

ZAKON O POTVRĐIVANJU UGOVORA O OSNIVANJU TRANSPORTNE ZAJEDNICE

Član 1

Potvrđuje se Ugovor o osnivanju transportne zajednice, potpisani potpisani u Trstu, 12. jula 2017. godine, u originalu na engleskom jeziku i Briselu, 9. oktobra 2017. godine u originalu na crnogorskom jeziku i na službenim jezicima institucija Evropske unije i Strana potpisnica iz Jugoistoka Europe.

Član 2

Tekst Ugovora iz člana 1 ovog zakona u originalu na engleskom i crnogorskom jeziku, glasi:

**TREATY
ESTABLISHING THE TRANSPORT COMMUNITY**

The Parties, being

THE EUROPEAN UNION, hereinafter referred to as "the Union" or "the European Union"

and

THE SOUTH EAST EUROPEAN PARTIES, the Republic of Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo* (hereinafter referred to as Kosovo), Montenegro, the Republic of Serbia,

all the above-mentioned parties hereinafter referred to together as "the Contracting Parties"

BUILDING on the work done in the framework of the Memorandum of Understanding on the development of the South East Europe Core Regional Transport Network, signed in Luxembourg on 11 June 2004, and NOTING that this Memorandum of Understanding will not be relevant anymore;

RECOGNISING the integrated character of international transport and desiring to create a Transport Community between the European Union and the South East European Parties based on the progressive integration of the transport market of the Contracting Parties on the basis of the relevant *acquis*;

CONSIDERING that the rules concerning the Transport Community are to apply on a multilateral basis within the Transport Community and therefore specific rules need to be defined in that respect;

* 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.

NOTING the Interim Accord and the relevant Memorandum on Practical Measures that the Hellenic Republic and the former Yugoslav Republic of Macedonia have signed in 1995;

AGREEING that it is appropriate to base the Transport Community rules on the relevant legislation in force within the European Union, as laid down in Annex I to this Treaty, under the Treaty on European Union and the Treaty on the Functioning of the European Union, and taking into account the modifications contained therein, including the replacement of ~~European Community~~ by ~~European Union~~;

BEARING IN MIND that integration of transport markets cannot be achieved in one step, but rather by means of a transition facilitated by specific arrangements of limited duration;

EMPHASISING that transport operators should be treated in a non-discriminatory manner regarding their access to transport infrastructures;

BEARING IN MIND the desire of each of the South East European Parties to make its laws on transport and associated matters compatible with those of the European Union, including with regard to future developments of the *acquis* within the Union;

RECOGNISING the importance of technical assistance in this regard;

BEARING IN MIND the necessity to protect the environment and to combat against climate change, and that the development of the transport sector needs to be sustainable;

BEARING IN MIND the necessity to consider the social dimension of the Transport Community and to establish social dialogue structures in the South East European Parties;

BEARING IN MIND the European perspective of the South East European Parties as confirmed by several recent European Council Summits;

NOTING that the former Yugoslav Republic of Macedonia, Montenegro, the Republic of Serbia and the Republic of Albania are candidate countries for membership of the European Union and that Bosnia and Herzegovina has also applied for membership;

NOTING that the internal procedures of the Member States of the European Union may apply when receiving documents issued by Kosovo authorities under this Treaty;

NOTING the determination of candidate countries and potential candidates to move closer to the European Union and to implement the *acquis*, in particular in the field of transport,

HAVE DECIDED TO CREATE A TRANSPORT COMMUNITY:

ARTICLE 1

Objectives and principles

1. The aim of this Treaty is the creation of a Transport Community in the field of road, rail, inland waterway and maritime transport as well as the development of the transport network between the European Union and the South East European Parties, hereinafter referred to as ~~the~~ Transport Community. The Transport Community shall be based on the progressive integration of transport markets of the South East European Parties into the European Union transport market on the basis of the relevant *acquis*, including in the areas of technical standards, interoperability, safety, security, traffic management, social policy, public procurement and environment, for all modes of transport excluding air transport. For this purpose, this Treaty sets out the rules applicable between the Contracting Parties under the conditions set out hereinafter. These rules include the provisions laid down by the acts specified in Annex I.

2. The provisions of this Treaty shall apply to the extent that they concern road, rail, inland waterway, maritime transport and transport networks, including airport infrastructure, or an associated matter referred to in Annex I.

3. This Treaty consists of articles, setting out the general functioning of the Transport Community, hereinafter referred to as ~~the~~ Main Treaty of Annexes, of which Annex I contains the

European Union acts applicable between the Contracting Parties in the framework of the Main Treaty, and of Protocols, of which at least one for each South East European Party establishes the transitional arrangements applicable to it.

ARTICLE 2

1. For the purposes of this Treaty:
 - (a) the term ~~Treaty~~ means the Main Treaty, its Annexes, the acts referred to in Annex I as well as its Protocols;
 - (b) the term ~~South East European Parties~~ means the Republic of Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo, Montenegro and the Republic of Serbia;
 - (c) none of the terms, wording or definitions used in this Treaty, including the Annexes and protocols thereto, constitute recognition of Kosovo by the European Union as an independent State nor does it constitute recognition by an individual Member State of Kosovo in that capacity where they have not taken such a step;
 - (d) the term ~~Convention~~ means any international convention or agreement on international transport, opened for signature, other than this Treaty;
 - (e) the term ~~EU Member State~~ means a Member State of the European Union;
 - (f) the term ~~acquis~~ means the corpus of legislation adopted by the European Union in order to fulfil its objectives;
2. The use of the terms ~~country~~ ~~national~~ ~~nationals~~ ~~territory~~ or ~~flag~~ shall be without prejudice to the status of each Contracting Party under international law.

ARTICLE 3

1. The applicable provisions of acts referred to or contained either in Annex I, adapted in accordance with Annex II, or in decisions of the Regional Steering Committee shall be binding upon the Contracting Parties.
2. Such provisions shall be, or be made, part of their internal legal order of the South East European Parties as follows:
 - (a) an act corresponding to a European Union regulation shall be made part of the internal legal order of the respective South East European Party within a period of time to be laid down for the South East European Parties by the Regional Steering Committee;
 - (b) an act corresponding to a European Union directive shall leave to the competent authorities of the respective South East European Party the choice of form and method of implementation;
 - (c) an act corresponding to a European Union decision shall be made part of the internal legal order of the respective South East European Party within a period of time and in a way to be laid down for the South East European Parties by the Regional Steering Committee.
3. Where applicable provisions of the acts referred to in paragraph 1 give rise to obligations on the part of EU Member States, those obligations shall apply to EU Member States, following a decision adopted under the rules applicable within the European Union based on an assessment by the European Commission with regard to the full implementation by the South East European Parties of the European Union acts referred to in Annex I.

ARTICLE 4

The Contracting Parties shall take all appropriate measures, whether general or particular, to ensure the fulfilment of the obligations arising out of this Treaty and shall abstain from any measure which could jeopardise the attainment of the objectives of this Treaty.

ARTICLE 5

Social issues

The South East European Parties shall implement the relevant social *acquis* with regard to transport as set out in Annex I. The Transport Community shall reinforce and promote the social dialogue and the social dimension through the reference to the *acquis* in social matters, the workersfundamental rights and the involvement of the European Economic and Social Committee and the national and European social partners acting in the transport sector, at the appropriate level.

ARTICLE 6

Environment

The South East European Parties shall implement the relevant environmental *acquis* with regard to transport, in particular the Strategic Environmental Assessment, Environmental Impact Assessment, nature-related, water-related and air quality-related directives as set out in Annex I.6.

ARTICLE 7

Public procurement

The South East European Parties shall implement the relevant public procurement *acquis* with regard to transport as set out in Annex I.7.

ARTICLE 8

Infrastructure

1. The maps of the indicative trans-European transport network (TEN-T) extension of comprehensive and core networks to the Western Balkans are attached to this Treaty in Annex I.1. The Regional Steering Committee shall report every year to the Ministerial Council on the implementation of the TEN-T described in this Treaty. Technical Committees shall assist the Regional Steering Committee in drawing up the report.

2. The Transport Community shall support the development of the indicative TEN-T extension of the comprehensive and core networks to the Western Balkans according to the Commission Delegated Regulation (EU) 2016/758¹ as set out in Annex I.1. It shall take into account the related bilateral and multilateral agreements concluded by the Contracting Parties, including the

¹ Commission Delegated Regulation (EU) 2016/758 of 4 February 2016 amending Regulation (EU) No 1315/2013 of the European Parliament and of the Council as regards adapting Annex III thereto (OJ EU L 126, 14.5.2016, p. 3).

development of key links and interconnections needed to eliminate bottlenecks and to promote the interconnection of national networks and with the EU TEN-T networks.

ARTICLE 9

1. The Transport Community shall develop every two years a five-year rolling work plan for the development of the indicative TEN-T extension of the comprehensive and core networks to the Western Balkans and the identification of priority projects of regional interest in line with the best Union practice, which shall contribute to balanced sustainable development in terms of economics, spatial integration, environmental and social impact as well as social cohesion.

2. Among other, the five-year rolling work plan shall:

- (a) comply with the relevant legislation of the European Union as set out in Annex I, in particular when funding of the European Union is envisaged;
- (b) demonstrate best-value-for-money and broader socio-economic impacts, in accordance with donors' funding rules and best international standards and practices;
- (c) give a special attention to global climate change and environmental sustainability at the stage of project definition and analysis;
- (d) include the funding opportunities from donors and international financial institutions, in particular through the Western Balkans Investment Framework.

3. The Transport Community shall promote the necessary studies and analyses, in particular concerning the economic viability, technical specification, environmental impact, social consequences and financing mechanisms.

4. An information system shall be put in place by the Permanent Secretariat to be used by decision makers in monitoring and reviewing the condition and performance of the indicative TEN-T extension of the comprehensive and core networks to the Western Balkans.

ARTICLE 10

The South East European Parties shall develop efficient traffic management systems, including intermodal systems and intelligent transport systems.

ARTICLE 11

Rail transport

1. Within the scope and conditions of this Treaty and within the scope and the conditions set out in the relevant acts specified in Annex I, railway undertakings licensed in an EU Member State, or by a South East European Party shall have the right of access to the infrastructure in all EU Member States and South East European Parties for the purpose of operating international rail passenger or freight services.

2. Within the scope and conditions of this Treaty and within the scope and the conditions set out in the relevant acts specified in Annex I, there shall be no restrictions on the validity of licenses of railway undertakings, their safety certificates, the certification documents of train drivers and rail vehicle authorisations granted by the EU or a Member State's competent authority or a South East European Party.

ARTICLE 12

Road transport

The South East European Parties shall promote efficient, safe and secure road transport operations. Co-operation between the Contracting Parties shall aim to reach convergence towards operating standards and policies on road transport of the European Union, in particular by implementing the road transport *acquis* as referred to in Annex I.

ARTICLE 13

Inland waterway transport

The Contracting Parties shall promote efficient, safe and secure inland waterway transport operations. Co-operation between the Contracting Parties shall aim to reach convergence towards operating standards and policies on inland waterway transport of the European Union, in particular by implementing the acts set out in Annex I by the South East European Parties.

ARTICLE 14

Maritime transport

The Contracting Parties shall promote efficient, safe and secure maritime transport operations. Co-operation between the Contracting Parties shall aim to reach convergence towards operating standards and policies on maritime transport of the European Union, in particular by implementing the acts set out in Annex I by the South East European Parties.

ARTICLE 15

Facilitation of administrative formalities

1. The Contracting Parties shall facilitate administrative procedures (formalities) for crossing from one customs territory to another according to the customs cooperation provisions of the agreements applicable between the European Union, on the one hand, and each of the South East European Parties, on the other hand.
2. With the same objectives, the South East European Parties shall facilitate administrative procedures for crossing from one customs territory to another according to the customs cooperation provisions of the agreements applicable between them.

ARTICLE 16

Non-discrimination

Within the scope of this Treaty, and without prejudice to any special provisions contained therein, any discrimination on grounds of nationality shall be prohibited.

ARTICLE 17

Competition

1. Within the scope of this Treaty, the provisions of Annex III shall apply. Where rules on competition and State aid are included in other agreements between two or more Contracting Parties, such as association agreements, those rules shall apply between those Parties.

2. Articles 18, 19 and 20 shall not apply with respect to the provisions in Annex III which concern competition. They shall be applicable with regard to State aid.

ARTICLE 18

Enforcement

1. Without prejudice to paragraph 2, each Contracting Party shall ensure that the rights which derive from this Treaty, and in particular from the acts specified in Annex I, may be invoked before national courts.

2. All questions concerning the legality of legislation adopted by the European Union and specified in Annex I, shall be of the exclusive competence of the Court of Justice of the European Union, hereinafter referred to as ~~the~~ Court of Justice

ARTICLE 19

Interpretation

1. Insofar as the provisions of this Treaty and the provisions of the acts specified in Annex I are identical in substance to the corresponding rules of the Treaty on European Union and the Treaty on the Functioning of the European Union and to the acts adopted pursuant to those Treaties, those provisions shall, in their implementation and application, be interpreted in conformity with the relevant rulings of the Court of Justice and decisions of the European Commission given before the date of signature of this Treaty. The rulings and decisions given after the date of signature of this Treaty shall be communicated to the other Contracting Parties. At the request of one of the Contracting Parties, the implications of such later rulings and decisions shall be determined by the Regional Steering Committee assisted by the technical committees in view of ensuring the proper functioning of this Treaty. Existing interpretations shall be communicated to the South East European Parties prior to the date of signature of this Treaty. Decisions taken by the Regional Steering Committee under this procedure shall be in conformity with the case law of the Court of Justice.

2. When a question of interpretation of this Treaty, of the provisions of the acts specified in Annex I or of the acts adopted in pursuance thereof identical in substance to the corresponding rules of the Treaty on European Union and the Treaty on the Functioning of the European Union or to the acts adopted pursuant to those Treaties, arises in a case pending before a court or tribunal of a South East European Party, that court or tribunal shall ask, if it considers this necessary to enable it to give a judgment and in accordance with Annex IV, the Court of Justice to decide on the question. A South East European Party may, by decision and in accordance with Annex IV, stipulate the extent to which, and according to what modalities, its courts and tribunals are to apply this provision. Such a decision shall be notified to the depositary and the Court of Justice. The depositary shall inform the other Contracting Parties. The preliminary ruling of the Court of Justice shall be binding upon the courts of the South East European Party dealing with the case in which the question arose.

ARTICLE 20

New legislation

1. This Treaty shall be without prejudice to the right of each South East European Party, subject to compliance with the principle of non-discrimination and the provisions of this Article to unilaterally adopt new legislation or amend its existing legislation in the field of transport or an associated area mentioned in Annex I. The South East European Parties shall not adopt any such legislation unless it is in accordance with this Treaty.

2. As soon as a South East European Party has adopted new legislation or an amendment to its legislation, it shall inform the other Contracting Parties via the Regional Steering Committee not later than one month after its adoption. Upon the request of any Contracting Party, the relevant technical committee, shall within two months thereafter, hold an exchange of views on the implications of such new legislation or amendment for the proper functioning of this Treaty.

3. The Regional Steering Committee shall, in respect of new legally binding European Union acts:

- (a) either adopt a decision revising Annex I so as to integrate therein, if necessary on a basis of reciprocity, the new act in question; or
- (b) adopt a decision to the effect that the new act in question is to be regarded as in accordance with this Treaty; or
- (c) decide on any other measures to safeguard the proper functioning of this Treaty.

4. As regards the new legally binding European Union acts which have been adopted between the signing of this Treaty and its entry into force and of which the other Contracting Parties have been informed, the date of referral shall be taken as the date on which the information was received. The date on which the Regional Steering Committee reaches a decision may not be earlier than sixty days after the entry into force of this Treaty.

ARTICLE 21

The Ministerial Council

A Ministerial Council is hereby established. It shall ensure that the objectives set out in this Treaty are attained and shall:

- (a) provide general policy guidelines;
- (b) review progress on the implementation of this Treaty, including follow-up of the proposals put forward by the Social Forum;
- (c) give opinions on the appointment of the Director of the Permanent Secretariat;
- (d) decide on the seat of the Permanent Secretariat by consensus.

ARTICLE 22

The Ministerial Council shall consist of one representative of each Contracting Party. Participation as an observer shall be open to all EU Member States.

ARTICLE 23

The Ministerial Council shall meet on an annual basis.

ARTICLE 24

Regional Steering Committee

1. A Regional Steering Committee is hereby established. It shall be responsible for the administration of this Treaty and shall ensure its proper implementation, without prejudice to Article 19. For this purpose, it shall make recommendations and take decisions in the cases provided for in this Treaty. The decisions of the Regional Steering Committee shall be put into effect by the Contracting Parties in accordance with their own rules.

2. The Regional Steering Committee shall consist of a representative, and an alternate representative, of the Contracting Parties. Participation as an observer shall be open to all EU Member States.

3. The Regional Steering Committee shall act by unanimity.

4. For the purpose of the proper enforcement of this Treaty, the Contracting Parties shall exchange information, inter alia, on new legislation or decisions that are relevant for this Treaty, and, at the request of any Contracting Party, shall hold consultations within the Regional Steering Committee, including on social issues.

5. The Regional Steering Committee shall adopt its rules of procedure.

6. A South East European Party shall preside in turn over the Regional Steering Committee in accordance with the arrangements to be laid down in its rules of procedure.

7. The chairman of the Regional Steering Committee shall convene its meetings at least twice a year in order to review the general functioning of this Treaty and, whenever circumstances so require, at the request of a Contracting Party. The Regional Steering Committee shall keep under constant review the development of the case law of the Court of Justice. To this end the European Union shall transmit to the South East European Parties all judgments of the Court of Justice relevant for the functioning of this Treaty. The Regional Steering Committee shall act within three months so as to preserve the homogeneous interpretation of this Treaty.

8. The Regional Steering Committee shall prepare the work of the Ministerial Council.

ARTICLE 25

1. A decision of the Regional Steering Committee shall be binding upon the Contracting Parties. Whenever a decision taken by the Regional Steering Committee contains a requirement for action to be taken by a Contracting Party, the said Party shall take the necessary measures and inform the Regional Steering Committee thereof.

2. The decisions of the Regional Steering Committee shall be published in the Official Journals of the European Union and of the South East European Parties. Each decision shall state the date of its implementation by the Contracting Parties and any other information likely to concern economic operators.

ARTICLE 26

Technical committees

1. The Regional Steering Committee shall decide to establish technical committees, in the form of ad hoc working groups. Each technical committee may make proposals in its sphere of responsibility to the Regional Steering Committee for decision. The technical committees shall consist of representatives of the Contracting Parties. Participation as an observer shall be open to all EU Member States.

On an ad hoc basis, relevant civil society organisations, and in particular environmental ones, shall be invited as observers.

2. The technical committees shall adopt their rules of procedure.

3. A South East European Party shall chair in turn over the technical committees in accordance with the arrangements to be laid down in their rules of procedure.

ARTICLE 27

Social forum

1. The Contracting Parties shall take due account of the social dimension and they shall recognise the need to involve the social partners at all appropriate levels by promoting the social dialogue in relation to the monitoring of the implementation of this Treaty and its effects.

2. They shall consider the importance of focusing their attention on the following key areas:

- (a) workers' fundamental rights according to the European Convention for the Protection of Human Rights and Fundamental Freedoms, the European Social Charter, the Community Charter of the Fundamental Social Rights of Workers, and the Charter of Fundamental Rights of the European Union;
- (b) labour laws . in relation to the promotion of improved working conditions and standards of living;
- (c) health and safety at work . in relation to improvements in the working environment concerning the health and safety of workers in the transport sector;
- (d) equal opportunities . with a focus on the introduction, where necessary, of the principle that men and women ought to receive equal pay for equal work.

