



The Treaty establishing the Transport Community



Objective and scope

Transport community in road, rail, inland waterways, and maritime transport as well as the development of the transport network

Progressive integration of the transport markets of SEE into that of the EU based on the acquis including technical standards, interoperability, safety, security, traffic management, social policy, public procurement (incl. rail-PSO and construction works) and environment



Status of TCT

Trieste Summit, July 2017

*5 out of 6 regional partners and the EU signed
BH might sign later*

Ratification by EU MS not needed

Entry into force envisaged for 1 January 2018



Who are the contracting parties?

The EU, AL, (BH,)ME, the fYRoM, RS and XK

Not a mixed agreement, thus no signing or ratification by EU MS individually.

Signing will take place in Trieste in July



Regional Steering Committee

Decisions are binding

Adopted by unanimity

EU regulation, directives and decisions shall be made integral part of the internal legal order of the SEE Partners (3.1 and 3.2)

Obligations apply to EU Member States (3.3)



Institutions

Ministerial Council (21): meets annually

Regional Steering Committee (RSC) (24), meets at least twice a year. Takes binding decisions.

Technical Committees in the form of ad-hoc working groups (26)

Social Forum (27)

Permanent Secretariat with a director (30)



Rail - scope

Market and infrastructure access, train driver licensing, interoperability, ERA, safety, dangerous goods, passenger rights and obligation.

Right of access for international train services (11.1)

No restrictions on licenses, driver licenses and certificates (11.2)

Competition legislation



Rail Transport – a stepwise integration (40, Protocols I-VI, 1-3)

1 Domestic -> [2 Regional ->]-> 3 EU (PI-VI 3)

Conditions:

1->2 application of Annex I, sufficient progress state aid, competition

2 ->3 all railway legislation, state aid and competition

Assessment by COM on request of SEE Party or on own initiative

EU determines that the conditions are fulfilled
Reciprocal acceptance of all documents



Interpretation

All right must be possible to be invoked before national courts

Existing interpretations and, in accordance with determinations of RSC, interpretations after entry into force by EUCJ apply (19.1)

National courts may ask, in accordance with modalities notified by SEE parties, EUCJ for preliminary decisions or rulings, which shall be binding (19.2)



New legislation

RSC decides that

- **SEE parties transpose the new EU act or**
 - **That it is in accordance with the TCT or**
 - **On other measures to safety the functioning of TCT**
- (Art. 3 and 20)**



Application of the TCT

RSC decides that

- **SEE parties transpose the new EU act or**
 - **That it is in accordance with the TCT or**
 - **On other measures to safety the functioning of TCT**
- (Art. 3 and 20)**



Thank you for your attention.

