



Regione Lombardia

Tripartite Agreement
European Commission
Italian Government
Lombardy Region

Milan, on October 15th, 2004

TARGET-BASED TRIPARTITE AGREEMENT

The European Commission,

The Italian Government,

The Lombardy Region,

hereinafter referred to as 'the Contracting Parties',

PREAMBLE

WHEREAS this Tripartite Agreement is compatible with the general provisions of the Treaty establishing the European Community;

WHEREAS this Tripartite Agreement is compatible with Article 117 of the Constitution as amended by Constitutional Law 3 of 18 October 2001, laying down "Amendments to Part V of the second part of the Constitution", and with relevant constitutional and administrative provisions of the Italian State;

WHEREAS the Lombardy Region has the necessary powers within the sectors of activity involved in this Tripartite Agreement;

WHEREAS, according to the White Paper on European Governance and the Commission's Communication on tripartite target-based agreements and contracts, regulatory instruments and programmes with high territorial impact need to be able to be implemented with greater flexibility on condition that the homogeneous competitive conditions which are indispensable for the operation of the internal market be maintained;

WHEREAS the European Commission has decided, for this purpose, to launch experimental pilot schemes in the form of target-based tripartite agreements, whose purpose is to ascertain the feasibility of certain courses of action and of their usefulness, and that only after assessing these pilot schemes and learning lessons from the experiments does it intend to consider the possibility of launching target-based tripartite contracts among the European Community, a Member State and the regional and local authorities in order to give binding direct application to derived Community law;

WHEREAS, in compliance with Article 6 of the EC Treaty, requirements connected with protection of the environment must be integrated in the definition and implementation of the EU policies and actions envisaged in Article 3 of the Treaty, particularly from the point of view of promoting sustainable development;

WHEREAS the aim of the present Tripartite Agreement is to implement, in a voluntary manner, the targets established in the Communication from the Commission on "Partnership for integration - A strategy for Integrating Environment into EU Policies"¹;

WHEREAS the aim of the present Tripartite Agreement is to implement, in a voluntary manner, the targets established in the Communication from the Commission on "A sustainable Europe for a better world; a European strategy for sustainable development"²;

WHEREAS the aim of the present Tripartite Agreement is to implement, in a voluntary manner, the targets established in the Sixth Community Environment Action Programme³;

WHEREAS the aim of the present Tripartite Agreement is to implement, in a voluntary manner, the targets established in the Communication from the Commission on "European Environment and Health Strategy"⁴;

WHEREAS the aim of the present Tripartite Agreement is to implement, in a voluntary manner, the targets established in the Commission White Paper on "European Transport Policy for 2010: Time to decide"⁵;

WHEREAS the aim of the present Tripartite Agreement is to implement, in a voluntary manner, the targets established in the Green Paper on "Towards a European strategy for the security of energy supply"⁶;

WHEREAS the aim of the present Tripartite Agreement is to implement, in a voluntary manner, the targets established in the Communication from the Commission on the analysis of the Auto/Oil II programme⁷;

WHEREAS the aim of the present Tripartite Agreement is to implement, in a voluntary manner, the targets established in the Communication from the Commission on the Clean Air for Europe (CAFE) programme, towards a thematic strategy for air quality⁸;

WHEREAS the aim of the present Tripartite Agreement is to contribute, in a voluntary manner, to the reduction of the emission of greenhouse gases established in the Kyoto Protocol, which commits Italy to a reduction of 6.5% in these emissions within 2010;

WHEREAS the aim of the present Tripartite Agreement is to implement, in a voluntary manner, the targets established in the Communication from the Commission to the Council and the European Parliament entitled "Implementing the Community Strategy to

¹ COM (1998) 333 fin., of 27 May 1998.

² COM (2001) 264 fin., of 15 May 2001.

³ Decision No. 1600/2002/EC of the European Parliament and of the Council, of 22 July 2002, laying down the Sixth Community Environment Action Programme.

⁴ COM (2003) 338 fin., of 11 June 2003.

⁵ COM (2001) 370 fin., of 12 September 2001.

⁶ COM (2000) 769 fin., of 29 November 2000.

⁷ COM (2000) 626 fin., of 5 October 2000.

⁸ COM (2001) 245 fin., of 4 May 2001.

Reduce CO₂ Emissions from Cars: Fourth annual report on the effectiveness of the strategy⁹;

WHEREAS the aim of the present Tripartite Agreement is to contribute, in a voluntary manner, to the achievement of the targets established in the Communication from the Commission to Member States of 28 April 2000 laying down guidelines for the Community initiative concerning the economic and social revitalisation of towns and areas in crisis, to promote sustainable urban development – Urban II¹⁰;

WHEREAS the aim of the present Tripartite Agreement is to contribute, in a voluntary manner, to the achievement of the targets established in the Communication from the Commission on a thematic strategy for the urban environment¹¹;

WHEREAS the measures envisaged in this Tripartite Agreement have a strong impact on local areas;

WHEREAS this Tripartite Agreement envisages credible, transparent and satisfactory methods of implementation, control and assessment;

WHEREAS the Italian Government has a key role in preparing this Tripartite Agreement and remains responsible for its performance, in the context of which the sub-national authority designated undertakes to carry out the measures necessary to achieve the targets established in this Tripartite Agreement;

IN ORDER TO conclude a target-based Tripartite Agreement outside a binding Community framework,

have agreed as follows:

⁹ COM (2004) 78 fin., of 11 February 2004.

