

Procedure file

Basic information		
NLE - Non-legislative enactments Decision	2008/0262(NLE)	Procedure completed
Alpine Convention (1991): implementation in the field of transport. Transport Protocol		
Subject 3.20 Transport policy in general 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism		20/01/2009
		PPE-DE RACK Reinhard	
	Committee for opinion	Rapporteur for opinion	Appointed
	ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Transport, Telecommunications and Energy	3243	06/06/2013
European Commission	Commission DG	Commissioner	
	Mobility and Transport	KALLAS Siim	

Key events			
23/12/2008	Legislative proposal published	COM(2008)0895	Summary
09/03/2009	Committee referral announced in Parliament		
31/03/2009	Vote in committee		Summary
02/04/2009	Committee report tabled for plenary, 1st reading/single reading	A6-0219/2009	
22/04/2009	Results of vote in Parliament		
22/04/2009	Decision by Parliament	T6-0230/2009	Summary
02/12/2009	Additional information		Summary
06/06/2013	Act adopted by Council after consultation of Parliament		
06/06/2013	End of procedure in Parliament		

Technical information	
Procedure reference	2008/0262(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the EU TFEU 218-p6a; Treaty on the Functioning of the EU TFEU 091
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/6/71756

Documentation gateway					
Legislative proposal		COM(2008)0895	23/12/2008	EC	Summary
Committee draft report		PE421.126	23/02/2009	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0219/2009	02/04/2009	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0230/2009	22/04/2009	EP	Summary

Additional information	
National parliaments	IPEX

Final act
Decision 2013/332 OJ L 177 28.06.2013, p. 0013 Summary

Alpine Convention (1991): implementation in the field of transport. Transport Protocol

PURPOSE: to conclude, on behalf of the European Community, the Protocol on the Implementation of the Alpine Convention in the field of Transport (Transport Protocol).

PROPOSED ACT: Council Decision.

BACKGROUND: many environmental problems have a transboundary nature and can only be addressed effectively through international cooperation. One of the objectives of the Community's transport policy is to promote measures at international level dealing with regional and European problems which hinder sustainable mobility in transport and result in risks to the environment. The Alpine region is an ecologically highly sensitive area, therefore, the EC must pay more attention to it and address its problems by an appropriate approach.

CONTENT: to recall, the Convention on the Protection of the Alps, the Alpine Convention, was signed by the European Community at Salzburg on 7th November 1991, and by Council Decision 96/191/EC of 26th February 1996 the Community ratified the Convention, which finally entered into force on 4th April 1998. The other Contracting Parties are Austria, France, Germany, Italy, Liechtenstein, Monaco, Slovenia and Switzerland.

The Transport Protocol was adopted on 24-26 May 2000 on the occasion of the 16th meeting of the Standing Committee of the Alpine Convention. It provides a framework, based on the precautionary principle, the preventive principle and the polluter-pays principle, for ensuring sustainable mobility and protection of the environment, for all modes of transport, in the Alpine region. The objectives of the Transport Protocol are, in general terms:

- to reduce the volume of and dangers posed by intra-Alpine and trans-Alpine traffic, in particular by transferring more traffic, especially freight traffic, to the railways, especially by providing appropriate infrastructure and incentives complying with market principles;
- to ensure intra-Alpine and trans-Alpine traffic at economically bearable costs by increasing the effectiveness of the transport systems and promoting the modes of transport which are most environmentally-friendly and most economic in terms of natural resources; and to ensure fair competition between the modes of transport.

The Protocol was signed by all member countries of the Alpine Convention; the Community decided on the signature of the Transport Protocol on 12 October 2006. Austria, Germany, France, Slovenia and Liechtenstein have ratified the Protocol and it has entered into force for them. Italy, Monaco and Switzerland are currently making efforts to ratify the Transport Protocol.

The Commission considers that the Alpine Convention and in particular the Transport Protocol are instruments which help the European Community to achieve its objective of a sustainable transport policy in a large, highly sensitive cross-border zone. Therefore, the European community is called upon to conclude the Transport Protocol.

Alpine Convention (1991): implementation in the field of transport. Transport Protocol

The Committee on Transport and Tourism adopted the report drawn up by Reinhard RACK (EPP-ED, AT) recommending that the European Parliament approve the conclusion, on behalf of the European Community, of the Protocol on the Implementation of the Alpine Convention in the field of Transport (Transport Protocol).

