

SECI

Southeast European Cooperative Initiative

MEMORANDUM OF UNDERSTANDING

**ON THE FACILITATION OF
INTERNATIONAL ROAD TRANSPORT OF GOODS
IN THE SECI REGION**

**Athens
28 April 1999**

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In the framework of the Southeast European Cooperative Initiative (SECI), with the support of the Government of Greece, the secretariat of the United Nations Economic Commission for Europe (UN/ECE) and the European Conference of Ministers of Transport (ECMT), assisted by the SECI supporting States and by the European Commission, the Ministers responsible for Transport of the SECI participating States, hereinafter called the Parties;

DESIRING to strengthen co-operation among all SECI participating States with a view to facilitating transport and trade, essential for the economic development of the region;

ACKNOWLEDGING the existence of major deficiencies in the operation of international road transport in Southeast Europe which are not only due to a lack of adequate infrastructure and border crossing procedures, but also to institutional, regulatory and economic barriers;

STRESSING that solutions to such common problems require a new and innovative approach in a regional co-operative framework;

AWARE of their commitments stemming from the acceptance of relevant international Agreements and Declarations;

STATING their willingness to conform with and/or to take into consideration, as appropriate, the decisions taken and the legal provisions adopted in the fields of transport, particularly road transport and the environment in the framework of the European Community (EC), the ECMT, the United Nations, mainly the UN/ECE, and other relevant international and regional fora and agreements;

CONVINCED that cost and time efficient measures could be adopted leading to a better performance of the road transport sector in the region;

AWARE of the role combined transport may play in the provision of efficient transport services in the region;

CONSCIOUS of the fact that certain measures can only be implemented in the long term;

AGREE on the following Memorandum of Understanding (MoU) as an important step towards facilitation of international road transport of goods:

Article 1

AIM

1. The aim of this MoU is to enhance co-operation and co-ordination among SECI participating States towards the harmonization of certain key-elements contributing to efficient international road transport of goods in the region, in line with internationally accepted rules and standards, inter alia by simplifying and harmonizing procedures, formalities and documentation.
2. This co-operation will mainly focus on the development of policies incorporating common principles, measures and actions of institutional, regulatory and economic character as well as the means of implementing and monitoring them.

Article 2

GENERAL RULES

1. The Parties shall not adopt measures providing for less favourable conditions than those included in existing bilateral Agreements, association agreements, co-operation agreements and other agreements in the field of transport, UN/ECE and other UN agreements and conventions, ECMT resolutions, etc. In particular, the Parties shall alleviate administrative, technical, legal and other barriers with a view to facilitating international road transport of goods, providing for efficient bilateral and transit transport in the region, complying with international standards as provided for in the above legal instruments and ensuring that charges imposed on carriers reflect the real cost of transportation based on harmonized charging policies with standard elements for the calculation of costs.
2. The provisions of this MoU shall not affect the rights and obligations of the Parties arising from other international agreements, to which they are or may become Parties.

Article 3

PROGRESSIVE LIBERALIZATION AND SUSTAINABILITY OF INTERNATIONAL ROAD TRANSPORT

1. The Parties shall establish gradually free market access for international road transport in line with the relevant principles prevailing in the European Community.
2. Recognizing that free market access, as provided for in paragraph 1, will be a longer term objective in some of the Parties, in a first phase, the Parties shall establish a quota-free regime for bilateral and transit road transport of goods. Permits may still be required for administrative and statistical purposes. Third country (triangular) and cabotage transport operations are excluded from the above quota-free regime.
3. As a short term measure, this quota-free regime shall be applicable, by the end of the year 2000, for “green”, “greener and safer” goods road vehicles in accordance with the definition of the ECMT. Further details on the implementation of this quota-free regime will be prepared by the Committee as provided for in Article 12.
4. The quota-free regime shall not prejudice the benefits already derived from bilateral agreements which are in force between the Parties as far as free-of-charge permits are concerned. It shall also not prejudice the sovereign rights of the Parties to require payment of tolls and other road user charges.
5. The Parties shall introduce and promote efficient and adequate combined transport services to ensure additional and complementary capacities in international road transport on certain sections of major international transport corridors in the SECI region.

Article 4

ACCESSION TO INTERNATIONAL AGREEMENTS

The Parties shall endeavour to accede, if they have not yet done so, to the international transport agreements established under the auspices of the UN/ECE as contained in the Annex to this MoU.