3. For addressing these social matters, the Contracting Parties shall agree to establish a Social Forum. Each Contracting Party, in accordance with its internal procedures, shall designate its representatives, who may take part in the relevant meetings of the Social Forum. The representation shall cover the governments, as well as the organisations of workers and employers and as any other relevant bodies, which are considered appropriate in accordance with the discussed topics. The European social dialogue committees related to the transport sector shall be present and participate in the meetings, as well as representatives of the European Economic and Social Committee. The Social Forum shall establish its rules of procedure.

ARTICLE 28

The Permanent Secretariat

The Permanent Secretariat is hereby established. It shall:

- (a) provide administrative support to the Ministerial Council, the Regional Steering Committee, the technical committees and the Social Forum;
- (b) act as a Transport Observatory to monitor the performance of the indicative TEN-T extension of the comprehensive and core networks to the Western Balkans;
- (c) support the implementation of the Western Balkans Six (WB6) Connectivity Agenda aiming to improve links within the Western Balkans as well as between the region and the European Union.

ARTICLE 29

The Permanent Secretariat shall comprise a Director and such staff as the Transport Community may require. The Permanent Secretariat may also comprise one or more Deputy Directors. The working language shall be English.

ARTICLE 30

The Director of the Permanent Secretariat shall be appointed by the Regional Steering Committee following consultation of the Ministerial Council. The duration of his/her mandate shall not exceed three years. The mandate may be renewed. The Regional Steering Committee shall lay down rules of the Permanent Secretariat, in particular for the recruitment, working conditions and geographic equilibrium of the Secretariat's staff. The Regional Steering Committee may also appoint one or more Deputy Directors. The Director shall select and appoint the staff following consultation with the Regional Steering Committee.

ARTICLE 31

In the performance of their duties the Director and the staff of the Permanent Secretariat shall act impartially and shall not seek nor receive instructions from any Contracting Party. They shall promote the interests of the Transport Community.

ARTICLE 32

The Director of the Permanent Secretariat or a nominated alternate shall assist the meetings of the Ministerial Council, the Regional Steering Committee, the Technical Committees and the Social Forum.

ARTICLE 33

The seat of the Permanent Secretariat shall be established in accordance with point (d) of Article 21.

ARTICLE 34

Budget

Each Contracting Party shall contribute to the budget of the Transport Community as set out in Annex V. The level of contributions may be reviewed every three years, on request of any Contracting Party, by a decision of the Regional Steering Committee.

ARTICLE 35

The Regional Steering Committee shall adopt the budget of the Transport Community every year. The budget shall cover the operational expenses of the Transport Community necessary for the functioning of its bodies. The expenditure of each body shall be set out in a different part of the budget. The Regional Steering Committee shall adopt a decision specifying the procedure for the implementation of the budget, for presenting and auditing accounts and for inspection.

ARTICLE 36

The Director of the Permanent Secretariat shall implement the budget and shall report annually to the Regional Steering Committee on the execution of the budget. The Regional Steering Committee may decide, if appropriate, to entrust independent auditors with verifying the proper execution of the budget.

ARTICLE 37

Dispute settlement

1. Any Contracting Party may bring a matter under dispute which concerns the application or interpretation of this Treaty before the Regional Steering Committee, except where specific procedures are set out in this Treaty.

2. When a dispute has been brought before the Regional Steering Committee under paragraph 1, immediate consultations shall be held between the parties to the dispute. In cases where the European Union is not a party to the dispute, a European Union representative may be invited to the consultations by one of the parties to the dispute. The parties to the dispute may draw up a proposal for a solution which shall immediately be submitted to the Regional Steering Committee. Decisions taken by the Regional Steering Committee under this procedure shall respect the case law of the Court of Justice.

3. If the Regional Steering Committee, after four months from the date when the matter was brought before it, has not succeeded to take a decision resolving the dispute, the parties to the dispute may refer it to the Court of Justice whose decision shall be final and binding. The modalities according to which such referrals may be made to the Court of Justice are set out in Annex IV.

ARTICLE 38

Disclosure of information

1. All bodies established by, or under, this Treaty shall ensure the widest possible transparency in their work. To that effect, any citizen of the Contracting Parties, and any natural or legal person residing or having its registered office in a Contracting Party, shall have a right of access to documents held by the bodies established by, or under, this Treaty, subject to the principles and the conditions to be defined in accordance with paragraph 2.

2. General principles and limits on grounds of public or private interest governing this right of access to documents shall be determined by the Regional Steering Committee through rules based on European Union rules on access to documents, referred to in Regulation (EC)

No°1049/2001 of the European Parliament and of the Council¹. The rules to be adopted by the Regional Steering Committee shall provide for an administrative procedure whereby refusals to give access to a document can be reconsidered or reviewed.

3. Insofar as documents held by the bodies established by, or under, this Treaty contain environmental information, as defined in point (3) of Article 2 of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, access to this information shall be ensured in accordance with Article 4 of that Convention.

The Regional Steering Committee shall adopt the rules necessary to ensure the implementation of this paragraph. Those implementing rules shall provide for an administrative procedure whereby refusals to give access to environmental information can be reconsidered or reviewed.

4. The representatives, delegates and experts of the Contracting Parties, as well as officials and other servants acting under this Treaty, shall be required, even after their duties have ceased, not to disclose information covered by the obligation of professional confidentiality, in particular information about undertakings, their business relations or their cost components.

ARTICLE 39

Third countries and international organisations

1. The Contracting Parties shall consult with each other in the framework of the Regional Steering Committee at the request of any Contracting Party:

- (a) on transport questions dealt with in international organisations and regional initiatives; and
- (b) on various aspects of possible developments in relations between Contracting Parties and third countries in transport, and on the functioning of the significant elements of bilateral or multilateral agreements concluded in this field.

2. The consultations provided for in paragraph 1 shall be held in urgent cases as soon as possible and in any case within three months of the request.

ARTICLE 40

Transitional arrangements

1. Protocols I to VI establish the transitional arrangements and corresponding periods applying between the European Union, on the one hand, and the South East European Party concerned, on the other hand.

2. The gradual transition of each South East European Party to the full application of the Transport Community shall be subject to assessments. The assessments shall be carried out by the European Commission in cooperation with the South East European Party concerned. The European Commission may launch an assessment upon its own initiative or at the initiative of the South East European Party concerned.

3. If the European Union determines that the conditions are fulfilled, it shall inform the Regional Steering Committee and decide thereafter that the South East European Party concerned qualifies for passing to the next stage of the Transport Community.

4. If the European Union determines that the conditions are not fulfilled, the European Commission shall so report to the Regional Steering Committee. The European Union shall recommend to the South East European Party concerned specific improvements.

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ EU L 145, 31.5.2001, p. 43).

ENTRY INTO FORCE, REVIEW, TERMINATION AND OTHER PROVISIONS

ARTICLE 41

Entry into force

1. This Treaty shall be subject to ratification or approval by the signatories in accordance with their own procedures. Instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union, which shall notify all other signatories and perform all other functions of depositary.

2. This Treaty shall enter into force on the first day of the second month following the date of deposit of the instruments of ratification or approval by the European Union and at least four South East European Parties. For each signatory which ratifies or approves this Treaty after such date, it shall enter into force on the first day of the second month following the deposit by such signatory of its instrument of ratification or approval.

3. Notwithstanding paragraphs 1 and 2, the European Union and at least three South East European Parties may decide to apply provisionally this Treaty among themselves from the date of signature, in accordance with the application of domestic law, by notifying the depositary which shall notify the other Contracting Parties thereof.

ARTICLE 42

Review

This Treaty shall be reviewed at the request of any Contracting Party and at any event five years after its entry into force.

ARTICLE 43

Termination

1. Each Contracting Party may denounce this Treaty by notifying the depositary, which shall notify this termination to the other Contracting Parties. If this Treaty is denounced by the European Union it shall cease to be in force one year after the date of such notification. If this Treaty is denounced by any South East European Party, it shall cease to be in force only with respect to such Contracting Party one year after the date of such notification.

2. Upon accession to the European Union of a South East European Party, that Contracting Party shall automatically cease to be a South East European Party under this Treaty and shall instead become an EU Member State.

ARTICLE 44

Languages

This Treaty is drawn up in a single original in the official languages of the institutions of the European Union and of the South East European Parties, each of these texts being equally authentic

ANNEX I

RULES APPLICABLE TO THE TRANSPORT SECTOR AND RELATED ISSUES

ANNEX I.1

RULES APPLICABLE TO TRANSPORT INFRASTRUCTURE FORMING THE SOUTH EAST EUROPE CORE NETWORK

The Applicable provisions of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

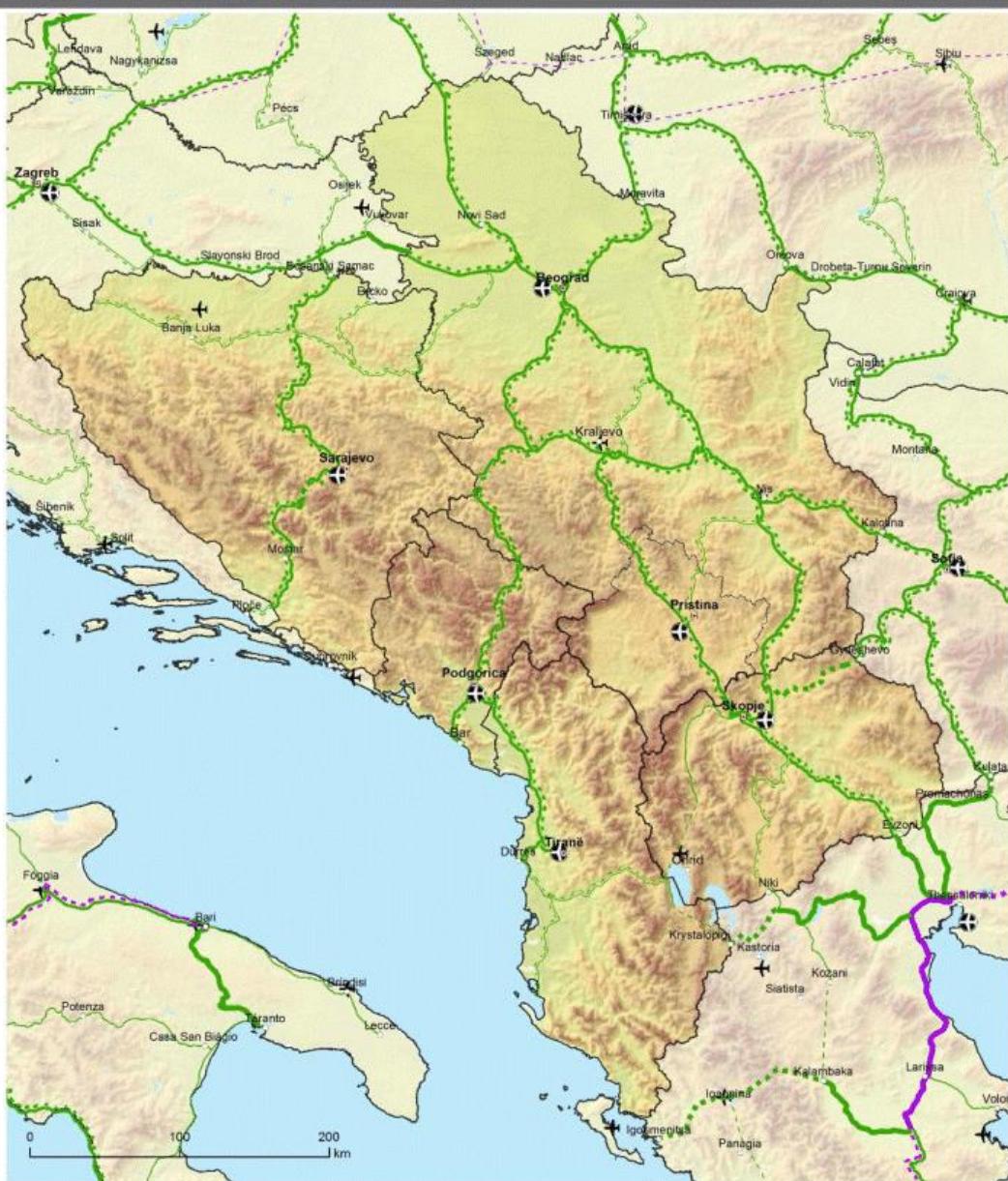
The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
TEN-T development	Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ EU L 348, 20.12.2013, p. 1). Commission Delegated Regulation (EU) 2016/758 of 4 February 2016 amending Regulation (EU) No 1315/2013 of the European Parliament and of the Council as regards adapting Annex III thereto (OJ EU L 126, 14.5.2016, p. 3).

MAPS OF THE INDICATIVE TEN-T EXTENSION TO THE WESTERN BALKANS (CORE AND COMPREHENSIVE NETWORKS)







Comprehensive	Core	Comprehensive	Core	Comprehensive	Core



Airports



Comprehensive	Core	Comprehensive	Core	Comprehensive	Core
Road / Completed Road / To be upgraded Road / Planned		Ports RRT		Airports	

RULES APPLICABLE TO RAIL TRANSPORT

The Applicable provisions of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
Market access	<p>Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79 (3) of the Treaty establishing the European Economic Community (OJ EC 52, 16.8.1960, p. 1121).</p> <p>Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (OJ EU L 343, 14.12.2012, p. 32).</p> <p>Commission Implementing Regulation (EU) No 869/2014 of 11 August 2014 on new rail passenger services (OJ EU L 239, 12.8.2014, p. 1).</p> <p>Commission Implementing Regulation (EU) 2015/10 of 6 January 2015 on criteria for applicants for rail infrastructure capacity and repealing Implementing Regulation (EU) No 870/2014 (OJ EU L 3, 7.1.2015, p. 34).</p> <p>Commission Implementing Regulation (EU) 2015/171 of 4 February 2015 on certain aspects of the procedure of licensing railway undertakings (OJ EU L 29, 5.2.2015, p. 3).</p> <p>Commission Implementing Regulation (EU) 2015/909 of 12 June 2015 on the modalities for the calculation of the cost that is directly incurred as a result of operating the train service (OJ EU L 148, 13.6.2015, p. 17).</p> <p>Commission Implementing Regulation (EU) 2015/1100 of 7 July 2015 on the reporting obligations of the Member States in the framework of rail market monitoring (OJ EU L 181, 9.7.2015, p. 1).</p>

Regulatory area	Legislation
	<p>Commission Implementing Regulation (EU) 2016/545 of 7 April 2016 on procedures and criteria concerning framework agreements for the allocation of rail infrastructure capacity (OJ EU L 94, 8.4.2016, p. 1).</p> <p>Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight (OJ EU L 276, 20.10.2010, p. 22).</p>
Train driver licensing	<p>Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community (OJ EU L 315, 3.12.2007, p. 51).</p> <p>Commission Regulation (EU) No 36/2010 of 3 December 2009 on Community models for train driving licences, complementary certificates, certified copies of complementary certificates and application forms for train driving licences, under Directive 2007/59/EC of the European Parliament and the Council (OJ EU L 13, 19.1.2010, p. 1).</p> <p>Commission Decision 2010/17/EC of 29 October 2009 on the adoption of basic parameters for registers of train driving licences and complementary certificates provided for under Directive 2007/59/EC of the European Parliament and of the Council (OJ EU L 8, 13.1.2010, p. 17).</p> <p>Commission Decision 2011/765/EU of 22 November 2011 on criteria for the recognition of training centres involved in the training of train drivers, on criteria for the recognition of examiners of train drivers and on criteria for the organisation of examinations in accordance with Directive 2007/59/EC of the European Parliament and of the Council (OJ EU L 314, 29.11.2011, p. 36).</p>
Interoperability	<p>Directive (EU) 2016/797 of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ EU L 138, 26.5.2016, p. 44).</p> <p>Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community (OJ EU L 191, 18.7.2008, p. 1).</p> <p>(See however Article 58 of Directive (EU) 2016/797).</p> <p>Commission Decision 2009/965/EC of 30 November 2009 on the reference document referred to in Article 27(4) of Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community (OJ EU L 341, 22.12.2009, p. 1).</p>

Regulatory area	Legislation
	<p>Commission Regulation (EU) No 1299/2014 of 18 November 2014 on the technical specifications for interoperability relating to the infrastructure subsystem of the rail system in the European Union (OJ EU L 356, 12.12.2014, p. 1).</p> <p>Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility (OJ EU L 356, 12.12.2014, p. 110).</p> <p>Commission Regulation (EU) No 1301/2014 of 18 November 2014 on the technical specifications for interoperability relating to the energy subsystem of the rail system in the Union (OJ EU L 356, 12.12.2014, p. 179).</p> <p>Commission Regulation (EU) No 1302/2014 of 18 November 2014 concerning a technical specification for interoperability relating to the rolling stock - locomotives and passenger rolling stock subsystem of the rail system in the European Union (OJ EU L 356, 12.12.2014, p. 228).</p> <p>Commission Regulation (EU) No 1303/2014 of 18 November 2014 concerning the technical specification for interoperability relating to safety in railway tunnels of the rail system of the European Union (OJ EU L 356, 12.12.2014, p. 394).</p> <p>Commission Regulation (EU) No 1304/2014 of 26 November 2014 on the technical specification for interoperability relating to the subsystem rolling stock - noise amending Decision 2008/232/EC and repealing Decision 2011/229/EU (OJ EU L 356, 12.12.2014, p. 421).</p> <p>Commission Regulation (EU) No 1305/2014 of 11 December 2014 on the technical specification for interoperability relating to the telematics applications for freight subsystem of the rail system in the European Union and repealing the Regulation (EC) No 62/2006 (OJ EU L 356, 12.12.2014, p. 438).</p> <p>Commission Implementing Decision 2011/665/EU of 4 October 2011 on the European register of authorised types of railway vehicles (OJ EU L 64, 8.10.2011, p. 32).</p> <p>Commission Implementing Decision 2014/880/EU of 26 November 2014 on the common specifications of the register of railway infrastructure and repealing Implementing Decision 2011/633/EU (OJ EU L 356, 12.12.2014, p. 489).</p>

Regulatory area	Legislation
	<p>Commission Decision 2012/757/EU of 14 November 2012 concerning the technical specification for interoperability relating to the operation and traffic management subsystem of the rail system in the European Union and amending Decision 2007/756/EC (OJ EU L 345, 15.12.2012, p. 1).</p> <p>Commission decision 2011/229/EU of 4 April 2011 concerning the technical specifications of interoperability relating to the subsystem rolling stock noiseq of the trans-European conventional rail system (OJ EU L 99, 13.4.2011, p. 1).</p> <p>Commission Decision 2011/291/EU of 26 April 2011 concerning a technical specification for interoperability relating to the rolling stock subsystem - locomotives and passenger rolling stockq of the trans-European conventional rail system (OJ EU L 139, 26.5.2011, p. 1).</p> <p>Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem telematics applications for passenger servicesq of the trans-European rail system (OJ EU L 123, 12.5.2011, p. 11).</p> <p>Commission decision 2011/314/EU of 12 May 2011 concerning the technical specification for interoperability relating to the operation and traffic management subsystem of the trans-European conventional rail system (OJ EU L 144, 31.5.2011, p. 1).</p> <p>Commission Regulation (EU) No 201/2011 of 1 March 2011 on the model of declaration of conformity to an authorised type of railway vehicle (OJ EU L 57, 2.3.2011, p. 8).</p> <p>Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the control-command and signallingq subsystems of the rail system in the European Union (OJ EU L 158, 15.6.2016, p. 1).</p> <p>Commission Regulation (EU) No 321/2013 of 13 March 2013 concerning the technical specification for interoperability relating to the subsystem rolling stock - freight wagonsq of the rail system in the European Union and repealing Decision 2006/861/EC (OJ EU L 104, 12.4.2013, p. 1).</p> <p>Commission Decision 2010/713/EU of 9 November 2010 on modules for the procedures for assessment of conformity, suitability for use and EC verification to be used in the technical specifications for interoperability adopted under Directive 2008/57/EC of the European Parliament and of the Council (OJ EU L 319, 4.12.2010, p. 1).</p>