¹⁰ In Official Journal of European Union C 141, of 19 May 2000.

¹¹ COM (2004) 60 fin., of 11 February 2004.

PART ONE
FORMAL PROVISIONS

Article 1
Definitions

1. For the purpose of this Agreement, the following definitions apply:

a) the term "target-based Tripartite Agreement" designates the agreement concluded between the European Commission, the Italian Government and the Lombardy Region to achieve targets established outside a binding Community framework;

b) the term "Contracting Parties" designates the signatories of this Tripartite Agreement, namely the European Commission, the Italian Government and the Lombardy Region;

c) the terms "area of application of this Tripartite Agreement" and "metropolitan area in Lombardy" designate a geographical area that is not taken statically, but that is subject to variations in roles and responsibilities based upon the policy options considered¹²;

d) the term "governance" designates the combination of laws, processes and behaviours that affect the way responsibilities are exercised at European level, above all as regards the principles of openness, participation, responsibility, effectiveness and coherence as indicated in the White Paper on Governance;

e) the term "sustainable development" is defined as the development that is able to meet the requirements of the present generations without compromising the opportunity for future generations to meet theirs¹³;

f) the term "sustainable mobility"¹⁴ designates a system that:

- allows the basic access and development needs of individuals, companies and societies to be met safely and in a manner consistent with human and ecosystem health, and promotes equity within and between successive generations;

- is affordable, operates fairly and efficiently, offers choice of transport modes, and supports a competitive economy, as well as balanced regional development;

- limits emissions and waste within the planet's ability to absorb them, uses renewable resources at or below their rates of generation, and uses non-renewable resources at or below the rates of development of renewable substitutes while minimising the impact in the use of land and the generation of noise;

¹² For a more detailed definition of the area of application of this Tripartite Agreement refer to the project annexed to this Agreement (Actions to be realised within the ambit of the Tripartite Agreement), page 2.

¹³ Brundtland Report, 1987.

¹⁴ Adopted by the EU Transport Council in April 2001.

g) the term "competent Directorates-General" designates the Directorates-General of the Lombardy Region called upon to collaborate in the achievement of the purposes of this Tripartite Agreement and the performance of the obligations deriving there from, namely the Directorate-General for Environment Quality, the Directorate-General for Infrastructures and Mobility, the Directorate-General for Research and Technical Innovation and the Directorate-General for Public Utility Services;

h) the term "parties concerned" designates, in particular, organisations that represent regional and local life, enterprises, chambers of commerce and non-governmental organisations;

i) the term "project" designates the document enclosed in this Tripartite Agreement ("Actions to be realised within the ambit of the Tripartite Agreement") in which the actions foreseen for the implementation of the Agreement are stated;

j) the term "Commission" designates the European Commission.

Article 2

Conditions of validity of the Tripartite Agreement

1. This Tripartite Agreement is subject to a general obligation of compatibility with the provisions of the Treaty establishing the European Community. In particular, this Agreement shall in no event affect any provision of the Community law and create or maintain obstacles to inter-Community exchanges or to the proper functioning of the internal market.

2. Recourse to this Tripartite Agreement:

- does not change the way of managing the structural Funds as provided for in the regulations in force, without prejudicing the further development of such regulations;

- does not constitute a reason for additional EU funding, but rather a means of using the appropriations assigned to the execution of the common policies stated in this agreement;

- does not provide for the payment of grants or State financial support, since the Lombardy Region is held to comply with Community law.

3. This Tripartite Agreement may in no event be incompatible with constitutional, legislative or administrative provisions in force in the Italian legal system.

Article 3

Objective of the Tripartite Agreement

1. This Tripartite Agreement aims at improving through a better governance the implementation of EU policies adopted in the environment, transport and energy sectors. The objective is a better implementation of the European law; the means is governance.

2. This Tripartite Agreement aims at creating added value in the implementation of mobility policies through a wide involvement of the stakeholders in the policy making. This involvement will result in an effective local governance process. Better and more locally targeted policy measures are expected to be set up. Moreover, since most of the policies are aimed at influencing the demand and supply for transport, closer participation will yield higher acceptance by the citizens. The specific objective, as a result of the governance process (art. 8), is to produce an Action Plan that will include those policy measures on which all the involved parties will have reached an agreement, as detailed in art. 9, art. 17 and in the Third Part of this Agreement. The direct implementation of these policies are not the objective of the Agreement.

3. The added value of this Tripartite Agreement also derives from the involvement of, and close participation by, the authorities and local bodies in the implementation of European policies and programmes that have a significant impact on the area.

