

MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
THE GOVERNMENT OF THE ISLAMIC REPUBLIC
OF PAKISTAN
AND
ISLAMIC REPUBLIC OF AFGHANISTAN
(HEREINAFTER REFERRED TO AS INDIVIDUALLY AS "PARTY
AND COLLECTIVELY AS PARTIES)
ON CONSTRUCTION OF CHAMAN-SPINBOLDAK RAIL LINK

Reaffirming the friendly relations existing between the Islamic Republic of Pakistan and Islamic Republic of Afghanistan,

Aware that the maintenance of these relations constitutes on the basis of this MOU;

The Islamic Republic of Pakistan and Islamic Republic of Afghanistan had been deliberating the subject of construction of Chaman – Kandhar rail link out of US \$ 250 Million assistance approved by the Government of Pakistan and the subject Project was discussed in the 6th Session of Pak.-Afghan JEC meeting held in Islamabad on June 14th-15th, 2006. The Pakistan side requested for an early decision on the following:-

- a) acceptance of feasibility study for construction of Chaman-Kandhar Rail Link sent to Afghanistan in June 2004;
- b) NOC from Government of Afghanistan for start of construction work on Chaman-Spinbuldak railway link costing Rs.700 million for which funds had already been allocated;
- c) approval of the Government of Afghanistan for initiating the feasibility study from Spinbuldak to Kandhar Rail Link.

However, keeping in view the availability of funds, finalization of design and nomination of contracting agency, this MOU is drawn for signatures by the two Governments.

- i) Dump trucks;
- ii) Bulldozers;
- iii) Shovel loaders;
- iv) Sheep foot/Vibratory Rollers for compaction of earthwork;
- v) Water tankers/bouzers;
- vi) Tractor Trolleys;
- vii) Stone crushing plant;
- viii) Concrete batching plant;
- ix) Transit mixers;
- x) Concrete pumps;
- xi) Concrete vibrators;
- xii) Air compressors;
- xiii) Trucks/cars/jeeps;
- xiv) Graders;
- xv) Excavator;
- xvi) Other allied equipment, machinery/Survey equipment as per construction needs..

The Government of Afghanistan will also allow free movement of construction material from Pakistan to be used and incorporated on the Project.

Article-V

The Government of Afghanistan will issue work permits for Engineers, Technician labour and other supervisory staff to work on Afghan side and ensure their free movement between Chaman and Spinbuldak.

Article-VI

The Government of Afghanistan will allow free entry of rails, sleepers, fastening ballast, track machinery, rolling stock and other construction material for use on the Project without any hindrance and levy of custom duties/taxes and other surcharge leviable.

Now, therefore, the Parties have agreed as follows:

Article-I

The Government of Afghanistan will communicate the NOC for the Project along with clearance of 100 meter Right of Way for undertaking construction along the approved alignment.

Article-II

The Government of Afghanistan will provide and ensure the security of Pakistani Engineers, workers, equipment and machinery during their stay in Afghanistan/execution of the Project.

Article-III

The Government of Afghanistan will allow free movement of following rolling stock into Afghan territory from Chaman to the construction site on daily basis:-

- i) Locomotives;
- ii) MBFRS;
- iii) High sided/Low sided wagons;
- iv) Flat/covered railway wagons;
- v) Ballast Hoppers;
- vi) Track Tamping Machines;
- vii) Track material cars;
- viii) Track mounted railway cranes;
- ix) Ballast Regulator;
- x) Gantry Cranes;
- xi) Motor Trolleys/Push Trolleys;
- xii) Other rail mounted equipment.

Article-IV

For the purposes of civil construction, following equipment & machinery will be allowed to cross the border to and from Afghanistan without payment of custom duties/other taxes/levies and free of any kind of tax on or before completion of the Project:-

Article-VII

The Government of Afghanistan will nominate a Project Coordinator to facilitate the removal of structures, possession of land for construction of rail link, marshalling yards, civil structures and coordination for other technical and administrative matters connected with the implementation of the Project.

Article-VIII

After construction of the proposed rail link, a detailed agreement regarding working of trains between the two countries will be separately signed spelling out responsibilities of each Government and the manner in which the traffic will be operated/regulated on the rail link.

Article-IX

This MOU may be amended or modified at any time through mutual written consent of the Parties.

Article-X

This MOU shall enter into force on the date of signatures. It may be terminated at any time through mutual written consent of the Parties.

Done at Islamabad on 23rd May 2007, two originals in the English language and signed by the duly authorized representatives of the parties.

On behalf of Government of
Islamic Republic of
Pakistan
General Manager/M&S


M. FAROOQ AZIZ 23/5/07

On behalf of the Government of
Islamic Republic of
Afghanistan
Deputy Minister Ministry of Works


Dr. Eng. Rasooli W.M.