

AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF BULGARIA
AND
THE GOVERNMENT OF THE HELLENIC REPUBLIC
REGULATING RAILWAY TRANS-BORDER TRAFFIC

Preamble

The Government of the Republic of Bulgaria and the Government of the Hellenic Republic hereinafter referred to as the Contracting Parties:

Desiring to facilitate border crossings, for passengers and freight carried out by rail,

Regarding the Agreement on the establishment of a High Performance Railway Network in South East Europe, signed in Thessaloniki on 4th May 2006, in particular article 7, thereof;

Taking into consideration the Agreement between the Government of the Republic of Bulgaria and the Government of the Hellenic Republic on Joint Control in regard to Border Crossing, signed in Sofia on 29th April, 2008, by the Ministers of Interior,

Willing to regulate cross border railway traffic,

Have agreed as follows:

Article 1
Scope of the Agreement

The scope of the present Agreement is to establish a framework which will facilitate and accelerate passing through the railway border crossings between the Republic of Bulgaria and the Hellenic Republic and will regulate trans-border railway traffic and related procedures.

Article 2
Definitions

For the purpose of the present agreement the following definitions are applied:

1. “**Trans-border Railway Traffic**” means the passing of trains and railway vehicles, passengers and freight through the railway border crossings between the Contracting Parties.
2. “**Railway Border Station**” means the railway station where the Competent Border Authorities, according to the above mentioned Agreement on Joint Control in regard to Border Crossing, and the railway personnel of the Contracting Parties conduct their activities.

3. **“Exchange Border Station”** means the border station where the delivery and the acceptance of passenger and freight trains and single railway vehicles are taking place.
4. **“Railway Border Crossing”** means the railway section which comprises the border stations of the Contracting Parties as well as the railway line between those stations.
5. **“Infrastructure Manager”** means any body or undertaking that is responsible in particular for establishment and maintenance of railway infrastructure. This may also include the management of infrastructure control and safety systems. The functions of the infrastructure manager on a network or part of a network may be allocated to different bodies or undertakings.
6. **“Railway Undertaking”** means any public or private undertaking licensed according to the applicable legislation of the Contracting Parties, the principal business of which is to provide services for the transport of goods and /or passengers by rail, provided that it ensures the traction of trains; this also includes undertakings which provide traction only.
7. **“Railway personnel”** means the personnel of the Infrastructure Managers and the Railway Undertakings of the Contracting Parties taking part in the trans-border railway traffic;
8. **“Competent Border Authorities”** mean the authorities that are duly authorized by the Contracting Parties to conduct the police border control at border-crossing points, according to the applicable national legislation on the territory of each Contracting Party.

Article 3

Field of application

1. The provisions of the present Agreement concern the activities of the Competent Border Authorities of the Contracting Parties as well as the activities of the Infrastructure Managers and the Railway Undertakings in the trans-border railway traffic, taking place at the following border crossings:

- Railway border crossing Kulata – Promachon
- Railway border crossing Svilengrad – Dikea
- Any future border crossings

2. For the railway border crossing Kulata – Promachon the border station Kulata on the territory of the Republic of Bulgaria is designated as exchange border station, and the railway station Promachon on the territory of the Hellenic Republic is designated as railway border station. The actual distance along the border railway line from the state border to Kulata station is 1 445 m and to Promachon station 1000 m.

3. For the railway border crossing Svilengrad – Dikea the border railway station Svilengrad on the territory of the Republic of Bulgaria is designated as exchange border station and the railway station Dikea on the territory of the Hellenic Republic is designated as railway border station. The actual distance along the border railway line from the state border to Svilengrad station is 3 883 m., and to Dikea station 12 063 m.

4. The border railway crossings Kulata – Promachon and Svilengrad – Dikea are open 24 hours per day and all the year round for passenger and freight trans-border railway traffic.

5. Both railway border stations and exchange border stations can be modified upon a common agreement of both parties for any future border crossing.

Article 4

Organization of trans-border railway traffic

1. The movement of locomotives, trains and other railway vehicles through the railway border crossing is performed in compliance with the provisions of the present Agreement and the other bilateral and multilateral agreements to which Republic of Bulgaria and the Hellenic Republic are parties.
2. The relevant Ministries of the Contracting Parties shall establish an Ad – hoc Working Group consisted of representatives from the Infrastructure Managers and the Railway Undertakings which will jointly elaborate and adopt:
 - a) Common rules of procedures for application of the Agreement which regulate the issues related to organization and implementation of the trans-border railway traffic and the railway personnel activities in the railway border-crossings;
 - b) A Contract for the service premises at the railway border stations necessary for the railway personnel and the personnel of the control services involved in the trans-border railway traffic.
3. The exchange of trans-border railway traffic between the railway undertakings of the Republic of Bulgaria and the Hellenic Republic is carried out in the exchange border stations Kulata and Svilengrad.
4. The Greek railway undertakings performing activities related to the trans-border railway traffic shall provide the necessary personnel at the exchange border stations Kulata and Svilengrad and any future railway border stations.
5. The railway personnel of the Contracting Parties must possess a passport or an identity card when crossing the State border in order to perform their duties related to the trans-border railway traffic.