Regulatory area	Legislation
European Union Agency for Railways	Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004 (OJ EU L 138, 26.5.2016, p. 1).
Railway safety	<p>Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (OJ EU L 138, 26.5.2016, p. 102).</p> <p>Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive) (OJ EU L 164, 30.4.2004, p. 44). (See however Article 34 of Directive (EU) 2016/798).</p> <p>Commission Regulation (EC) No 653/2007 of 13 June 2007 on the use of a common European format for safety certificates and application documents in accordance with Article 10 of Directive 2004/49/EC of the European Parliament and of the Council and on the validity of safety certificates delivered under Directive 2001/14/EC (OJ EU L 153, 14.6.2007, p. 9).</p> <p>Commission Regulation (EU) No 445/2011 of 10 May 2011 on a system of certification of entities in charge of maintenance for freight wagons and amending Regulation (EC) No 653/2007 (OJ EU L 122, 11.5.2011, p. 22).</p> <p>Commission Regulation (EU) No 1158/2010 of 9 December 2010 on a common safety method for assessing conformity with the requirements for obtaining railway safety certificates (OJ EU L 326, 10.12.2010, p. 11).</p> <p>Commission Regulation (EU) No 1169/2010 of 10 December 2010 on a common safety method for assessing conformity with the requirements for obtaining a railway safety authorisation (OJ EU L 327, 11.12.2010, p. 13).</p> <p>Commission Regulation (EU) No 1078/2012 of 16 November 2012 on a common safety method for monitoring to be applied by railway undertakings, infrastructure managers after receiving a safety certificate or safety authorisation and by entities in charge of maintenance (OJ EU L 320, 17.11.2012, p. 8).</p>

Regulatory area	Legislation
	<p>Commission Regulation (EU) No 1077/2012 of 16 November 2012 on a common safety method for supervision by national safety authorities after issuing a safety certificate or safety authorisation (OJ EU L 320, 17.11.2012, p. 3).</p> <p>Commission Decision 2009/460/EC of 5 June 2009 on the adoption of a common safety method for assessment of achievement of safety targets, as referred to in Article 6 of Directive 2004/49/EC of the European Parliament and of the Council (OJ EU L 150, 13.6.2009, p. 11).</p>
Inland transport of dangerous goods	Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ EU L 260, 30.9.2008, p. 13).
Transportable pressure equipment	Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC (OJ EU L 165, 30.6.2010, p. 1).
Social field - working time / hours	<p>Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ EU L 299, 18.11.2003, p. 9).</p> <p>Council Directive 2005/47/EC of 18 July 2005 on the Agreement between the Community of European Railways (CER) and the European Transport Workers Federation (ETF) on certain aspects of the working conditions of mobile workers engaged in interoperable cross-border services in the railway sector - Agreement concluded by the European Transport Workers Federation (ETF) and the Community of European Railways (CER) on certain aspects of the working conditions of mobile workers engaged in interoperable cross-border services (OJ EU L 195, 27.7.2005 p. 15).</p>
Passenger rights	Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (OJ EU L 315, 3.12.2007, p. 14).

RULES APPLICABLE TO ROAD TRANSPORT

The Applicable provisions of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
Road charging infrastructure - annual vehicle taxes	Directive 1999/62/EC of the European Parliament and of the Council on the charging of heavy goods vehicles for the use of certain infrastructures (OJ EC L 187, 20.7.1999, p. 42).
Admission to the occupation of road operator	Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC (OJ EU L 300, 14.11.2009, p. 51).
Social provisions - driving time and rest periods	Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road transport and repealing Council Regulations (EEC) No 3820/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85 (OJ EU L 102, 11.4.2006, p. 1). Commission Regulation (EU) No 581/2010 of 1 July 2010 on the maximum periods for the downloading of relevant data from vehicle units and from driver cards (OJ EU L 168, 2.7.2010, p. 16).

Regulatory area	Legislation
Tachograph	<p>Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ EU L 60, 28.2.2014, p. 1).</p> <p>Commission Implementing Regulation (EU) 2016/68 of 21 January 2016 on common procedures and specifications necessary for the interconnection of electronic registers of driver cards (OJ EU L 15, 22.1.2016, p. 51).</p> <p>Commission Implementing Regulation (EU) 2016/799 of 18 March 2016 implementing Regulation (EU) No 165/2014 of the European Parliament and of the Council laying down the requirements for the construction, testing, installation, operation and repair of tachographs and their components (OJ EU L 139, 26.5.2016, p. 1).</p> <p>Council Regulation (EEC) No 3821/85 on recording equipment in road transport (OJ EC L 370, 31.12.1985, p. 8).</p> <p>(See however Article 46 of Regulation (EU) No 165/2014).</p>
Enforcement of social legislation	Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Council Regulations (EEC) No 3820/85 and (EEC) No 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC (OJ EU L 102, 11.4.2006, p. 35).
Form of attestation of activities	Commission Decision 2007/230/EC of 12 April 2007 on a form concerning social legislation relating to road transport activities (OJ EU L 99, 14.4.2007, p. 14).
Working time	Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities (OJ EC L 80, 23.3.2002, p. 35).
Transportable pressure equipment	Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC (OJ EU L 165, 30.6.2010, p. 1).

Regulatory area	Legislation
Roadworthiness	Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC (OJ EU L 127, 29.4.2014, p. 51). Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles and their trailers (OJ EU L 141, 6.6.2009, p. 12). (See however Article 24 of Directive 2014/45/EU).
Roadside inspection	Directive 2014/47/EU of the European Parliament and of the Council of 3 April 2014 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC (OJ EU L 127, 29.4.2014, p. 134). Directive 2000/30/EC of the Parliament and of the Council of 6 June 2000 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community (OJ EC L 203, 10.8.2000, p. 1). (See however Article 27 of Directive 2014/47/EU).
Speed limitation devices	Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (OJ EC L 57, 2.3.1992, p. 27).
Safety belts	Council Directive 91/671/EEC of 16 December 1991 relating to the compulsory use of safety belts and child-restraint systems in vehicles (OJ EC L 373, 31.12.1991, p. 26).
Mirrors	Directive 2007/38/EC of the European Parliament and of the Council of 11 July 2007 on the retrofitting of mirrors to heavy goods vehicles registered in the Community (OJ EU L 184, 14.7.2007, p. 25).
Registration documents	Council Directive 1999/37/EC of 29 April 1999 on the registration documents for vehicles (OJ EC L 138, 1.6.1999, p. 57). Council Directive 2006/103/EC of 20 November 2006 adapting certain Directives in the field of transport policy, by reason of the accession of Bulgaria and Romania (OJ EU L 363, 20.12.2006, p. 344).
Training drivers of	Directive 2003/59/EC of the Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC (OJ EU L 226, 10.9.2003, p. 4).

Regulatory area	Legislation
Driving licence	Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (OJ EU L 403, 30.12.2006, p. 18). Commission Regulation (EU) No 383/2012 of 4 May 2012 laying down technical requirements with regard to driving licences which include a storage medium (microchip) (OJ EU L 120, 5.5.2012, p. 1).
Cross-border exchange of information	Directive (EU) 2015/413 of the European Parliament and of the Council of 11 March 2015 facilitating cross-border exchange of information on road-safety-related traffic offences (OJ EU L 68, 13.3.2015, p. 9).
Inland transport of dangerous goods	Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ EU L 260, 30.9.2008, p. 13).
Checks on transport of dangerous goods	Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road (OJ EC L 249, 17.10.1995, p. 35).
Tunnels	Directive 2004/54/EC of the European Parliament and of the Council of 29 April 2004 on minimum safety requirements for tunnels in the trans-European road network (OJ EU L 167, 30.4.2004, p. 39).
Road infrastructure safety management	Directive 2008/96/EC of the European Parliament and of the Council of 19 November 2008 on road infrastructure safety management (OJ EU L 319, 29.11.2008, p. 59).
Dimensions and weight of vehicles	Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic (OJ EC L 235, 17.9.1996, p. 59).
Passenger rights	Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ EU L 55, 28.2.2011, p. 1).
Clean vehicles and/or alternative fuels infrastructure	Directive 2009/33/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of clean and energy-efficient road transport vehicles (OJ EU L 120, 15.5.2009, p. 5). Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure (OJ EU L 307, 28.10.2014, p. 1).

Regulatory area	Legislation
Intelligent Transport Systems	<p>Directive 2010/40/EU of the European Parliament and of the Council of 7 July 2010 on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (OJ EU L 207, 6.8.2010, p. 1).</p> <p>Commission Implementing Decision 2011/453/EU of 13 July 2011 adopting guidelines for reporting by the Member States under Directive 2010/40/EU of the European Parliament and of the Council (OJ EU L 193, 23.7.2011, p. 48).</p> <p>Commission Implementing Decision (EU) 2016/209 of 12 February 2016 on a standardisation request to the European standardisation organisations as regards Intelligent Transport Systems (ITS) in urban areas in support of Directive 2010/40/EU of the European Parliament and of the Council on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (OJ EU L 39, 16.2.2016, p. 48).</p> <p>Commission Delegated Regulation (EU) No 305/2013 of 26 November 2012 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the harmonised provision for an interoperable EU-wide eCall (OJ EU L 91, 3.4.2013, p. 1).</p> <p>Commission Delegated Regulation (EU) No 885/2013 of 15 May 2013 supplementing ITS Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of information services for safe and secure parking places for trucks and commercial vehicles (OJ EU L 247, 18.9.2013, p. 1).</p> <p>Commission Delegated Regulation (EU) No 886/2013 of 15 May 2013 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users (OJ EU L 247, 18.9.2013, p. 6).</p> <p>Commission Delegated Regulation (EU) 2015/962 of 18 December 2014 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide real-time traffic information services (OJ EU L 157, 23.6.2015, p. 21).</p> <p>Decision No 585/2014/EU of the European Parliament and of the Council of 15 May 2014 on the deployment of the interoperable EU-wide eCall service (OJ EU L 164, 3.6.2014, p. 6).</p>

Regulatory area	Legislation
Road toll systems	<p>Directive 2004/52/EC of the European Parliament and of the Council of 29 April 2004 on the interoperability of electronic road toll systems in the Community (OJ EU L 166, 30.4.2004, p. 124).</p> <p>Commission Decision 2009/750/EC of 6 October 2009 on the definition of the European Electronic Toll Service and its technical elements (OJ EU L 268, 13.10.2009, p. 11).</p>
Type approval	<p>Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (OJ EU L 263, 9.10.2007, p. 1).</p>

RULES APPLICABLE TO MARITIME TRANSPORT

The Applicable provisions of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
Maritime policy	Regulation (EU) No 1255/2011 of the European Parliament and of the Council of 30 November 2011 establishing a Programme to support the further development of an Integrated Maritime Policy (OJ EU L 132 5.12.2011, p. 1).
Access to the market	Council Regulation (EEC) No 3577/92 of 7 December 1992 applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage) (OJ EC L 364, 12.12.1992, p. 7). Council Regulation (EEC) No 4055/86 of 22 December 1986 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries (OJ EC L 378, 31.12.1986, p. 1). Regulation (EC) No 789/2004 of the European Parliament and of the Council of 21 April 2004 on the transfer of cargo and passenger ships between registers within the Community and repealing Council Regulation (EEC) No 613/91 (OJ EU L 138, 30.4.2004, p. 19). Council Regulation (EEC) No 4058/86 of 22 December 1986 concerning coordinated action to safeguard free access to cargoes in ocean trades (OJ EC L 378, 31.12.1986, p. 21).
International relations	Council Regulation (EEC) No 4057/86 of 22 December 1986 on unfair pricing practices in maritime transport (OJ EC L 378, 31.12.1986, p. 14).

Regulatory area	Legislation
International agreements	<p>Council Decision 2012/22/EU of 12 December 2011 concerning the accession of the European Union to the Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974, with the exception of Articles 10 and 11 thereof (OJ EU L 8, 12.1.2012, p. 1).</p> <p>Council Decision 2012/23/EU of 12 December 2011 concerning the accession of the European Union to the Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974, as regards Articles 10 and 11 thereof (OJ EU L 8, 12.1.2012, p. 13).</p>
Ship inspection and survey organisations - recognised organisations	<p>Directive 2009/15/EC of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (OJ EU L 131, 28.5.2009, p. 47).</p> <p>Commission Decision 2009/491/EC of 16 June 2009 on criteria to be followed in order to decide when the performance of an organisation acting on behalf of a flag State can be considered an unacceptable threat to safety and the environment (OJ EU L 162, 25.6.2009, p. 6).</p> <p>Regulation (EC) No 391/2009 of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations (OJ EU L 131, 28.5.2009, p. 11).</p> <p>Commission Regulation (EU) No 788/2014 of 18 July 2014 laying down detailed rules for the imposition of fines and periodic penalty payments and the withdrawal of recognition of ship inspection and survey organisations pursuant to Articles 6 and 7 of Regulation (EC) No 391/2009 of the European Parliament and of the Council (OJ EU L 214, 19.7.2014, p. 12).</p>
Flag State	Directive 2009/21/EC of the European Parliament and of the Council of 23 April 2009 on compliance with flag State requirements (OJ EU L 131, 28.5.2009, p. 132).
Port State control	Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control (OJ EU L 131, 28.5.2009, p. 57).
Vessel traffic monitoring	Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC (OJ EC L 208, 5.8.2002, p. 10).

Regulatory area	Legislation
International Safety Management Code	Regulation (EC) 336/2006 of the European Parliament and of the Council of 15 February 2006 on the implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC) No 3051/95 (OJ EU L 64, 4.3.2006, p. 1).
Reporting formalities	Directive 2010/65/EU of the European Parliament and of the Council of 20 October 2010 on reporting formalities for ships arriving in and/or departing from ports of the Member States and repealing Directive 2002/6/EC (OJ EU L 283, 29.10.2010, p. 1).
Marine equipment	Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC (OJ EU L 257, 28.8.2014, p. 146).
Passenger ships	<p>Directive 2003/25/EC of the European Parliament and of the Council of 14 April 2003 on specific stability requirements for ro-ro passenger ships (OJ EU L 123, 17.5.2003, p. 22).</p> <p>Regulation (EC) No 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents (OJ EU L 131, 28.5.2009, p. 24).</p> <p>Council Directive 98/41/EC of 18 June 1998 on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community (OJ EC L 188, 2.7.1998, p. 35).</p> <p>Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ EU L 163, 5.6.2009, p. 1).</p> <p>Council Directive 1999/35/EC of 29 April 1999 on a system of mandatory surveys for the safe operation of regular ro-ro ferry and high-speed passenger craft services (OJ EC L 138, 1.6.1999, p. 1).</p>
Safety of fishing vessels	Council Directive 97/70/EC of 11 December 1997 setting up a harmonised safety regime for fishing vessels of 24 metres in length and over (OJ EC L 34, 9.2.1998, p. 1).
Oil tankers	Regulation (EU) No 530/2012 of the European Parliament and of the Council of 13 June 2012 on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers (OJ EU L 172, 30.6.2012, p. 3).

Regulatory area	Legislation
Bulk carriers	Directive 2001/96/EC of the European Parliament and of the Council of 4 December 2001 establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers (OJ EC L 13, 16.1.2002, p. 9).
Accident investigation	Directive 2009/18/EC of the European Parliament and of the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council (OJ EU L 131 of 28.5.2009, p. 114). Commission Implementing Regulation (EU) No 651/2011 of 5 July 2011 adopting the rules of procedure of the permanent cooperation framework established by Member States in cooperation with the Commission pursuant to Article 10 of Directive 2009/18/EC of the European Parliament and of the Council (OJ EU L 177, 6.7.2011, p. 18). Commission Regulation (EU) No 1286/2011 of 9 December 2011 adopting a common methodology for investigating marine casualties and incidents developed pursuant to Article 5(4) of Directive 2009/18/EC of the European Parliament and of the Council (OJ EU L 328, 10.12.2011, p. 36).
Insurance	Directive 2009/20/EC of the European Parliament and of the Council of 23 April 2009 on the insurance of shipowners for maritime claims (OJ EU L 131, 28.5.2009, p. 128).
Ship-source pollution	Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties, including criminal penalties, for pollution offences (OJ EU L 255, 30.9.2005, p. 11).
Ship-generated waste	Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues (OJ EC L 332, 28.12.2000, p. 81).
Organotin compounds	Regulation (EC) No 782/2003 of the European Parliament and of the Council of 14 April 2003 on the prohibition of organotin compounds on ships (OJ EU L 115, 9.5.2003, p. 1).

Regulatory area	Legislation
Maritime security	<p>Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security (OJ EU L 129, 29.4.2004, p. 6).</p> <p>Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security (OJ EU L 310, 25.11.2005, p. 28).</p> <p>Commission Regulation (EC) No 324/2008 of 9 April 2008 laying down revised procedures for conducting Commission inspections in the field of maritime security (OJ EU L 98, 10.4.2008, p. 5).</p>
Training of seafarers	<p>Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers (OJ EU L 323, 3.12.2008, p. 33).</p> <p>Directive 2005/45/EC of the European Parliament and of the Council of 7 September 2005 on the mutual recognition of seafarers' certificates issued by the Member States (OJ EU L 255, 30.9.2005, p. 160).</p>
Social aspects	<p>Directive 2013/54/EU of the European Parliament and of the Council of 20 November 2013 concerning certain flag State responsibilities for compliance with and enforcement of the Maritime Labour Convention, 2006 (OJ EU L 329, 10.12.2013, p. 1).</p> <p>Council Directive 1999/63/EC of 21 June 1999 concerning the Agreement on the organisation of working time of seafarers concluded by the European Community Shipowners' Association (ECSA) and the Federation of Transport Workers' Unions in the European Union (FST) (OJ EC L 167, 2.7.1999, p. 33).</p> <p>Directive 1999/95/EC of the European Parliament and of the Council of 13 December 1999 concerning the enforcement of provisions in respect of seafarers' hours of work on board ships calling at Community ports (OJ EC L 14, 20.1.2000, p. 29).</p> <p>Council Directive 2009/13/EC of 16 February 2009 implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006, and amending Directive 1999/63/EC (OJ EU L 124, 20.5.2009, p. 30).</p> <p>Council Directive 92/29/EEC of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels (OJ EC L 113, 30.4.1992, p. 19).</p>

Regulatory area	Legislation
Sea and inland waterway	Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 (OJ EU L 334, 17.12.2010, p. 1).
Transportable pressure equipment	Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC (OJ EU L 165, 30.6.2010, p. 1).
European Maritime Safety Agency	Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ EC L 208, 5.8.2002, p. 1).
Committee on Safe Seas and the Prevention of Pollution from Ships	Regulation (EC) No 2099/2002 of the European Parliament and of the Council of 5 November 2002 establishing a Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) and amending the Regulations on maritime safety and the prevention of pollution from ships (OJ EC L 324, 29.11.2002, p. 1).

RULES APPLICABLE TO INLAND WATERWAY TRANSPORT

The Applicable provisions of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
Access to the market	<p>Council Regulation (EC) No 1356/96 of 8 July 1996 on common rules applicable to the transport of goods or passengers by inland waterway between Member States with a view to establishing freedom to provide such transport services (OJ EC L 175, 13.7.1996, p. 7).</p> <p>Council Regulation (EEC) No 3921/91 of 16 December 1991 laying down the conditions under which non-resident carriers may transport goods or passengers by inland waterway within a Member State (OJ EC L 373, 31.12.1991, p. 1).</p> <p>Council Regulation (EC) No 718/99 of 29 March 1999 on a Community fleet capacity policy to promote inland waterway transport (OJ EC L 90, 2.4.1999, p. 1).</p> <p>Council Directive (EC) No 96/75 of 19 November 1996 on the systems of chartering and pricing in national and international inland waterway transport in the Community (OJ EC L 304, 27.11.1996, p. 12).</p> <p>Council Regulation (EEC) No 2919/85 of 17 October 1985 laying down the conditions for access to the arrangements under the Revised Convention for the navigation of the Rhine relating to vessels belonging to the Rhine Navigation (OJ EC L 280, 22.10.1985, p. 4).</p>
Access to the profession	Council Directive No 87/540/EEC of 9 November 1987 on access to the occupation of carrier of goods by waterway in national and international transport and on the mutual recognition of diplomas, certificates and other evidence of formal qualifications for this occupation (OJ EC L 322, 12.11.1987, p. 20).

