

MEMORANDUM OF UNDERSTANDING
ON PAN-EUROPEAN CORRIDOR
NR. VIII

Bari, Fiera del Levante

9 September 2002

*Memorandum of Understanding
on the Development of the Pan-European Transport Corridor VIII*

PREAMBLE

Desiring to promote efficient transport of goods and passengers through making progress in the implementation of the Declaration of the Second Pan-European Transport Conference in Crete in 1994 and the Third Pan-European Transport Conference in Helsinki in 1997 and in the spirit of the documents on priority transport Corridors endorsed by the Conferences as a basis for further international co-operation,

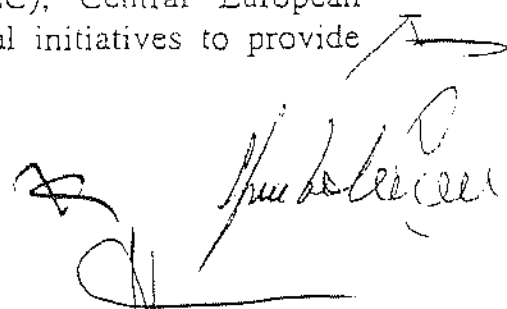
Considering the good relations between Countries through which the Corridor VIII passes, Turkey and the European Union as well as their intention to further economic and trade relations with the other Countries of the area,

Considering the importance of co-operation in the development of an efficient transport system with regard to the integration of the roads, the railways and the ports of the Participants concerned into the Pan-European Transport Infrastructure Network and its adequate interconnection with the Trans-European Network of the European Community,

Taking also into consideration the developments emerging from Transport Infrastructure Needs Assessment (TINA) in the candidate Countries for accession,

Welcoming the work and the activities carried out so far in the development of the infrastructure connection in the Countries concerned,

Welcoming the actions already undertaken on the Corridor VIII by the Participants concerned as well as by International Institutions, in particular G-24, Black Sea Economic Co-operation (BSEC), Central European Initiative (CEI) and encouraging more international initiatives to provide



the financial means to promote the realization of the necessary infrastructures,

Welcoming the work carried out under the aegis of the Central European Initiative, as stated in the final document of the Graz Summit (November 1996),

Welcoming the interest for progress in this area shown by USA through the launching of the Southeast Europe Co-operative Initiative (SECI) and the South Balkan Development Initiative (SBDI),

Paying due attention to the activities to be developed in the framework of the Adriatic/Ionian Seas and the Black Sea Pan-European Transport Areas,

The signatories of the present Memorandum of Understanding,

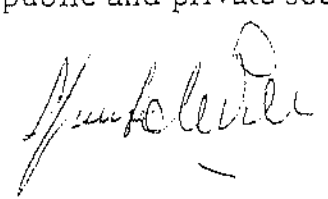
Conscious of the fact that infrastructure development is a long term exercise,

Agree on the following Memorandum of Understanding as an important step towards common objective.

Article 1
Aim

The aim of this Memorandum of Understanding is to co-operate in studying and promoting main and ancillary infrastructures on the intermodal Pan-European Transport Corridor linking the Parties of this Memorandum of Understanding. This development of the Corridor includes maintenance, rehabilitation, upgrading and new construction of main and ancillary infrastructures as well as their operation and use.

The co-operation will furthermore aim at studying the harmonization of the technical parameters and the phasing of the implementation of given projects located on the Corridor, the support for the mutual information regarding the realization of investment, the definition of a suitable regulatory framework for investments and the prerequisites for the most efficient use of funds and know-how from public and private sources.



This Intermodal Pan-European Corridor refers to the ports, roads, rails and airports, when appropriate, and combined and intermodal transport infrastructures, including ancillary installations such as access roads, border crossing stations, service stations, freight and passenger terminals, warehouse and installations necessary for traffic management, on the route defined above, as well as to the interactions of the above mentioned features with transport activities of all modes on reasonably related routes.

Further co-operation for improving port activities and their maritime links will be addressed in the context of the Pan-European Transport Areas (PETRA) concerned.

The criteria for identifying priorities for financing and construction of the Corridor will be defined by the Steering Committee foreseen by the article 8 of the present Memorandum of Understanding.

Article 3 General rules

The Participants agree to co-operate in the implementation of this Memorandum of Understanding in the following manner.

The study activity will be co-ordinated between the Participants, as far as concerned criteria, methodology and other aspects covered by this Memorandum of Understanding.

All the necessary works will be carried out according to best practice, taking into due account the requirements of the International Financial Institutions and the private sector to be involved during the different stages of planning, implementation, operation and use of the infrastructures.

The Participants agree to co-operate in the question of financing activities, as appropriate, in accordance with their own procedures. Tenders for contracts will be launched according to rules agreed between donors and recipients. The Participants will undertake all the necessary steps to ensure that any activity could be carried out efficiently, in order to provide all assistance and available information.

Article 4 Exchange of information

The Participants will make available to each other information relevant to the development, use and operation of the Corridor, and they will exchange information regarding a harmonized conception of the development and establishment of border crossing. This includes detailed available data on the state of the infrastructures on the Corridor, the traffic flows, waiting times at the borders, specific maintenance, rehabilitation, upgrading, new constructions, investment, environmental and organizational measures planned or undertaken, and the financial resources allocated or to be allocated to the development of the Corridor from public and private sources. It will also cover the legal framework for the participation of the

private sector in the development, use and operation of the Corridor as well as relevant economic and social data of a general nature.

Within the limits of law and as agreed by the Steering Committee as defined in Article 8, the results of the work and all relevant information will be accessible, on request, to institutions demonstrating substantial interest in contributing to the development of the Corridor.