Article 5

HARMONIZATION OF MAXIMUM PERMISSIBLE WEIGHTS AND DIMENSIONS AS WELL AS WEIGHING PROCEDURES

The Parties shall endeavour to harmonize their national requirements for maximum permissible weights and dimensions of goods road vehicles with those applicable in the European Community (EC) as well as weighing procedures. The Parties undertake to seek courses of action in favour of harmonization of weighing procedures.

Article 6

ROADS SERVICING INTERNATIONAL TRAFFIC (E-ROADS)

1. The Parties shall identify all E-Road sections serving international traffic which allow for the use of goods road vehicles complying with the regulations of the European Community (EC) on maximum dimensions and weights in international road transport that will be described in a list to be added as a Protocol to this MoU. The Parties shall also determine those sections of their E-Road network which are not yet in line with the above-mentioned European Community (EC) regulations and will strive to upgrade these sections.
2. The Committee, as provided for in Article 12, shall consider, adopt and modify, if necessary, this Protocol to the MoU on the basis of proposals from the Parties.

Article 7

INTERNATIONAL SECI GOODS ROAD VEHICLE WEIGHT CERTIFICATE

The Parties shall introduce a SECI goods road vehicle weight certificate to be issued or certified by a designated Governmental authority with a view to avoiding repetitive weight measurements of goods road vehicles en route. The use of the certificate by transport operators is optional. Detailed procedures for the establishment of the certificate, its use as well as all necessary measures to be taken by competent authorities will be included into a Protocol to this MoU and will be agreed upon in the Committee as provided for in Article 12.

Article 8

CHARGING POLICIES

1. The Parties agree to take all appropriate steps towards rationalization and gradual convergence of charging policies for international road transport of goods by taking account of the principles of cost-relatedness, non-discrimination and transparency.
2. The Parties shall ensure that tolls and any other forms of user charges may not be imposed at the same time for the use of the same road section. Such charges imposed on carriers shall be based on internationally recognized standard elements for the calculation of costs of road transport as well as on units (tonne-km). The respective charges shall be payable in local currency or in an international currency.
3. No charges for excess weight and/or excess dimensions shall be imposed on goods road vehicles complying with the regulations of the European Community (EC) on maximum permissible weights and dimensions in international road transport as long as they use those sections of the international E-Roads which shall be identified in accordance with Article 6 in a Protocol to this MoU to be prepared by the Committee as provided for under Article 12.

Article 9

INFORMATION SYSTEM ON CHARGES RELATED TO ROAD TRANSPORT

The Parties endeavour to provide complete, accurate and up-to-date information on all charges related to the use of their national road network by foreign operators, including advance information of any modification before their coming into force. The Parties invite the UN/ECE secretariat, in cooperation with the International Road Transport Union (IRU) and other non-governmental organizations, to publish this information for dissemination to all interested users.

Article 10

FACILITATION OF VISA PROCEDURES FOR PROFESSIONAL DRIVERS

The Parties shall encourage their respective authorities to regularly examine possibilities to facilitate the granting of visas for professional drivers engaged in international road transport aiming at simplifying the formalities, limiting the number of substantiating documents, reducing the time required to obtain visas and issuing multiple entry visas valid for one year without prejudice to other existing agreements.

Article 11

IMPLEMENTATION

1. The Parties shall endeavour to implement the relevant provisions of this MoU by introducing them into practice under the existing or yet to be concluded bilateral road transport agreements or their relevant Protocols between SECI participating States. The Parties shall try to conclude this process by the end of the year 2002.
2. The Parties agree to strive towards a multilateral framework agreement on road transport, including additional and complementary measures increasing the transport capacities and promoting environmentally sound technologies, covering all SECI participating States, the facilities of which should not be less favourable than those provided for in this MoU and should reflect the best prevailing practices as enshrined in bilateral road transport agreements.

