

*DONAUKOMMISSION
COMMISSION DU DANUBE
ДУНАЙСКАЯ КОМИССИЯ*



COMMISSION EUROPEENNE
DIRECTION GENERALE - MOBILITE ET TRANSPORT



ADMINISTRATIVE ARRANGEMENT

CONCERNING A FRAMEWORK FOR COOPERATION

BETWEEN

The Secretariat of the Danube Commission

and

**The Directorate-General for Mobility and Transport
of the European Commission**

ADMINISTRATIVE ARRANGEMENT
concerning a framework for cooperation between
the Secretariat of the Danube Commission
and the Directorate-General for Mobility and Transport
of the European Commission – DG MOVE

This Administrative Arrangement is between the Secretariat of the Danube Commission and the Directorate-General for Mobility and Transport of the European Commission, hereinafter "the Sides".

1. Introduction

The Secretariat of the Danube Commission and the Directorate-General for Mobility and Transport of the European Commission (hereinafter called "DG MOVE") in their respective legal and institutional contexts both pursue the support of the inland navigation sector and have common interests in streamlining the development of inland navigation. In this respect, they recognise the need for stepping up cooperation for the achievement of the objectives of the respective policies.

The cooperation of the two sides should consider the requirements of the Common Transport Policy of the European Union covered by the Treaty on European Union and the Treaty on the Functioning of the European Union and the Convention regarding the regime of navigation on the Danube signed in Belgrade on 18 August 1948.

The European Commission in its White Paper "A Roadmap to a single European Transport Area" from 2011 has emphasised the importance of the inland waterway transport in the context of an enlarged Union. In particular the objective for future actions should be to establish an appropriate framework to optimise the Internal Market for inland waterway transport, and to remove barriers that prevent its increased use. For that purpose inland waterway will have a relevant place in the new legal framework concerning Trans European transport network.

In the framework of the Priority Area 1A of the EUSDR dealing with Inland Waterways Transport, the Danube Commission is a member without voting rights in the Steering Group responsible for implementing the Action Plan of the Strategy. The Danube Commission is therefore expected to coordinate the work for the implementation of this agreement with the PA 1A Steering Group.

The Danube Region has changed dramatically in the last 20 years. Most recently, there have been the 2004, 2007 and 2013 waves of EU enlargement. The world's most international river basin is now largely an EU space. There are new opportunities to address its challenges and potential, especially to reinforce its efforts to overcome the economic crisis in a sustainable manner. Socio-economic development, competitiveness, environmental management and resource efficient growth can be improved, security and transport corridors modernised. The Danube can open the EU to its near neighbours, the Black Sea Region, the South Caucasus and Central Asia.

The Danube Commission on the basis of Art. 8 of the Belgrade Convention conducts its task in elaborating a regularly updated general plan on major projects and waterway maintenance works by decision of its Member States aiming at determining and eliminating the infrastructure deficiencies on the Danube River. The navigability on the Danube and hence the operation of the Danube ships is determined by systematic low water conditions (but also floods and icing). Closely related to improving the navigability of the waterway is the maintenance of that waterway. To improve the navigability of a river in the long run it is vital that not only the current bottlenecks are reduced, but also that the fairways are sufficiently maintained. The annual maintenance costs in case of regular maintenance are reasonable, however if maintenance is not carried out regularly, the costs to bring the river up to standard again are substantial, and may present serious challenges.

One of the Nine Core Network Corridors for the implementation of the TEN-T policy of the EU is the Rhine-Danube which develops mainly along the Danube River Basin and encompasses the implementation of good year-round navigability conditions on the Danube, latest by 2030.

The coordinated improvement of transport on the basis of holistic and integrated development concepts, accompanied by the development and use of appropriate technical, eco-sustainable solutions, can increase the attractiveness of the Danube River as a cost-effective corridor for effectively delivering regional sustainable socio-economic and environmental development. A multidisciplinary approach to waterway infrastructure development can ensure preservation and restoration of the valuable ecosystem of the Danube, while facilitating better socio-economic development. In this sense, the Joint Statement on Inland Navigation and Environmental Sustainability in the Danube River Basin was adopted by the Danube Commission, the International Commission for the Protection of the Danube River and the International Sava Commission in December 2007.

The European Commission in its Communication NAIADES II (COM (2013) 623) has recognised the need to review and reinforce international cooperation in the field of inland navigation. In particular, DG MOVE considers that new approaches could be envisaged to better use the coordinating role among riparian States and the expertise of the Danube Commission in the field of maintenance of inland waterways infrastructure and to contribute to the observation of the IWT market.

This Administrative Arrangement should be considered as a necessary step towards this end. Therefore, the Secretariat of the Danube Commission and DG MOVE intend to launch their cooperation in line with the following arrangements:

2. Purpose

The purpose of this Administrative Arrangement is to establish a framework for cooperation between the Secretariat of the Danube Commission and DG MOVE. In particular, both Sides endeavour to strengthen the cooperation in order to increase synergies and make their actions more complementary and mutually reinforcing.

