

Joint Ministerial Declaration

On effective improvements to eliminate bottlenecks and facilitate international traffic on the Orient/East-Med Rail Freight Corridor

Between the Ministers responsible for transport of

The Republic of Austria,

The Republic of Bulgaria,

The Czech Republic,

The Federal Republic of Germany,

The Hellenic Republic,

Hungary,

Romania and

The Slovak Republic

Rotterdam

21st June 2016

HAVING REGARDS TO:

- Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight; and in particular whereas 10, 11, 30 and Articles 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 of the Regulation;
- Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the Trans-European Transport Network, and in particular whereas 2, 5, 13, 21, 42 and Articles 47.1.(c) and Article 48 about the cooperation of the Core Network Corridors with the Rail Freight Corridors Regulation;
- Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, and in particular whereas 16 of the Regulation;

CONSIDERING THE FOLLOWING GENERAL OBJECTIVES:

Since January 2014, the European Union has a new transport infrastructure policy that connects the continent between East and West, North and South. This policy aims to close the gaps between Member States' transport networks, remove bottlenecks that still hamper the smooth functioning of the internal market and overcome technical barriers such as incompatible standards for railway traffic. It promotes and strengthens seamless transport chains for passenger and freight, while keeping up with the latest technological trends.

European Coordinators are leading the drive to build the core network corridors, which represent the strategic heart of the trans-European transport network (TEN-T). TEN-T corridors therefore deserve a concentrated amount of effort and attention for their financing, cooperation efficiency and quality. They bring together public and private resources and concentrate EU financial support from the Connecting Europe Facility (CEF), particularly to remove bottlenecks, build missing cross-border connections and promote modal integration and interoperability. They also aim at cooperating closely with rail freight corridors, promoting clean fuel and other innovative transport solutions, advancing telematics applications for efficient infrastructure use, integrating urban areas into the TEN-T, enhancing safety.

The development of the Rail Freight Corridors (RFCs) forms the key element of the European transport policy in order to boost rail freight. It is an integral part of the policy, aiming at achieving the modal shift objectives, set up in the White Paper on Transport, notably shifting 30% of long-distance road freight on more sustainable modes of transport, particularly rail, by 2030. Reaching these ambitious objectives means that far larger volumes of freight will have to be carried by rail.

Regulation 913/2010 (RFC Regulation), through the establishment of the RFCs and the corresponding governance structures aims at improving the conditions for rail freight traffic along these corridors and to trigger its development in terms of volume, market share, quality and reliability. In particular, the RFC Regulation fosters the cooperation between the different stakeholders (primarily the Member States and the Infrastructure managers), the coordination in terms of capacity offer, traffic management and conditions of use of the infrastructure, the harmonisation of processes and rules, as well as the coordination in terms of investments.

The RFCs are now in a permanent operational phase, which must be characterized by a market driven and continuous improvement in terms of standard, capacity and service quality. Simplification, harmonisation, acceleration in the implementation of changes and customer orientation are the key demands of the rail freight sector stakeholders. In this respect, the Rotterdam Ministerial Declaration and the Sector Statement on Rail Freight Corridors "Boosting International Rail Freight" have been agreed at the TEN-T Business conference of the 21st June 2016: "Rail Freight Corridors to boost international rail freight" to provide the necessary impulse.

CONSIDERING IN PARTICULAR:

- The importance of railway passengers and freight transport for the support of Europe's growth and competitiveness and in particular, the fact that the transport potential, attractiveness and efficiency of the Orient/East-Med Corridor is not sufficiently exploited,
- That the punctuality and average transit times between the countries for freight trains have to be improved to increase its competitiveness.

We, the Ministers and Heads of Delegations responsible for Transport from the Republic of Austria, the Republic of Bulgaria, the Czech Republic, the Federal Republic of Germany, the Hellenic Republic, Hungary, Romania and the Slovak Republic, met on 21st June 2016 in Rotterdam and reached the following conclusions:

REITERATE the need for national action and cross-border coordination procedures in the field of railway transport, while respecting the principle of subsidiarity;

UNDERLINE the importance of the cross-border issues that have been identified, analysed and tackled in the implementation plan of the Orient/East-Med Rail Freight Corridor in November 2013;

UNDERLINE the importance of cross-border issues that have been highlighted in the Orient/East-Med Corridor Work Plan in May 2015;

RECOGNISE that deepening the Cooperation is essential for the economic and social development of the region;

RECOGNISE that there are best practices available along the Orient/East-Med Core Network corridor and that cross-fertilisation is needed;