4. Special attention will be paid to integrated strategies whose purpose is to promote technological innovation and soft mobility measures in order to develop a more sustainable mobility system in the metropolitan area in Lombardy, as fully detailed in the Second and Third Part of this Tripartite Agreement.

Article 4

Operational undertakings assumed by all Contracting Parties

1. The European Commission will undertake an assessment of the end results of this Tripartite Agreement.

2. The Italian Government will formulate recommendations on the basis of the outcome of the implementation of the Tripartite Agreement.

3. The Lombardy Region undertakes to complete the action plan referred to in Art. 9 and the actions referred to in art. 10 to 18 of this Tripartite Agreement, according to the calendar referred to in art. 6.

4. The Lombardy Region will ensure that a large number of interlocutors are involved so that the conditions are created for good governance and for the launching of policies agreed with a large number of bodies, with the purpose of increasing the level of effectiveness and competitiveness of the intervention in mobility sector, in a framework of environmental sustainability.

5. The Lombardy Region will consult with and connect the parties involved, namely, representatives of local and regional life, and with all local socio-economic development actors, including social parties, professional groups, not-for-profit organisations and schools and universities, in order to have local particularities and needs regarding the realisation of the stated objectives emerge through this closer participation, in addition to any difficulties which any of these actors encounter during the realisation of the stated objectives.

6. The Lombardy Region will favour the realisation of the EU objectives defined in this Tripartite Agreement through co-operation and co-ordination with other territorial authorities.

Article 5
Coordination Committee

1. The Lombardy Region will appoint a Coordination Committee, which will submit to the Italian Government a report on the initiatives taken at local and regional level to implement this Tripartite Agreement.

Article 6
Implementation Calendar

1. This Tripartite Agreement will be applied according to the following calendar¹⁵:

- first phase, consisting in identification of plans, programmes, action and research completed or in progress on the theme of sustainable mobility, from the 1st to the 10th month after this Agreement comes into force, for a duration of ten months;
- second phase, consisting in organisation of theme-based seminars for the exchange of experience and knowledge and dissemination of information and public opinion awareness campaigns regarding sustainable mobility, from the 11th to the 24th month after this Agreement comes into force, for a duration of fourteen months; this phase will include the organisation of high profile media events (radio and TV broadcasts as well as advertisements and feature articles in newspapers);
- third phase, consisting in consultation and dialogue between all stakeholders, from the 11th to the 20th month after this Agreement comes into force, for a duration of ten months; this phase will mainly consist in the organisation of thematic workshops aimed at assessing a number of policy options, identifying existing and possible barriers to their implementation, and producing a consensus among different groups of interest. Each of these meetings will be followed by a forum to present the results of consultation to a wider public;
- fourth phase, consisting in political negotiation aimed at agreeing objectives and defining an Action Plan for integrated sustainable mobility strategies in the metropolitan area in Lombardy, from the 18th to the 24th month after this Agreement comes into force, for a duration of seven months. Provision will be made for the organisation of negotiating tables including local political representatives, civil society representatives, and technical experts from the institutions involved. These tables will be preceded by technical meetings with the aim of producing a technical draft agreement. Also, this final phase shall include public events to spread the results of the project and negotiation¹⁶.

¹⁵ See "Actions to be realised within the ambit of the Tripartite Agreement".

¹⁶ For further details concerning the approach to be adopted in the final phase of implementation of the Agreement, refer to art. 17 and 18 of this Agreement.

Article 7 Funding

1. The Commission and the Italian Government shall ensure that the Lombardy Region, acting in agreement with the Italian Government, has the possibility to participate in this pilot programme without hindrance and in an equitable manner.
2. The Contracting Parties will by 31 December 2005 consider the possibility of providing a contribution to funding this Agreement in accordance with their respective financial regulations.

SECOND PART GENERAL PRINCIPLES AND PURPOSE OF THE TRIPARTITE AGREEMENT

Article 8 General principles

1. By means of this Tripartite Agreement the contracting Parties intend to put a concrete form to the principle of good governance promoted at European level. Good governance is intended as a form of European policy-making process implying better involvement of all political levels in the definition and implementation of EU policy, through an increasing culture of consultation and dialogue, taking into account the need for quality and effectiveness of policies and regulation. In particular, the principles of good governance are the following:

- the principle of openness, to get more people involved in shaping and delivering EU policies. This means in particular better communicating with the local levels of government, with a language accessible and understandable to the general public, systemising dialogue and inter-dependency between all levels of government and introducing more flexibility in the EU legislation in order to take into account local realities;

- the principle of participation, throughout the policy chain, from conception to implementation. Improved participation, like openness, is likely to create more confidence in EU institutions;

- the principle of accountability, intended as greater clarity of different roles in the legislative and executive process and responsibility from all entities involved in developing and implementing EU policies at whatever level;

- the principle of effectiveness of the policies, which implies clear objectives, evaluation of future impact and past experience and depends on implementing EU policies in a proportionate manner and taking decisions at the most appropriate level.