Article 12

INSTITUTIONAL MECHANISM

1. The Parties agree to establish a Regional Road Transport Committee to be composed of representatives of competent authorities of all SECI participating States to ensure adequate co-ordination and monitoring of the implementation of the provisions of this MoU in the region and eventually, the elaboration of a multilateral framework agreement on road transport as mentioned in Article 11, including also provisions on passenger transport. Representatives of SECI supporting States and institutions as well as other interested bodies and institutions, including national PRO Committees, may be invited to the meetings of the Committee, as appropriate.
2. The first meeting of the Committee shall be convened in the course of 1999 upon the invitation of the Government of Greece to consider, in particular, progress achieved in the implementation of this MoU and to prepare the Protocols as provided for in Articles 6 and 7. Thereafter, the Committee shall be convened and hosted, at least once a year or whenever necessary, in one of the SECI participating States. The Committee shall establish its own Rules of Procedure. Initially, the UN/ECE secretariat shall provide the Committee with secretariat services.

Article 13

DURATION

This MoU is concluded for five years. Its duration will automatically be extended for a further five years if none of the Signatory Parties objects at least one year before the expiration of a five year period.

Article 14

FINAL PROVISIONS

This MoU shall enter into force for the Parties having signed it on the first day of the third month following signature by six Parties.

This MoU drawn up in ten originals in English shall be deposited with the archives of the signatory Parties.

This co-operation is based on a voluntary commitment. Upon request of any of the Parties, this MoU may be reviewed.

Other States may become Parties to the MoU following approval by all signatory Parties to this MoU.

Signed in Athens on 28 April 1999 on behalf of the Governments of the SECI participating States (list of SECI participating and supporting States is attached).

(Signatories of the MoU in the English alphabetical order of their surnames)

The Minister of Transport	 Mr. Hasan Basri AKTAN
The Minister of Civil Affairs and Communications	 Mr. Marko ASANIN
The Minister of Transport and Communications *	 Mr. Anton BERGAUER
The Minister of Transport and Communications	 Mr. Victor CHEIBAS
For the Minister of Transport	 Mr. Aleodor Marian FRANCU (Secretary of State)
The Minister of Transport, Communication and Water Management **	 Mr. Kalman KATONA
The Minister of Transport	 Mr. Wilhelm KRAUS
The Minister of Transport and Communications	 Mr. Anastasios MANTELIS
The Minister of Public Works and Transport	 Mrs. Ingrid SHULI
The Minister of Transport and Communications	 Mr. Bobi SPIRKOVSKI

* with reservation on Article 3, paragraphs 1, 2, 3 and 4, Article 8, paragraph 3

** with reservation on Article 3, paragraphs 1, 2, 3 and 4

ANNEX

INTERNATIONAL ROAD TRANSPORT AGREEMENTS

established under the auspices of the
United Nations Economic Commission for Europe (UN/ECE)

(in accordance with Article 4 of the MoU)

- (1) Convention on Road Traffic (08.11.1968)
- (2) European Agreement Supplementing the Convention on Road Traffic (01.05.1971)
- (3) Convention on Road Signs and Signals (08.11.1968)
- (4) European Agreement Supplementing the Convention on Road Signs and Signal (01.05.1971)
- (5) Protocol on Road Markings, Additional to the European Agreement Supplementing the Convention on Road Signs and Signals (01.03.1973)
- (6) European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Traffic (AETR) (01.07.1970)
- (7) Convention on the Contract for the International Carriage of Goods by Road (CMR) (19.05.1956)
- (8) Customs Convention on the Temporary Importation of Private Road Vehicles (04.06.1954)
- (9) Customs Convention on the Temporary Importation of Commercial Road Vehicles (18.05.1956)
- (10) Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (TIR Convention) (14.11.1975)
- (11) International Convention on the Harmonization of Frontier Controls of Goods (21.10.1982)
- (12) European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR) (30.09.1957)
- (13) Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for such Carriage (ATP) (01.09.1970)
- (14) European Agreement on Main International Traffic Arteries (AGR) (15.11.1975)
- (15) European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) (01.02.1991)
- (16) Protocol on Combined Transport on Inland Waterways to the European Agreement on Important International Combined Transport Lines and Related Installation (AGTC) (17.01.1997)

ATTACHMENT

SECI PARTICIPATING STATES

(In the English alphabetical order of the surnames of the signatories of the MoU)

Turkey, Bosnia and Herzegovina, Slovenia, Republic of Moldova, Romania, Hungary, Bulgaria, Greece, Albania, The former Yugoslav Republic of Macedonia.

SECI SUPPORTING STATES in the Project Group on Border Crossing Facilitation

Russian Federation, United States of America.