RECOGNISE the work done by the Orient/East-Med Core Network Corridor working group on cross-border issues in railways;

RECOGNISE the work done by the Rail Freight Corridor Orient/East-Med Executive Board and its Management Board on cross-border issues in railways;

ACKNOWLEDGE the significance of the conclusion of cross-border agreements, as already pointed out in the Report of Article 22 of Regulation (EU) No 913/2010;

WELCOME the common goals of the railway cross-border issues of the Orient/East-Med Core Network Corridor Working Group and the Orient/East-Med Rail Freight Corridor:

- to hear and understand the experience of the stakeholders in rail border crossing
- to come up with a list of concrete proposals to solve these issues
- to lay ground to increase efficiency and the attractiveness of corridor transports, in particular by implementing "soft" measures (administrative, operational, technical)
- identify priorities for the review of Orient/East-Med Core Network corridor work plan

RECOGNISE that reliability and flexibility are key quality indicators for the railway undertakings, therefore: the corridor capacity needs to be protected as much as possible and the existing deadline for reserve capacity should be lowered in a market-oriented way in order to better meet the market needs.;

RECOGNISE that capacity restriction has to be planned in advance and to this end: transparency on the multi-annual investment plans needs to be provided and delays on infrastructure works need to be avoided;

WELCOME, in the follow-up of the first meeting of the Orient-East-Med Core Network Corridor working group on cross-border issues, the invitation of the European Coordinator responsible for CNC OEM to the Orient-East-Med Rail Freight Corridor to set-up an "Action Programme" that has to address and resolve operational cross-border issues on the Rail Freight Corridor;

SUPPORT the annexed "Action Programme of the Orient-East-Med Rail Freight Corridor" on the elimination of the bottlenecks and facilitation of the international traffic, defining the priority issues to be addressed, and providing a first set of actions – including, where necessary, further analysis in order to significantly improve standards, capacity and service quality of the Orient/Est-Med Rail Freight Corridor list, reduce the border-crossing times by mid-2018;

ENCOURAGE the Executive Board and the Management Board to prepare and the Executive Board to approve an "Action Plan" defining specific actions to be taken within two years in order to implement the "Action Programme" referred to above;

RECOGNISE that willingness and trustful cooperation between the stakeholders need to remain a core principle;

AGREE to give the full support and related means to the Executive Board and the Management Board to facilitate and apply the proposed improvements in the Action Programme without prejudice to the competence of the Member States with regard to the national budget and the planning and funding for rail infrastructure;

RECOGNISE that an acceleration of the implementation of common industry tools facilitates a better monitoring of the international rail freight traffic and therefore supervises the efficiency of the implementation of the annexed Action Programme;

INTEND to significantly reduce the average border-crossing times, with the target of maximum 2 hours waiting time, except for waiting times due to border procedures specific to Schengen external borders, as soon as possible and at the latest by 30 June 2018;

WELCOME that the European TEN-T Coordinator Corridor Work Plan to be prepared this year will mention and support this declaration and its annexed Action Programme.

Signatures

AUSTRIA



JÖRG LEICHTFRIED
Federal Minister for Transport,
Innovation and Technology

BULGARIA



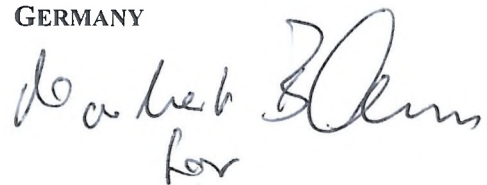
IVAYLO MOSKOVSKI
Minister of Transport, Information
Technology and Communications

CZECH REPUBLIC



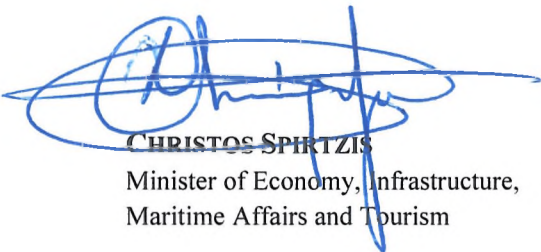
DAN ŤOK
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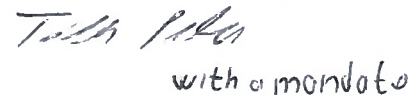
ALEXANDER DOBRINDT
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Maritime Affairs and Tourism

HUNGARY



MIKLÓS SZÉCSÁK
Minister of National Development

ROMANIA



DAN MARIAN COSTESCU
Minister of Transport

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ROMAN BREČELY
Minister of Transport, Construction
and Regional Development

