






Procedure file

Basic information	
NLE - Non-legislative enactments Decision	2018/0282(NLE) Procedure completed
Treaty establishing the Transport Community	
Subject 3.20.11 Trans-European transport networks 3.20.15 Transport agreements and cooperation	
Geographical area Kosovo under UNSCR 1244/1999 Former Yugoslav Republic of Macedonia Serbia, from 06/2006 Albania Bosnia and Herzegovina Montenegro, from 06/2006	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Transport and Tourism	 DELLI Karima	19/02/2018
		Shadow rapporteur	
		 DELI Andor	
		 DE MONTE Isabella	
		 DEMESMAEKER Mark	
Council of the European Union			
European Commission	Commission DG Mobility and Transport	Commissioner BULC Violeta	

Key events			
13/07/2018	Preparatory document	COM(2018)0532	Summary
29/10/2018	Legislative proposal published	13111/2018	Summary
15/11/2018	Committee referral announced in Parliament		
22/01/2019	Vote in committee		
23/01/2019	Committee report tabled for plenary, 1st reading/single reading	A8-0022/2019	Summary

13/02/2019	Results of vote in Parliament		
13/02/2019	Decision by Parliament	T8-0094/2019	Summary
11/03/2019	Act adopted by Council after consultation of Parliament		
11/03/2019	End of procedure in Parliament		
13/03/2019	Final act published in Official Journal		

Technical information

Procedure reference	2018/0282(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 100-p2; Treaty on the Functioning of the EU TFEU 218-p6a; Treaty on the Functioning of the EU TFEU 218-p7; Treaty on the Functioning of the EU TFEU 091
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/8/14387

Documentation gateway

Document attached to the procedure	10303/2017	04/07/2017	CSL	
Preparatory document	COM(2018)0532	13/07/2018	EC	Summary
Legislative proposal	13111/2018	30/10/2018	CSL	Summary
Committee draft report	PE628.593	05/12/2018	EP	
Committee report tabled for plenary, 1st reading/single reading	A8-0022/2019	23/01/2019	EP	Summary
Text adopted by Parliament, 1st reading/single reading	T8-0094/2019	13/02/2019	EP	Summary

Final act

[Decision 2019/392](#)
[OJ L 071 13.03.2019, p. 0001](#) Summary

Treaty establishing the Transport Community

PURPOSE: to approve, on behalf of the European Union, the conclusion of the Treaty establishing the Transport Community.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: strengthening regional cooperation within the Western Balkans is a key element for political stability, security, economic prosperity and social development in the region.

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.

The MoU has, however, shown limits. Therefore, the Commission proposed, based on the positive experience with the implementation of the Energy Community Treaty, to take inspiration from this example for the purposes of the transport sector and 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.

The Commission negotiated, on behalf of the Union, the Treaty establishing the Transport Community (TCT) between the European Union and Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo, Montenegro and Serbia.

The TCT was signed on behalf of the Union on 12 July and 9 October 2017, subject to its conclusion at a later date.

All South East European Parties except Kosovo have already ratified the TCT. In the meantime, the TCT is applied provisionally among the Parties.

CONTENT: the Commission proposes that the Council decide to approve, on behalf of the European Union, the Treaty establishing the European Transport Community (TCT).

The aim of this Treaty is the creation of 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 South East European Parties. The Transport Community is based on the progressive integration of transport markets of the South East European Parties 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.

The Commission considers that the TCT will benefit the accession framework for the Western Balkans by speeding up the alignment of national legislation with the Union *acquis* on transport and related areas.

The TCT will also be a key instrument to foster 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. It will replace the existing cooperation framework, the South East European Transport Observatory (SEETO), which is in place since 2004.

Treaty establishing the Transport Community

PURPOSE: to conclude, on behalf of the European Union, of the Treaty establishing the Transport Community.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the Commission negotiated, on behalf of the Union, a Treaty establishing the Transport Community between the European Union and Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo, Montenegro and Serbia.