Regulatory area	Legislation
Boatmastersq certificates	<p>Council Directive 91/672/EEC of 16 December 1991 on the reciprocal recognition of national boatmastersqcertificates for the carriage of goods and passengers by inland waterways (OJ EC L 373, 31.12.1991, p. 29).</p> <p>Council Directive (EC) No 96/50 of 23 July 1996 on the harmonisation of the conditions for obtaining national boatmastersqcertificates for the carriage of goods and passengers by inland waterway in the Community (OJ EC L 235, 17.9.1996, p. 31).</p>
Safety / technical requirements	<p>Directive 2009/100/EC of the European Parliament and of the Council of 16 September 2009 on reciprocal recognition of navigability licences for inland waterway vessels (OJ EUL 259, 2.10.2009, p. 8).</p> <p>Directive (EU) 2016/1629 of the European Parliament and of the Council of 14 September 2016 laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC (OJ EU L 252, 16.9.2016, p. 118).</p> <p>Directive 2006/87/EC of the European Parliament and of the Council of 12 December 2006 laying down technical requirements for inland waterway vessels and repealing Council Directive 82/714/EEC (OJ EU L 389, 30.12.2006, p. 1).</p> <p>(See however Article 38 of Directive (EU) 2016/1629).</p>
Inland transport of dangerous goods	Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ EU L 260, 30.9.2008, p. 13).
River information services	<p>Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community (OJ EU L 255, 30.9.2005, p. 152).</p> <p>Commission Implementing Regulation (EU) No 909/2013 of 10 September 2013 on the technical specifications for the electronic chart display and information system for inland navigation (Inland ECDIS) referred to in Directive 2005/44/EC of the European Parliament and of the Council (OJ EU L 258, 28.9.2013, p. 1).</p>

Regulatory area	Legislation
	<p>Commission Regulation (EU) No 164/2010 of 25 January 2010 on the technical specifications for electronic ship reporting in inland navigation referred to in Article 5 of Directive 2005/44/EC of the European Parliament and of the Council on harmonised river information services (RIS) on inland waterways in the Community (<i>OJ EU L 57, 6.3.2010, p. 1</i>).</p> <p>Commission Regulation (EC) No 416/2007 of 22 March 2007 concerning the technical specifications for Notices to Skippers as referred to in Article 5 of Directive 2005/44/EC of the European Parliament and of the Council on harmonised river information services (RIS) on inland waterways in the Community (<i>OJ EU L 105, 23.4.2007, p. 88</i>).</p> <p>Commission Regulation (EC) No 415/2007 of 13 March 2007 concerning the technical specifications for vessel tracking and tracing systems referred to in Article 5 of Directive 2005/44/EC of the European Parliament and of the Council on harmonised river information services (RIS) on inland waterways in the Community (<i>OJ EU L 105, 23.4.2007, p. 35</i>).</p> <p>Commission Regulation (EC) No 414/2007 of 13 March 2007 concerning the technical guidelines for the planning, implementation and operational use of river information services (RIS) referred to in Article 5 of Directive 2005/44/EC of the European Parliament and of the Council on harmonised river information services (RIS) on inland waterways in the Community (<i>OJ EU L 105, 23.4.2007, p. 1</i>).</p>
Environment	<p>Directive 2009/30/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 98/70/EC as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/EC as regards the specifications of fuel used by inland waterway vessels and repealing Directive 93/12/EEC (<i>OJ EU L 140, 5.6.2009, p. 88</i>).</p> <p>Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC (<i>OJ EU L 252, 16.9.2016, p. 53</i>).</p>

Regulatory area	Legislation
	<p>Directive 97/68/EC of the European Parliament and of the Council of 16 December 1997 on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery (OJ EC L 59, 27.2.1998, p. 1).</p> <p>(See however Article 64 of Regulation (EU) 2016/1628).</p> <p>Directive 2004/26/EC of the European Parliament and of the Council of 21 April 2004 amending Directive 97/68/EC on the approximation of the laws of the Member states relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery (OJ EU L 146, 30.4.2004, p. 1).</p>
Sea and inland waterway	Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway and amending Regulation (EC) No 2006/2004 (OJ EU L 334, 17.12.2010, p. 1).

ENVIRONMENT RULES APPLICABLE TO TRANSPORT SECTOR

The Applicable provisions of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
Assessment of effects	<p>Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ EU L 26, 28.1.2012, p. 1) and the Convention on Environmental Impact Assessment in a Transboundary Context of 1991 (Espoo Convention). All projects falling under the scope of this Treaty will be subject to an environmental impact assessment in line with Union standards. In addition, transboundary aspects should be addressed in line with the requirements of the Espoo Convention.</p> <p>Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ EC L 197, 21.7.2001, p. 30) and the Protocol on strategic Environmental Assessment to the Espoo Convention (SEA protocol).</p> <p>All plans and programmes in the field of transport will, where applicable, be subject to an environmental assessment similar to that provided for in Directive 2001/42/EC. In addition, transboundary aspects should be addressed in line with the requirements of the SEA protocol to the Espoo Convention.</p>

Regulatory area	Legislation
Conservation	<p>Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ EC L 206, 22.7.1992, p. 7).</p> <p>If a project is likely to affect sites of nature conservation importance, an appropriate nature conservation assessment shall be made, equivalent to that provided for in Article 6 of Directive 92/43/EEC.</p>
Fuels	<p>Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC (OJ EC L 350, 28.12.1998, p. 58).</p> <p>Directive (EU) 2016/802 of the European Parliament and of the Council of 11 May 2016 relating to a reduction in the sulphur content of certain liquid fuels (OJ EU L 132, 21.5.2016, p. 58).</p>
Water policy	<p>Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ EC L 327, 22.12.2000, p. 1).</p> <p>All transport projects on navigation falling under the scope of this Treaty should be developed and implemented in line with Article 4(7) of Directive 2000/60/EC.</p> <p>All transport projects on navigation falling under the scope of this Treaty should, where applicable, be carried out in line with the Joint Statement on Inland Navigation and Environmental Sustainability in the Danube River Basin as endorsed by the International Commission for the Protection of the Danube river (ICPDR), Danube Commission and Sava Commission.</p>

PUBLIC PROCUREMENT RULES APPLICABLE TO TRANSPORT SECTOR

The Applicable provisions of the following European Union acts shall be applicable in accordance with the Main Treaty and Annex II on horizontal adaptations unless otherwise specified in this Annex or in Protocols I to VI. Where necessary, specific adaptations for each individual act are set out hereinafter.

The following European Union acts refer to the latest version of such acts as last modified.

Regulatory area	Legislation
Review procedures	Council Directive 89/665/EEC of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts (OJ EC L 395, 30.12.1989, p. 33). Council Directive 92/13/EEC of 25 February 1992 coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (OJ EC L 76, 23.3.1992, p. 14).

Regulatory area	Legislation
Procurement procedures	<p>Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ EU L 94, 28.3.2014, p. 1).</p> <p>Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ EU L 94, 28.3.2014, p. 65).</p> <p>Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ EU L 94, 28.3.2014, p. 243).</p> <p>Commission Implementing Regulation (EU) 2015/1986 of 11 November 2015 establishing standard forms for the publication of notices in the field of public procurement and repealing Implementing Regulation (EU) No 842/2011 (OJ EU L 296, 12.11.2015, p. 1).</p>
Public services	Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 (OJ EU L 315, 3.12.2007, p. 1).

HORIZONTAL ADAPTATIONS AND CERTAIN PROCEDURAL RULES

The provisions of the acts specified in Annex I shall be applicable in accordance with the Main Treaty and paragraphs 1 to 3 of this Annex, unless otherwise provided in Annex I. The specific adaptations necessary for individual acts are set out in Annex I.

This Treaty shall be applicable in accordance with the procedural rules set out in paragraphs 4 and 6 of this Annex.

1. INTRODUCTORY PARTS OF THE ACTS

The preambles of the acts specified are not adapted for the purposes of this Treaty. They are relevant to the extent necessary for the proper interpretation and application, within the framework of this Treaty, of the provisions contained in such acts.

2. SPECIFIC TERMINOLOGY OF THE ACTS

The following terms used in the acts specified in Annex I shall read as follows:

- (a) the term ~~European Community~~ Community ~~European Union~~ and ~~Union~~ shall read ~~Transport Community Area~~
- (b) the terms ~~Community law~~ Community legislation ~~Community instruments~~ Union law ~~Union legislation~~ Union instruments and ~~Treaty~~ when it refers to the ~~Treaty on European Union or the Treaty on the Functioning of the European Union~~ shall read ~~Transport Community Treaty~~
- (c) the terms ~~railway infrastructure~~ shall read ~~railway infrastructure in the Transport Community Area~~
- (d) the terms ~~road infrastructure~~ shall read ~~road infrastructure in the Transport Community Area~~
- (e) the term ~~airport infrastructure~~ shall read ~~airport infrastructure in the Transport Community Area~~
- (f) the terms ~~inland waterway infrastructure~~ shall read ~~inland waterway infrastructure in the Transport Community Area~~
- (g) the term ~~Official Journal of the European Communities~~ or ~~Official Journal of the European Union~~ shall read ~~Official Journals of the Contracting Parties~~

3. REFERENCES TO MEMBER STATES

Without prejudice to paragraph 4 of this Annex, whenever acts specified in Annex I contain references to ~~Member State(s)~~ the references shall be understood to include, apart from the EU Member States, also the South East European Parties.

4. PROVISIONS ON EUROPEAN UNION COMMITTEES AND CONSULTATION OF THE SOUTH EAST EUROPEAN PARTIES

Experts of the South East European Parties shall be consulted by the European Commission and given the opportunity to submit their advice each time the acts specified in Annex I provide for the consultation by the European Commission of European Union Committees and for the opportunity to submit their advice or opinion.

Each consultation shall consist of one meeting chaired by the European Commission and shall take place within the Regional Steering Committee at the invitation of the European Commission prior to the consultation of the relevant European Union Committee. The European Commission shall provide each South East European Party at least two weeks in advance of the meeting, unless specific circumstances require a shorter notice, with all necessary information.

The South East European Parties shall be invited to submit their views to the European Commission. The European Commission shall take due account of the advice delivered by the South East European Parties.

The above provisions shall not apply to the application of the competition rules set out in this Treaty which shall be governed by the specific consultation procedures set out in Annex III.

5. COOPERATION AND EXCHANGE OF INFORMATION

To facilitate the exercise of the relevant powers of the competent authorities of the Contracting Parties, such authorities shall upon request mutually exchange all information necessary for the proper functioning of this Treaty.

6. REFERENCE TO LANGUAGES

The Contracting Parties shall be entitled to use, in the procedures established in the ambit of this Treaty and without prejudice to Annex IV, any official language of the institutions of the European Union or of another Contracting Party. The Contracting Parties are aware, however, that the use of English facilitates those procedures. If a language which is not an official language of the institutions of the European Union is used in an official document, a translation into an official language of the institutions of the European Union shall be simultaneously submitted, taking into account the provision of the preceding sentence. If a Contracting Party intends to use, in an oral procedure, a language that is not an official language of the institutions of the European Union, that Contracting Party shall ensure simultaneous interpretation into English.

RULES ON COMPETITION AND STATE
AID REFERRED TO IN ARTICLE 17 OF THE MAIN TREATY

ARTICLE 1

State monopolies

A South East European Party shall progressively adjust any State monopolies of a commercial character so as to ensure that, by the end of the second period referred to in the Protocol to this Treaty which contains the transitional measures with regard to the South East European Party concerned, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Contracting Parties. The Regional Steering Committee shall be informed of the measures adopted to attain this objective.

ARTICLE 2

Approximation of State aid and competition legislation

1. The Contracting Parties recognise the importance of the approximation of the existing legislation on State aid and competition of the South East European Parties to that of the European Union. The South East European Parties shall endeavour to ensure that their existing and future laws on State aid and competition are gradually made compatible with the *acquis*.
2. This approximation shall start upon the entry into force of this Treaty, and shall gradually extend to all the elements of the European Union State aid and competition provisions referred to in this Annex by the end of the second period referred to in the Protocol to this Treaty which contains the transitional measures with regard to each South East European Party concerned. The South East European Party concerned shall also define, in agreements with the European Commission, the modalities for the monitoring of the implementation of the approximation of legislation and law enforcement actions to be taken.

ARTICLE 3

Competition rules and other economic provisions

1. The following practices are incompatible with the proper functioning of this Treaty, insofar as they may affect trade between two or more Contracting Parties:
 - (a) all agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition;
 - (b) abuse by one or more undertakings of a dominant position in the territories of the Contracting Parties as a whole or in a substantial part thereof;
 - (c) any State aid which distorts or threatens to distort competition by favouring certain undertakings or certain products.
2. Any practices contrary to this Article shall be assessed on the basis of criteria arising from the application of the competition rules applicable in the European Union, in particular from Articles 93, 101, 102, 106, 107 and 108 of the Treaty on the Functioning of the European Union and interpretative instruments adopted by the European Union institutions.
3. Each South East European Party shall ensure that an operationally independent public body is entrusted with the powers necessary for the full application of points (a) and (b) of paragraph 1, regarding private and public undertakings and undertakings to which special rights have been granted.
4. Each South East European Party shall designate or establish an operationally independent authority which is entrusted with the powers necessary for the full application of point (c) of

paragraph 1. This authority shall have, inter alia, the powers to authorise State aid schemes and individual aid grants in conformity with paragraph 2, as well as the powers to order the recovery of State aid that has been unlawfully granted.

5. Each Contracting Party shall ensure transparency in the area of State aid, inter alia, by providing the other Contracting Parties with a regular annual report or equivalent, following the methodology and the presentation of the European Union survey on State aid. Upon request by a Contracting Party, another Contracting Party shall provide information on particular individual cases of public aid.
6. Each South East European Party shall establish a comprehensive inventory of aid schemes instituted before the establishment of the authority referred to in paragraph 4 and shall align such aid schemes with the criteria referred to in paragraph 2.
7. (a) For the purposes of applying the provisions of point (c) of paragraph 1, the Contracting Parties recognise that during the periods referred to in the Protocol to this Treaty which contains the transitional measures with regard to a South East European Party, any public aid granted by this South East European Party shall be assessed taking into account that the South East European Party concerned is to be regarded as an area identical to those areas of the European Union where the standard of living is abnormally low or where there is serious underemployment as referred to in point (a) of Article 107(3) of the Treaty on the Functioning of the European Union;
(b) By the end of the first period referred to in the Protocol to this Treaty which contains the transitional measures with regard to a South East European Party, that Party shall submit to the European Commission its GDP per capita figures harmonised at NUTS II level. The authority referred to in paragraph 4 and the European Commission shall then jointly evaluate the eligibility of the regions of the South East European Party concerned as well as the maximum aid intensities in relation thereto in order to draw up the regional aid map on the basis of the relevant European Union guidelines.
8. If one of the Contracting Parties considers that a particular practice is incompatible with the terms of paragraph 1, it may take appropriate measures after consultation within the Regional Steering Committee or after thirty working days following referral for such consultation.
9. The Contracting Parties shall exchange information taking into account the limitations imposed by the requirements of professional and business confidentiality.

REFERRALS TO THE COURT OF JUSTICE OF THE EUROPEAN UNION

1. General principles relating to Article 19 of the Main Treaty

1. The provisions of the Statute of the Court of Justice of the European Union, hereinafter referred to as the Court of Justice~~and~~ and its rules of procedure concerning referrals for preliminary rulings shall apply, as far as appropriate, to requests for preliminary ruling presented by a court or tribunal of a South East European Party on the basis of Article 19 of the Main Treaty.
2. In those cases South East European Parties shall have, within the scope of this Treaty, the same rights to submit observations to the Court of Justice as the EU Member States.

2. Extent and modalities of the procedure established in Article 19 of the Main Treaty

1. When, in accordance with Article 19(2) of the Main Treaty, a South East European Party adopts a decision on the extent and modalities of referrals to the Court of Justice, that decision shall specify that either:
 - (a) any court or tribunal of the South East European Party against whose decisions there is no judicial remedy under national law shall request the Court of Justice to give a preliminary ruling on a question raised in a case pending before it and concerning the validity or interpretation of this Treaty or a provision referred to in Article 19 of the Main Treaty if that court or tribunal considers that a decision on the question is necessary to enable it to give a judgment; or
 - (b) any court or tribunal of that South East European Party may request the Court of Justice to give a preliminary ruling on a question raised before it and concerning the validity or interpretation of this Treaty or a provision referred to in Article 19 of the Main Treaty if that court or tribunal considers that a decision on the question is necessary to enable it to give a judgment.
2. The modalities of application of Article 19 of the Main Treaty shall be based on the principles enshrined in the legal provisions governing the functioning of the Court of Justice, including the relevant provisions of the Treaty on European Union and the Treaty on the Functioning of the European Union, the Statute and the Rules of Procedure of the Court of Justice, as well as the case law of the latter. In the event that it takes a decision on the modalities of application of this provision, the South East European Party shall also take into consideration the recommendations issued by the Court of Justice to national courts and tribunals in relation to the initiation of preliminary rulings proceedings.

3. Disputes submitted to the Court of Justice in accordance with Article 37(3) of the Main Treaty

The provisions of the Statute of the Court of Justice of the European Union and its rules of procedure concerning disputes submitted to the Court in accordance with Article 273 of the Treaty on the Functioning of the European Union shall apply, as far as appropriate, to disputes submitted to it in accordance with Article 37(3) of the Main Treaty.

4. Referrals to the Court of Justice and languages

The South East European Parties shall be entitled to use, in the procedures before the Court of Justice established in the ambit of this Treaty, any official language of the institutions of the European Union or of a South East European Party. If a language which is not an official language of the institutions of the European Union is used in an official document, a translation into French shall be simultaneously submitted. If a South East European Party intends to use, in an oral procedure, a language that is not an official language of the institutions of the European Union, the South East European Party shall ensure simultaneous interpretation into French.

CONTRIBUTION TO THE BUDGET OF THE TRANSPORT COMMUNITY

Parties	Contribution in percentage
European Union	80,00
Republic of Albania	3,20
Bosnia and Herzegovina	3,55
The former Yugoslav Republic of Macedonia	2,88
Kosovo*	2,57
Montenegro	2,38
Republic of Serbia	5,42

The contribution is divided into two parts: 80 % for the European Union and 20 % for the six South East European Parties.

The 20 % for the South East European Parties will also be broken down according to the following scheme: each Party contributes for 2 % to the budget and the remaining 8 % will be distributed among the six South East European Parties according to their share in GDP in the total of the South East European Parties' GDP.

* 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.

PROTOCOL I

TRANSITIONAL ARRANGEMENTS BETWEEN THE EUROPEAN UNION, OF THE ONE PART, AND THE REPUBLIC OF ALBANIA, OF THE OTHER PART

I. Conditions relating to transition for rail transport

ARTICLE 1

1. The first transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2(1) of this Section have been fulfilled by the Republic of Albania, hereinafter referred to as ~~Albania~~ as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
2. The second transitional period shall extend from the end of the first transitional period until all conditions set out in Article 2(2) of this Section have been fulfilled by Albania, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
3. Albania may ask the European Commission at the end of the first transitional period to assess progress in accordance with Article 40 of the Main Treaty with a view to pass directly to market integration according to Article 11 of the Main Treaty.