3. Areas of cooperation

Without prejudice to other issues that may acquire more importance or require immediate attention and action, and subject to the results of joint reviews referred to in point 7. (Review), the priority areas for cooperation within the respective sphere of competence of both Sides are:

- 3.1. Follow-up of actions within the respective mandates of the Danube Commission and DG MOVE participating to the coordination of the implementation of a Master Plan for the rehabilitation and maintenance of the Danube River referred to in the Luxembourg Declaration of 7 June 2012 and the Danube Transport Ministers conclusions of 3rd December 2014 on effective waterway infrastructure rehabilitation and maintenance on the Danube and its navigable tributaries and the improvement of comprehensive waterway management;
- 3.2. Elaboration of technical standards for navigation, in particular, infrastructure maintenance and navigability status assessment on the Danube River;
- 3.3. Contribute to the elaboration of technical standards for inland waterway vessels;
- 3.4. Market observation as regards the Danube Basin.

4. Forms of cooperation

- 4.1. The activities to be pursued in the context of the areas of cooperation referred to in paragraphs 3.1. to 3.4. may take the forms set out below:
 - exchange of information, documentation and experience;
 - steering and priority setting;
 - coordination and cooperation, in particular by the elaboration of standards which can be referred to by both Sides.
- 4.2. The work in the areas of cooperation referred to in paragraph 3.1-3.4. will be performed through an appropriate mechanism involving all relevant actors in this field.
- 4.3. In performing these activities, the Secretariat of the Danube Commission and DG MOVE should aim to exchange information relevant to the fulfilment of their respective tasks and responsibilities, in particular with regard to their objectives and timetables of activities in the area of inland navigation and related fields, and share, where appropriate, the experiences acquired.

- 4.4. A work programme for a multi-annual period shall be prepared by both Sides for deliberation and adoption.
- 4.5. The Secretariat of the Danube Commission will provide secretarial support, as well as linguistic assistance on inland navigation terminology to the appropriate mechanism, subject to the availability of funding and the provisions laid down in point 6. (Funding).

5. Content of cooperation

The content of cooperation for the areas referred to in the above-mentioned paragraph 3. (Areas of cooperation) and paragraph 4 (Forms of cooperation) shall be developed in a stepwise approach. As a first step the following items may be addressed:

- 5.1. Follow-up and coordination of actions within the respective mandates of the Danube Commission and DG MOVE relating to the participation in the implementation of major projects related to the rehabilitation and maintenance of the Danube River. This should be done, whenever necessary, in coordination/cooperation with PA 1A of the EUSDR and the TEN-T Coordinator for the Rhine-Danube Corridor.

The purposes of this area of cooperation are the following:

- a) actively engage in the follow-up of actions and policies related to the rehabilitation and maintenance of the Danube River and its tributaries;
- b) follow-up and promote bilateral joint-statements between states necessary for ensuring the conditions for good navigation on common sectors of the inland waterways.

- 5.2. Promote coherence of infrastructure maintenance in the field of inland navigation.

The purposes for this area of cooperation are the following:

- a) to support and improve actual governance on the inland waterway infrastructure maintenance for the Danube River and its tributaries;
- b) to explore possible ways to further increase the coherence of infrastructure maintenance for the Danube River and for the other parts of the inland waterways networks in the European Union, leading to adequate, proportionate and unified maintenance standards and good practice exchange - in cooperation and in synergy with the ongoing work done by relevant initiatives supported by DG MOVE and by the PA 1A of the EUSDR.

- 5.3. Take the necessary steps to link the cooperation referred to in paragraph 4 in the areas of cooperation referred to in paragraph 3 with the EU-Strategy for the Danube Region, in particular, the priority area PA 1A – Inland Waterways Transport in order to:

- a) lead to coherence between the General Plan on major projects and waterway maintenance works of the Danube Commission with the EUSDR PA 1A - agreed Fairway Rehabilitation and Maintenance Masterplan;
 - b) monitor the implementation and progress of major projects and waterway maintenance works.
- 5.4. Participate in the market observation on inland navigation in relation to the sector "Danube" and to install the information sources and solid IT-equipment to improve the current contribution to the market survey in cooperation with other relevant river commissions and international organisations.
- 5.5. Contribution to the elaboration of technical, navigational and other standards referred in paragraph 3.2. and 3.3.

6. Funding

A draft indicative budgetary planning relating to the technical and administrative capacities in the framework of the cooperation will be defined, in particular for the implementation of the items referred to in paragraph 5 and for the functioning of the appropriate mechanism referred to in paragraph 4.2. A multi-annual indicative budgetary planning shall be prepared further by the Secretariat of the Danube Commission and DG MOVE taking into account the multi-annual work programme agreed by the Sides.

Subject to the availability of appropriations, budgetary resources will be allocated and corresponding contracts or other appropriate agreements will be concluded. The Danube Commission will provide expertise and technical and organizational support, as well as its premises for the organization of events. Any funding of the Danube Commission by the European Commission will be pursuant to the European Commission's own procedures. The terms and conditions of such funding will be defined in the relevant contracts and/or agreements in line with the applicable European Union's legislation, taking into consideration the multi-annual indicative budgetary planning.

7. Review

This Administrative Arrangement may be amended or modified at the request of either Side.

Whenever appropriate, consideration will be given to the need for improvements in the cooperation.

8. Communication

All communication in relation to this Administrative Arrangement should be done in writing between the Director-General of the Secretariat of the Danube Commission and the Director-General for Mobility and Transport of the European Commission.

9. Final provisions

This Administrative Arrangement does not create rights and obligations under international law between the Sides.

Done at Budapest on 24 July 2015 in English, French, German and Russian languages, in two originals.

Director-General
of the Secretariat
of the Danube Commission

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Director-General
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Mr. João Aguiar Machado