- the principle of coherence of policies and actions, which implies a strong responsibility of the Institutions in order to ensure a consistent approach within a

complex system, in which regional and local authorities are increasingly involved in EU policies.

2. This Tripartite Agreement, furthermore, finds its application in observing the following principles:

- the principle of flexibility, which implies that legislation and programmes having a strong impact on the area concerned should be implemented considering diversity in degrees of development and considering the situations existing in the various regions of the Community;
- the principle of partnership, which implies that Member States make concerted arrangements with their local communities in implementing EU policies, and which finds its application in full respect of the EC Treaty and the institutional, legal and financial responsibilities of each Contracting Parties¹⁷
- the principle of transparency, which implies regular supply of information about the progress of the action prepared, a high degree of visibility of this action and a clear allocation of the roles of each body involved;

Article 9

Purpose of the Tripartite Agreement

1. The purpose of the Tripartite Agreement, by setting up a regional level good governance system - following a multicriteria and multi-actors approach -, is to produce an Action Plan which will specify the objectives, phases and methods of implementation of an integrated policy strategy which aims at :

- defining and achieving local and regional objectives for sustainable mobility policies in the medium term;
- applying EU policies and programmes regarding sustainable mobility, taking into account the geographical, social and economic peculiarities of the metropolitan area of Lombardy. This will be done using a system for participatory and transparent governance, it will take into account existing knowledge and experience and will ensure a continuous provision of information to the general public and stakeholders. Measurable targets will be defined and achievements will be monitored;
- favouring the integration of the environmental dimension in the programming and implementation phase of the policies affected by this Tripartite Agreement, including transport, energy and land use policies.

¹⁷ The partenariat principle laid down in Article 8 of Council Regulation (EC) n. 1260/1999, of 21 June 1999, laying down general provisions on the Structural Funds (in Official Journal of the European Union L 161, of 26 June 1999), is one of the fundamental principles in the planning and implementation of Structural Funds for the period 2000-2006.

2. This Tripartite Agreement has thus the final objective of promoting in the medium and long term a sustainable mobility system at the local and regional level that:

- achieves a reasonable reduction of motorised traffic in the most sensitive zones while supporting a good level of economic and social development, includes mobility demand management measures; stimulates the use of alternative forms of transport;

- offers efficient and effective public transport services, uses new intelligent technologies, including those based upon Galileo, to offer better and more reliable services to the users;

- is based upon an increasing use of alternative motor fuels, in particular by supporting the diffusion of clean fuels and the improvement of energy efficiency and by facilitating technological research and corporate policies for its application in the transport sector;

- provides a high quality of life and secures a healthy living environment for the current and future citizens.

THIRD PART IMPLEMENTATION OF THE TRIPARTITE AGREEMENT

Article 10 Lines of intervention

1. Under this Tripartite Agreement the Lombardy Region aims to undertake a range of initiatives that will contribute to the achievement of the following six objectives:

- (1) reducing the amount of motorised traffic in the sensitive zones;
- (2) offering efficient and effective public transport;
- (3) increasing the use of alternative motor fuels;
- (4) increasing the use of new intelligent technologies, including Galileo;
- (5) increasing safety and security;
- (6) promoting a healthy living environment.

In the third and fourth phase of the Tripartite Agreement's project these objectives and the way to achieve them will be debated and put together in a medium term policy Action Plan that will constitute the final output of the Agreement as a result of the governance process. For each objective, one or more measurable targets will be defined in line with European policy objectives.

2. A coherent set of means¹⁸ will be used with the view to enable the achievement of these objectives. These can include, depending on the objective:

¹⁸ As mentioned in art. 6 and further detailed in art. 11-18 of this Agreement.

- (1) assessment of relevant research results, practical experiences, plans, programmes and state-of-the-art;
- (2) in-depth scientific analysis, feasibility studies and action plans;
- (3) provision of transparent information to the citizens at large and to stakeholders;
- (4) definition of ambitious targets and objectives;
- (5) consultation of the citizens and stakeholders;
- (6) political negotiation;
- (7) measurement and reporting of progress, results and achievements.

Article 11

Reduction of the amount of motorised traffic in the sensitive zones General objectives and means

1. The Lombardy Region aims to achieve, in a market perspective, the integration and long-lasting equilibrium between different transport modes with the specific purpose of reducing the amount of motorised traffic in sensitive zones, through a set of key measures regarding transport supply and demand. Particularly relevant will be the promotion of mobility demand management measures in the metropolitan area in Lombardy, in order to stimulate the use of alternative forms of transport. In particular this should lead to:

- the introduction of effective road pricing measures which take into account the costs payable by society and which will be proportioned to the use of the infrastructure, as well as the costs connected with accidents, air and noise pollution and road congestion;
- the realisation of an increase in cycle lanes, which may be quantified in kilometres, in the metropolitan area in Lombardy.