ARTICLE 2

1. By the end of the first transitional period Albania shall:
 - (a) have implemented all railway legislation as provided for in Annex I;
 - (b) have made sufficient progress in implementing the rules on State aid and competition included in an agreement referred to in Article 17 of the Main Treaty or in Annex III, whichever is applicable.
2. By the end of the second transitional period Albania shall apply this Treaty, including all railway legislation and the rules on State aid and competition referred to in paragraph 1.

ARTICLE 3

1. Notwithstanding Article 1(1) of the Main Treaty:
 - (a) during the first transitional period railway undertakings licensed in Albania shall be granted access to railway infrastructure in Albania;
 - (b) during the second transitional period railway undertakings licensed in Albania shall be permitted to exercise the traffic rights provided for in the railway legislation referred to in Annex I on railway infrastructure of any other South East European Party.
- II. Conditions relating to transition for maritime transport

ARTICLE 1

1. The first transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2(1) of this Section have been fulfilled by Albania, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
2. The second transitional period shall extend from the end of the first transitional period until all conditions set out in Article 2(2) of this Section have been fulfilled by Albania, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.

ARTICLE 2

1. By the end of the first transitional period:
 - (a) Albania shall have implemented all maritime legislation as provided for in Annex I with the exception of Regulation (EEC) No 3577/92;
 - (b) nationals of Albania and shipping companies established in Albania shall enjoy the right to carry passengers or goods by sea between any port of a Member State and any port or off-shore installation of another Member State or of a country that is not a member of the European Union. The same shall apply to nationals of Albania established outside Albania and to shipping companies established outside Albania and controlled by nationals of Albania, if their vessels are registered in Albania in accordance with its legislation.

Reciprocally, Union shipowners shall enjoy the right to carry passengers or goods by sea between any port or off-shore installation of an EU Member State and Albania and any port or off-shore installation of a country that is not a member of the European Union and Albania. The same shall apply to nationals of EU Member States who are established outside the European Union and to shipping companies established outside the European Union and controlled by nationals of an EU Member State, if their vessels are registered in that EU Member State in accordance with its legislation.

2. By the end of the second transitional period:
 - (a) Albania shall apply this Treaty, including all legislation set out in Annex I;
 - (b) Union shipowners operating ships registered in an EU Member State or in Albania and flying the flag of that Member State or Albania will be granted freedom to provide maritime transport services within Albania under conditions laid down in Regulation (EEC) No 3577/92.

Reciprocally, shipowners of Albania operating ships registered in an EU Member State or in Albania and flying the flag of that Member State or Albania will be granted freedom to provide maritime transport services within any EU Member State under conditions laid down in Regulation (EEC) No 3577/92.

III. Conditions relating to transition for inland waterway transport

ARTICLE 1

1. The transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2 of this Section have been fulfilled by Albania, as verified by an assessment carried out by the European Commission, in accordance with the procedure referred to in Article 40 of the Main Treaty.

ARTICLE 2

1. By the end of the transitional period:
 - (a) Albania shall apply this Treaty, including all legislation set out in Annex I;
 - (b) Albania shall enjoy the right to carry passengers or goods by inland waterways between any port of a Member State and any port or off-shore installation of another Member State.

PROTOCOL II

TRANSITIONAL ARRANGEMENTS BETWEEN THE EUROPEAN UNION, OF THE ONE PART, AND BOSNIA AND HERZEGOVINA OF THE OTHER PART

I. Conditions relating to transition for rail transport

ARTICLE 1

1. The first transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2(1) of this Section have been fulfilled by Bosnia and Herzegovina, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
2. The second transitional period shall extend from the end of the first transitional period until all conditions set out in Article 2(2) of this Section have been fulfilled by Bosnia and Herzegovina, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
3. Bosnia and Herzegovina may ask the European Commission at the end of the first transitional period to assess progress in accordance with Article 40 of the Main Treaty with a view to pass directly to market integration according to Article 11 of the Main Treaty.

ARTICLE 2

1. By the end of the first transitional period Bosnia and Herzegovina shall:
 - (a) have implemented all railway legislation as provided for in Annex I;
 - (b) have made sufficient progress in implementing the rules on State aid and competition included in an agreement referred to in Article 17 of the Main Treaty or in Annex III, whichever is applicable.
2. By the end of the second transitional period Bosnia and Herzegovina shall apply this Treaty, including all railway legislation and the rules on State aid and competition referred to in paragraph 1.

ARTICLE 3

1. Notwithstanding Article 1(1) of the Main Treaty:
 - (a) during the first transitional period railway undertakings licensed in Bosnia and Herzegovina shall be granted access to railway infrastructure in Bosnia and Herzegovina;
 - (b) during the second transitional period railway undertakings licensed in Bosnia and Herzegovina shall be permitted to exercise the traffic rights provided for in the railway legislation referred to in Annex I on railway infrastructure of any other South East European Party.

II. Conditions relating to transition for maritime transport

ARTICLE 1

1. The first transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2(1) of this Section have been fulfilled by Bosnia and Herzegovina, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
2. The second transitional period shall extend from the end of the first transitional period until all conditions set out in Article 2(2) of this Section have been fulfilled by Bosnia and Herzegovina, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.

ARTICLE 2

1. By the end of the first transitional period:
 - (a) Bosnia and Herzegovina shall have implemented all maritime legislation as provided for in Annex I with the exception of Regulation (EEC) No 3577/92;
 - (b) nationals of Bosnia and Herzegovina and shipping companies established in Bosnia and Herzegovina shall enjoy the right to carry passengers or goods by sea between any port of a Member State and any port or off-shore installation of another Member State or of a country that is not a member of the European Union. The same shall apply to nationals of Bosnia and Herzegovina established outside Bosnia and Herzegovina and to shipping companies established outside Bosnia and Herzegovina and controlled by nationals of Bosnia and Herzegovina, if their vessels are registered in Bosnia and Herzegovina in accordance with its legislation.

Reciprocally, Union shipowners shall enjoy the right to carry passengers or goods by sea between any port or off-shore installation of a Member State and Bosnia and Herzegovina and any port or off-shore installation of a country that is not a member of the European Union and Bosnia and Herzegovina. The same shall apply to nationals of EU Member States who are established outside the European Union and to shipping companies established outside the European Union and controlled by nationals of a EU Member State, if their vessels are registered in that EU Member State in accordance with its legislation.

2. By the end of the second transitional period:
 - (a) Bosnia and Herzegovina shall apply this Treaty, including all legislation set out in Annex I;
 - (b) Union shipowners operating ships registered in a EU Member State or in Bosnia and Herzegovina and flying the flag of that EU Member State or Bosnia and Herzegovina will be granted freedom to provide maritime transport services within Bosnia and Herzegovina under conditions laid down in Regulation (EEC) No 3577/92.

Reciprocally, shipowners of Bosnia and Herzegovina operating ships registered in a EU Member State or in Bosnia and Herzegovina and flying the flag of that EU Member State or Bosnia and Herzegovina will be granted freedom to provide maritime transport services within any Member State under conditions laid down in Regulation (EEC) No 3577/92.

III. Conditions relating to transition for inland waterway transport

ARTICLE 1

1. The transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2 of this Section have been fulfilled by Bosnia and Herzegovina, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.

ARTICLE 2

1. By the end of the transitional period:
 - (a) Bosnia and Herzegovina shall apply this Treaty, including all legislation set out in Annex I;
 - (b) Bosnia and Herzegovina shall enjoy the right to carry passengers or goods by inland waterways between any port of an EU Member State and any port or off-shore installation of another Member State.

PROTOCOL III

TRANSITIONAL ARRANGEMENTS BETWEEN THE EUROPEAN UNION, OF THE ONE PART, AND THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, OF THE OTHER PART

I. Conditions relating to transition for rail transport

ARTICLE 1

1. The first transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2(1) of this Section have been fulfilled by the former Yugoslav Republic of Macedonia, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
2. The second transitional period shall extend from the end of the first transitional period until all conditions set out in Article 2(2) of this Section have been fulfilled by the former Yugoslav Republic of Macedonia, as verified by an assessment carried out by the European Commission, in accordance with the procedure referred to in Article 40 of the Main Treaty.
3. The former Yugoslav Republic of Macedonia may ask the European Commission at the end of the first transitional period to assess progress in accordance with Article 40 of the Main Treaty with a view to pass directly to market integration according to Article 11 of the Main Treaty.

ARTICLE 2

1. By the end of the first transitional period the former Yugoslav Republic of Macedonia shall:
 - (a) have implemented all railway legislation as provided for in Annex I;
 - (b) have made sufficient progress in implementing the rules on State aid and competition included in an agreement referred to in Article 17 of the Main Treaty or in Annex III, whichever is applicable.
2. By the end of the second transitional period the former Yugoslav Republic of Macedonia shall apply this Treaty, including all railway legislation and the rules on State aid and competition referred to in paragraph 1.

ARTICLE 3

1. Notwithstanding Article 1(1) of the Main Treaty:
 - (a) during the first transitional period railway undertakings licensed in the former Yugoslav Republic of Macedonia shall be granted access to railway infrastructure in the former Yugoslav Republic of Macedonia;
 - (b) during the second transitional period railway undertakings licensed in the former Yugoslav Republic of Macedonia shall be permitted to exercise the traffic rights provided for in the railway legislation referred to in Annex I on railway infrastructure of any other South East European Party.
- II. Conditions relating to transition for maritime transport

ARTICLE 1

1. The first transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2(1) of this Section have been fulfilled by the former Yugoslav Republic of Macedonia, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
2. The second transitional period shall extend from the end of the first transitional period until all conditions set out in Article 2(2) of this Section have been fulfilled by the former Yugoslav Republic of Macedonia, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.

ARTICLE 2

1. By the end of the first transitional period:
 - (a) the former Yugoslav Republic of Macedonia shall have implemented all maritime legislation as provided for in Annex I with the exception of Regulation (EEC) No 3577/92;
 - (b) nationals of the former Yugoslav Republic of Macedonia and shipping companies established in the former Yugoslav Republic of Macedonia shall enjoy the right to carry passengers or goods by sea between any port of a EU Member State and any port or off-shore installation of another EU Member State or of a country that is not a member of the European Union. The same shall apply to nationals of the former Yugoslav Republic of Macedonia established outside the former Yugoslav Republic of Macedonia and to shipping companies established outside the former Yugoslav Republic of Macedonia and controlled by nationals of the former Yugoslav Republic of Macedonia, if their vessels are registered in the former Yugoslav Republic of Macedonia in accordance with its legislation.

Reciprocally, Union shipowners shall enjoy the right to carry passengers or goods by sea between any port or off-shore installation of a EU Member State and the former Yugoslav Republic of Macedonia and any port or off-shore installation of a country that is not a member of the European Union and the former Yugoslav Republic of Macedonia. The same shall apply to nationals of EU Member States who are established outside the European Union and to shipping companies established outside the European Union and controlled by nationals of a EU Member State, if their vessels are registered in that EU Member State in accordance with its legislation.

2. By the end of the second transitional period:
 - (a) the former Yugoslav Republic of Macedonia shall apply this Treaty, including all legislation set out in Annex I;
 - (b) Union shipowners operating ships registered in an EU Member State or in the former Yugoslav Republic of Macedonia and flying the flag of that Member State or the former Yugoslav Republic of Macedonia will be granted freedom to provide maritime transport services within The former Yugoslav Republic of Macedonia, under conditions laid down in Regulation (EEC) No 3577/92.

Reciprocally, shipowners of the former Yugoslav Republic of Macedonia operating ships registered in an EU Member State or in the former Yugoslav Republic of Macedonia and flying the flag of that EU Member State or the former Yugoslav Republic of Macedonia will be granted freedom to provide maritime transport services within any Member State under conditions laid down in Regulation (EEC) No 3577/92.

III. Conditions relating to transition for inland waterway transport

ARTICLE 1

1. The transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2 of this Section have been fulfilled by the former Yugoslav Republic of Macedonia, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.

ARTICLE 2

By the end of the transitional period:

- (a) the former Yugoslav Republic of Macedonia shall apply this Treaty, including all legislation set out in Annex I;
- (b) the former Yugoslav Republic of Macedonia shall enjoy the right to carry passengers or goods by inland waterways between any port of an EU Member State and any port or off-shore installation of another Member State.

PROTOCOL IV

TRANSITIONAL ARRANGEMENTS BETWEEN THE EUROPEAN UNION, OF THE ONE PART, AND KOSOVO^{*}, OF THE OTHER PART

I. Conditions relating to transition for rail transport

ARTICLE 1

1. The first transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2(1) of this Section have been fulfilled by Kosovo, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
2. The second transitional period shall extend from the end of the first transitional period until all conditions set out in Article 2(2) of this Section have been fulfilled by Kosovo, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
3. Kosovo may ask the European Commission at the end of the first transitional period to assess progress in accordance with Article 40 of the Main Treaty with a view to pass directly to market integration according to Article 11 of the Main Treaty.

ARTICLE 2

1. By the end of the first transitional period Kosovo shall:
 - (a) have implemented all railway legislation as provided for in Annex I;
 - (b) have made sufficient progress in implementing the rules on State aid and competition included in an agreement referred to in Article 17 of the Main Treaty or in Annex III, whichever is applicable.
2. By the end of the second transitional period Kosovo shall apply this Treaty, including all railway legislation and the rules on State aid and competition referred to in paragraph 1.

ARTICLE 3

1. Notwithstanding Article 1(1) of the Main Treaty:
 - (a) during the first transitional period railway undertakings licensed in Kosovo shall be granted access to railway infrastructure in Kosovo;
 - (b) during the second transitional period railway undertakings licensed in Kosovo shall be permitted to exercise the traffic rights provided for in the railway legislation referred to in Annex I on railway infrastructure of any other South East European Party.

II. Conditions relating to road transport

* 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.

The European Union and Kosovo agree that, notwithstanding Article 61(1) of the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo^{*}, of the other part³, Chapter III thereof on transit traffic shall continue to apply once the Treaty establishing the Transport Community enters into force.

III. Conditions relating to transition for maritime transport

ARTICLE 1

1. The first transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2(1) of this Section have been fulfilled by Kosovo, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
2. The second transitional period shall extend from the end of the first transitional period until all conditions set out in Article 2(2) of this Section have been fulfilled by Kosovo, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.

ARTICLE 2

1. By the end of the first transitional period:

- (a) Kosovo shall have implemented all maritime legislation as provided for in Annex I with the exception of Regulation (EEC) No 3577/92;
- (b) nationals of Kosovo and shipping companies established in Kosovo shall enjoy the right to carry passengers or goods by sea between any port of an EU Member State and any port or off-shore installation of another EU Member State or of a country that is not a member of the European Union. The same shall apply to nationals of Kosovo established outside Kosovo and to shipping companies established outside Kosovo and controlled by nationals of Kosovo, if their vessels are registered in Kosovo in accordance with its legislation.

Reciprocally, Union shipowners shall enjoy the right to carry passengers or goods by sea between any port or off-shore installation of an EU Member State and Kosovo and any port or off-shore installation of a country that is not a member of the European Union and Kosovo. The same shall apply to nationals of EU Member States who are established outside the European Union and to shipping companies established outside the European Union and controlled by nationals of an EU Member State, if their vessels are registered in that EU Member State in accordance with its legislation.

2. By the end of the second transitional period:

- (a) Kosovo shall apply this Treaty, including all legislation set out in Annex I;
- (b) Union shipowners operating ships registered in an EU Member State or in Kosovo and flying the flag of that EU Member State or Kosovo will be granted freedom to provide maritime transport services within Kosovo, under conditions laid down in Regulation (EEC) No 3577/92.

* 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 OJ EU L 71, 16.3.2016, p. 3.

Reciprocally, shipowners of Kosovo operating ships registered in an EU Member State or in Kosovo and flying the flag of that Member State or Kosovo will be granted freedom to provide maritime transport services within any EU Member State under conditions laid down in Regulation (EEC) No 3577/92.

IV. Conditions relating to transition for inland waterway transport

ARTICLE 1

1. The transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2 of this Section have been fulfilled by Kosovo, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.

ARTICLE 2

By the end of the transitional period:

- (a) Kosovo shall apply this Treaty, including all legislation set out in Annex I;
- (b) Kosovo shall enjoy the right to carry passengers or goods by inland waterways between any port of a Member State and any port or off-shore installation of another EU Member State.

PROTOCOL V

TRANSITIONAL ARRANGEMENTS BETWEEN THE EUROPEAN UNION, OF THE ONE PART, AND MONTENEGRO, OF THE OTHER PART

I. Conditions relating to transition for rail transport

ARTICLE 1

1. The first transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2(1) of this Section have been fulfilled by Montenegro, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
2. The second transitional period shall extend from the end of the first transitional period until all conditions set out in Article 2(2) of this Section have been fulfilled by Montenegro, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
3. Montenegro may ask the European Commission at the end of the first transitional period to assess progress in accordance with Article 40 of the Main Treaty with a view to pass directly to market integration according to Article 11 of the Main Treaty.

ARTICLE 2

1. By the end of the first transitional period Montenegro shall:
 - (a) have implemented all railway legislation as provided for in Annex I;
 - (b) have made sufficient progress in implementing the rules on State aid and competition included in an agreement referred to in Article 17 of the Main Treaty or in Annex III, whichever is applicable.
2. By the end of the second transitional period Montenegro shall apply this Treaty, including all railway legislation and the rules on State aid and competition referred to in paragraph 1.

ARTICLE 3

1. Notwithstanding Article 1(1) of the Main Treaty:
 - (a) during the first transitional period railway undertakings licensed in Montenegro shall be granted access to railway infrastructure in Montenegro;
 - (b) during the second transitional period railway undertakings licensed in Montenegro shall be permitted to exercise the traffic rights provided for in the railway legislation referred to in Annex I on railway infrastructure of any other South East European Party.

II. Conditions relating to transition for maritime transport

ARTICLE 1

1. The first transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2(1) of this Section have been fulfilled by Montenegro, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
2. The second transitional period shall extend from the end of the first transitional period until all conditions set out in Article 2(2) of this Section have been fulfilled by Montenegro, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.

ARTICLE 2

1. By the end of the first transitional period:
 - (a) Montenegro shall have implemented all maritime legislation as provided for in Annex I with the exception of Regulation (EEC) No 3577/92;(b) nationals of Montenegro and shipping companies established in Montenegro shall enjoy the right to carry passengers or goods by sea between any port of an EU Member State and any port or off-shore installation of another EU Member State or of a country that is not a member of the European Union. The same shall apply to nationals of Montenegro established outside Montenegro and to shipping companies established outside Montenegro and controlled by nationals of Montenegro, if their vessels are registered in Montenegro in accordance with its legislation.
Reciprocally, Union shipowners shall enjoy the right to carry passengers or goods by sea between any port or off-shore installation of an EU Member State and Montenegro and any port or off-shore installation of a country that is not a member of the European Union and Montenegro. The same shall apply to nationals of EU Member States who are established outside the European Union and to shipping companies established outside the European Union and controlled by nationals of an EU Member State, if their vessels are registered in that EU Member State in accordance with its legislation.
2. By the end of the second transitional period:
 - (a) Montenegro shall apply this Treaty, including all legislation set out in Annex I;
 - (b) Union shipowners operating ships registered in an EU Member State or in Montenegro and flying the flag of that EU Member State or Montenegro will be granted freedom to provide maritime transport services within Montenegro under conditions laid down in Regulation (EEC) No 3577/92.
Reciprocally, shipowners of Montenegro operating ships registered in an EU Member State or in Montenegro and flying the flag of that EU Member State or Montenegro will be granted freedom to provide maritime transport services within any EU Member State under conditions laid down in Regulation (EEC) No 3577/92.

