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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
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Subject:	Council Decision on the conclusion, on behalf of the European Union, of a Protocol to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) regarding the international regular and special regular carriage of passengers by coach and bus - Adoption

CONTEXT OF THE PROPOSAL

1. On 18 September 2020 the Commission submitted to Council the proposal on the above subject.
2. During 2017, the Commission, based on a mandate from the Council, negotiated with the other seven Contracting Parties¹ to the Interbus Agreement a protocol extending the scope of the agreement towards regular and special regular carriage by coach and bus, aiming at a uniform authorisation procedure for regular international lines subject to the implementation of the EU acquis in the field of road passenger transport.

¹ The Republic of Albania, Bosnia and Herzegovina, the Republic of Moldova, Montenegro, the Republic of North Macedonia, the Republic of Turkey, Ukraine, the Principality of Andorra (2020), the United Kingdom (2021) and Serbia (2021). For the European Union, the Interbus Agreement entered into force on 1 January 2003.

3. Following the expiry of the period for signing that protocol in April 2019, without attainment of a sufficient number of signatures, the Council in 18 February 2020 authorised the Commission to conduct additional negotiations in order to make certain technical changes to the text of the protocol.² In the course of the ensuing negotiations, the Commission consulted the Council's special committee and provided it, in June 2020, with the details of the technical changes agreed with the other Contracting Parties.³ In particular, the amended protocol would need, for its entry into force, the conclusion or ratification by three Interbus Contracting Parties (instead of four), the period for signing the amended protocol would be extended to two years, and the period for its entry into force after ratification shortened.
4. The Protocol contains the provisions needed to extend the Interbus Agreement to international regular and special regular carriage of passengers by coach and bus, under a unique authorisation procedure. Prior accession to the Interbus Agreement is a prerequisite for signing and concluding the Protocol.
5. The European Union and Ukraine signed the Protocol on 11 February 2021, and the Republic of North Macedonia signed it on 9 September 2021. While the Protocol does not provide for provisional application, it will enter into force on the first day of the month following the ratification of three parties including the European Union.

WORK WITHIN THE COUNCIL

6. The Working Party on Land Transport discussed the proposal, together with the proposal on authorising the signing of the Protocol, during an informal meeting on 6 October 2020. Delegations generally welcomed the initiative, and some of them made technical comments and raised questions on the future functioning of the protocol. One delegation suggested that the provisions on local partnerships should put countries which are crossed *en route* on an equal footing with countries at the end points of a bus line. The Commission representative underlined that the Protocol would not only enlarge the scope of the Interbus Agreement to a great extent, but offered also the preferred option for future relations in international regular passenger carriage between the EU and the UK.

² See document ST 5587/20+ADD 1.

³ See document ST 9072/20.

7. The Council authorised the signing of the Protocol on 23 October 2020⁴ and agreed in principle on the draft Council Decision, instructing the General Secretariat to transmit it to the European Parliament for consent⁵.

WORK WITHIN THE EUROPEAN PARLIAMENT

8. On 16 November 2020, the Parliament's Committee for Transport and Tourism appointed Ms Maria Grapini (S&D, Romania) as rapporteur.
9. On 6 July 2021, the Parliament gave its consent to the conclusion of the Protocol.

CONCLUSION

10. In light of the above, it is suggested that the Council, subject to confirmation by the Permanent Representatives' Committee, adopt, at one of its forthcoming meetings, the Council Decision on the conclusion, on behalf of the European Union, of a Protocol to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) regarding the international regular and special regular carriage of passengers by coach and bus, as set out in the document prepared by the lawyer-linguists (ST 11441/20).
11. The text of the Protocol (ST 11442/20) will be published together with that decision. The European Parliament will be informed of the Council's decision in accordance with Article 218(10) TFEU.

⁴ See OJ L 385, 17.11.2020, p. 1.

⁵ See document 11815/1/20 REV 1.