2. To achieve this objective the Lombardy Region will use the following means:

- assess research results, experiences and state of the art on external costs of private transport, polluting emissions from transport and relative health impact; the organisation of a thematic workshop will allow for cross-cutting assessment and analysis;
- assess research results, experiences and state of the art on mobility management measures with particular attention to projects of CIVITAS initiatives, other relevant experiences catalogued in ELTIS data base and initiatives developed by municipalities engaged in local Agenda 21 processes; a workshop aimed at cross-cutting findings from various experts will be organised;
- support the adoption of measures of mobility management and selective access control of private cars in the most sensitive urban areas; this will be achieved through dissemination of information (mainly broadcasts, brochures and articles published in the regional and local press) as well as organisation of consultation and brainstorming meetings involving all stakeholders, to be organised in collaboration with local authorities;

- develop and implement a large-scale public awareness campaign on the economic and social costs, urban sprawling and sustainable mobility, with the aim of reaching citizens in the Lombardy region through radio and TV emissions; this campaign will last about 7 months.
- support sustainable mobility initiatives to optimise home to workplace travel, through incentives to mobility managers and the implementation of specific programmes in collaboration with private companies;
- support, thanks both to incentives and direct initiatives, sustainable mobility programmes and initiatives to optimize home to school travel, by improving effective integration with public transport, also through initiatives targeting schools in municipalities engaged in local Agenda 21 processes; the competent Directorates-General will regularly interact with local authorities and associations;
- promote the participation of municipalities in urban areas to the CIVITAS Forum and the use of ELTIS urban transport good practice data base also submitting to it further case studies; this will be achieved through networking activities involving the competent Directorates-General in order to raise major awareness among local representatives;
- measure progress and achievements.

3. A more detailed description of the activities is included in the project.

Article 12

Offering efficient and effective public transport General objectives and means

1. The Lombardy Region aims to promote an efficient and effective public transport system on its metropolitan territory to support the objectives of reducing private motorised traffic and pollution, with the purpose of implementing in the medium term:

- a new integrated rate system for the metropolitan area in Lombardy which would be able to stimulate the use of public transport in place of private cars and favour intermodality, including integrated approaches which involve taxis to a greater extent;
- an electronic ticketing system which can provide a picture of user demand, on the basis of which the supply of public transport services will be planned. This will include reducing fraud and the improvement of management of demand data concerning origin and destination of travellers;
- initiatives aimed at experimenting alternative transport systems in the municipalities of the metropolitan area in Lombardy, with special attention to the low-demand and diffuse-demand areas.

2. To achieve these objectives the Lombardy Region will use the following means:

- undertake the evaluation of the technological and financial feasibility of alternative and innovative forms of combined private and public transport such as

car pooling, car sharing, call systems, and promote feasibility studies on new public transport networks based on inter-modality; the organisation of a thematic workshop will provide for comparison of the results and ideas for possible policy options;

- assess research results, experiences and state of the art with particular attention to CIVITAS projects, other relevant experiences catalogued in ELTIS data base and initiatives developed by municipalities engaged in local Agenda 21 processes; the organisation of a thematic workshop will provide for comparison of the results and ideas for possible policy options;

- define an ambitious target date for introducing controlled competition through the European tendering of network-based concessions for offering well-integrated public transport services by bus; as 'intermediate step', until the controlled competition is introduced, the goal could be to improve the implementation of 'quality-based' performance contracts between the competent authority and operators that include financial rewards and penalties; this will be mainly favoured through consultation actions, in particular the organisation of a workshop involving different interest groups (with about 30 participants);

- measure progress and achievements.

3. A more detailed description of the activities is included in the project.

Article 13

Increasing the use of alternative motor fuels General objectives and means

1. The Lombardy Region aims to strengthen measures for the reduction of greenhouse gas emissions and support the diffusion of clean fuels and the improvement of energy efficiency, facilitating technological research and corporate policies for its application in the transport sector, and encouraging the knowledge and exchange of best practices. The Lombardy Region will assume the target of 20% substitution of diesel and gasoline fuels by alternatives in the road transport sector by the year 2020, as set by the European Commission¹⁹.

For this purpose the Lombardy Region intends to play a "facilitator"²⁰ role with a view to promoting existing technologies and introducing new technologies, such as methane for

¹⁹ Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on alternative fuels for road transportation and on a set of measures to promote the use of biofuels, COM(2001) 547 fin. The Commission presents an "optimistic development scenario" that builds upon three fuel types that potentially can reach a significant market share and which also present, in general, considerable advantages for the urban environment: biofuels (market coming to maturity up to 2010), natural gas (market coming to maturity in the years 2010/15) and hydrogen (market coming to maturity up in the years 2015/20).

²⁰ The Hydrogen Table - that has been set up in the Lombardy Region - model will be pursued; the major research bodies and industrial operators in the sector already participate in it.

auto-traction, LPG, biomass liquid environmental fuels, hybrid propulsion and electric propulsion, with particular attention to hydrogen and fuel cells²¹.