III. Conditions relating to transition for inland waterway transport

ARTICLE 1

1. The transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2 of this Section have been fulfilled by Montenegro, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.

ARTICLE 2

By the end of the transitional period:

- (a) Montenegro shall apply this Treaty, including all legislation set out in Annex I;
- (b) Montenegro shall enjoy the right to carry passengers or goods by inland waterways between any port of a Member State and any port or off-shore installation of another EU Member State.

PROTOCOL VI

TRANSITIONAL ARRANGEMENTS BETWEEN THE EUROPEAN UNION, OF THE ONE PART, AND THE REPUBLIC OF SERBIA, OF THE OTHER PART

I. Conditions relating to transition for rail transport

ARTICLE 1

1. The first transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2(1) of this Section have been fulfilled by the Republic of Serbia, hereinafter referred to as ~~Serbia~~ as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
2. The second transitional period shall extend from the end of the first transitional period until all conditions set out in Article 2(2) of this Section have been fulfilled by Serbia, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
3. Serbia may ask the European Commission at the end of the first transitional period to assess progress in accordance with Article 40 of the Main Treaty with a view to pass directly to market integration according to Article 11 of the Main Treaty.

ARTICLE 2

1. By the end of the first transitional period Serbia shall:
 - (a) have implemented all railway legislation as provided for in Annex I;
 - (b) have made sufficient progress in implementing the rules on State aid and competition included in an agreement referred to in Article 17 of the Main Treaty or in Annex III, whichever is applicable
2. By the end of the second transitional period Serbia shall apply this Treaty, including all railway legislation and the rules on State aid and competition referred to in paragraph 1.

ARTICLE 3

1. Notwithstanding Article 1(1) of the Main Treaty:
 - (a) during the first transitional period railway undertakings licensed in Serbia shall be granted access to railway infrastructure in Serbia;
 - (b) during the second transitional period railway undertakings licensed in Serbia shall be permitted to exercise the traffic rights provided for in the railway legislation referred to in Annex I on railway infrastructure of any other South East European Party.

II. Conditions relating to transition for maritime transport

ARTICLE 1

1. The first transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2(1) of this Section have been fulfilled by Serbia, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.
2. The second transitional period shall extend from the end of the first transitional period until all conditions set out in Article 2(2) of this Section have been fulfilled by Serbia, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.

ARTICLE 2

1. By the end of the first transitional period:
 - (a) Serbia shall have implemented all maritime legislation as provided for in Annex I with the exception of Regulation (EEC) No 3577/92;
 - (b) nationals of Serbia and shipping companies established in Serbia shall enjoy the right to carry passengers or goods by sea between any port of an EU Member State and any port or off-shore installation of another EU Member State or of a country that is not a member of the European Union. The same shall apply to nationals of Serbia established outside Serbia and to shipping companies established outside Serbia and controlled by nationals of Serbia, if their vessels are registered in Serbia in accordance with its legislation.

Reciprocally, Union shipowners shall enjoy the right to carry passengers or goods by sea between any port or off-shore installation of an EU Member State and Serbia and any port or off-shore installation of a country that is not a member of the European Union and Serbia. The same shall apply to nationals of EU Member States who are established outside the European Union and to shipping companies established outside the European Union and controlled by nationals of a Member State, if their vessels are registered in that EU Member State in accordance with its legislation.

2. By the end of the second transitional period:
 - (a) Serbia shall apply this Treaty, including all legislation set out in Annex I;
 - (b) Union shipowners operating ships registered in a Member State or in Serbia and flying the flag of that EU Member State or Serbia will be granted freedom to provide maritime transport services within Serbia, under conditions laid down in Regulation (EEC) No 3577/92.

Reciprocally, shipowners of Serbia operating ships registered in a Member State or in Serbia and flying the flag of that EU Member State or Serbia will be granted freedom to provide maritime transport services within any Member State under conditions laid down in Regulation (EEC) No 3577/92.

III. Conditions relating to transition for inland waterway transport

ARTICLE 1

1. The transitional period shall extend from the entry into force of this Treaty until all conditions set out in Article 2 of this Section have been fulfilled by Serbia, as verified by an assessment carried out by the European Commission in accordance with the procedure referred to in Article 40 of the Main Treaty.

ARTICLE 2

By the end of the transitional period:

- (a) Serbia shall apply this Treaty, including all legislation set out in Annex I;
- (b) Serbia shall enjoy the right to carry passengers or goods by inland waterways between any port of a Member State and any port or off-shore installation of another EU Member State.

UGOVOR
O OSNIVANJU TRANSPORTNE ZAJEDNICE

Strane,

EVROPSKA UNIJA, u daljem tekstu: Unija ili Evropska unija,

i

STRANE UGOVORNICE JUGOISTO NE EVROPE (strane ugovornice), Republika Albanija, Bosna i Hercegovina, bivza jugoslovenska Republika Makedonija, Kosovo^{*} (u daljem tekstu: Kosovo¹), Crna Gora, Republika Srbija,

Sve gore navedene strane u daljem tekstu zajedno se navode kao: ugovorne strane.

NASTAVLJAJU I rad izvr0en u okviru Memoranduma o razumijevanju za razvoj Osnovne regionalne transportne mre0e u Jugoisto noj Evropi potписаног u Luksemburgu 11. juna 2004. godine, i PRIMAJU I K ZNANJU da ovaj Memorandum o razumijevanju vize ne e biti relevantan;

PREPOZNAJU I integrisani karakter me unarodnog transporta i u 0elji da na temelju relevantnih pravnih tekovina EU stvore Transportnu zajednicu izme u Evropske unije i strana ugovornica Jugoisto ne Evrope na osnovu postepene integracije transportnog tr0izta ugovornih strana;

SMATRAJU I da pravila o Transportnoj zajednici treba primjenjivati na multilateralnoj osnovi unutar Transportne zajednice i da je, stoga, potrebno utvrditi odre ena specifi na pravila u tom pogledu;

PRIMAJU I K ZNANJU Privremeni dogovor i relevantni Memorandum o prakti nim mjerama koji su potpisale Gr ka i bivza jugoslovenska Republika Makedonija 1995. godine;

IZRAŽAVAJU I SAGLASNOST da je prikladno da se pravila Transportne zajednice temelje na relevantnom zakonodavstvu koje je na snazi u Evropskoj uniji, kako je propisano u Aneksu I ovog ugovora, u skladu s Ugovorom o Evropskoj uniji i Ugovorom o funkcionisanju Evropske unije, i uzimaju i u obzir izmjene koje su u njima sadr0ane, uklju uju i zamjenu izraza "Evropska zajednica" izrazom "Evropska unija%"

IMAJU I U VIDU da se integracija transportnih tr0izta ne mo0e ostvariti u jednom koraku, ve putem tranzicije olakzane odre enim aran0manima ograni enog trajanja;

NAGLAŠAVAJU I da transportne operatere treba tretirati na nediskriminatomi na in u pogledu njihovog pristupa saobra ajnim infrastrukturama;

IMAJU I U VIDU 0elju svake pojedinac no strane ugovomice JIE da usaglase svoje zakone o saobra aju i povezana pitanja s pravom Evropske unije, uklju uju i i u pogledu budu eg razvoja pravnih tekovina Unije;

PREPOZNAJU I zna aj tehnici ke podrzke u tom pogledu;

* Ovaj naziv je bez prejudiciranja stavova o statusu i u skladu je sa Rezolucijom UNSCR 1244 (1999) i Mizljenjem Me unarodnog suda pravde o kosovskoj deklaraciji o nezavisnosti.

IMAJU I U VIDU potrebu zaztite životne sredine i potrebu borbe protiv klimatskih promjena, i da je neophodno da razvoj sektora saobraćaja bude održiv;

IMAJU I U VIDU potrebu da se razmotri društvena dimenzija Transportne zajednice i da se uspostavi struktura socijalnog dijaloga kod strana ugovomica JIE;

IMAJU I U VIDU evropsku perspektivu strana ugovomica JIE koja je potvrđena na nekoliko nedavno održanih Samita Saveta EU;

PRIMAJU I K ZNANJU da su bivza jugoslovenska Republika Makedonija, Crna Gora, Republika Srbija i Republika Albanija zemlje kandidati za članstvo u Evropskoj uniji i da je i Bosna i Hercegovina podnijela zahtjev za članstvo;

PRIMAJU I K ZNANJU da se interne procedure država članica Evropske unije mogu primjenjivati prilikom prijema dokumenata koje izdaju organi Kosova shodno ovom ugovoru;

PRIMJE UJU I rijezenost zemalja kandidata i potencijalnih kandidata da se približe Evropskoj uniji i da sprovode njene pravne tekovine, naročito u oblasti saobraćaja;

ODLUCI ILE SU DA OSNUJU TRANSPORTNU ZAJEDNICU

LAN 1

Ciljevi i principi

1. Cilj ovog ugovora je stvaranje Transportne zajednice u oblasti drumskog, željezničkog, saobraćaja unutarnjim plovnim putevima i pomorskog saobraćaja, kao i razvoja transportne mreže između Evropske unije i strana ugovomica (u daljem tekstu: Transportna zajednica). Transportna zajednica će se temeljiti na postepenoj integraciji transportnih tranzitnih strana ugovomica JIE u transportno tranzitne Evropske unije na osnovu relevantnih pravnih tekovina Unije uključujući i oblasti tehničkih standarda, interoperabilnosti, sigurnosti, bezbjednosti, upravljanja saobraćajem, socijalne politike, javnih nabavki i životne sredine, za sve vrste saobraćaja, izuzev vazduznog saobraćaja. Za tu svrhu, ovim ugovorom utvrđuju se pravila koja će se primjenjivati između ugovornih strana pod uslovima koji su navedeni u daljem tekstu. Ova pravila obuhvataju odredbe propisane u aktima koji su navedeni u Aneksu I.

2. Odredbe ovog ugovora primjenjuju se u mjeri u kojoj se odnose na putni, željeznički, saobraćaj unutarnjim plovnim putevima, pomorski saobraćaj i transportne mreže, uključujući i aerodromsku infrastrukturu, ili na srodnna pitanja koja su navedena u Aneksu I.

3. Ovaj ugovor sastoji se od članova, kojima se definize opštite funkcionalnosti Transportne zajednice (u daljem tekstu: Osnovni ugovor), Aneksa, predmeta Aneksa I i sadržajnih akta Evropske unije koje će Ugovorne strane primjenjivati u okviru Osnovnog ugovora, i Protokola, od kojih najmanje po jedan za svaku stranu ugovomiku uspostavlja prelazne aranžmane koji se na nju primjenjuju.

LAN 2

1. Za svrhe ovog ugovora:

- izraz "Ugovor" odnosi se na Osnovni ugovor, njegove anekse, akta iz Aneksa I i njegove protokole;
- izraz "strana ugovomica JIE" znači Republika Albanija, Bosna i Hercegovina, bivza jugoslovenska Republika Makedonija, Kosovo, Crna Gora i Republika Srbija;

- (c) nijedan izraz, tekst ili definicije upotrijebljene u ovom ugovoru, uklju uju i anekse i protokole, ne predstavlja priznavanje Kosova kao nezavisne dr0ave od strane EU, i ne predstavlja priznavanje Kosova u tom svojstvu od strane neke dr0ave lanice pojedina no, kada takav korak nije preduzet od strane istih;
 - (d) izraz "Konvencija" odnosi se na bilo koju me unarodnu konvenciju ili sporazum o me unarodnom saobra aju, otvoren za potpisivanje, pored ovog ugovora;
 - (e) izraz "dr0ava lanica EU" zna i dr0ava lanica Evropske unije;
 - (f) izraz "spravne tekovine EU" je zbirka zakona koje je usvojila Evropska unija u cilju ispunjavanja svojih ciljeva;
2. Upotreba izraza "dr0ava lanica EU" ili "steritorija" dovodi u pitanje status svake ugovorne strane u skladu s me unarodnim pravom.

LAN 3

1. Primjenljive odredbe akata navedenih ili sadr0anih u Aneksu I, ili prilago enih u skladu s Aneksom II, ili u odlukama Regionalnog upravnog odbora obavezuju e su za ugovorne Strane.
2. Takve odredbe moraju biti, ili postati, dio unutraznjeg pravnog poretka strana ugovomica JIE, kako slijedi:
 - (a) akt koji je usaglazen s regulativom Evropske unije posta e dio unutraznjeg pravnog poretka relevantne strane ugovornice JIE u okviru vremenskog roka koji Regionalni upravni odbor utvrdi za strane ugovornice JIE;
 - (b) akt koji je usaglazen s direktivom Evropske unije ostavlja vlastima relevantne strane ugovornice JIE da odaberu oblik i na in sprove enja;
 - (c) akt koji je usaglazen s odlukom Evropske unije posta e dio unutraznjeg pravnog poretka relevantne strane ugovornice JIE u okviru vremenskog roka i na na in koji za tu stranu ugovornicu JIE utvrdi Regionalni upravni odbor;
3. Kada primjenljive odredbe akata iz stava 1 name u obaveze dr0avama lanicama EU, takve obaveze se primjenjuju na dr0ave lanice u skladu s odlukom donesenom prema pravilima koja va0e u Evropskoj uniji na osnovu procjene koju izvrzi Komisija u pogledu potpunog sprove enja akata EU iz Aneksa I od strane strana ugovomica JIE.

LAN 4

Ugovorne strane preduze e sve odgovaraju e mjere, bilo opzte ili posebne, kako bi obezbijedile ispunjenje obaveza koje proizilaze iz ovog ugovora i uzdr0ava e se od bilo koje mjere koja bi mogla da ugrozi postizanje ciljeva ovog ugovora.

LAN 5

Socijalna pitanja

Strane ugovornice JIE sprovode relevantne socijalne pravne tekovine EU u pogledu transporta kako je navedeno u Aneksu I. Transportna zajednica ja a i promovize socijalni dijalog i socijalnu dimenziju putem pozivanja na pravne tekovine iz oblasti socijalnih pitanja, osnovnih prava radnika i u ez a Evropskog ekonomsko-socijalnog komiteta i nacionalnih i evropskih socijalnih partnera iz sektora transporta, na odgovaraju em nivou.

LAN 6

Životna sredina

Strane ugovornice JIE sprovodi e relevantne pravne tekovine iz oblasti zaztite Oivotne sredine u pogledu transporta, a naro ito Stratezku procjenu Oivotne sredine, Procjenu uticaja na Oivotnu sredinu, direktive koje se odnose na prirodu, vodu i kvalitet vazduha kako je definisano u Aneksu I.6.

LAN 7

Javne nabavke

Strane ugovornice JIE sprovodi e relevantne pravne tekovine EU o javnim nabavkama u pogledu transporta kako je definisano u Aneksu I.7.

LAN 8

Infrastruktura

1. Prozirenje mape indikativne Trans-evropske transportne mreže (TEN-T) na Zapadni Balkan, u dijelu Sveobuhvatne i Glavne mreže, priloženo je uz ovaj ugovor kao Aneks I.1. Regionalni upravni odbor podnosi izvještaj Savjetu ministara svake godine o sprovo enju Mreže opisane u ovom ugovoru. Tehni ki Odbori pomažu Regionalnom upravnom odboru u izradi izvještaja.

2. Transportna zajednica podržava razvoj prozirenja indikativne TEN-T mreže na Zapadni Balkan, u dijelu Sveobuhvatne i Glavne mreže, u skladu s Delegiranim regulativom Komisije (EU) 2016/758⁴, kako je navedeno u Aneksu I.1. Pri tome se uzimaju u obzir povezani bilateralni i multilateralni sporazumi koje su ugovorne strane zaklju ile, uklju uju i i razvoj klju nih veza i me usobnih povezivanja potrebnih da bi se eliminisala uska grla i promovisalo me usobno povezivanje nacionalnih mreža s EU TEN-T mrežom.

LAN 9

1. Transportna zajednica e svake dvije godine praviti petogodiznji plan rada za razvoj indikativnog prozirenja TEN-T Sveobuhvatne i Glavne mreže na Zapadni Balkan i prepoznavanje prioritetnih projekata od regionalnog interesa u skladu s najboljim iskustvom Unije, zto e doprinijeti uravnoteženom održivom razvoju u smislu uticaja na ekonomiju, prostorne integracije, Oivotnu sredinu i druztvo, kao i druztvenu koheziju.

2. Izme u ostalog, petogodiznji plan rada e:

- (a) biti u skladu s relevantnim zakonodavstvom Evropske unije koje je navedeno u Aneksu I, naro ito kada je predviženo finansiranje od strane Evropske unije;
- (b) pokazati najbolju vrijednost za novac (isplativost) i zire druztveno-ekonomске uticaje, u skladu s pravilima finansiranja donatora i najboljim meunarodnim standardima i iskustvom;
- (c) posvetiti posebnu pažnju globalnim klimatskim promjenama i održivosti Oivotne sredine u fazi definisanja i analize projekta;

⁴ Delegirana regulativa Komisije (EU) 2016/758 od 4. februara 2016., kojom se mijenja Regulativa (EU) 1315/2013 Evropskog parlamenta i Savjeta u pogledu adaptacije njenog Aneksa III (OJ EU L 126, 14. maj 2016, str. 3).

(d) obuhvatiti mogu nosti finansiranja od strane donatora i Meunarodnih finansijskih institucija (MFI), naro ito kroz Investicioni okvir za Zapadni Balkan.

3. Transportna zajednica e promovisati neophodne studije i analize, naro ito u pogledu ekonomske izvodljivosti, tehni kih specifikacija, uticaja naivotnu sredinu, druztvenih posljedica i mehanizama finansiranja.

4. Stalni sekretarijat e uspostaviti informacioni sistem koji e koristiti donosioci odluka prilikom pre enja i kontrole stanja i realizacije indikativnog prozirenja TEN-T Sveobuhvatne i Glavne mreže na Zapadni Balkan.

LAN 10

Strane ugovornice JIE razvijaju efikasne sisteme upravljanja saobra ajem, uklju uju i intermodalne sisteme i inteligentne saobra ajne sisteme.

LAN 11

Željezni ki saobra aja

1. U okviru i prema uslovima ovog ugovora i u okviru i prema uslovima propisanim u relevantnim aktima navedenim u Aneksu I, Željezni ka preduze a licencirana u jednoj državi lanici EU, ili od strane neke strane ugovornice JIE, imaju pravo pristupa infrastrukturni svih država lanica EU i strana ugovomica JIE u svrhe obavljanja Željezni kog putni kog ili teretnog saobra aja.

2. U okviru i prema uslovima ovog ugovora i u okviru i prema uslovima definisanim u relevantnim aktima navedenim u Aneksu I, ne postoje ograni enja valjanosti licenci Željezni kih preduze a, njihovih potvrda o sigurnosti, izdavanja dokumenata mazinovo ama i dozvola za Željezni ka vozila koje je izdala EU ili nadležni organ države lanice ili strana ugovomica JIE. LAN 12

Drumski saobra aja

Strane ugovomice JIE promovisa e efikasne, sigurne i bezbjedne aktivnosti drumskog saobra aja. Saradnja izme u ugovornih strana ima za cilj približavanje operativnim standardima i politikama drumskog saobra aja Evropske unije, naro ito kroz sprovo enje pravnih tekovina kako je navedeno u Aneksu I.

LAN 13

Saobra aji unutrašnjim plovnim putevima

Ugovorne strane promovizu efikasne, sigurne i bezbjedne aktivnosti saobra aja unutrašnjim plovnim putevima. Saradnja me u ugovornim stranama ima za cilj postizanje približavanja operativnim standardima i politikama o saobra aju unutrašnjim plovnim putevima Evropske unije, naro ito putem sprovo enja akata navedenih u Aneksu I od strane strana ugovomica JIE.

