

Administrative Arrangement on Cooperation between the Permanent Secretariat of the Transport Community and the European Union Agency for Railways

The Permanent Secretariat of the Transport Community (TC) and the European Union Agency for Railways (hereinafter referred to as "the Participants");

DESIRING to strengthen a mutually beneficial cooperation on technical matters in the field of rail transport relating to the implementation of the Western Balkans Six Connectivity Agenda;

RECALLING that, by way of a Joint declaration endorsed at the meeting of the Ministerial Council of the Transport Community on 10 December 2018, the South East European Parties committed themselves to develop and implement a Regional Rail Strategy, in the framework of the Transport Community.

NOTING that South East European Parties are entitled to apply and abide by the provisions of the European Union Agency for Railways' founding regulation, which is listed in Annex 1.2 "Rules Applicable to Rail Transport" of the Treaty establishing the Transport Community.

NOTING also that, in accordance with its prerogatives, the European Union Agency for Railways provides technical assistance to the beneficiaries of the European Union's Instrument for Pre-accession Assistance (IPA).

SHARING the objectives of:

- Improving the competitiveness and harmonization of rail systems in South East Europe through elimination of technical barriers, in particular as regards rail interoperability and safety.
- Exploring the possibility of Mutual Recognition in South East Europe of safety certificates, vehicle authorisations, train driver licenses and railway equipment based on third party verification and certification.

TAKING into account that this arrangement is aiming to provide the framework for such cooperation and to express cooperative intent, the Participants intend to pursue the activities set out in the following Sections:

Section 6

ERA and Permanent Secretariat of the Transport Community shall establish a rolling annual calendar, annexed to this Arrangement. It should take into account ERA's technical assistance activities in the Western Balkan region and should be consistent with, and supportive of, the objectives of the Transport Community's Regional Rail Strategy.

The rolling annual calendar shall be updated by the exchange of letter between ERA Executive Director and the Director of the Permanent Secretariat of the Transport Community.

Section 7

In the framework of this Arrangement, an office space will be provided for free to ERA experts in the TCT Permanent Secretariat's headquarters.

Depending on the expertise needed in accordance with the rolling annual calendar, ERA shall inform well in advance the name(s) of ERA expert(s) to come when needs occur to the TC Permanent Secretariat's headquarters.

The headquarters of the TC Permanent Secretariat are based in Serbia, Masarikova 18, 11000 (Belgrade). Office space, internet connection (WIFI), access to IT devices (copiers – printers) is offered – free of charge - within the premises of the Permanent Secretariat to one - or more – if need be - ERA expert(s).

Section 8

ERA should inform the TCT Permanent Secretariat on the contact point who will be coordinating the implementation of this Arrangement.

Section 9

Although Staff Rules applicable to TCT Permanent Secretariat's officials will not directly apply to ERA expert(s), this (these) latter should be aware of the duties and obligations' principles in force in TC Permanent Secretariat and comply with them.

The ERA experts shall be considered as "Official Visitors" in the sense of Article 16 of the Agreement between the Republic of Serbia and the Transport Community regarding the Seat of the Permanent Secretariat of the Transport Community.

Section 10

Section 1

The following topics have been identified as initial areas for cooperation between the Participants under the framework of this Arrangement:

- Assist in the deployment of the European Railway Traffic Management System (ERTMS);
- Enhance knowledge and share expertise in deployment of relevant electronic registers and databases (e.g. for infrastructure and vehicles);
- Support in take-over and implementation of EU technical specifications, common safety methods and other requirements for rail;
- Assist in review and cleaning-up of national technical and safety rules;
- Share expertise gained through the monitoring of national safety authorities and notified bodies;
- Share expertise on the principles governing the establishment and functioning of national safety authorities and national investigating bodies
- Facilitate dissemination of knowledge and practices regarding vehicle authorization and single safety certification.

Section 2

Cooperation between the Participants under this Arrangement may be conducted in the form of:

- Exchange of information and documentation: research reports, publications, etc.;
- Creation of shared on-line spaces to ensure fast and effective exchange of information;
- Exchange visits by experts, scholars, and delegations;
- Justified expertise based participation of ERA to TCT technical committees;
- Jointly organized seminars, videoconferences, workshops and meetings involving experts, scientists, the private sector, and other relevant governmental agencies;
- Training which could be organized in the region or in the ERA premises;
- Other forms of rail cooperation as mutually agreed upon, and;

Section 3

The Participants may identify possible cooperative activities that may be of mutual interest and benefit. Each Participant, at any time, may make a proposal to the other Participant, who should consider such proposal in good faith, taking into account any applicable legal, political, and budgetary framework of the Participants.

Section 4

The cooperation is subject to the availability of funds and personnel.

Section 5

Implementation of this Arrangement should set forth the details and procedures of specific cooperative activities.

In case of misconduct of the ERA expert(s) taking place in TCT Permanent Secretariat's premises, TCT Director will immediately inform his/her counterpart in ERA to decide what type of decision should be taken.

Section 11

The activities under this Arrangement, including the availability of the office space in the TCT Permanent Secretariat, should commence after conclusion of the first rolling calendar, and subject to the approval of this Arrangement by the Regional Steering Committee of the Transport Community as far as the TCT Permanent Secretariat is concerned and by the ERA Management Board as far as ERA is concerned. Each Party shall notify the other upon completion of such formality.

Section 12

The Administrative Arrangement is re-conducted tacitly every year. If for any reason, one of the parties desire put an end to this agreement, the other party should be informed at least three (3) months in advance.

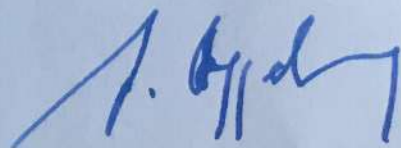
Signed in Belgrade, in two originals, one for each Participant, on 13 September 2019.

TCT Permanent Secretariat:



By Mr. Alain Baron
Interim Director

ERA:



By Dr. Josef DOPPELBAUER
Executive Director