



Council of the  
European Union

Brussels, 1 October 2015  
(OR. en)

---

---

**Interinstitutional File:**  
**2014/0345 (NLE)**

---

---

12053/15  
ADD 1

JUSTCIV 200  
TRANS 288

**"I/A" ITEM NOTE**

---

From:	General Secretariat of the Council
To:	Council
No. prev. doc.:	9225/15 JUSTCIV 129 TRANS 176 + ADD 1
No. Cion doc.:	17025/14 JUSTCIV 329 TRANS 602 + ADD 1
Subject:	Draft Council decision authorising respectively the Kingdom of Belgium and the Republic of Poland to ratify and the Republic of Austria to accede to the Budapest Convention on the Contract for the Carriage of Goods by Inland Waterways (CMNI) - Statement by the delegation of the United Kingdom to the minutes of the Council

---

Delegations will find attached a statement by the delegation of the United Kingdom to be included into the minutes of the Council session adopting the Council Decision authorising respectively the Kingdom of Belgium and the Republic of Poland to ratify and the Republic of Austria to accede to the Budapest Convention on the Contract for the Carriage of Goods by Inland Waterways (CMNI).

Statement by the delegation of the United Kingdom relating to the draft Council decision authorising respectively the Kingdom of Belgium and the Republic of Poland to ratify and the Republic of Austria to accede to the Budapest Convention on the Contract for the Carriage of Goods by Inland Waterways (CMNI)

The United Kingdom supports the Council Decision authorising Austria, Belgium and Poland to ratify, or accede to, the Budapest Convention on the Contract for the Carriage of Goods by Inland Waterways (CMNI).

The Council Decision states that the Union has exclusive external competence in particular with regard to Article 29 of the Budapest Convention and, as such, the provisions of that Article affect the rules laid down in Council Regulation (EC) No. 593/2008 and is, therefore, binding on all Member States.

However, the United Kingdom wishes to draw attention to the fact that the legal base cited for the Council Decision to be adopted is pursuant to Title V Part III of the Treaty on the Functioning of the European Union. Consequently, the Council Decision will only bind the United Kingdom if it opts in to the Council Decision in accordance with Protocol 21 to the Treaties.

Accordingly, the United Kingdom has notified the President of the Council that it wishes to take part in the adoption and application of this Decision, in accordance with Article 3 of Protocol No.21 on the position of the United Kingdom and Ireland in respect of the area of Freedom, Security and Justice annexed to the Treaty on European Union and to the Treaty on the functioning of the European Union.