*ambassador of Slovakia
to the Council*

Action Programme¹
of the Orient-East-Med Rail Freight Corridor

Rotterdam

21st June 2016

¹ Annex to the "Joint Ministerial Declaration On effective improvements to eliminate bottlenecks and facilitate international traffic on the Orient/East-Med Rail Freight Corridor"

I. Cross border operations

1. Waiting time on border crossing

Intermediary actions:

- a. In-depth analysis of the reasons for the waiting times at the border crossings. To this end, a two-step approach will be followed:
 - (1) the Management Board will determine the current waiting times for all border crossings;
 - (2) the Management Board will produce an in-depth analysis of a sub-set of border crossings based on the results of step 1. This in-depth analysis will in particular integrate the two following sub-actions.
 - *Actor(s)*: Management Board, Executive Board, in close cooperation with the Railway Advisory Group and the National Safety Authorities
 - *Results/documentation*: Presentation of the results to the Executive Board
 - *Deadlines*: 31st December 2016
- a.1. Identification of the technical, operational and administrative rules causing avoidable waiting times on the border.
 - *Actor(s)*: Management Board, Executive Board, in close cooperation with the Railway Advisory Group and the National Safety Authorities
 - *Results/documentation*: Presentation of the results to the Executive Board
 - *Deadlines*: 31st December 2016
- a.2. Analysis of the impacts on the rail freight traffic of the duplication of border clearance procedures at both sides of the borders.
 - *Actor(s)*: Management Board in close cooperation with the Railway Advisory Group
 - *Results/documentation*: Presentation of the results to the Executive Board, which will assess if bilateral agreements should be concluded
 - *Deadlines*: 31st December 2016

2. Harmonisation of operational and administrative rules

Intermediary actions:

- a. Concerning mandatory technical checks for all trains, the Management Board will promote within the Railway Advisory Group the application of trusted handover between railway undertakings at border crossings with the aim to improve the capacity availability at the border stations
 - *Actor(s)*: Management Board in close cooperation with the Railway Advisory Group
 - *Results/documentation*: Minutes of the Railway Advisory Group meeting and improvement of the cross border operations.
 - *Deadlines*: 31st October 2016
- b. Different numbers of buffer wagons required between electric loco and dangerous goods wagons: The Executive Board and Management Board will organise a kick-off

meeting with National Safety Authorities to analyse the situation. The Management Board will propose to deliver to the National Safety Authorities a study on the risk assessment

- *Actor(s)*: Management Board and Executive Board
- *Results/documentation*: Minutes of the kick-off meeting
- *Deadlines*: 31st December 2016

3. Reauthorisation of the locomotives of the same class for inclusion of different software versions

Intermediary actions:

The Management Board will inform the Railway Advisory Group that the situation has to be analysed on a case-by-case basis. If a railway undertaking owner of the locomotive feels that the reauthorisation process is disproportionate to the modification implemented, he or she is encouraged to contact and consult the Executive Board and EC DG MOVE

- *Actor(s)*: Management Board and Executive Board and EC DG MOVE
- *Results/documentation*: Cases submitted and follow-up
- *Deadlines*: Non-applicable

4. Change of locomotive at the border

Intermediary actions:

Infrastructure Managers will optimize the locomotive availability at border crossings together with railway undertakings (Railway Advisory Group should be consulted.). To this end, they may use the application of the IT tools like "Park and Run" of Rail Net Europe. Furthermore the usage of the IT-Tool 'IMcomm' developed by Romania should be analysed.

- *Actor(s)*: Infrastructure Managers and Management Board
- *Results/documentation*: Feedback of the conclusion of each Infrastructure Managers to the Executive Board
- *Deadlines*: 10th December 2017

5. Calculation of braking percentages

Intermediary actions:

With regard to the entry into force of the revised OPE TSI, since July 2015 the braking performance is determined by the railway undertakings on the basis of the relevant line characteristics given by the infrastructure manager

Therefore, to avoid that the methods currently used to calculate brake performance in the meaning of 4.2.2.6.2 of OPE TSI negatively affect the railway undertakings, the Management Board will analyse the situation, and where relevant provide relevant line characteristics for the whole corridor and promote through the Railway Advisory Group an efficient update of the methods to calculate brake performance.