LAN 14

Pomorski saobra aja

Ugovorne strane promovizu efikasne, sigurne i bezbjedne aktivnosti pomorskog saobra aja. Saradnja izme u ugovornih strana ima za cilj postizanje približavanja operativnim standardima i politikama o pomorskom saobra aju Evropske unije, naro ito sprovo enjem akata navedenih u Aneksu I od strane strana ugovornica JIE.

LAN 15

Pojednostavljenje administrativnih formalnosti

1. Ugovorne strane e pojednostaviti administrativne postupke (formalnosti) za prelazak iz jedne carinske teritorije u drugu u skladu s odredbama o carinskoj saradnji iz sporazuma koji se primjenjuju izme u Evropske unije, s jedne strane, i svake od strana ugovomica JIE pojedina no, s druge strane.
2. U istom cilju, strane ugovomice JIE olakzavaju administrativne postupke za prelazak iz jedne carinske teritorije na drugu u skladu s odredbama o carinskoj saradnji sporazuma koji se me u njima primjenjuju.

LAN 16

U okviru podru ja primjene ovog ugovora, i ne dovode i u pitanje odre ene odredbe sadr0ane u ovom dokumentu, zabranjuje se diskriminacija na osnovu dr0avljanstva.

LAN 17

Konkurencija

1. U okviru podru ja primjene ovog ugovora primjenjuju se odredbe Aneksa III. Kada su pravila o konkurenciji i dr0avnoj pomo i obuhva ena drugim ugovorima izme u dvije ili vize ugovornih strana, kao zto su sporazumi o pridru0ivanju, ova pravila se primjenjuju izme u tih strana.
2. I. 18, 19 i 20 ne primjenjuju se u odnosu na odredbe Aneksa III koje se odnose na konkurenciju. Oni se primjenjuju u odnosu na dr0avnu pomo .

LAN 18

Izvrzenje

1. Bez obzira na stav 2, svaka ugovorna strana e obezbijediti da se na prava koja proizilaze iz ovog ugovora, a naro ito iz akata navedenih u Aneksu I, mo0e pozvati pred nacionalnim sudovima.
2. Sva pitanja vezana za zakonitost propisa koje doneše Evropska unija a koje je navedeno u Aneksu 1 bi e isklju ivo u nadle0nosti Suda pravde Evropske unije, u daljem tekstu: Sud pravde.

LAN 19

Tuma enje

1. U mjeri u kojoj su odredbe ovog ugovora i odredbe akata navedenih u Aneksu I suztinski identi ne s odgovaraju im pravilima Ugovora o Evropskoj uniji i Ugovora o funkcionisanju Evropske unije i aktima donijetim na osnovu tih ugovora, takve odredbe e se, u njihovom sprovo enju i primjeni, tuma iti u skladu s relevantnim rjezenjima Suda pravde i odlukama Evropske komisije donijetim prije datuma potpisivanja ovog ugovora. Rjezenja i odluke donijete nakon potpisivanja ovog ugovora bi e dostavljene ostalim ugovornim stranama. Na zahtjev jedne ugovorne strane, implikacije takvih kasnijih rjezenja i odluka utvr uje Regionalni upravni odbor kome poma0u tehnici odbori u cilju obezbje ivanja propisnog funkcionisanja ovog ugovora. Postoje a tuma enja bi e dostavljena stranama ugovornicama JIE prije datuma potpisivanja ovog ugovora. Odluke koje doneše Regionalni upravni odbor shodno ovom postupku bi e u skladu sa sudskom praksom Suda pravde.

2. Kada se pokrene pitanje tuma enja ovog ugovora, odredaba akata navedenih u Aneksu I ili akata donesenih u skladu s njima koje su u suztini identi ne s odgovaraju im pravilima Ugovora o Evropskoj uniji i Ugovora o funkcionisanju Evropske unije ili aktima donijetim u skladu s tim ugovorima, u sporu pred sudom ili tribunalom jedne strane ugovomice JIE, sud ili tribunal e tra0iti, ukoliko to smatra neophodnim kako bi se obezbijedilo donozenje presude i u skladu s Aneksom IV, od Suda pravde da odlu i o tom pitanju. Strana ugovornica JIE mo0e, odlukom i u skladu s Aneksom IV, odrediti u kojoj mjeri i u skladu s kojim na imena njeni sudovi i tribunali primjenjuju ovu odredbu. Takva odluka dostavlja se depozitari i Sudu pravde. Depozitar obavjeztava ostale ugovorne strane. Preliminarna odluka Suda pravde obavezuju a je za sudove strana ugovornica JIE koji se bave slu ajem u kojem je pitanje nastalo.

LAN 20

Novi propisi

1. Ovaj ugovor ne dovodi u pitanje pravo svake strane ugovornice JIE, uz pozivanje na elaznu nediskriminaciju i odredbama ovog lana, da jednostrano doneće nove propise ili vrzi izmjene i dopune postoje ih propisa u oblasti saobra aja ili povezanoj oblasti kako je navedeno u Aneksu I, strane ugovornice JIE ne e donositi takve propise osim ukoliko su u skladu s ovim ugovorom.

2. Im jedna strana ugovornica JIE doneće nove propise ili izvrzi izmjene i dopune postoje ih propisa, obavezna je da obavijesti ostale ugovorne strane preko Regionalnog upravnog odbora najkasnije mjesec dana nakon donozenja istih. Na zahtjev bilo koje ugovorne strane, nadležni tehni ki odbor e u roku od dva mjeseca nakon toga razmijeniti mizljenja o takvim novim propisima ili izmjenama i dopunama radi propisnog funkcionisanja ovog ugovora.

3. U pogledu novih zakonski obavezuju ih akata Unije, Regionalni upravni odbor

- (a) ili donosi odluku kojom se revidira Aneks I kako bi se novi predmetni akt obuhvatio njime, ukoliko je neophodno na osnovu reciprociteta; ili
- (b) donosi odluku kako bi se smatralo da je novi predmetni akt u skladu s ovim ugovorom; ili
- (c) odlu uje o svim ostalim mjerama radi o uvanju propisnog funkcionisanja ovog ugovora.

4. U pogledu novih zakonski obavezuju ih akata Unije koji su donijeti izme u potpisivanja ovog ugovora i njegovog stupanja na snagu i o kojima su druge ugovorne strane informisane, kao datum upu ivanja uzima se datum na koji je informacija primljena. Datum kada Regionalni upravni odbor doneće odluku ne mo0e biti ranije od zezdeset dana nakon stupanja na snagu ovog ugovora.

LAN 21

Savjet ministara

Savjet ministara obezbje uje da svi ciljevi ovog ugovora budu ostvareni. Savjet ministara:

- (a) obezbje uje smjernice opzte politike;
- (b) ocjenjuje napredak u sprove enju Ugovora, uklju uju i i pranje prijedloga koje iznese Socijalni forum;
- (c) daje mizljenja o imenovanju direktora Stalnog sekretarijata;

(d) konsenzusom donosi odluku o sjediztu Stalnog sekretarijata.

LAN 22

Savjet ministara sastoji se od po jednog predstavnika svake ugovorne strane. Uz e u svojstvu posmatra a otvoreno je za sve druge lanice EU.

LAN 23

Savjet ministara sastaje se jednom godiznje.

LAN 24

Regionalni upravni odbor

1. Ovim putem osniva se Regionalni upravni odbor koji je nadležan za na in primjene ovog ugovora i obezbje uje njegovo propisno sprovo enje, ne dovode i u pitanje član 19. U tu svrhu pomenuti odbor daje preporuke i donosi odluke u slučajevima predvi enim ovim ugovorom. Ugovorne strane primjenjuju odluke Regionalnog upravnog odbora u skladu sa svojim pravilima.
2. Regionalni upravni odbor sastoji se od jednog predstavnika i jednog zamjenika predstavnika ugovornih strana. Uz e u svojstvu posmatra a je otvoreno za sve druge lanice EU.
3. Regionalni upravni odbor odlučuje jednoglasno.
4. U cilju propisnog izvršenja ovog ugovora, ugovorne strane razmjenjuju informacije, između ostalog, o novim propisima ili odlukama koje su relevantne za ovaj ugovor, i, na zahtjev jedne ugovorne strane, organizuju konsultacije unutar Regionalnog upravnog odbora, uključujući i konsultacije o socijalnim pitanjima.
5. Regionalni upravni odbor usvaja svoj poslovnik.
6. Strane ugovornice JIE predsjedavaju naizmjenično Regionalnim upravnim odborom u skladu s aranžmanima koje definizuju u svom poslovniku.
7. Predsjedavajući i Regionalnog upravnog odbora saziva sastanke najmanje dva puta godiznje kako bi se razmotrilo opštite funkcionalisanje ovog ugovora i, kada okolnosti to zahtijevaju, na zahtjev neke ugovorne strane. Regionalni upravni odbor vrzi stalni pregled razvoja sudske prakse Suda pravde. U tom cilju Evropska komisija prenosi stranama ugovornicama sve presude Suda pravde relevantne za funkcionalisanje ovog ugovora. Regionalni upravni odbor postupa u roku od tri mjeseca u cilju održanja homogenog tumačenja ovog ugovora.
8. Regionalni upravni odbor priprema rad Savjeta ministara.

LAN 25

1. Odluka Regionalnog upravnog odbora je obavezujuća za ugovorne strane. Kad god odluka Regionalnog upravnog odbora sadrži zahtjev za preduzimanje radnje od strane ugovorne strane, predmetna ugovorna strana preduzima potrebne mjeru i o tome obavještava Regionalni upravni odbor.
2. Odluke Regionalnog upravnog odbora objavljaju se u Službenim listovima Evropske

unije i strana ugovomica . Svaka odluka mora sadržati datum sprove enja od strane ugovornih strana i sve druge informacije koje se mogu odnositi na ekonomske operatere.

LAN 26

Tehni ki odbori

1. Regionalni upravni odbor donosi odluku o osnivanju tehni kih odbora, u formi ad hoc radnih grupa. Svaki tehni ki odbor može donositi prijedloge u svojoj nadležnosti i dostavljati ih Regionalnom upravnom odboru radi donozenja odluke. Tehni ki odbor ine predstavnici ugovornih strana. Uz e u svojstvu posmatra a otvoreno je za sve države lanice EU.

Na ad hoc osnovi, nadležne organizacije građanskog društva, a naročito one koje se bave zaštitom životne sredine, pozivaju se u svojstvu posmatra a.

2. Tehni ki odbori donose svoje poslovnike.

3. Strane ugovornice JIE naizmjeni no predsjedavaju radom tehni kih odbora u skladu s aranžmanima koji su predviđeni u njihovom poslovniku.

LAN 27

Socijalni forum

1. Ugovorne strane naročito uzimaju u obzir socijalnu dimenziju i prepoznaju potrebu da uključe socijalne partnere na svim odgovaraju im nivoima putem promocije socijalnog dijaloga u vezi s praviljem sprove enja Ugovora i njegovih efekata.

2. Oni razmatraju značaj fokusiranja pažnje na sljedeće ključne oblasti:

- a. osnovna prava radnika u skladu s Evropskom konvencijom za zaštitu ljudskih prava i osnovnih sloboda), Evropskom socijalnom poveljom, Poveljom Zajednice o osnovnim socijalnim pravima radnika i Poveljom EU o osnovnim pravima;
- b. zakoni o radu - vezano za promociju poboljšanih uslova rada i životnog standarda;
- c. zdravlje i zaštita na radu - vezano za poboljšanje radnog okruženja koje se odnosi na zdravstvenu zaštitu i zaštitu na radu radnika u sektoru saobraćaja;
- d. jednake mogućnosti - s fokusom na uvođenje, gdje je potrebno, na elaz da muzkarci i žene treba da budu jednakopravni za isti posao.

3. U cilju razmatranja ovih socijalnih pitanja, ugovorne strane su saglasne da osnuju Socijalni forum. Svaka ugovorna strana, u skladu sa svojim unutarnjim postupcima, imenuje svoje predstavnike na nacionalnom nivou, koji mogu učestvovati na relevantnim sastancima Socijalnog foruma. Zastupljenost obuhvata vlade, kao i organizacije radnika i poslodavaca kao i drugih relevantnih organa, koji se smatraju odgovaraju im u skladu s predmetima diskusije. Evropski odbori za socijalni dijalog koji se odnose na sektor saobraćaja prisustvuju sastancima i učestvuju u njima, kao i predstavnici Evropskog ekonomsko-socijalnog komiteta. Forum donosi svoj poslovnik.

LAN 28

Stalni sekretarijat

Stalni sekretarijat:

- (a) pru0a administrativnu podrzku Savjetu ministara, Regionalnom upravnom odboru, tehni kih odborima i Socijalnom forumu;
- (b) postupa kao Transportna opservatorija za pra enje realizacije indikativnog prozirenja Sveobuhvatne i Glavne mre0e TEN-T-a na Zapadni Balkan;
- (c) podr0ava sprovo enje WB6 Agende o povezanosti s ciljem unapre enja povezanosti u okviru Zapadnog Balkana kao i izme u region i EU.

LAN 29

Stalni sekretarijat im direktora i ono osoblje koje Transportna zajednica mo0e zahtijevati. Stalni sekretarijat mo0e imati jednog ili vize zamjenika direktora. Radni jezik je engleski.

LAN 30

Direktora Stalnog sekretarijata imenuje Regionalni upravni odbor nakon konsultacija sa Savjetom ministara. Trajanje njegovog/njenog mandata ne mo0e biti du0e od tri godine. Mandat se mo0e obnoviti. Regionalni upravni odbor propisuje pravila rada Stalnog sekretarijata, naro ito u pogledu zapozljavanja, uslova rada i geografske ravnote0e osoblja Sekretarijata. Regionalni upravni odbor mo0e imenovati jednog ili vize zamjenika direktora. Direktor bira i imenuje osoblje nakon konsultacija s Regionalnim upravnim odborom.

LAN 31

U izvrzavanju svojih obaveza direktor i osoblje Stalnog sekretarijata postupaju nepristrasno i ne tra0e niti primaju uputstva od bilo koje ugovorne strane ovog ugovora. Oni e promovisati interes Transportne zajednice.

LAN 32

Direktor Stalnog sekretarijata ili imenovani zamjenik poma0u sastanke Savjeta ministara, Regionalnog upravnog odbora, tehni kih odbora i Socijalnog foruma.

LAN 33

Sjedizte Stalnog sekretarijata bi e uspostavljeno u skladu sa lanom 21. ta ka (d).

LAN 34

Bud0et

Svaka ugovorna strana doprinosi e bud0etu Transportne zajednice kako je definisano u Aneksu V. Stepen doprinosa mo0e se ocjenjivati svake tri godine, na zahtjev bilo koje ugovorne strane, odlukom Regionalnog upravnog odbora

LAN 35

Regionalni upravni odbor usvaja bud0et Transportne zajednice svake godine. Bud0et pokriva operativne trozkove Transportne zajednice neophodne za funkcionisanje njenih institucija. Trozkovi svake institucije bi e utvr eni u posebnom dijelu bud0eta. Regionalni

upravni odbor donosi odluku koja sadrži detaljan opis postupka za izvrzenje budžeta, za pripremu i reviziju izvještaja i za inspekciju.

LAN 36

Direktor Sekretarijata izvrzava budžet i podnosi godišnji izvještaj o izvrzenju budžeta Regionalnom upravnom odboru. Regionalni upravni odbor može odlučiti, ako je primjenljivo, da povjeri nezavisnim revizorima kontrolu propisnog izvrzenja budžeta.

LAN 37

Rjezavanje sporova

1. Ugovorna strana može pokrenuti spor koji se odnosi na primjenu ili tumačenje ovog ugovora pred Regionalnim upravnim odborom, osim u slučaju kada su specifične procedure utvrđene u ovom ugovoru.
2. Kada se pokrene spor pred Regionalnim upravnim odborom shodno stavu 1., odmah će se održati konsultacije strana u sporu. U slučaju kada Evropska unija nije jedna od strana u sporu, predstavnika Evropske unije može pozvati jednu od strana u sporu da prisustvuje konsultacijama. Strane u sporu mogu sastaviti predlog rješenja koji će odmah dostaviti Regionalnom upravnom odboru. Odluke koje donosi Regionalni upravni odbor shodno ovoj proceduri moraju biti u skladu s praksom Suda pravde.

Ukoliko Regionalni upravni odbor, nakon četiri mjeseca od datuma kada mu je predmet iznijet, ne doneće Odluku kojom se rjezava predmetni spor, strane u sporu mogu uputiti predmet Sudu pravde i jači odluka biti konan i obavezujući. Način u skladu s kojima se mogu vrziti takva upućivanja Sudu pravde definisana su u Aneksu IV.

LAN 38

Otkrivanje informacija

1. Svi organi osnovani ovim ugovorom, ili u skladu sa njim, obezbjeđuju najveće moguće transparentnost u svom radu. U tom smislu, svaki građanin ugovornih strana, i bilo koji fizički ili pravno lice s boravizmom ili registrovanim sjedištem kompanije u državi ugovorne strane, ima pravo pristupa dokumentima koje vode organi osnovani ovim ugovorom, ili u skladu sa njim, shodno na elima i uslovima koje su definitivno u skladu sa stavom 2.
2. Opština i država i ograničenja u pogledu javnog ili privatnog interesa koja uređuju ovo pravo pristupa dokumentima utvrđuju Regionalni upravni odbor pravilima zasnovanim na pravilima EU o pristupu dokumentima, iz Regulative (EZ) br. 1049/2001 Evropskog parlamenta i Savjeta¹. Pravilima koja donosi Regionalni upravni odbor predviđa se administrativni postupak po kome se odbijeni pristup nekom dokumentu može ponovo razmotriti i preispitati.
3. U mjeri u kojoj dokumenta organa osnovanih ovim ugovorom, ili u skladu sa njim, sadrže informacije oivotnoj sredini, kako je definisano u članu 2 tačka 3 Konvencije o pristupu informacijama, učestvujući u javnosti u donošenju odluka i pristupu pravdi u domenu ekoloških pitanja, pristup takvim informacijama obezbjeđuje se u skladu sa članom 4 te Konvencije. Regionalni upravni odbor donosi pravila neophodna da se obezbijedi sprovođenje ovog stava. Ovim pravilima o sprovođenju utvrđuje se administrativni postupak kojim se odbijeni pristup informacijama može ponovo razmotriti ili preispitati.

¹ Regulativa Evropskog parlamenta i Savjeta (EZ) Br. 1049/2001 od 30. maja 2001. godine u vezi s javnim pristupom dokumentima Evropskog parlamenta, Savjeta i Komisije (Sl. list 145.31.5.2001, str. 43)

4. Predstavnici, delegati i eksperti ugovornih strana, kao i zvani nici i drugi namještenici koji postupaju u skladu s ovim ugovorom, ak ni nakon prestanka njihove du0nosti, ne smiju otkrivati informacije obuhvaene obavezom o profesionalnoj povjerljivosti, a naro ito informacije o privrednim družtvima, njihovim poslovnim odnosima ili njihovim komponentama trozkova.

LAN 39

Treće zemlje i međunarodne organizacije

1. Ugovorne strane se međusobno konsultuju u okviru Regionalnog upravnog odbora na zahtjev bilo koje ugovorne strane:

(a) o transportnim pitanjima kojima se bave međunarodne organizacije i regionalne inicijative; i

(b) različitim aspektima mogu ih razvoja odnosa između ugovornih strana i trećih zemalja u oblasti saobraćaja, i o funkcionisanju važećih elemenata bilateralnih ili multilateralnih sporazuma koji se zaključuju u ovoj oblasti.

2. Konsultacije definisane u stavu 1 održavaju se u hitnim slučajevima što je prije moguće i u svakom slučaju u roku od tri mjeseca od dostavljanja zahtjeva.

