When dangerous goods are being transported, the military transportation service of the foreign state shall present along side with the transportation documents, a certificate of the technical condition of

the means of transportation issued by competent institutions of the foreign state and ensure that the wagon have all the obligatory warning signs.

Customs Check-Up

56. The registration of customs documents and customs check-up of military goods conveyed across the territory of the Republic of Lithuania is carried out according to the order established by Laws and other legal acts of the Republic of Lithuania.

57. Wagons carrying military goods must be sealed with customs or railway service seals. Customs may acknowledge seals of the customs of foreign states or railway services.

Prohibitions

58. The military and civil employees of the foreign state armed forces are prohibited from:
possessing and using firearms;
making use of mobile means of intercommunication while passing across the territory of the Republic of Lithuania;

stopping a passenger or goods train on the road if there is no danger to the safe traffic, people, goods or the environment;

taking passengers aboard or letting them leave from the train, loading or unloading goods;
leaving from the means of transportation on the territory of the Republic of Lithuania.

59. In case a military or civil employee of the foreign state armed forces leaves from the train passing across the territory of the Republic of Lithuania, the Chief of the guard of the foreign state armed forces or an officer of the foreign state armed forces escorting the military detachment shall notify the competent representatives of the Republic of Lithuania immediately and provide them with all the information needed.

60. The Government Commissioner on the recommendation of the competent institutions of the Republic of Lithuania can refuse to issue a permission to the military and civil employees of the foreign state armed forces to pass across the territory of the Republic of Lithuania.

Health Care and Hygienic Requirements

61. The military transportation service of a foreign state is responsible for the health care of the military, civil employees and military detachment of the foreign state armed forces passing across the territory of the Republic of Lithuania.

In case of accidents or other emergency situations, the institutions of the Ministry of Health of the Republic of Lithuania provide emergency medical service to the injured on the request of the Transportation Division of the Ministry National Defence of the Republic of Lithuania.

62. Officials of competent institutions of the Republic of Lithuania, on discovering isolated cases of infectious diseases (except especially dangerous cases such as those of cholera, plague, smallpox and the like, when it is necessary to act according to the requirements for emergency situations) notify of it the Transportation Division of the Ministry of National Defence of the Republic of Lithuania. The Transportation Division of the Ministry of National Defence gives permission to the military transport or military detachment to continue the movement to the place of destination only after the issue has been coordinated with the State Hygienic Service of the Republic of Lithuania.

63. The Transportation Division of the Ministry of National Defence of the Republic of Lithuania sends the patients (the wounded) in need of urgent hospitalization to the nearest medical institution and notifies of it the corresponding Embassy of the foreign state in the Republic of Lithuania as well as the military transportation service of that country.

64. Expenditures related to the treatment of the military and civil employees of the foreign state armed forces in medical institutions of the Republic of Lithuania are covered by the company who carries health insurance for the patient.

65. In case of death of a military or civil employee of the foreign state armed forces from an infectious disease, medical institutions of the Republic of Lithuania together with the Embassy of the foreign country in the Republic of Lithuania determines the order of destroying personal things of the diseased and the place of his burial.

66. The body of a military or civil employee of the foreign state armed forces who died from some other reason is taken to the nearest mortuary for post-mortem examination to determine the cause of death in accordance with the order established in the Republic of Lithuania. The foreign Embassy of that country in the Republic of Lithuania is notified about that.

Jurisdiction

67. The military and civil employees of the foreign state armed forces, when passing across the territory of the Republic of Lithuania must observe the requirements of the Laws of the Republic of Lithuania as well as other legal acts and the present regulations. For violating the laws and other legal acts of the Republic of Lithuania, the military and civil employees of the foreign state armed forces are punished according to the order established by the Laws of the Republic of Lithuania.

68. In case of need, the institutions of the Public prosecutor's Office and the Police fulfill their duties on board the train carrying foreign military transport. Legal institutions of the Republic of Lithuania notify about it the Transportation Division of the Ministry of National Defence of the Republic of Lithuania and if there is a possibility, ask their representative to act as a mediator or an observer.

Investigation of Catastrophes and Accidents

69. Competent institutions of the Republic of Lithuania investigate into the reasons of

catastrophes, accidents and other emergency situations and organize as well as carry out the work of liquidating their consequences after notifying about it the foreign military transportation service and inviting their representative to act as an observer.

Compensation for the Damage Done

70. The claims of compensating for the damage done while conveying the military transport across the territory of the Republic of Lithuania are addressed in accordance with the Laws of the Republic of Lithuania as well as other legal acts and conditions laid down in a single permission.

Emergency Situations

71. When in conveying the military transport, either an emergency situation, an accident or a catastrophe takes place, the Transportation Division of the Ministry of National Defence of the Republic of Lithuania and the military transportation service of the foreign state must, without delay, provide the information needed and the help required to the institutions of the Republic of Lithuania which carry out investigation, rescue or try to liquidate the consequences.

72. When the conditions and their requirements laid down in a single permission are violated, thereby posing a treat to people's lives, health, traffic safety, material values or the environment, the military transportation is terminated and the guilty people are punished according to the Laws of the Republic of Lithuania.

State Taxes

73. The following taxes into the State budget of Lithuania for issuing transit permissions across the territory of the Republic of Lithuania are determined:

military transport without the guard of the foreign state armed forces - 200 Lt;

military transport with the guard of the foreign state armed forces - 600 Lt;

military transport carrying dangerous military goods - 800 Lt;

military detachment - 400 Lt.

The tax for military transport escorted by the guard of the foreign state armed forces or for escorting the military detachment - 2000 Lt.

International Observers

74. Competitive institutions of the Republic of Lithuania can request services of international

organizations as well as foreign observers to check if these regulations are being obeyed.

Form

MINISTRY OF NATIONAL DEFENCE
OF THE REPUBLIC OF LITHUANIA

P E R M I S S I O N Nr.

Issued on _____, 199__

(to organization, person - consignor/consignee of the goods)

permission is granted to go as transit across the territory of the Republic of Lithuania by the following route:

to the military transport guard or person

(transport Nr., name and surname of the Chief of the

guard, kind and amount of firearms carried by the guard)

Characterization of the goods being carried:

(name of goods, numbers of classes and identification of

dangerous substances according to the list of the UN,

packing, marking, Nr. of emergency card, kind of transportation)

Permit valid till: _____, 1994.

Signature
(stamp)