- *Actor(s)*: Management Board
- *Results/documentation*: Presentation of the results of the WG to the Executive Board

– *Deadlines: 31st December 2016*

II. Infrastructure works

1. Information on infrastructure works (new construction, upgrade and maintenance)

Intermediary actions:

- a) Management Board will identify the reasons of delays of the infrastructure works
 - *Actor(s)*: Management Board
 - *Results/documentation*: Report to the Executive Board
 - *Deadlines*: 31st December 2016

- b) Management Board will identify, in cooperation with Railway Advisory Group, which information on infrastructure works should be collected and published on a website, as well as the frequency at which this information should be updated, taking into account inter alia the “Project List” of the Core Network Corridor which is currently under development. Once the Management Board will have agreed on the process, it will implement it as soon as possible.
 - *Actor(s)*: Management Board
 - *Results/documentation*: Report to the Executive Board
 - *Deadlines*: 31st October 2016

- c) As regards the planning of infrastructure works, the Ministries of Transport will exchange their experiences on the status of multi-annual rail infrastructure planning and financing schemes. The respective actors will exchange views on this issue at their joint meetings.
 - *Actor(s)*: Executive Board and Management Board
 - *Results/documentation*: Presentation and discussion at Executive Board meeting
 - *Deadlines*: 31st December 2016

- d) As regards the planning of infrastructure works, exchange of information could be useful before submitting applications relating to works on the rail freight corridor to CEF Funding or any other funding call. On the basis of this information, Executive Board and Management Board could jointly express their support to those projects which are for the common interest of the corridor.
 - *Actor(s)*: Executive Board and Management Board
 - *Results/documentation*: Support of Executive Board and Management Board
 - *Deadlines*: non-applicable

- e) On the basis of the investment plan of the corridor, the Management Board consults the railway undertakings through the Railway Advisory Group concerning the TEN-T requirements, in particular on the need to address in priority some non-compliant sections. This information will be shared with the Executive Board and the Orient-East-Med Core Network Corridor Coordinator.
 - *Actor(s)*: Management Board and Railway Advisory Group
 - *Results/documentation*: Dialogue with the Orient-East-Med Core Network Corridor Coordinator
 - *Deadlines*: 31st December 2016

2. Effects of temporary speed restrictions

Evaluation of all temporary speed restrictions sections along the corridor together with:

- approximate duration;
- impact analysis on time-table planning and operative traffic management;
- impact analysis on the business model for the rail freight international traffic running on the corridor.
 - *Actor(s)*: Management Board
 - *Results/documentation*: Report to the Executive Board
 - *Deadlines*: 31st December 2016

3. Effective coordination of capacity restrictions

Actions

- a) Establishment of a working group and a coordinator position (head of this working group) responsible exclusively for the coordination of temporary capacity restrictions
 - *Actor(s)*: Management Board
 - *Results/documentation*: Modification of the Internal Rules and Procedures. Report to the Executive Board
 - *Deadlines*: 1st July 2016
- b) Finalisation of the capacity restrictions plan between X-17 and X-12, in accordance with the Rail Net Europe guidelines
 - *Actor(s)*: Infrastructure Managers and Management Board
 - *Results/documentation*: Publication in due time without any further modification
 - *Deadlines*: 11th December 2016

4. Announcement of capacity restrictions

Intermediary actions:

- a) Management Board will take stock of the lately announced capacity restrictions and report to the Executive Board about the impact on the traffic of the corridor. On this basis, the Executive Board will assist in improving the situation.
 - *Actor(s)*: Management Board and Executive Board
 - *Results/documentation*: Report to the Executive Board
 - *Deadlines*: non-applicable
- b) Management Board will compare and assess the conditions of each Infrastructure Manager regarding the extra costs caused by a realignment of train path due to lately announced capacity restriction by the Infrastructure Manager.
 - *Actor(s)*: Infrastructure Managers and Management Board
 - *Results/documentation*: Report to the Executive Board
 - *Deadlines*: 31st December 2016

III. Capacity

1. Access to information on international traffic

Intermediary Actions:

With a view to provide better information on the real-time position of cross-border trains, Infrastructure Managers will assess if giving access to the "Train Information System" to dispatchers would have a positive impact on the international freight traffic of the corridor. On the basis of this assessment the Management Board will take measures.

