Council of the
European Union

Brussels, 20 October 2020
(OR. en)

11438/20

Interinstitutional File:
2020/0257 (NLE)

TRANS 444

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION on the signing, 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

COUNCIL DECISION (EU) 2020/…

of …

on the signing, 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

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) By Council Decision 2002/917/EC[1], the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement)[2] was concluded, on behalf of the Union, on 3 October 2002 and entered into force on 1 January 2003[3].

(2) On 16 July 2018, the Council adopted Decision (EU) 2018/1195[4] on the signing of the Protocol to the Interbus Agreement regarding the international regular and special regular services (the 'Protocol').

(3) The Protocol was open for signature from 16 July 2018 to 16 April 2019, and was signed by the Union on 11 April 2019. No other contracting parties to the Interbus Agreement ('Contracting Parties') signed the Protocol before the period for signature expired. Therefore the Protocol did not enter into force.

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1 Council Decision 2002/917/EC of 3 October 2002 on the conclusion of the Interbus Agreement on the international occasional carriage of passengers by coach and bus (OJ L 321, 26.11.2002, p. 11).

2 OJ L 321, 26.11.2002, p. 13.

3 OJ L 321, 26.11.2002, p. 44.

4 Council Decision (EU) 2018/1195 of 16 July 2018 on the signing, 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 (OJ L 214, 23.8.2018, p. 3).

(4) On 18 February 2020, the Council authorised the Commission to open negotiations for the amendment of the Protocol to make certain technical changes regarding its signing and entry into force, and to reflect the change in denomination of one Contracting Party.

(5) Negotiations for the amendment of the Protocol were successfully concluded. A new deadline of two years for the signature of the Protocol has been established. Moreover, the Protocol has been amended so that its entry into force requires approval or ratification by a smaller number of Contracting Parties, and a shorter waiting period following that approval or ratification, than specified in the Interbus Agreement. In addition, the change in denomination of the former Yugoslav Republic of Macedonia, to the Republic of North Macedonia, has been reflected in the Protocol.

(6) For reasons of clarity and in order to facilitate the rapid signature and entry into force of a protocol, it is appropriate to prepare a new Protocol on the international regular and special regular carriage of passengers by coach and bus (the 'new Protocol') to reflect the amendments agreed and replace the Protocol which was open for signature until 16 April 2019.

(7) The new Protocol should facilitate the provision of the international regular and special regular carriage of passengers by coach and bus between the Contracting Parties and therefore give rise to improved passenger transport links between them.

(8) In order to facilitate the application of the new Protocol, and in particular the operation of the Joint Committee established by Article 18 thereof, the new Protocol largely mirrors the provisions established by the Interbus Agreement.

(9) In order for its benefits not to be excessively delayed, the new Protocol provides for its entry into force, for the Contracting Parties that have signed and approved or ratified it, when three Contracting Parties, including the Union, have signed and approved or ratified it.

(10) Therefore, the new Protocol should be signed on behalf of the Union, subject to its conclusion at a later date,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the 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, that replaces the Protocol to the Interbus Agreement which was open for signature between 16 July 2018 and 16 April 2019, is hereby approved on behalf of the Union, subject to its conclusion[1+].

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Protocol on behalf of the Union.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at …,

For the Council
The President

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1 The text of the Protocol is published in … [insert OJ reference].
\+ Delegations: see document st11442/20.