

## **AGREEMENT ON THE ESTABLISHMENT AND OPERATION OF SEETO**

### ***Preamble***

Concerns the functioning of the South East Europe Transport Observatory (hereinafter as SEETO) established in pursuance of the Memorandum of Understanding on the development of the South East Europe Core Regional Transport Network signed on 11<sup>th</sup> June 2004 by the the Republic of Albania, Bosnia and Herzegovina, the Republic of Croatia, Serbia, Montenegro, Republic of Macedonia and Kosovo<sup>1</sup> together with The European Commission to be called collectively the Participants, having established a Steering Committee in accordance with article 9 of the Memorandum of Understanding and hereby determine that the operation of SEETO shall be in accordance with the following principles:

### ***I Common article***

#### *Article 1.*

Acknowledging and accepting the Terms of Reference for the establishment of SEETO prepared by the European Union reference EuropeAid/116965/C/SV/Multi and subsequent award of an EC services contract to GOPA and TRADEMCO to be collectively known as the Consultants.

### ***II Head office***

#### *Article 2.*

According to the MoU section X the head office of the Permanent Secretariat of the SEETO shall be in Belgrade- New Belgrade, Omladinskih brigada No. 1. hosted by the Republic of Serbia

National Coordination Offices will be in the respective principal cities of the Participants

### ***III Objectives and Mission of SEETO***

#### *Article 3.*

The overall objective of the SEETO is to facilitate jointly or severally the Participants in the implementation of the Memorandum of Understanding on the Development of the South East Europe Core Regional Transport Network.

The specific objectives of SEETO are to prepare a 5 year rolling multi- annual work plan for the development of the South East Europe Core Regional Transport Network;

To prepare and maintain an information system to be used by decision makers and others involved in the development of the South East Europe Core Regional Transport Network;

To provide assistance in the strengthening of regional planning capacity;

To provide a platform for efficient use of funds and know how provided by public and private sources.

*The SEETO mission is improving and modernising the core transport network of the South East Europe for social and economic development*

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<sup>1</sup> The United Nations Interim Administration Mission in Kosovo acting for the Provisional Institutions of Self Government

#### **IV Scope Of Work of SEETO**

##### *Article 4.*

The scope of work of SEETO will be agreed by the Steering Committee and includes coordination and organisation of activities to implement the MoU, collating and disseminating information on the Core Regional Transport Network, planning and reviewing development of the core network, monitoring implementation of the plan, facilitation of reforms, studies and analysis, reporting and publicity.

#### **V SEETO Promoting Interests of the Core Regional Transport Network**

##### *Article 5.*

The SEETO shall have the responsibility for promoting the interests of the Participants in the development of the Core Regional Transport Network with relevant international agencies, Infrastructure Steering Group Stability Pact for South East Europe and the secretariats of pertinent Corridors.

#### **VI Core Regional Transport Network**

##### *Article 6.*

The Core Regional Transport Network over which SEETO has consultative and coordinative role is defined in the Memorandum of Understanding or as subsequently modified thereafter.

##### *Article 7*

Modifications of the Core Regional Transport Network shall be notified to SEETO by the relevant Participant.

SEETO shall refer the said notification for approval of the Steering Committee if the modification is considered to be of regional significance.

SEETO shall maintain a precise description of the Core Regional Transport Network, which it shall include in the Multi Annual Plan referred to in article 20.

#### **VII Organisation of SEETO**

##### *Article 8.*

The Organisation of SEETO will be agreed by Steering Committee and shall reflect the requirements of the scope of work, (refer to article 4 of the Agreement

The SEETO shall have three key functions namely Coordination, Planning and the Management of Information Resources.

##### *Article 9*

SEETO shall comprise a technical secretariat and national coordination offices

#### **VIII The Legal and Fiscal Basis of SEETO**

##### *Article 10*

Process of registration of SEETO will be regulated by assignment of Memorandum of legal status of SEETO with the host Government of the Republic of Serbia and Consultants (refer to article 1).

The legal and fiscal basis of SEETO will be in accordance with the laws and regulations of The Republic of Serbia.

## ***IX Employment of Personnel by SEETO***

### *Article 11.*

Personnel employed by SEETO shall be engaged from the domains of the Participants and will be contracted to SEETO in accordance with procedures and requirements determined by the Steering Committee.

Personnel employed by SEETO shall be subject to the employment laws, regulations of The Republic of Serbia.

## ***X National Coordination of SEETO***

### *Article 12.*

National coordination of SEETO will be expedited through a SEETO National Coordinator appointed by each of the Participants.

National Coordinators will be responsible for the representation of SEETO in the domains of each of the Participants

The role of the National Coordinator is to facilitate the day-to-day operations of SEETO in the domain of each partner, to oversee the flow of information between national transport entities and the SEETO Secretariat and coordinate all activities within the domain of each partner to implement the Memorandum of Understanding.

The job description of the National Coordinator shall be defined by the Steering Committee.

The Participants shall provide the National Coordinators with appropriate time, resources and authorisation necessary to expedite the position

## ***XI Permanent Secretariat to the Core Network Development Steering Committee***

### *Article 13.*

SEETO will provide a Permanent Secretariat to the Steering Committee for the development of the South East Europe Core Regional Transport Network;

## ***XII Financing of SEETO***

### *Article 14.*

The annual budget of SEETO may include though not be limited to expenses arising from personnel remuneration, office running costs, the information system and communication, overheads, operational expenses, regional studies and the annual meeting of ministers, other meetings and workshops.

