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**TRANS 72
SOC 82**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union in the Group of Experts on the European Agreement concerning the work of crews of vehicles engaged in international road transport (AETR) and in the Working Party on Road Transport of the United Nations Economic Commission for Europe as regards a proposal to allow the accession of Mongolia to the AETR

COUNCIL DECISION (EU) 2026/...

of ...

**on the position to be taken on behalf of the European Union in the Group of Experts
on the European Agreement concerning the work of crews of vehicles
engaged in international road transport (AETR)
and in the Working Party on Road Transport of
the United Nations Economic Commission for Europe
as regards a proposal to allow the accession of Mongolia to the AETR**

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(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Agreement concerning the work of crews of vehicles engaged in international road transport (AETR)¹ entered into force on 5 January 1976. The Union has exclusive competence on the subject matter covered by the AETR².
- (2) Pursuant to Article 14(1) of the AETR, apart from non-European States that are already members of the United Nations Economic Commission for Europe (UNECE), the AETR is open to accession only to a closed list of non-European States, namely Algeria, Egypt, Jordan, Lebanon, Morocco and Tunisia. Where a non-European State that is not a member of the UNECE and that is not on the list set out in Article 14(1) of the AETR wishes to accede to the AETR, it needs to find a Contracting Party willing to submit a proposal to amend Article 14(1) of the AETR, in order for that State to be included on that list.
- (3) Mongolia wishes to accede to the AETR. Mongolia currently has bilateral agreements with several Member States of the Union, as well as with several other non-Union AETR Contracting Parties. The accession of Mongolia could result in certain benefits, including more harmonised rules in international road transport to and from Mongolia. The accession of Mongolia to the AETR is therefore in the interests of the Union, and it is therefore appropriate that the Union submits a proposal to amend the AETR with that objective.

¹ OJ L 95, 8.4.1978, p. 1, ELI: http://data.europa.eu/eli/agree_internation/1977/2829/oj.

² Judgment of the Court of Justice of 31 March 1971, *Commission v. Council*, Case C-22/70, ECLI:EU:C:1971:32, paragraphs 30-31.

- (4) Pursuant to Article 21 of the AETR, proposals for amendments to the AETR may be submitted by any Contracting Party to the Secretary-General of the United Nations (UN). Before submission to the Secretary-General of the UN, the proposals are generally first tabled, examined and endorsed in the UNECE Working Party on Road Transport (SC.1). A Group of Experts on the AETR has been established by the UNECE in the framework of the AETR. That Group is a body empowered to develop and submit proposals to amend the AETR to the UNECE Working Party on Road Transport (SC.1). The Union, on the basis of this Decision, should propose that the UNECE Group of Experts on the AETR, during its next sessions, and the UNECE Working Party on Road Transport (SC.1), during its planned 121st session from 28 to 30 October 2026, and at subsequent sessions, discuss an amendment to the AETR allowing Mongolia to accede the AETR.
- (5) It is appropriate to establish the position to be taken on the Union's behalf in the UNECE Group of Experts on the AETR and in the UNECE Working Party on Road Transport (SC.1), as the proposal for an amendment to the AETR which they will be called to develop and endorse would be binding under international law in accordance with Article 21(6) of the AETR.

- (6) Member States should not object to a notification by the United Nations Secretary-General under Article 21(1) of the AETR of the proposed amendment, contained in the Annex to this Decision. If a notification by the United Nations Secretary-General is not limited to the proposed amendment contained in the Annex to this Decision, the Member States should not object to the proposed amendment which is contained in the Annex to this Decision.
- (7) The Union's position in the UNECE Group of Experts on the AETR is to be expressed by the Commission, and the Union's position in the UNECE Working Party on Road Transport (SC.1) is to be expressed by the Member States acting jointly in the interest of the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in subsequent sessions of the UNECE Group of Experts on the European Agreement concerning the work of crews of vehicles engaged in international road transport (AETR) and of the UNECE Working Party on Road Transport (SC.1) in relation to a proposal to amend Article 14(1) of the AETR to allow Mongolia to accede to the AETR is set out in the Annex to this Decision.

Formal and minor changes to the position referred to in the first paragraph may be agreed without a further decision of the Council.

Article 2

The position referred to in Article 1 shall be expressed by the Commission in the UNECE Group of Experts on the AETR, and by the Member States, acting jointly in the interest of the Union, in the UNECE Working Party on Road Transport (SC.1).

Article 3

Where the proposed amendment set out in the Annex to this Decision has been endorsed by the UNECE Working Party on Road Transport (SC.1), the Member States, acting jointly in the interest of the Union, shall submit it to the United Nations Secretary-General, in accordance with Article 21(1) of the AETR.

Member States shall not object to a notification by the United Nations Secretary-General under Article 21(1) of the AETR of the proposed amendment which is contained in the Annex to this Decision.

Article 4

This Decision is addressed to the Commission and to the Member States.

Done at ..., ...

For the Council

The President