2. To achieve this objective the Lombardy Region will use the following means:

- assess research results, experiences and state of the art regarding alternative fuels as well as innovative forms of propulsion, such as electrical engine, hydrogen engine, gas engine, and compressed air engine; the organisation of a thematic workshop will provide for comparison of the results and ideas for possible policy options;
- stimulate recourse to alternative fuels - such as methane for auto-traction, LPG, biomass liquid environmental fuels, hybrid propulsion and electric propulsion, with particular attention to hydrogen and fuel cells - for road transport and ensure by 2011 recourse to clean fuels for at least 30% of the public road transport fleet;
- agree at the political level ambitious targets for the market share of biofuels and of natural gas, according to the Commission's general targets, by 2010; such an agreement should be reached through a bargaining action including a technical preparatory meeting and a negotiation round table (with about 30 participants);
- prepare an action plan to reach the above target and set up a local/regional public-private organisational structure; the consensus should be reached through a bargaining phase including a technical preparatory meeting and a negotiation round table (with about 30 participants);
- activate the FP6 "Zero Regio" project proposed under 2003 calls, relevant to Alternative Motor Fuels and advertise it among local authorities and all parties concerned, including private companies;
- measure progress and achievements

3. A more detailed description of the activities is included in the project.

Article 14

Increasing the use of new intelligent technologies General objectives and means

1. The Lombardy Region aims to promote the diffusion and the larger use of new intelligent technologies in transport or transport-related sectors - such as the European satellite positioning service Galileo.

Thus the Lombardy Region will enhance and favour the integration of technologies wherever possible, with a view to optimising services and costs in the urban transport sector, increasing driver security and providing both better traveller information and improved navigation systems.

²¹ In this framework, it will be particularly important to increase the energy efficiency of the public transport infrastructures.

2. To achieve this objective the Lombardy Region will use the following means:

- identify initiatives already undertaken, successful experiences, research results in the field of transport innovation technology or transport-related disciplines, in order to take advantage of the contributions made by the various European, national and local research bodies and institutes and favour an integrated approach towards the theme of sustainable mobility. Special attention will be dedicated to the projects carried out by and with the Ispra European Research Centre as well as initiatives belonging to the IV-V-VI Framework Programme; a workshop with Italian and international experts will be organised in order to compare the various results obtained and assess their potential contribution to the working out of a political solution for the Lombardy Region;
- consultation and negotiation meetings will be also carried out for the achievement of this objective²²;
- measure progress and achievements.

3. A more detailed description of the activities is included in the project.

Article 15

Increasing safety and security General objectives and means

1. The Lombardy Region aims to encourage road users to a more responsible behaviour and to improve road infrastructure and the safety of commercial goods and passenger transport, with the purpose of reducing road deaths at least by 50% by 2010 as proposed by the Commission (in 2001) and in accordance with the European Road Safety Action Programme adopted in 2003²³. The Region's aim is also to comply with the principles of the European Road Charter, in particular through the realisation of actions coherent with the contents of the Charter.
2. To achieve this objective the Lombardy Region will use the following means:
 - assess research results, experiences and state of the art in the field of road infrastructure security and road users' attitudes and behaviour; the organisation of a thematic workshop will provide for comparison of the results and ideas for possible policy options;
 - prepare, during the final phase of the project (political meetings), an action plan with technical insight to reach this road safety target;

²² Refer to third and fourth phase of the project.

²³ Communication from the Commission entitled "European road safety action programme". Halving the number of road accident victims in the European Union by 2010: a shared responsibility, COM (2003) 311 final.

- prepare, during the final negotiation phase of the project (political meetings), an action plan with technical insight to improve road quality as well as the security of urban transport;
- prepare an action plan to improve pedestrians' safety, by assessing the feasibility of restricted access areas, allocate a budget and set up an organisational structure ; this will favoured through the organisation of consultation seminars with groups of interest and political meetings planned in the final phase of the project;
- promote an information campaign and divulgation activity aiming at fostering responsible behaviour and awareness among the users, with special focus on school kids; this information campaign will be linked to home to school travel initiatives and advertisement (broadcast, brochures and articles)²⁴;
- measure progress and achievements.

3. A more detailed description of the activities is included in the project.

Article 16 Promoting a healthy living environment General objectives and means

1. The Lombardy Region aims to adopt the necessary measures in order to promote the diffusion of mobility management actions, to spread knowledge about the theme of sustainable mobility and make people aware of the environmental, social and economic costs of road transport use.

In particular the Lombardy Region aims to:

- favour the integration of environmental requirements in the instruments for the planning, programming and management of public transport and mobility in the urban context;
 - increase the adoption of styles and patterns of behaviour which are essential to environmentally compatible mobility, including for the purposes of lowering health risks and improving road safety, starting from the education system.
2. To achieve this objective the Lombardy Region will use the following means:
- assess research results, experiences and state of the art;
 - start up an action of information, dialogue and consultation with the subjects involved in the theme of sustainable mobility, namely the civil society and various categories of associations, with the aim of spreading practices and attaining the objectives of this Tripartite Agreement;

²⁴ See Art. 11, par. 2, sixth indent.