Article 5 *Technical rules*

The Participants will agree on studying a common set of technical rules necessary to secure optimal interoperability of all section of the Corridor with a view to adopting common technical rules, including different transport modes. Such technical rules will cover electrification, gauge and communications for the rail part of the Corridor; axle load capacity and signalling for the road and rail part of the Corridor; the communication between the ports of the Corridor on the one hand and the road and the railway on the other hand; safety and environmental aspects and traffic management.

Rules set by the UN-ECE Agreements or the European Community for the different transport modes will be adhered to in order to secure interoperability.

Article 6 *Border crossing facilitation*

Because of excessive waiting times at border crossing may impede any improvement resulting from the development of the Corridor, contiguous Participants agree to encourage actions by the competent authorities, giving special attention to the installation of joint border crossing posts and joint controls, as well as to customs services co-operation and to visa problems, in order to minimize waiting times and to ease up transit conditions. The Participants will promote joint studies on the necessary infrastructural and organizational measures, including the evaluation of needs of personnel at border crossings.

Depending on a typology of controls, the establishment of a maximum time to fulfil these controls should be studied as well as the possibility of creating fast lanes for transit traffic operating under the T.I.R. carnet or other suitable agreements. Special attention should be devoted to improve the conditions to ease up transit operations.

The establishment of appropriate training schemes should be jointly identified in order to assure the best possible efficiency at the border crossings. Standards set by international agreements or the European Community will be adhered to in order to secure interoperability.

Article 7

Framework for private participation

The Participants intend to provide for a maximum of private sector involvement in the development, operation and use of the Corridor. To this aim, a dialogue with the private sector and International Financial Institutions will take place during the planning and realization of the Corridor. In all phases of co-operation under this Memorandum of Understanding, the private sector will generally be informed of action planned or undertaken, and its comments will be taken into account as far as possible, in the appropriate phases of the development of the Corridor or of the given projects.

The Participants may set up common entities to carry out the necessary actions in order to reach the aims of this Memorandum of Understanding. Taking into account their national legislation, they will consider the possibility of engaging the private sector for the implementation of this Memorandum of Understanding.

Article 8

Steering Committee

A Steering Committee, to be composed of representatives of the Participants, will co-ordinate the joint work under this Memorandum of Understanding. Each Participant will appoint one representative and one deputy-representative to the Steering Committee, that will meet as necessary, but at least once a year. The decision on its rules of procedure will be unanimously taken. The Committee will decide by simple majority: this majority should include all the concerned Countries for activities on their territories.

Representatives from the private sector and International Institutions and Organizations will be invited to the meetings as appropriate.

The Steering Committee will regularly report on its work to the European Commission, Directorate-General for Energy and Transport.

Proposed

Article 9
Start off Phase

The implementation of this Memorandum of Understanding will start with a "Start off Phase" formed by the four first points of the activities listed as follows:

- complete inventory of existing studies;
- state of the infrastructures on the Corridor and on-going works along them;
- complete inventory of existing information system;
- infrastructure and other needs first assessment.

Besides, in the "Start off Phase" it will be prepared a Working Programme regarding the other activities.

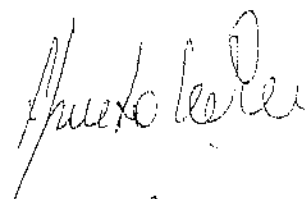
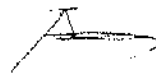
The "Start off Phase" will be co-ordinated and financed by the Italian Ministry of Transport and it will last four months.

Article 10
Implementation

The information exchanged and the activities carried out by the Participants will provide the framework for defining, inter alia, priorities, conditions for the assessment of the economic and financial viability of the projects, budgets and time-plans for specific measures necessary for the co-ordinated development of the Corridor as well as conditions on the use and operation of the Corridor. The Participants will agree on such issues as appropriate.

Article 11
Duration

This Memorandum of Understanding is concluded for five years. A Participant can terminate its participation to this Memorandum with a one year notice. Its duration will be automatically extended every five years if none of the Participants objects at the latest one year before the expiration of each period.

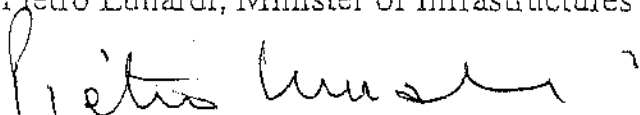


Article 12
Final provisions

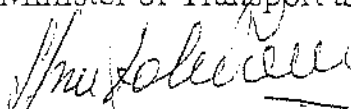
This co-operation is based on a voluntary commitment and will continue until the objectives of the initiative have been achieved. This Memorandum of Understanding does not contain obligations governed by international law.

This Memorandum of Understanding, drawn up in seven originals in English, shall be deposited with the archives of the signatory Participants.

Mr. Pietro Lunardi, Minister of Infrastructures and Transport



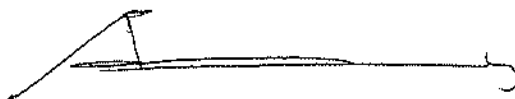
Mr. Spartak Poçi, Minister of Transport and Telecommunication



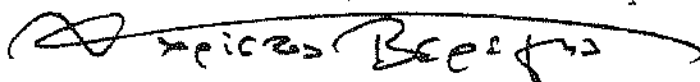
Mr. Plamen Petrov, Minister of Transport and Communications



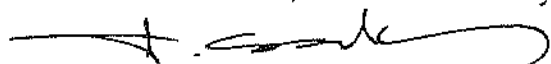
Mr. Ljupco Balkoski, Minister of Transport



Mr. Christos Verelis, Minister of Transport and Communications



Mr. Selcuck Coskun, Under-Secretary of State of Transport



Mrs. Loyola de Palacio, Vice-President of the European Commission

Bari, 9 September 2002