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COWEB 135
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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

No. Cion doc.: 13777/17 TRANS 441 COWEB 124 ELARG 76 + ADD 1

Subject: Council decision on the position to be adopted on behalf of the European Union within the Ministerial Council set up under the Treaty establishing the Transport Community as regards the seat of the Permanent Secretariat
– *Adoption*

1. On 3 November 2017 the Commission submitted to Council the above proposal in view of the first meeting of the Ministerial Council of the Transport Community between the European Union and Western Balkans which is tentatively planned to take place on 6 December 2017 in Brussels. The signing procedure for the Treaty on the Transport Community ("Treaty") had been finalised on 9 October 2017.
2. So far two South Eastern European parties, Albania and Bosnia and Herzegovina, have agreed, like the EU, to apply the Treaty provisionally. Serbia is currently finalising its ratification procedure. Following ratification by Serbia the Treaty will apply provisionally among these parties in accordance with its Article 41(3).

3. Under Article 21(d) of the Treaty the Ministerial Council "shall decide on the seat of the Permanent Secretariat by consensus". Agreement has been reached at the political level that Belgrade would be a suitable place to host the Secretariat. A decision to this effect by the Ministerial Council would represent an important milestone for the start of implementing the Treaty.
4. On 7 and 13 November 2017, the Working Party on Land Transport examined the Commission proposal. Delegations welcomed the proposal and the progress made since the Western Balkans Six Summit held in Trieste on 12 July 2017. The Commission services explained that Article 1(2) of the draft decision, allowing for minor changes to be agreed by the Union representatives at the Ministerial Council, does not put into doubt the choice for Belgrade which has been agreed politically.
5. In light of the above, the Committee of Permanent Representatives is requested to invite the Council to adopt, at one of its meetings following confirmation that the Treaty applies provisionally, the decision on the position to be adopted on behalf of the European Union within the Ministerial Council set up under the Treaty establishing the Transport Community as regards the seat of the Permanent Secretariat, as set out in document ST 14124/17 which has been reviewed by lawyer-linguists.