Article 5

Trans-border railway traffic control

1. The Competent Border Authorities shall exercise control on trans-border railway traffic pursuant to the Agreement between the Government of the Republic of Bulgaria and the Government of the Hellenic Republic on Joint Control in regard to Border Crossing and will strictly adhere to the timetables of trains.
2. The Infrastructure Managers and the Railway Undertakings of any of the Contracting Parties inform timely in writing the Competent Border Authorities of the own country about changes in the organization of the trans-border railway traffic and the period of validity of the changes.

Article 6

Uniform

The members of the railway personnel of the Contracting Parties, when they are on duty at the border railway station are obliged to wear either a uniform or work clothing marked with the relevant signs.

Article 7

Languages

1. The railway personnel of the Republic of Bulgaria shall use the Greek language while performing their duties with the Hellenic railway personnel on the Greek territory to the extent allowing the proper execution of their official duties.
2. The railway personnel of the Hellenic Republic shall use the Bulgarian language while performing their duties with the Bulgarian railway personnel on the Bulgarian territory to the extent allowing the proper execution of their official duties.

Article 8

Investigations of accidents and liability for damages

1. In the case that any kind of accident or incident occurs, in the railway border crossings the competent railway personnel shall immediately inform the responsible personnel of both border stations.
2. The investigation of a serious accident, as defined by the E.U. legislation, will be carried out by a Joint Committee in which members from the Competent National Authorities for Investigation of Accidents from both Parties will participate.
3. Disputes about the responsibility for a serious accident, its causes and the size of the damages shall be settled as specified in the Rules of Procedures, according to Article 4, Paragraph 2 of the present Agreement.

Article 9

Joint Border-crossing Committee on railway transport

1. A Joint Border-crossing Committee for railway transport shall be established in order to monitor the implementation of this Agreement.
2. The Joint Border-crossing Committee for railway transport must include representatives of the Ministry of Transport of the Republic of Bulgaria and the Ministry of Transport and Communications of the Hellenic Republic and representatives of the infrastructure managers and the railway undertakings involved in the trans-border railway traffic.
3. The Joint Border-crossing Committee for railway transport holds its meetings at least once a year, on a reciprocal basis.
4. The Joint Border-crossing Committee for railway transport could make proposals concerning amendments to the present Agreement to their relevant Ministries.
5. The Joint Border-crossing Committee for railway transport will adopt its rules of procedures at its first meeting.

Article 10

Medical Assistance

1. While fulfilling their official duties on the border-crossings, the railway personnel members should carry with themselves European Health-Insurance Card or Temporary Superseding Certificate (for European Health-Insurance Card), which grant them access to necessary and urgent medical assistance.
2. In the case that railway personnel when executing their duties at the border railway crossings need medical assistance and do not possess the document referred to in the Paragraph 1, free of charge urgent medical assistance shall be provided to them by the health authorities on the territory of the country where this becomes necessary.

Article 11

Railway Personnel Responsibilities

1. For infringements of the service rules committed on the territory of the neighboring country, the railway personnel is exclusively responsible to their superior bodies.
2. After a motivated written request by the Competent Border Authority or the Infrastructure Manager of one of the Contracting Parties the employee of the railway personnel will be withdrawn. The terms of the withdrawal will be described in the common Rules of Procedure.

Article 12

Final Provisions

1. This Agreement is concluded for an indefinite period of time. Either Contracting Party may denounce the Agreement by sending a written notification to this effect to the other Contracting Party through diplomatic channels. The Agreement shall cease to be in force six months after the date of the written notification.
2. The present agreement shall enter into force thirty days after the date of receipt of the second written notification by which the Contracting Parties inform each other about the completion of their relevant internal procedures required for the entry into force of the Agreement.
3. Any amendments shall be agreed upon in writing between the Contracting Parties and shall enter into force in accordance with the procedure described in Paragraph 2 of the present article.
4. The rules of procedures set forth in the regulations of article 4, Paragraph 2, must be signed 90 (ninety) days after the signing of the Agreement and should be applied after entering into force of the Agreement.
5. The Agreement pertaining to the improvement of railway transport between the People's Republic of Bulgaria and the Kingdom of Greece in force as of 1964 and the Agreement on the performance of the border railway service between the Bulgarian State Railways (BDZ) and the Greek State Railways (CH) in force as of 1965, cease to be valid with the entering into force of the present Agreement.

This Agreement was done in Komotini on 12 of March 2009 in two original copies, each of which in Bulgarian, Greek and English, all texts being equally authentic.
In cases of differences in interpretation the English text shall prevail.

**for the Government
of the Republic of Bulgaria**

**for the Government
of the Hellenic Republic**

**Petar Mutafov
Minister of Transport**

**Evripidis Stylianidis
Minister of Transport and Communications**