- support local authorities in the integration of environmental requirements in the instruments for the planning, programming and management of public transport and mobility in the urban context, and in other plans and programmes relevant for urban mobility; representatives from each competent Directorate-General should activate their local networks and strongly involve the local representatives in this kind of action;
- spread knowledge about the theme of sustainable mobility through an advertising activity consisting of press releases, leaflets, TV and radio broadcasting in order to widen as much as possible the range of potential audience to be informed, encourage the establishment of an environmental education and support the spread of an energy-saving culture. This campaign will last about 15 months;
- actively participate in the consultations on the Urban Thematic Strategy and on the sustainable urban transport plans also through a consultation in the framework of Local Agenda 21 promotional initiatives; representatives from each competent Directorate-General should activate their local networks and strongly involve the local representatives in this kind of action;
- encourage local authorities to actively take part in European promotional and awareness activities such as the European car free day, the European mobility week, and the European mobility management day that is part of the mobility week; representatives from each competent Directorate-General should activate their local networks and strongly involve the local representatives in this kind of action;
- encourage local authorities to actively participate in the CIVITAS Forum and to submit a number of case studies to the ELTIS urban transport good practice data base; representatives from each competent Directorate-General should activate their local networks and strongly involve the local representatives in this kind of action;
- measure progress and achievements.

3. A more detailed description of the activities is included in the project.

Article 17

Final phase and result of the project

1. The Lombardy Region undertakes to assess, during the final phase of the implementation this Tripartite Agreement, the range of policy options that can be implemented in the medium term and to identify the appropriate instruments to adopt in the metropolitan area of Lombardy on the basis of consideration of feasibility levels and limits and political and social acceptability. It is intended in this way to transfer to the political level the results that will have emerged in the phase of consultation and dialogue²⁵. In other words, the final phase of the implementation of the Tripartite Agreement will aim at producing a medium term policy Action Plan, which will have to comply both with the targets expressed in the Agreement and the needs and constraints resulting from the governance activities.

²⁵ See third phase of the project.

2. In this last phase the Lombardy Region will adopt an approach that is as integrated as possible taking into account the need to:

- ensuring the relevance, coherence and efficiency having regard to the objectives of the present Tripartite Agreement;
- ensuring integration between transport policies and planning policies, and between the different organisations responsible for transport and transport-related matters;
- ensuring coordination between the various decision-making levels;
- promoting the use of instruments able to generate revenue at the local/regional level that can be used to fund others (for example recourse to a fare policy aimed at producing funds to improve public transport);
- setting up systems that allow regional and local decision-makers, citizens and stakeholders to be aware of the issues at stake in the full area in which this Tripartite Agreement is applied.

Article 18

Lombardy Region's specific commitments for the final phase

1. The Lombardy Region will take the action set out in Article 17 during the course of a period starting in the eighteenth and ending in the twenty-fourth month after this Tripartite Agreement comes into force.

2. In order to perform the obligations deriving from this Tripartite Agreement, the Directorates-General competent for the various matters undertake to:

- (a) ensure greater coordination of their activities with the objective of integrating the various projects in progress and encourage a broad view;
- b) provide greater sustainability of the policies put in hand at regional level by integrating environmental considerations in all the Region's policies affecting mobility;
- c) circulate the results of the projects launched by the other Directorates-General among the parties interested in questions of sustainable mobility (enterprises, associations, consultancy companies).

3. The Lombardy Region takes all the action necessary to associate academic experts in decisions for the reform of the sustainable mobility system. Each negotiation table will be preceded by a technical meeting aimed at drafting a preparatory document.

4. The Lombardy Region creates continuous consultation mechanisms so that options for regional statutory instruments in the matter of sustainable mobility can be discussed and negotiated.

5. In case of disagreements between different groups of interest this Tripartite Agreement proposes to reach a compromise at the local, regional and national level, by means of fair, transparent and effective negotiation.

6. The Lombardy Region ensures that it will involve the relevant local authorities and neighbouring regional authorities to participate in and contribute to this initiative. Together with civil society representatives, these authorities will be strongly involved in all the activities of the final phase (technical meetings, negotiation tables, public events).

FOURTH PART FINAL PROVISIONS

Article 19

Method of control and assessment

1. The Italian Government will oversee, at the mid-term and at the end of the implementation of this Tripartite Agreement, the progress made, with a view to seeking corrections, on the direction taken in the future by the Agreement in consultation with the other Contracting Parties.

2. Such action will be coordinated by the Italian Government on the basis of the information promptly sent to it by the Lombardy Region regarding implementation of this Tripartite Agreement and the results of any policies tried out in the metropolitan area of Lombardy.

3. To provide this periodic information the Lombardy Region will set up a monitoring observatory composed of local politicians, academics and civil society representatives that is in a position: (a) to see the problems that emerge during the phase of application of this Tripartite Agreement and the results of its implementation; (b) to collect and provide qualitative and quantitative information necessary for the assessments. The Lombardy Region undertakes to provide the aforesaid information at least on a monthly basis.