### *Article 15.*

SEETO shall present its annual budget to the Steering Committee for approval no later than July 1<sup>st</sup> each year. The annual meeting of Ministers shall approve the budget *Article 15.*

The participants will contribute 25% of the adopted budget in 2006, 50% on 2007 and 100% from 2008. The participants shall fully fund the adopted SEETO budget from 1<sup>st</sup> January 2008. Thereafter, Participants will contribute the 50% of budget on the first day of June and December for each operational year.

*Article 16.*

The contribution of each partner to the SEETO operational budget will be provided by each participant from the government treasuries.

The amount of the contribution of each participant will be in proportion to the percentage of the financial amount for all projects of the participant to all of the projects of all of the participants that are included in the annual action plan..

Contributions to SEETO in kind shall not be considered as being a part of the mandated budget contribution of the participants.

**XIII SEETO Annual Report**

*Article 17.*

SEETO will prepare an annual report containing a detailed independently audited account on the expenditure of the current fiscal year and the budget for the succeeding year for approval by the Steering Committee.

The Steering Committee requires an independent auditor for auditing the SEETO accounts the expense of which will be financed from the SEETO budget.

**XIV Working Languages**

*Article 18.*

Working language of SEETO shall be English.

**XV SEETO Information System**

*Article 19.*

The Participants require that SEETO maintains an efficient and effective information system that is accessible to all participants and other users approved by the Steering Committee.

The Participants require that SEETO maintain a Web Site.

**XVI Supply and use of information**

*Article 20.*

The Participants recognise the importance of effective information flows and undertake to provide appropriate authorisation for the release of data and in a timely way for SEETO to fulfil its scope of work.

Participants will provide information and data without cost to SEETO or any consultants engaged for or on behalf of SEETO.

The terms and conditions for data and information exchange within the SEETO information system shall be set out in agreements between system users and SEETO and endorsed by the National Coordinators.

**XVII Preparation of the Plan for development of the Core Regional Transport Network**

*Article 21.*

SEETO shall prepare a five-year rolling multi annual action plan for the development and improvement of the South East Europe Core Regional Transport Network in accordance with Annex A of the Memorandum of Understanding.

SEETO shall prepare the plan to a format approved by the Steering Committee.

The methodology and procedures for the preparation of the plan must take into consideration the national planning processes of each of the Participants and shall be approved by the Steering Committee.

Participants shall approve the Plan at the Annual Meeting of Ministers.

### ***XVIII Facilitation of Reforms needed for development of the Core Regional Transport Network***

#### *Article 22.*

SEETO shall assist the partners to elaborate reforms in policy and management of the transport sector by providing advice and carrying out such regional studies or activities as required by the Steering Committee.

### ***XIX Presentation of Project Information to SEETO***

#### *Article 23.*

The Participants accept the usefulness of a commonly agreed methodology for development of the Core Regional Transport Network and undertake to present information on projects and activities for inclusion in the five-year rolling multi annual action Plan in a commonly agreed format to be advised by SEETO. SEETO may be required to provide advise to Participants on the preparation of projects for inclusion in the Plan.

### ***XX Monitoring the Implementation of the development of the Core Regional Transport Network***

#### *Article 24.*

*The SEETO will monitor the improvements of the Core Regional Transport Network using indicators approved by the Steering Committee based on data provided by the Participants.*

### ***XXI Decision Making regarding Implementation of the Memorandum of Understanding***

#### *Article 25.*

The Annual Meeting of Ministers provides the forum where planning and other decisions are made with respect to the implementation of the Memorandum of Understanding for the Development of the Core Regional Transport Network of South East Europe.

Decisions shall be based on recommendations from the Steering Committee as advised by its Secretariat SEETO.

### ***XXII Changes to the SEETO Agreement***

#### *Article 26.*

The Participants accept that changes to the SEETO Agreement or its various components or termination may be made by consensus of the Steering Committee (except Chapter XII Financing of SEETO).

Changes to Chapter XII Financing of SEETO, must pass the same procedure of this Agreement.

### ***XXIII Enforcement order***

#### Article 27.

The Agreement enters into force after adoption by the Parliament or Government of each country.

Signed in Skopje, on 10 November 2005



**The Minister of Transport and  
Telecommunications**

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**(signed)**

**Mr. Luzim BASHA**



**The Minister of Transport and  
Communication**

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Mr. Branko DOKIC



**The Minister of Sea, Tourism,  
Transport and Development**

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Mr. Bozidar KALMETA



**The Minister of Capital  
Investments**

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**(signed)**  
Mr. Velimir ILIC



**The Minister of Maritime Affairs  
and Transport**

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**(signed)**  
Mr. Andrija LOMPAR



**The Minister of Transport and  
Communications**

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**(signed)**  
Mr. Xhemali Mehazi



**The United Nations Interim  
Administration Mission in Kosovo acting for the  
Provisional Institutions of Self Government**

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Mr. Johan van Lamoen



**European Commission**

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**(signed)**  
Mr. Edgar THIELMANN