Council of the European Union

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'A' ITEM NOTE

From:	General Secretariat of the Council
To:	Council
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Subject:	Proposal for a 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 – Adoption Proposal for a Council Decision on the conclusion 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 – Agreement in principle – Request for the consent of the European Parliament

1. On 18 September 2020 the Commission submitted to Council two proposals on the subjects above.

2. During 2017, the Commission, based on a mandate from the Council, negotiated with the other seven Contracting Parties[1] 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. 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.

3. The Working Party on Land Transport discussed the proposals during an informal meeting on 6 October 2020. Delegations generally welcomed the initiatives, and some of them made technical comments and raised questions on the future functioning of the protocol, including during a subsequent written consultation. 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 some Contracting Parties had meanwhile signalled to be ready to sign the protocol, and that the protocol would offer also the preferred option for future relations in international regular passenger carriage between the EU and the UK. Following the deliberations of the Working Party, except for a technical adjustment[4] no changes were made to the draft decisions, subject to lawyer-linguistic revision.

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1 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 acceded in August 2020.

2 See document ST 5587/20+ADD1.

3 See document ST 9072/2020.

4 See document 11529/20.

4. The Permanent Representatives Committee on 21 October 2020 confirmed the agreement reached at the Working Party, with Spain abstaining.

5. Therefore, the Council is invited to:

   – adopt the decision on signing (doc. 11438/20);

   – agree in principle on the decision on conclusion (doc. 11441/20) and decide to forward it, together with the text of the protocol (doc. 11442/20), to the European Parliament for its consent.

6. The European Parliament will be informed, in accordance with article 218(10) TFEU, of the Council's decision on the signing of the protocol.