

JOINT DECLARATION OF INTENT

between the Ministries responsible for Transport of

**the Republic of Austria,
the Czech Republic,
the Federal Republic of Germany,
the French Republic,
Hungary,
Romania and
the Slovak Republic**

on

**the establishment of the Executive Board of the
Rhine-Danube Rail Freight Corridor**

The implementation of a European rail freight network is one of the objectives of the European transport policy. In this policy framework, the goal is to encourage the gradual development of trans-European corridors for competitive rail freight transport, thus enabling higher usage of the railway system with positive effects on modal shift. The gradual establishment of corridors giving a higher level of quality to rail freight transport has to be achieved through improvements in capacity, including the upgrading and the rehabilitation of infrastructure or through the improvement of processes, such as the development of traffic management systems and better access to the terminals of the corridor. The improved level of quality offered by rail infrastructure should make it possible to develop rail freight services or create new ones.

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 (hereinafter referred to as 'the Regulation') came into force on 9 November 2010.

The Regulation lays down rules for the establishment and organisation of international rail freight corridors with a view to the development of a European rail network for competitive freight. It sets out rules for the selection, organisation, management and indicative investment planning of freight corridors. The Regulation applies to the management and the use of railway infrastructure included in rail freight corridors.

The Regulation has set up Czech – Slovak Rail Freight Corridor No. 9 routing Praha - Horní Lideč – Žilina – Košice – Čierna nad Tisou/Slovak-Ukrainian border (CS corridor or RFC9) as one of the initial freight corridors. In line with the provisions of the Regulation, it became operational on 10 November 2013.

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The list of initial freight corridors in the Regulation has been amended by Annex II of Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility. The stipulations of this Annex imply an extension of the principal route of RFC 9 to France, Germany, Austria, Hungary and Romania. Furthermore, the corridor has been renamed from “Rail Freight Corridor No. 9” to “Rhine-Danube Rail Freight Corridor” with alignment:

Strasbourg – Mannheim – Frankfurt – Nürnberg – Wels

Strasbourg – Stuttgart – München – Salzburg – Wels – Wien - Bratislava – Budapest –

Arad – Brasov/Craiova – Bucureşti – Constanţa

München/Nürnberg – Praha – Horní Lideč– Žilina – Košice – Čierna nad Tisou
(Slovak/Ukrainian border)

In order to implement the provisions of the Regulation, the concerned Member States are requested to set up an Executive Board, composed of representatives of the authorities of the Member States concerned. In addition to this Executive Board, the governance structure of the rail freight corridor should consist of the Management Board, composed of representatives of the Infrastructure Managers and Allocation Bodies concerned.

The Ministries responsible for transport of the Republic of Austria, the Czech Republic, the Federal Republic of Germany, the French Republic, Hungary, Romania and the Slovak Republic (hereinafter referred to as the “Sides”):

- recognize the contribution of rail freight to Europe’s socio-economic development and to the environment;
- stress the high potential of rail freight corridors to utilise in a more efficient and effective way the TEN-T Core Network;
- stress the high potential and the benefits of the freight corridors in terms of multimodality as well as for the trade with European and Asian countries and global transport in general;
- share the ambition to continue to work together to develop a network of rail freight corridors by the management of the corridors and their interconnections, but also by the improvement of the interoperability, the removal of bottlenecks, the harmonisation of operational rules and the capacity management;
- wish to increase the involvement of the business community in developing the rail freight corridors;
- acknowledge the work carried out by the initial Member States of RFC 9 which became operational on 10th November 2013;
- consider that the present Joint Declaration of Intent is without prejudice to the competence of the Member States regarding planning of the rail infrastructure on their territory;

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- encourage the regulatory bodies and national safety authorities to improve their cooperation along the rail freight corridor;
- encourage a close coordination mechanism with the other rail freight corridors, in particular in the case of overlapping sections where any duplication of work should be avoided;
- recognize the particular situation of the French Republic in the Rhine-Danube Rail Freight Corridor and support its desire to withdraw from its functions when the situation of the rail freight traffic on the Strasbourg / Kehl node has been dealt with;
- consider lessons learned and best practices from the initial rail freight corridors mentioned in the Regulation, in particular RFC 9 CS.

