



2018/0282(NLE)

05.12.2018

DRAFT RECOMMENDATION

on the draft Council decision on the conclusion, on behalf of the European Union, of the Treaty establishing the Transport Community (13111/2018 – C8-0473/2018 – 2018/0282(NLE))

Committee on Transport and Tourism

Rapporteur: Karima Delli

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the draft Council decision on the conclusion, on behalf of the European Union, of the Treaty establishing the Transport Community

(13111/2018 – C8-0473/2018 – 2018/0282(NLE))

(Consent)

The European Parliament,

- having regard to the draft Council decision (13111/2018),
 - having regard to the Treaty establishing the Transport Community¹,
 - having regard to the request for consent submitted by the Council in accordance with Articles 91 and 100(2) in conjunction with Article 218(6), second subparagraph, point (a) and Article 218(7) of the Treaty on the Functioning of the European Union (C8-0473/2018),
 - having regard to Rule 99(1) and (4) and Rule 108(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Transport and Tourism (A8-0000/2018),
1. Gives its consent to conclusion of the treaty;
 2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the Republic of Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo², Montenegro, the Republic of Serbia.

¹ OJ L 278, 27.10.2017, p. 3

² This designation is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo declaration of independence.

EXPLANATORY STATEMENT

Introduction

Transport cooperation with the Western Balkans countries had been governed by the South East European Transport Observatory (SEETO), a the Memorandum of Understanding (MoU) of 11 June 2004 signed by Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, the United Nations Mission in Kosovo and the Commission. The main objective of the MoU was to extend the Trans-European Transport Network (TEN-T) and related policies to the Western Balkans. As the MoU subsequently showed its limits, in 2008 the Commission proposed to negotiate an agreement providing that the legislation, standards and technical specifications applied by the Western Balkans partners be made compatible with those of the Union, based on the positive experience with the implementation of the Energy Community Treaty.

Content of the agreement

The Treaty on establishing Transport Community (TCT) aims to take a more comprehensive cooperation approach – involving other transport policies and transport related areas. The Treaty aims to create a Transport Community in the field of road, rail, inland waterway and maritime transport as well as the development of the transport network between the European Union and the Western Balkans, referred to as ‘the Transport Community’. The Transport Community shall be based on the progressive integration of transport markets of the South Western Balkans into the European Union transport market on the basis of the relevant *acquis*, including in the areas of technical standards, interoperability, safety, security, traffic management, social policy, public procurement and environment, for all modes of transport excluding air transport.

TCT is beneficial for the accession processes in Western Balkans and foster regional cooperation and the reform process in the context of the Western Balkan Six initiative as well as the implementation of the TEN-T as extended to the Western Balkans.

Procedure

The Council authorised the Commission to open negotiations in 2008 and 2009. The discussions at technical level were successfully completed in July 2010. However, due to the impossibility to agree on the appropriate designation of one of the parties, the finalisation of the TCT remained stalled for almost three years. The discussions were resumed in 2013 and an agreement on the final version of the TCT was reached in 2016.

The TCT was signed on behalf of the Union on 12 July and 9 October 2017, subject to its conclusion at a later date, in accordance with Council Decision 2017/1937, which authorised its signing and provisional application. All South East European Parties except Kosovo have already ratified the TCT. In the meantime, the TCT is applied provisionally among the Parties in accordance with Article 41(3) of the TCT.

On the basis of the above-mentioned facts, your Rapporteur suggests that the TRAN committee should give a favourable opinion on the conclusion of this Treaty.