



Council of the  
European Union

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LIMITE

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## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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Subject: COUNCIL DECISION authorising the opening of negotiations on the  
revision of the Treaty establishing the Transport Community

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**COUNCIL DECISION (EU) 2025/...**

**of ...**

**authorising the opening of negotiations on the revision  
of the Treaty establishing the Transport Community**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 91 and 100(2), in conjunction with Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) The Treaty establishing the Transport Community<sup>1</sup> ('TCT') was signed on behalf of the Union in accordance with Council Decision (EU) 2017/1937<sup>2</sup>. On 4 March 2019, it was approved on behalf of the Union by means of Council Decision (EU) 2019/392<sup>3</sup>. It entered into force on 1 May 2019.
- (2) The TCT furthers the development of the transport network between the Union, on the one hand, and the Republic of Albania, Bosnia and Herzegovina, the Republic of North Macedonia, Kosovo\*, Montenegro and the Republic of Serbia (hereinafter referred to as the 'South East European Parties'), on the other, in the field of road, rail, inland waterway and maritime transport. The Transport Community established by the TCT is based on the progressive integration of the transport markets of the South East European Parties into the Union transport market on the basis of the relevant provisions of the Union *acquis*.

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<sup>1</sup> OJ L 278, 27.10.2017, p. 3, ELI: [http://data.europa.eu/eli/agree\\_internation/2017/1937/oj](http://data.europa.eu/eli/agree_internation/2017/1937/oj).

<sup>2</sup> Council Decision (EU) 2017/1937 of 11 July 2017 on the signing, on behalf of the European Union, and provisional application of the Treaty establishing the Transport Community (OJ L 278, 27.10.2017, p. 1, ELI: <http://data.europa.eu/eli/dec/2017/1937/oj>).

<sup>3</sup> Council Decision (EU) 2019/392 of 4 March 2019 on the conclusion, on behalf of the European Union, of the Treaty establishing the Transport Community (OJ L 71, 13.3.2019, p. 1, ELI: <http://data.europa.eu/eli/dec/2019/392/oj>).

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo declaration of independence.

- (3) Article 42 of the TCT provides that the TCT is to be reviewed at the request of any contracting party and at any event five years after its entry into force.
- (4) In January 2024, a working group was set up to hold exploratory talks on a review of the TCT. The working group was composed of representatives of the Commission, of the Member States, of the South East European Parties, and of the current observing participants. It has concluded its discussions on the review and identified a need to update the TCT.
- (5) Considerable progress has been achieved in the closer engagement between the Transport Community and two of the observing participants, namely Ukraine and the Republic of Moldova.
- (6) The Union should participate in the negotiations on the amendment of the TCT,

HAS ADOPTED THIS DECISION:

### *Article 1*

The Commission is hereby authorised to conduct negotiations, on behalf of the Union, on an international agreement on the revision of the Treaty establishing the Transport Community.

### *Article 2*

The negotiations shall be conducted on the basis of the negotiating directives of the Council set out in the addendum to this Decision.

### *Article 3*

The negotiations shall be conducted in consultation with the Working Party on Transport - Intermodal Questions and Networks, which is hereby designated as the special committee provided for in Article 218(4) of the Treaty on the Functioning of the European Union.

*Article 4*

This Decision is addressed to the Commission.

Done at ..., ...

*For the Council*

*The President*

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