The Transport Community Treaty was signed on behalf of the Union on 9 October 2017, subject to its conclusion at a later date, in accordance with Council Decision 2017/1937, and it has been applied on a provisional basis in accordance with Article 41(3) of the Transport Community Treaty.

As a reminder, the aim of this Treaty is the creation of 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 South East European Parties. The Transport Community is based on the progressive integration of transport markets of the South East European Parties 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.

CONTENT: the Council draft seeks to approve, on behalf of the European Union, the Treaty establishing the European Transport Community (TCT).

Meetings of the Ministerial Council or the Regional Steering Committee established, respectively, should be properly prepared within the Council, based on proposals and other documents from the Commission. The Commission should be empowered to approve, on behalf of the Union, amendments to the lists of Union acts set out in Annex I to the Transport Community Treaty and after appropriate consultation.

The Commission shall, as soon as possible before meetings of the Ministerial Council or the Regional Steering Committee, submit to the Council or its preparatory bodies, in the appropriate format, for adoption or consultation as the case may be, in accordance with the TFEU and the Treaty on European Union, and in particular in compliance with the principle of sincere cooperation, draft Union positions and statements on the matters that will be discussed at the respective meeting.

The position to be taken by the Union as regards decisions of the Regional Steering Committee regarding merely the updating of Union acts set out in Annex I to the Transport Community Treaty shall be adopted by the Commission. Before adopting any such decision, the Commission shall consult the Council on the anticipated position sufficiently in advance and by means of a written preparatory document.

Any adjustments to Union acts to be incorporated into Annex I to the Transport Community Treaty shall be limited to technical adjustments necessary for the purposes of such incorporation.

Treaty establishing the Transport Community

The Committee on Transport and Tourism adopted the report by Karima DELLI (Greens/EFA, FR) on the draft Council decision on the conclusion, on behalf of the European Union, of the Treaty establishing the Transport Community.

The committee recommended that the European Parliament give its consent to conclusion of the treaty.

As a reminder, 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. 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.

Treaty establishing the Transport Community

The European Parliament adopted by 607 votes to 63, with 3 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the European Union, of the Treaty establishing the Transport Community.

Parliament gave its consent to the conclusion of the Treaty.

As a reminder, 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.

Treaty establishing the Transport Community

PURPOSE: to approve the conclusion, on behalf of the European Union, of the Treaty establishing the Transport Community.

NON-LEGISLATIVE ACT: Council Decision (EU) 2019/392 on the conclusion, on behalf of the European Union, of the Treaty establishing the Transport Community.

CONTENT: the Council adopted a Decision on the conclusion, on behalf of the Union, of the Treaty establishing the Transport Community.

The Treaty establishing the Transport Community was signed on behalf of the Union on 9 October 2017, subject to its conclusion at a later date, and has been provisionally applied since its signature. Its purpose is to create a Transport Community in the field of road, rail, inland waterway and maritime transport and to develop the transport network between the European Union and the parts of South-Eastern Europe, namely Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo, Montenegro and Serbia.

The Transport Community is based on the progressive integration of transport markets of the South East European Parties 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.

To this end, the Treaty defines the rules applicable between the Contracting Parties.

In a statement, the Commission points out that the Treaty establishing a Transport Community does not contain provisions on market access for the transport of goods by road. Therefore, Regulation (EC) No 1072/2009 continues to apply at this stage in respect of the South-Eastern European parties.

As long as this situation remains unchanged, bilateral agreements concluded between Member States and parties in South-East Europe, including the authorisations contained in those agreements, may be maintained, in accordance with those provisions and subject to compliance with Union law.

In the event that the European Union and the Parties of South-Eastern Europe consider strengthening their cooperation by creating EU-wide market access opportunities in the road haulage sector, the corresponding agreements should be negotiated, signed and concluded in accordance with Article 218 TFEU.

ENTRY INTO FORCE: 04.03.2019.