- *Actor(s)*: Infrastructure Managers and Management Board
- *Results/documentation*: Report to the Executive Board
- *Deadlines*: 31st December 2016

2. Performance

Actions:

- a) Implementation of automatic electronic data exchange between Train Information System and the national systems
 - *Actor(s)*: Infrastructure Managers and Management Board
 - *Results/documentation*: Report to the Executive Board
 - *Deadlines*: 11th December 2016

Intermediary Actions:

- b) Until electronic data exchange between Train Information System and the national systems is implemented by every Infrastructure Manager, as proposed in action II.2.a), the Management Board will calculate the Key Performance Indicators on punctuality on the basis of a sample of international freight trains running on the corridor. The methodology to define this sample will be presented to the Executive Board.
 - *Actor(s)*: C-OSS and Management Board
 - *Results/documentation*: Report to the Executive Board
 - *Deadlines*: 30th September 2016

Intermediary Actions:

- c) Management Board will analyse the delay reasons together with the railway undertakings (train performance coordination)
 - *Actor(s)*: C-OSS and Management Board
 - *Results/documentation*: Report to the Executive Board
 - *Deadlines*: 30th September 2016

Actions:

On the basis of the analysis, the Management Board will take the necessary measures to improve the situation.

3. Scope of the C-OSS services

Intermediary Actions:

- a. Infrastructure Managers will support the further development of the advanced common European IT tool Path Coordination System at the high level meetings of its service provider, Rail Net Europe. The objective is firstly to improve the quality of the currently implemented functions (short-term objective) and secondly to develop the system from a harmonisation tool to an ordering tool, which is capable of handling requests for the services offered by the Infrastructure Managers under Annex II of Directive 2012/34/EU (mid-term objective). At the meetings of the decision-making bodies of Rail Net Europe, the Infrastructure Managers will initiate and support the implementation of a study on the feasibility of the second objective. Additionally, without prejudice of the charging competency, the integration of current services, such as CIS, into the system would offer further advantages in terms of information to the customers. A well-structured approach also taking into account the customer feedback is required.
 - *Actor(s)*: Infrastructure Managers
 - *Results/documentation*: Rail Net Europe event minutes
 - *Deadlines*: 31st December 2016

- b. In order to improve the flexibility of the Corridor offer, in particular regarding its reserve capacity, the Infrastructure Managers will define how far the period to reserve capacity before the running day should be lowered. The Infrastructure Managers should particularly pay attention to take into account the market needs, to provide added value to the corridor services and to see how to develop and implement such an improved offer with the support of Rail Net Europe.
 - *Actor(s)*: Management Board
 - *Results/documentation*: Report to the Executive Board
 - *Deadlines*: March 2017

4. Schedules along the corridor for the cancelation fees

Intermediary Actions:

The Management Board will compare the different regimes and propose a harmonised schedule to the CEOs.

- *Actor(s)*: Infrastructure Managers and Management Board
- *Results/documentation*: Report to the Executive Board
- *Deadlines*: 31st December 2016

IV. Governance

1. Involvement of the railway undertakings

Action:

- a. In case the Railway Advisory Group and Terminal Advisory Group would like to address a specific topic with the Executive Board, the Management Board will establish the contact between a Railway Advisory Group and/or Terminal Advisory Group representative authorised speak on behalf to the concerned advisory group and the Executive Board chairman.
- b. The Management Board will organise the RAG TAG meetings the day preceding/following the Executive Board meetings allowing members of both Executive Board and Management Board to attend
 - *Actor(s):* Management Board and Executive Board
 - *Results/documentation:* Number of attendances of Executive Board and Management Board members at Railway Advisory Group and Terminal Advisory Group meetings.
 - *Deadlines:* 31st December 2016

2. Definition of the Strategy, performance monitoring and annual report

Action:

- a. Once a year, on the basis of the feedback on the implementation of the Action program, the Executive Board will organise a high level meeting dedicated to the strategic issues for the corridor, with all high representatives of the Executive Board and all high representatives of the Management Board, and where the European TEN-T Coordinator for the Orient-East-Med Corridor will be invited,. The spokesperson representatives of Railway Advisory Group and Terminal Advisory Group may also be invited.
 - *Actor(s):* Executive Board, Management Board and Railway Advisory Group and Terminal Advisory Group spokespersons
 - *Results/documentation:* Minutes of the High Level meeting
 - *Deadlines:* Annually
- b. In order to improve the corridor services, the Management Board will define a basic set of quantifiable indicators to monitor and evaluate the development of the Orient-East-Med corridor performances. This set of key performance indicators will at least incorporate the KPIs developed in the Rail Net Europe guidelines and the Key Performance Indicators included in the annex of the Framework for Capacity Allocation.
 - *Actor(s):* Management Board
 - *Results/documentation:* Presentation to the Executive Board
 - *Deadlines:* twice a year