4. The oversight by the Italian Government will concern in particular:

- the effectiveness of relations between different levels of government and the degree of involvement of local actors in the implementation of this Tripartite Agreement;
- the quality, accuracy and promptness of the information provided by the Lombardy Region;
- the degree of consistency and coordination with other Tripartite Agreements implemented;

5. The European Commission will undertake an assessment of the end-results that this Tripartite Agreement allows the parties to achieve.

The Commission may decide to submit a report on the ex-post assessment and the control of the implementation of this Tripartite Agreement to the European Parliament, the Council and the Committee of the Regions.

6. The European Commission's assessment will be made paying particular attention to:

- the contribution made to the implementation of EU policies and programmes;
- the improvement of governance;
- the policy proposals and targets formulated and particularly their effects on sustainable mobility.

7. Use of the methods proposed in the MEANS programme will be used, in line with the monitoring practices used at the EU level.

It may, however, initially be possible to take various types of indicators into consideration for ascertaining the degrees of effectiveness and efficiency of the measures adopted and the action taken. In particular, among the possible indicators are:

- resource indicators;
- output indicators;
- result indicators.

Lastly, the assessment method will also aim to take unexpected positive and/or negative results into consideration, which the established indicators may not be able to detect²⁶.

8. In making the intermediate assessment of the implementation of this Tripartite Agreement the following indicators may be taken into consideration:

- resource indicators: the project may be considered as making satisfactory progress at mid-point in the period laid down if 50% of the resources allocated to each of the four phases has been effectively employed;
- output indicators: the project may be considered as making satisfactory progress at mid-point in the period laid down if 50% of the events envisaged in each of the four phases has effectively taken place;
- result indicators: these must be distinct for each phase of the project. For the first and second a satisfactory indicator may be the number of persons involved in the various events scheduled²⁷, as the objective of these phases is identification of studies and projects in progress and the circulation of information regarding them. For the third and fourth phases the number of participants will also be considered, but also the numbers of organisations involved in the events scheduled.

²⁶ Refer to the "performance" concept.

²⁷ See "Actions to be realised within the ambit of the Tripartite Agreement".

9. For the purpose of *ex post* assessment, the target is to spend 95% of the resources, complete 95% of the events and involve 95% of the individuals and groups included in the project. Other relevant indicators will be defined by the parties involved in the third phase of implementation of this Tripartite Agreement.

10. The list of relevant indicators for the policy options to be included in the medium term policy Action Plan will be defined with the parties involved in the third and fourth phase of implementation of this Tripartite Agreement.

Article 20 Transparency and information

1. This Tripartite Agreement is defined and applied in the most transparent way. The content, the implementation and the results of this Tripartite Agreement will be the subject of a substantial information campaign targeting the public opinion, the organisations which are representative of local and regional life and all socio-economic development actors.

2. In particular, the following is planned:

a) public information and awareness raising campaigns directed at private individuals, through advertising (television and other) of the actions implemented in the framework of the Tripartite Agreement;

b) transparency with regard to public and private stakeholders, thanks to distribution of brochures on the status of the implementation of this Tripartite Agreement and on relevant EU policies and programmes related to sustainable mobility themes;

c) action to inform all the parties involved by sending information packs, setting up an internet site for the publication of documents and surveys and for the description of the activities carried on under this Tripartite Agreement;

3. It does rest with the Italian Government and the European Commission to publish an extract from the undersigned Agreement accompanied by the references for accessing the entire document, in the Official Gazette of the Republic of Italy and the Official Journal of the European Union respectively.

Article 21 Consequences in the case of non-compliance

1. In the event of lack of compliance with the provisions of this Tripartite Agreement, the Contracting Parties will promptly and jointly define together the means to redress the situation – consistently with their respective competencies and, as appropriate, legislations – as soon as possible.

2. The Italian Government will strive to ensure *vis-à-vis* the European Community the best possible performance of the Tripartite Agreement. This Tripartite Agreement does not bind the Italian Government to provide further financing in addition to its obligation pursuant to art 7 of the Tripartite Agreement.

Article 22
Duration

1. This Tripartite Agreement shall be concluded for a period of two years from the date of its signature, subject to confirmation by 31 December 2005 concerning phase second, third and fourth of the project in accordance with Articles 6 and 7.

Article 23
Effect

This Tripartite Agreement shall enter into force on the date of its signature.

Article 24
Languages

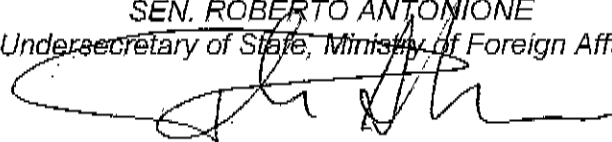
This Agreement is drawn up in two originals in the English and Italian languages, each text being equally authentic.

Done at Milan, on October 15th, 2004




For the European Commission
The President
ROMANO PRODI

For the Italian Government
SEN. ROBERTO ANTONIONE
Undersecretary of State, Ministry of Foreign Affairs



For the Lombardy Region
The President
ROBERTO FORMIGONI



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