

Cross-Border Railway Traffic

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PPP railway projects that aim for cross-border rail traffic present specific challenges. Different technical and regulatory standards, immigration requirements and customs procedures are some of the many difficulties that impede the efficient movement of passengers and freight.

These challenges can be overcome by bilateral or multilateral cross-border agreements between states or commercial contracts between infrastructure managers and railway operators. Another key element to facilitate cross-border traffic is to improve technical compatibility (interoperability) of railway infrastructure, rolling stock, signaling systems, and other technical specifications as well as the harmonization of licensing requirements and other laws and regulations relevant for cross-border railway traffic.

For more information on the harmonization of technical and legal standards in different regions see also the section on [Railway Organizations](#).

See below for sample cross-border Agreements and EU Regulations on Interoperability:

Cross-Border Agreements

Europe and Central Asia

- [Model Framework Border-Crossing Agreement](#) – (English but also available in Macedonian, Croatian, Bosnian, Serbian, Albanian). Annex 4 of Railway Reform in South East Europe and Turkey - On the Right Track? by Carolina Monsalve, World Bank Report No. 60223-ECA, March 2011. The framework agreement has been developed for South East Europe/Turkey and the European Union (EU). It aims to implement EU legislation. EU member states must ensure that the provisions contained in cross-border agreements do not discriminate between railway undertakings, or restrict the freedom of railway undertakings to operate cross-border services. The framework agreement introduces the concept of a joint border zone. Authorities of both states can carry out their controls in both national territories. Border dispatching of passenger trains can either take place on moving passenger trains or at border stations. Border dispatching and checking of freight trains can be performed either in a joint border station or in hinterland terminals. All railway undertakings that are licensed in either country are allowed to enter the border zones. The framework agreement sets out principles for open-access border-crossing by rail between the parties. It is the basis for subsequent agreements that implement the framework agreement (for instance agreements on customs, sanitary or veterinary controls or interconnection of networks).

East Asia and Pacific

- [Intergovernmental Agreement on the Trans-Asian Railway Network](#) (English, Chinese and Russian) – The agreement was negotiated under the auspices of the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP). It has been developed to promote and develop international rail transport in Asia and with neighboring regions. The agreement sets out the framework for the development of a Trans-Asian railway network that consists of defined railway lines of international importance. The agreement lays down standards to be taken into account for modernizing

of old and construction of new railway lines of international importance with regard to capacity, vehicle loading gauge, interoperability and container terminals. It entered into force June 11, 2009.

EU Legislation on Interoperability

The European Union (EU) has established specific legislation to promote interoperability of the different national railway systems across the EU's railway network.

Below are links to the central EU Directive with regard to interoperability and sample legislation from some EU countries:

EU

- [Directive 2008/57/EC](#) of the European Parliament and of the Council of 17 June 2008 on the Interoperability of the Rail System within the Community (available in different European Union languages). Between [2001 and 2016](#), four legislative packages were adopted to open rail transport markets to competition, improve interoperability, and create a unified European railway area.

France

- [Décret n° 2006-1279 du 19 Octobre 2006 Modifié Relatif à la Sécurité des Circulations Ferroviaires et à l'Interopérabilité du Système Ferroviaire](#) - Decree No. 2006-1279 of October 19, 2006 (amended) Concerning the Safety of Train Movements and the Interoperability of the Railway System (French).
- [Arrêté du 19 Mars 2012 Fixant les Objectifs, les Méthodes, les Indicateurs de Sécurité et la Réglementation Technique de Sécurité et d'Interopérabilité Applicables sur le Réseau Ferré National](#) - Decree of March 19, 2012 Defining the Objectives, Methods, Safety Indicators and Technical Regulations Applicable for the Safety and Interoperability of the National Rail Network (French).

Germany

- [Trans-European Railway Interoperability Regulation](#) (Transeuropäische-Eisenbahn-Interoperabilitätsverordnung - TEIV) (German).

Spain

- [Real Decreto 1434/2010 de 5 de Noviembre, sobre Interoperabilidad del Sistema Ferroviario de la Red Ferroviaria de Interés General](#) - Royal Decree 1434/2010 on the Interoperability of the Main Railway Network in Spain (Spanish).

United Kingdom

- [The Railways \(Interoperability\) Regulations 2011](#)

Further Reading and Resources

- [A Review of International Legal Instruments - Facilitation of Transport and Trade in Africa](#) (Les instruments juridiques internationaux de facilitation du transport et du commerce en Afrique), second edition, Jean Grosdidier de Matons, Sub-Saharan Africa Transport Program (SSATP), March 2014 (English and French)
- [A Framework to Approach Shared Use of Mining-Related Infrastructure](#) by Perrine Toledano, Sophie Thomashausen, Nicolas Maennling, and Alpa Shah, Vale Columbia Center on Sustainable International Investment, Columbia University, 2014. The publication presents an economically, legally and operationally rational framework to enable shared use of mining-related infrastructure, including rail, ports, power, water, and internet and telecommunications (ICT) and contains

information on cross border infrastructure sharing.

- [Efficient Cross-Border Transport Models](#), United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), 2012 – Report on cross-border freight and passenger transport by road and rail in the Asia-Pacific region. The report analyzes possible solutions for efficient cross-border transport in terms of improving operations, lowering operating costs and reducing the time spent at the border. It provides suggestions for private sector operators and recommendations for the public sector on how private business arrangements can be supported.
- [International UNECE Transport Agreements and Conventions](#) - The UN Economic Commission for Europe (UNECE) guides the process of harmonizing and simplifying border crossing procedures for the various modes of inland transport and provides an overview of international UNECE Transport Agreements on its website.

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- [Railway Concessions and BOTs](#)
- [Railway Organizations](#)
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