Alpine Convention (1991): implementation in the field of transport. Transport Protocol

The European Parliament adopted a legislative resolution approving, under the consultation procedure, the proposal for a Council decision on the conclusion, of behalf of the European Community, of the Protocol on the Implementation of the Alpine Convention in the field of Transport (Transport Protocol).

Alpine Convention (1991): implementation in the field of transport. Transport Protocol

The Lisbon Treaty, which entered into force on 1 December 2009, amended the EU's two core treaties, the Treaty on European Union (TEU) and the Treaty establishing the European Community (EC Treaty). The latter was renamed the Treaty on the Functioning of the European Union (TFEU).

These changes had various consequences for many ongoing procedures. First of all, the articles of the TEU and of the old EC Treaty that constitute the legal basis of all the proposals founded on those Treaties were renumbered in accordance with the table of equivalences mentioned in Article 5 of the Lisbon Treaty.

In addition, some proposals underwent a change to their legal basis going beyond a mere change to their numbering, and this resulted in changes to the type of procedure.

The Lisbon Treaty also introduced new concepts of decision-making procedure. The old "codecision procedure" was extended to new areas and renamed the "ordinary legislative procedure". A new "consent procedure" replaced the old "assent procedure". New interinstitutional procedures were also set up for the adoption of certain non-legislative acts, for example the conclusion of some international agreements.

The ongoing proposals concerned by these changes were formally modified by the Commission in a Communication published on 2 December 2009 ([COM\(2009\)0665](#)).

In the case of the proposal for a Council Decision on the conclusion, of behalf of the European Community, of the Protocol on the Implementation of the Alpine Convention in the field of Transport (Transport Protocol), the entry into force of the Lisbon Treaty had the following impacts:

- the old legal basis ? Treaty/EC/Art.71, Art.300(2) first para. - became Art 91, Art 218 (6)(a) of the TFEU. Please note that the numbering of the old legal basis corresponds to the consolidated version of the Treaty that was applicable immediately before the entry into force of the Lisbon Treaty, and may differ from the references in the original Commission proposal;
- the proposal, which had previously fallen under the old consultation procedure (CNS), was classified as an interinstitutional non-legislative procedure (NLE).

Alpine Convention (1991): implementation in the field of transport. Transport Protocol

PURPOSE: the conclusion, on behalf of the European Union, of the Protocol on the Implementation of the Alpine Convention in the field of Transport (Transport Protocol).

NON-LEGISLATIVE ACT: Council Decision 2013/332/EU on the conclusion on behalf of the European Union of the Protocol on the implementation of the 1991 Alpine Convention in the field of transport (Transport protocol).

BACKGROUND: the Convention on the protection of the Alps (Alpine Convention) was concluded on behalf of the European Community by the Council by Decision 96/191/EC.

The Council decided on the signature, on behalf of the Community, of the Protocol on the implementation of the 1991 Alpine Convention in the field of transport (Transport protocol) by Decision 2007/799/EC.

The Transport protocol provides a framework, based on the precautionary principle, the preventive principle and the polluter-pays principle, for ensuring sustainable mobility and protection of the environment, in the Alpine region in the light of the Alpine Convention.

It is now appropriate to approve the Transport protocol on behalf of the European Union.

CONTENT: by means of this Decision, the Protocol on the Implementation of the 1991 Alpine Convention in the field of transport is approved on behalf of the European Union.

Objectives of the Protocol:

- to reduce the volume of and dangers posed by intra-Alpine and trans-Alpine traffic, in particular by transferring more traffic, especially freight traffic, to the railways, especially by providing appropriate infrastructure and incentives complying with market principles;
- to ensure intra-Alpine and trans-Alpine traffic at economically bearable costs by increasing the effectiveness of the transport systems and promoting the modes of transport which are most environmentally-friendly and most economic in terms of natural resources; and to ensure fair competition between the modes of transport.

Consistency with European transport policy: the provisions of the Transport protocol are in line with the Union's Common Transport Policy and fully support the Commission's "Greening Transport" approach adopted in 2008.

The ratification of the Transport protocol would strengthen trans-border cooperation with those countries which are not members of the Union, namely Liechtenstein, Monaco and Switzerland, which would help to ensure that the goals of the Union are shared by regional partners and that such initiatives cover the whole Alpine region.

ENTRY INTO FORCE: the Decision enters into force on 18.07.2013.