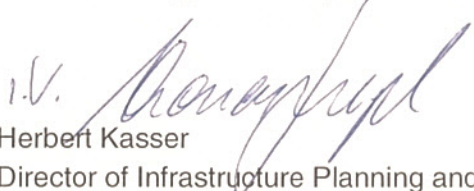
Taking into consideration the above and in order to comply with the provisions laid down in Article 8(1) of the Regulation, the Sides have come to the following understanding:

1. The Sides hereby establish the Executive Board of Rhine-Danube Rail Freight Corridor as defined in the Annex to the Regulation.
2. The Executive Board will be composed of representatives of the authorities of the Member States concerned. Concrete members / representatives of the Executive Board will be nominated in separate letters by the Ministers or State Secretaries.
3. The Executive Board will be responsible for defining the general objectives of the Rhine-Danube Rail Freight Corridor as well as for supervising and taking the measures referenced in Article 8(1) and listed in Annex I to the present Joint Declaration of Intent.
4. The decisions of the Executive Board will be adopted by consensus of the representatives of the authorities of the Member States concerned (Art. 8 (4) of the Regulation). A Member State can delegate its right of vote to another Member State of the Executive Board on a case by case basis. Decisions of the Executive Board will be legally binding and will be published.
5. The decisions taken by the Executive Board of RFC 9 CS corridor remain valid for the Sides to these decisions only, unless new decisions are taken in accordance with Article 8(4) of the Regulation.
6. The Executive Board will elaborate and approve its rules of procedure on the basis of mutual consent in accordance with Article 8 (4) of the Regulation.
7. The working language of the Executive Board will be English.

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of the Rhine-Danube Rail Freight Corridor

Signed in Bucharest on 28th March 2019, in seven copies in English.

For the Ministry for Transport, Innovation
and Technology of the Republic of Austria


Herbert Kasser
Director of Infrastructure Planning and
Financing

For the Ministry of Transport of the Czech
Republic


Luděk Sosna
Director of the Department of Strategy

For the Federal Ministry of Transport and
Digital Infrastructure of the Federal
Republic of Germany


Wolfgang Küpper
Head of Railway Policy

For the Ministry in charge of Transport,
reporting to the Ministre d'État, Minister
for the Ecological and Solidarity-Based
Transition of the French Republic


Marc Papinutti
Managing Director of Infrastructure,
Transport and Sea

For the Ministry for Innovation and
Technology of Hungary


Péter Tóth
Deputy State Secretary for Transport

For the Ministry of Transport of Romania


Dragoș Virgil Titea
Secretary of State

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For the Ministry of Transport and
Construction of the Slovak Republic

A handwritten signature in blue ink, appearing to read 'Juraj Mery', is positioned above the printed name.

Juraj Mery
Director General of Project Management

**ANNEX TO THE JOINT DECLARATION OF INTENT
ON THE ESTABLISHMENT OF THE EXECUTIVE BOARD
OF THE RHINE-DANUBE RAIL FREIGHT CORRIDOR**

Annex I – Duties of the Executive Board

The Executive Board will be responsible for defining the general objectives of the rail freight corridor, supervising and taking the measures as expressly provided for in especially the following articles of the Regulation:

- **Article 8** (Governance of freight corridors), paragraph (7): “In the event of disagreement between the management board and the advisory group, the latter may refer the matter to the executive board. The executive board shall act as an intermediary and provide its opinion in due time. The final decision however shall be taken by the management board.”
- **Article 9** (Measures for implementing the freight corridor plan), paragraph. (1): “The management board shall draw up an implementation plan at the latest 6 months before making the freight corridor operational and shall submit it for approval to the executive board.”
- **Article 11** (Investment planning), paragraph (1): “The management board shall draw up and periodically review an investment plan, which includes details of indicative medium and long-term investment for infrastructure in the freight corridor, and shall submit it for approval to the executive board.”
- **Article 14** (Capacity allocated to freight trains), paragraph (1): “The executive board shall define the framework for the allocation of the infrastructure capacity on the freight corridor in accordance with Article 14(1) of Directive 2001/14/EC.”
- **Article 22** (Monitoring implementation): “Every two years from the time of the establishment of a freight corridor, the executive board referred to in Article 8(1) shall present to the Commission the results of the implementation plan for that corridor. The Commission shall analyse those results and notify the Committee referred to in Article 21 of its analysis.”