

**MEMORANDUM BETWEEN SERBIA AND MONTENEGRO AND  
South East Europe Transport Observatory - SEETO ON SECRETARIAT STATUS  
IN SERBIA AND MONTENEGRO**

Following the Memorandum of Understanding on the development of the South East Core Regional Transport Network signed in Luxembourg on June 11, 2004 between the Republic of Albania, Bosnia and Herzegovina, the Republic of Croatia, Serbia and Montenegro, the former Yugoslav Republic of Macedonia, the United Nations Interim Administration Mission in Kosovo and the European Commission (hereinafter: the Partners and the European Union) and pursuant to Article 10 of the Memorandum which stipulates that the South East Europe Transport Observatory (SEETO) will be located in Belgrade,

Serbia and Montenegro and SEETO (South East Europe Transport Observatory) (hereinafter: Parties),

*Understanding* that the EC finalized on 15 October 2001 its strategy paper “Transport and Energy Infrastructure for South Eastern Europe”, which has been discussed and agreed with the countries of the region and with relevant international agencies and IFIs, constitutes the framework of an ongoing process to promote regional cooperation among the countries of the Region, facilitate coordination between donors, allow adequate prioritization of the regional infrastructure investments in Southeast Europe and generally facilitate the improvement of the South East Europe Core Transport Network ;

*Realizing* that the transport sector being a prerequisite to the economic development as well as integration of the region needs priority attention;

*Acknowledging* the lack of effective coordinating mechanisms among the Partners to enable them to address jointly the need for adequate and sustainable regional transport infrastructure, as well as operational and regulatory issues of regional importance;

*Aiming* to join European structures, particularly the European Union;

*Respecting* a particular importance of the following documents:

- Draft Memorandum of Understanding (MoU) for the Development of the Core Transport Network
- Implementing Regional Transport Priorities
- Regional Balkans Infrastructure Study (REBIS) - Transport Observatory

Determine that the status of the SEETO Secretariat shall be in accordance with the following:

Article 1  
Headquarters of the Secretariat

1. Headquarters of the Secretariat is located in Belgrade.

2. Serbia and Montenegro shall, within the scope of its legal acts and regulations, assist to the Secretariat in providing adequate business premises for its Headquarters, according to reasonable terms. Financial resources for starting the work are covered by European Commission, providing that the Partners will be financing running costs starting from 2006.

## Article 2 Activities of the Secretariat

1. To accelerate the economic development of the Partners and to promote closer economic and social integration among them as well as with countries in neighboring regions and the EU.
2. To support the *Steering Committee* of the Core Network defined in the Memorandum, with the overall monitoring and supervisory role in order to ensure the effective implementation of improvement of the Core Network.
3. To coordinate among the Partners to enable them to address jointly the need for adequate and sustainable regional transport infrastructure, as well as operational and regulatory issues of regional importance.
4. To perform other duties and tasks stated in the Memorandum and be responsible for the adoption of a multi-annual Regional Action Plan for Transport.

## Article 3 Secretariat Personnel

1. Secretariat shall be consisted of the Manager and personnel required by South-East Europe Transport Observatory (SEETO) agreed to by the Steering Committee.
2. Personnel of the Secretariat shall respect national laws and keep from activities that are not in compliance with the nature of their activities.
3. At implementation of their own responsibilities neither Manager nor the employees shall either look for or receive orders from any Party. They shall operate fairly in pursuance of the requirements of the Memorandum.

## Article 4 Privileges and Immunity

1. During performing his/her responsibilities the Head of the Secretariat and his/her personnel shall have:
  - a) juridical immunity for performing services that were performed officially
  - b) exclusion from of any tax on income and fee received by the Secretariat
  - c) the right, free of the customs duty, to import their furniture and personal belongings, on the occasion of starting the post at the Secretariat.

## Article 5 Operation of the Secretariat

1. The Governments of Serbia and Montenegro shall permit the operation of SEETO to be entirely independent from any governmental or non-governmental organizations.

Article 6  
Invulnerability of the Secretariat

1. Premises, furniture and other property, as vehicles of the Secretariat enjoy invulnerability, and Serbia and Montenegro shall take all the necessary measures, when necessary, to provide safety and protection of the personnel and premises of the Secretariat.
2. All archives and documentation which is possessed and kept by the Secretariat, in any form (texts, photos, pictorial documentation, electronic documentation, etc.) enjoy invulnerability.

Article 7  
Exemption from Taxation

1. The Secretariat shall be exempt from any immediate tax, except for separately offered services. The Secretariat shall have the right to import goods for official needs, without limitation and import tax and duty.
2. It implies that the objects imported without tax and duty shall not be sold in Serbia and Montenegro.

Article 8  
Temporary use

1. The Memorandum shall be in temporary use since the date of the signing.

Article 9  
Coming into force

1. The Memorandum shall come into force after Serbia and Montenegro informs the other Party that according to the national regulations the conditions are favorable for its coming into force.

Done on the date \_\_\_\_\_ 2005, in two copies, in Serbian and English, whereas both language texts have equal weight.

On behalf of Governments of  
Serbia and Montenegro

Minister for Capital Investments

Velimir Ilic

South East Europe  
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SEETO Manager

Douglas Rasbash