

**No. 30368**

---

**SWEDEN  
and  
DENMARK**

**Agreement on a fixed link over the Sound (with annexes and additional protocol). Signed at Copenhagen on 23 March 1991**

*Authentic texts: Swedish and Danish.*

*Registered by Sweden on 8 October 1993.*

---

**SUÈDE  
et  
DANEMARK**

**Accord relatif à une liaison fixe à travers le Sund (avec annexes et protocole additionnel). Signé à Copenhague le 23 mars 1991**

*Textes authentiques : suédois et danois.*

*Enregistré par la Suède le 8 octobre 1993.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF SWEDEN AND  
THE GOVERNMENT OF DENMARK ON A FIXED LINK OVER  
THE SOUND

The Governments of Sweden and Denmark,

Desiring to improve rail and road communications between the two countries and thereby lay the groundwork for strengthening and expanding cultural and economic cooperation, and with a view to developing a common labour and housing market in the region of the Sound (Öresund, Øresund) for the benefit of the two States,

Considering that the necessary basis exists for an agreement on a fixed link over the Sound and for the routing and design of such a link,

Have agreed as follows:

## INTRODUCTORY PROVISION

*Article 1*

Sweden and Denmark shall jointly construct and operate a toll-financed fixed link for rail and road traffic between Kastrup and Limhamn. The link shall be called the Sound link (*Öresundsförbindelsen, Øresundsforbindelsen*).

## THE SOUND LINK

*Article 2*

The Sound link shall be constructed as a combined rail and road link consisting of a two-track railway and a four-lane motorway between Kastrup and Limhamn.

The Sound link shall start out from an artificial peninsula near Kastrup airport, cross Drogden in a sunken-tube tunnel to an artificial island southwest of Saltholm. From there the link shall continue as a low bridge and further on as a high bridge over the Flinte channel (Flintrännen, Flinterenden) and the Trindel channel (Trindelrännan, Trindelrenden) and reach land south of Limhamn.

The Sound link shall also include the necessary areas and toll-collection facility and, if necessary, buildings for customs clearance and passport control. Sweden and Denmark shall conclude at a later date an agreement on the exact demarcation of the link.

Further provisions concerning the routing and technical design of the link are contained in annex 1.

*Article 3*

The Sound link shall be constructed in keeping with the two States' international obligations.

<sup>1</sup> Came into force on 24 August 1991 by the exchange of the instruments of ratification, which took place at Stockholm, in accordance with article 23.

*Article 4*

Sweden and Denmark agree that the approval for the construction of the Sound link in accordance with the legislation of each State may result in departures from the provisions of annex 1.

*Article 5*

Sweden and Denmark agree that the final design of the Sound link (see article 2) shall be executed having regard to what is environmentally sound, technologically feasible and economically reasonable in order to prevent harmful effects on the environment.

Sweden and Denmark take it that the competent authorities shall cooperate to the extent necessary on environmental questions relating to the Sound link.

*Article 6*

The execution of the Sound link shall be open to international tender.

*Article 7*

Sweden and Denmark shall ensure that work on the Sound link proceeds in such a way that construction work can begin in 1993.

## CONNECTIONS TO THE SOUND LINK

*Article 8*

Sweden and Denmark, each in its respective State, shall construct the necessary railway and road connections from the Sound link to the existing railway and road networks. These connections shall consist of a two-track railway and a four-lane motorway. They shall be opened for traffic, at the latest, at the same time as the Sound link.

*Article 9*

The connections in Denmark shall consist of a two-track railway through Amager, which shall connect with existing tracks at Sydhavn station, and a four-lane motorway which shall run alongside the railway line through Amager and connect with the Amager motorway.

The connections in Sweden shall consist of a two-track railway connecting to the Trelleborg line and a four-lane motorway connecting to the Inner Ring Road or another road that meets motorway standards.

## ORGANIZATION AND FINANCING

*Article 10*

Sweden and Denmark shall, as soon as possible, each establish a joint-stock company, which shall be completely owned by the respective State.

The two joint-stock companies shall form a consortium, which shall own and keep joint accounts and, as a single entity, be responsible for planning and other preparations and for the financing, construction and operation of the Sound link.

### Article 11

The consortium's initial capital shall be 50 million Danish kroner, which shall be contributed in cash in equal proportion by the two joint-stock companies.

Loans for the financing of the Sound link shall be raised by the consortium.

The joint-stock companies shall jointly and in equal proportion own all of the consortium's property and all its rights. Profits and losses from the consortium's activity shall be shared equally. With respect to third parties, the companies shall be jointly and severally responsible for the consortium's obligations, with mutual liability in equal proportion.

### Article 12

Sweden and Denmark shall jointly and severally guarantee their obligations in respect of the consortium's loans or other financial instruments which may be used in connection with financing. The States shall be mutually responsible in equal proportion.

### Article 13

The consortium's affairs shall be conducted by a board of directors and a managing director.

The consortium's board of directors shall consist of an equal number of members from each company. The board shall elect a chairman and a vice-chairman, whose posts shall be filled by a member of each joint-stock company.

The board of directors shall have, unless stipulated otherwise, the same rights and obligations to which any board of directors of a joint-stock company is normally entitled.

Decisions by the board of directors shall be taken, unless stipulated otherwise, by a simple majority. If all the members of one company are of an opinion which differs from that held by the members of the other company, the matter shall be referred to the two Governments for a joint decision. The Governments' decisions shall be binding on the consortium.

Further rules governing the consortium's activity and management and disbursements and receipts with respect to the consortium, accounts and auditing, *inter alia*, shall be established in an agreement between the two joint-stock companies. The agreement shall be approved by the Governments of Sweden and Denmark.

The two Governments shall have full control of the consortium's affairs.

## TOLLS

### Article 14

The costs of planning and other preparations for the construction and operation of the Sound link shall be covered in their entirety by the consortium through special charges, tolls.

Sweden and Denmark agree that the activities of the consortium shall not require appropriations from the budgets of the respective States.

*Article 15*

Toll charges shall be set by the consortium.

*Article 16*

The establishment of a permanent link is aimed at promoting rational and effective railway traffic between the States. Toll charges shall be established with that objective in mind.

The Governments of Sweden and Denmark may conclude agreements on further conditions for railway traffic.

*Article 17*

Sweden and Denmark agree that special charges cannot be collected in respect of motor vehicles' use of the road-traffic connections referred to in article 9, as long as the motor vehicles pass through the Sound link.

## REMAINING PROVISIONS

*Article 18*

The Governments of Sweden and Denmark may subsequently conclude separate agreements on traffic regulation, the application of Swedish and Danish law and the competence of the Swedish and Danish authorities with respect to other questions relating to the Sound link.

*Article 19*

Sweden and Denmark shall place at the consortium's disposal, without compensation to the States, the water areas and the seabed within the respective territories over which the respective States have jurisdiction as may be temporarily or permanently required for the Sound link in the area between the existing coastlines.

*Article 20*

Sweden and Denmark take it that a separate agreement on uniform conditions in the two States with respect to value-added tax and, if necessary, a separate agreement on remaining toll and tax questions relating to the construction, operation and use of the Sound link will be concluded.

*Article 21*

The Government of Denmark declares its readiness to work for the construction of a permanent link over the Fehmarn Belt (Fehmarn Bält, Femer Bælt), provided that due consideration is given to the environment and the economy.

## THE ARBITRATION BOARD

*Article 22*

If a dispute arises concerning the interpretation or application of this Agreement, the matter shall be referred to an arbitration board if one of the States so requests.

Further provisions on the arbitration board are contained in annex 2.