LAN 40

Prelazni aranžmani

1. Protokolima I do VI utvrđeni su prelazni aranžmani i odgovarajući periodi koji se primjenjuju između Evropske unije, sa jedne, i relevantne strane ugovornice JIE, s drugim stranama.

2. Postepeni prelazak svake strane ugovornice JIE na potpunu primjenu Transportne zajednice podliježe procjenama. Procjene sprovodi Evropska komisija u saradnji s relevantnom stranom ugovornicom JIE. Evropska komisija može pokrenuti procjenu na sopstvenu inicijativu ili na inicijativu relevantne strane ugovornice JIE.

3. Ukoliko Evropska unija utvrdi da su uslovi ispunjeni, ona obavještava Regionalni upravni odbor i nakon toga odlučuje da li se relevantna strana ugovornica JIE kvalificira za prelazak u sljedeću fazu Transportne zajednice.

3. Ukoliko Evropska unija utvrdi da uslovi nijesu ispunjeni, Evropska komisija o tome obavještava Regionalni upravni odbor. Evropska unija daje preporuke o specifičnim unapred enjima relevantnoj strani ugovornici JIE.

STUPANJE NA SNAGU, PREGLED, PRESTANAK I OSTALE ODREDBE

LAN 41

Stupanje na snagu

1. Ovaj ugovor podliježe ratifikaciji ili odobrenju od strane potpisnika u skladu s njihovim procedurama. Instrumenti ratifikacije ili odobrenja deponuju se kod Generalnog sekretarijata Savjeta Evropske unije, koji obavještava sve ostale strane potpisnice i obavlja sve ostale dužnosti depozitara.

2. Ovaj ugovor stupa na snagu prvog dana drugog mjeseca nakon datuma

deponovanja instrumenata o ratifikaciji ili odobrenju Evropske unije i najmanje etiri strane ugovornice JIE. Za svaku stranu potpisnicu koja ratificuje ili odobri ovaj ugovor nakon takvog datuma, ovaj ugovor stupa na snagu prvog dana drugog mjeseca nakon deponovanja instrumenta o ratifikaciji ili odobrenju te strane potpisnice.

3. Bez obzira na st. 1 i 2, Evropska unija i najmanje tri strane ugovomice JIE mogu odlu iti da privremeno, me usobno, primijene ovaj ugovor od datuma potpisivanja, u skladu s primjenom nacionalnog zakonodavstva, putem obavjeztenja depozitara koji e o tome obavijestiti druge ugovorne strane.

LAN 42

Pregled

Ovaj ugovor e se ponovo razmotriti na zahtjev bilo koje ugovorne strane i u svakom slu aju pet godina nakon njegovog stupanja na snagu.

LAN 43

Prestanak

1. Svaka ugovorna strana moe otakzati ovaj ugovor obavjeztenjem upu enom depozitaru, koji e o tom prestanku vaenja obavijestiti ostale ugovorne strane. Ukoliko Evropska unija otkae ovaj ugovor, on prestaje da vaI godinu dana nakon datuma obavjeztenja. Ukoliko neka druga ugovorna strana otkae ovaj ugovor, on prestaje da vaI samo u pogledu takve ugovorne strane godinu dana od datuma obavjeztenja.

2. Nakon zto neka strana ugovornica JIE pristupi Evropskoj uniji, ta ugovorna strana automatski prestaje da bude strana ugovornica JIE po ovom ugovoru i umjesto toga postaje drava lanica EU.

LAN 44

Jezici

Ovaj ugovor sa injen je u jednom originalnom primjerku na zvani nim jezicima institucija Evropske unije i strana ugovornica JIE, od kojih je svaki tekst jednako autenti an.

ANEKS I

PRAVILA KOJA SE PRIMJENJUJU NA SEKTOR SAOBRA AJA I SRODNA PITANJA

ANEKS I.1

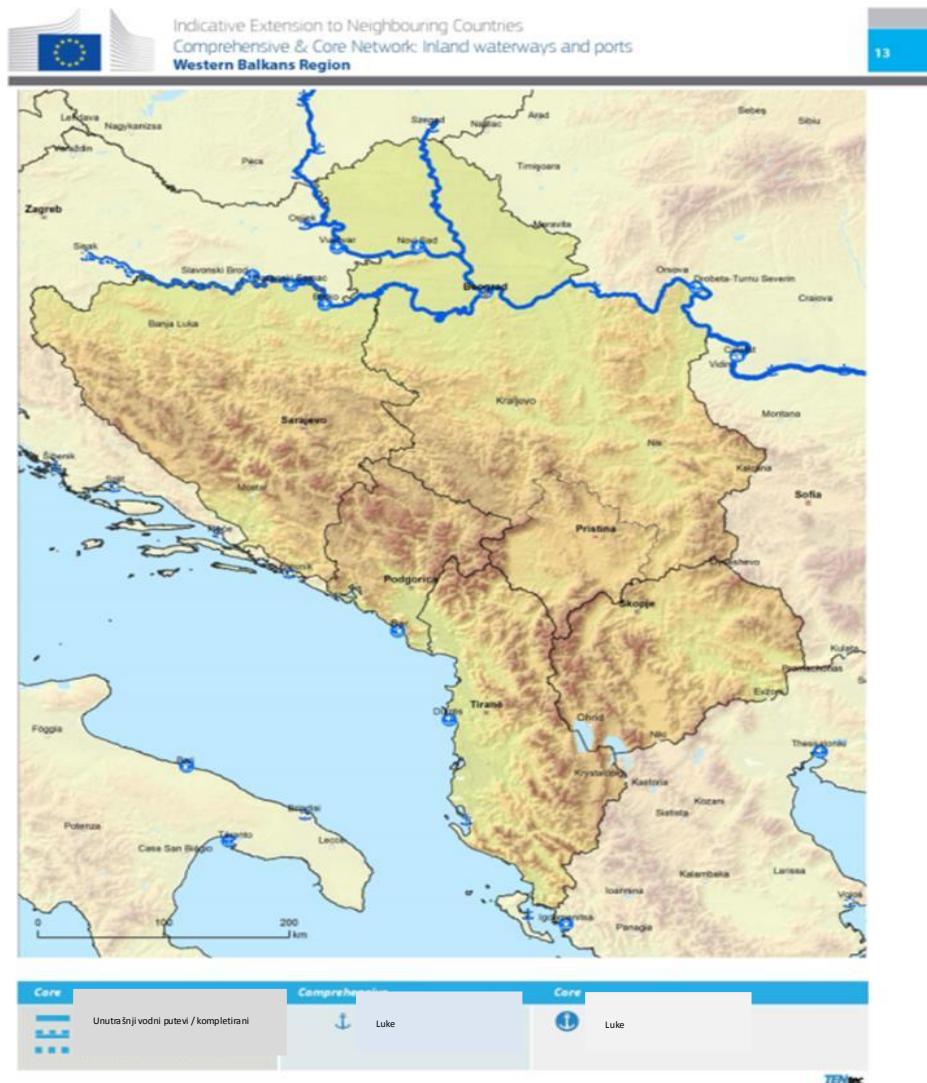
PRAVILA KOJA SE PRIMJENJUJU NA SAOBRA AJNU INFRASTRUKTURU KOJA INI GLAVNU MREŽU JUGOISTO NE EVROPE

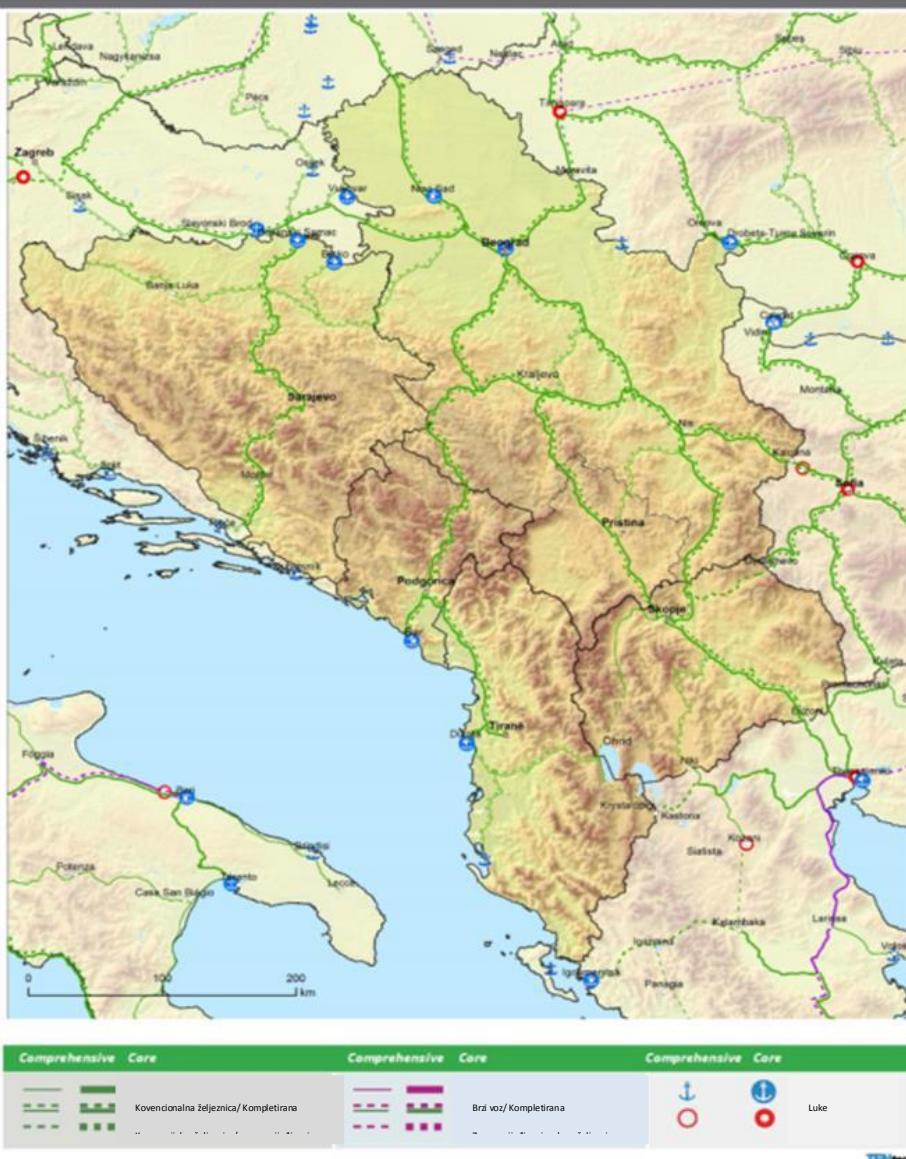
Primjenljive odredbe%sljede ih akata Evropske unije primjenjuju se u skladu s Ugovorom i Aneksom II o horizontalnom usaglazavanju osim ukoliko nije druga ije definisano u ovom aneksu ili u protokolima 1 do VI. Prema potrebi, posebna usaglazavanja za svaki pojedina ni akt definisana su u daljem tekstu.

Akti Evropske unije dati u nastavku odnose se na najnovijeverzije takvih akata s posljednjim izmjenama.

Regulatorna oblast	Zakonodavstvo
Razvoj TEN-T	Regulativa (EU) br. 1315/2013 Evropskog parlamenta i Savjeta od 11. decembra 2013. godine o smjernicama Unije za razvoj transevropske transportne mreže i prestanku važenja Odluke br. 661/2010/EU, Sl. list L 348,20.12.2013, str. 1. Delegirana regulativa Komisije (EU) 2016/758 od 4. februara 2016. godine o izmjenama i dopunama Regulative (EU) br. 1315/2013 Evropskog parlamenta i Savjeta u pogledu priloga avanja Aneksa III, Sl. list 126,14.5.2016, str. 3.

MAPE INDIKATIVNOG PROŠIRENJA TEN-T MREŽE NA ZAPADNI BALKAN (GLAVNE I SVEOBUHVATNE MREŽE)









Comprehensive	Core	Comprehensive	Core	Comprehensive	Core
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TEN tec

ANEKS I.2

s Primjenljive odredbe%&jede ih akata Evropske unije primjenjuju se u skladu s Ugovorom i Aneksom II o horizontalnom usaglazavanju osim ukoliko nije druga ije definisano u ovom aneksu ili u protokolima I do VI. Prema potrebi, posebna usaglazavanja za svaki pojedina ni akt definisana su u daljem tekstu.

Akti Evropske unije dati u nastavku odnose se na najnovije verzije takvih akata s posljednjim izmjenama.

Regulatorna oblast	Zakonodavstvo
Pristup tr0iztu	<p>Regulativa br. 11 o ukidanju diskriminacije u cijenama i uslovima prevoza, u primjeni lana 79 stav 3 Ugovora o osnivanju Evropske ekonomске zajednice, Sl.list 52,16.08.1960, str. 1121.</p> <p>Direktiva 2012/34/EU Evropskog parlamenta i Savjeta od 21. novembra 2012. godine o uspostavljanju jedinstvenog evropskog Oeljezni kog prostora Sl. list L 343,14.12.2012, str, 32.</p> <p>Implementaciona regulativa Komisije (EU) br. 869/2014 od 11. avgusta 2014. godine o novim uslugama Oeljezni kog prevoza putnika, Sl. list L 239, 12.8.2014, str. I.</p> <p>Implementaciona regulativa Komisije (EU) 2015/10 od 6. januara 2015. godine o kriterijumima za podnosioce zahtjeva za Oeljezni ki infrastrukturni kapacitet i prestanku va0enja Regulative o sprovo enju (EU) br. 870/2014, Sl. list L 3, 7.1.2015, str. 34.</p> <p>Implementaciona regulativa Komisije (EU) 2015/171 od 4. februara2015. godine o odre enim aspektima postupka izdavanja dozvola Oeljezni kim prevoznicima, Sl. list L 29,5.2,2015, str. 3.</p> <p>Regulativa Komis je o sprovo enju (EU) 2015/909 od 12. juna 2015. godine o na inima obra una trozka koji je direktno nastao kao posljedica nastao kao posljedica obavljanja Oeljezni ke usluge, Sl. list 148, 13.6.2015, str. 17.</p> <p>Implementaciona regulativa Komisije (EU) 2015/1100 od 7. jula 2015. godine o obavezama izvjeztavanja dr0ava lanica u okviru nadzora Oeljezni kog tr0izta, Sl. list L 181,9.7.2015, str. 1.</p>

Regulatorna oblast	Zakonodavstvo
	<p>Implementaciona regulativa Komisije (EU) 2016/545 od 7. aprila 2016. godine o postupcima i kriterijumima u pogledu okvirnih sporazuma za dodjelu Oeljezni kog infrastrukturnog kapaciteta, Sl. list L 94, 8.4.2016, str. 1.</p> <p>Regulativa (EU) br. 913/2010 Evropskog parlamenta i Savjeta od 22. septembra 2010. godine o evropskoj Oeljezni koj mreži za konkurentni prevoz robe, Sl. list L 276, 20.10.2010, str. 22.</p>
Izdavanje licenci za mazinovo e	<p>Direktiva 2007/59/EZ Evropskog parlamenta i Savjeta od 23. oktobra 2007. godine o izdavanju ovlaž enja mazinovo ama koji upravljaju lokomotivama i vozovima na Oeljezni kom sistemu Zajednice, Sl. list L 315, 3.12.2007, str. 51.</p> <p>Regulativa Komisije (EU) br. 36/2010 od 3. decembra 2009. godine o modelima Zajednice za dozvole za mazinovo e, dopunske potvrde, ovjerene kopije dopunskih potvrda i obrasce zahtjeva za dozvole zamazinovo e, u skladu s Direktivom 2007/59/EZ Evropskog parlamenta i Savjeta, Sl. list L 13, 19.1.2010, str. 1.</p> <p>Odluka Komisije 2010/17/EZ od 29. oktobra 2009. godine o donozenju osnovnih parametara za registre dozvola za mazinovo e i dopunskih potvrda predvi enih Direktivom 2007/59/EZ Evropskog parlamenta i Savjeta, Sl. list L 8, 13.1.2010, str. 17.</p> <p>Odluka Komisije 2011/765/EU od 22. novembra 2011. godine o kriterijumima za priznavanje centara za obuku mazinovo a, o kriterijumima za priznavanje ispitiva a mazinovo a i o kriterijumima za organizaciju ispitivanja u skladu s Direktivom 2007/59/EZ Evropskog parlamenta i Savjeta, Sl. list L 314, 29.11.2011, str. 36.</p>
Interoperabilnost	<p>Direktiva (EU) 2016/797 Evropskog parlamenta i Savjeta od 11. maja 2016. godine o interoperabilnosti Oeljezni kog sistema unutar Evropske unije Sl. list L 138, 26.5.2016, str. 44.</p> <p>Direktiva 2008/57/EZ Evropskog parlamenta i Savjeta od 17. juna 2008. godine o interoperabilnosti željezni kog sistema unutar Zajednice Sl. list L 191, 18.7.2008, str. 1.</p> <p>(Pogledati i l. 58 Direktive (EU) 2016/797).</p> <p>Odluka Komisije 2009/965/EZ od 30. novembra 2009. godine o referentnom dokumentu iz lana 27 stav 4 Direktive 2008/57/EZ Evropskog parlamenta i Savjeta o interoperabilnosti Oeljezni kog sistema unutar Zajednice, Sl. list L 341, 22.12.2009, str. 1.</p>

Regulatorna oblast	Zakonodavstvo
	<p>Regulativa Komisije (EU) br. 1299/2014 od 18. novembra 2014. godine o tehni kim specifikacijama interoperabilnosti podistema sinfrastrukture% Oeljezni kog sistema u Evropskoj uniji, Sl. list L 356,12.12.2014, str. 1.</p> <p>Regulativa Komisije (EU) br. 1300/2014 od 18. novembra 2014. godine o tehni kim specifikacijama za interoperabilnost u vezi pristupa nosti Oeljezni kog sistema Unije licima s invaliditetom i licima smanjene pokretljivosti, Sl. list L 356, 12.12.2014, str. 110.</p> <p>Regulativa Komisije (EU) br. 1301/2014 od 18. novembra 2014. godine o tehni kim specifikacijama interoperabilnosti senergetskog% podistema Oeljezni kog sistema u Uniji, Sl. list L 356,12.12.2014, str. 179.</p> <p>Regulativa Komisije (EU) br. 1302/2014 od 18. novembra 2014. godine o tehni koj specifikaciji za interoperabitnost podistema sOeljezni kih vozila - lokomotiva i putni kih Oeljezni kih vozila%Oeljezni kog sistema u Evropskoj uniji, Sl. list L 356,12.12.2014, str. 228.</p> <p>Regulativa Komisije (EU) br. 1303/2014 od 18. novembra 2014. godine o tehni koj specifikaciji za interoperabilnost koja se odnosi na ssigurnost u Oeljezni kim tunelima%Oeljezni kog sistema Evropske unije, Sl. list L 356, 12.12.2014, str. 394.</p> <p>Regulativa Komisije (EU) br. 1304/2014 od 26. novembra 2014, godine o tehni koj specifikaciji za interoperabilnost podistema sOeljezni ka vozila buka%kojom se mijenja i dopunjava Odluka 2008/232/EZ i prestaje da va0i Odluka 2011/229/EU, Sl. list L 356,12.12.2014, str. 421.</p> <p>Regulativa Komisije (EU) br. 1305/2014 od 11. decembra 2014. godine o tehni koj specifikaciji za interoperabilnost u vezi podistema telematskih aplikacija za teretni podistem Oeljezni kog sistema Evropske unije i o prestanku va0enja Regulative (EZ) br. 62/2006, Sl. list L 356,12.12.2014, str. 438.</p> <p>Implementaciona odluka Komisije 2011/665/EU od 4. oktobra 2011, godine o Evropskom registru odobrenih tipova Oeljezni kih vozila, Sl. list L 64, 8.10.2011, str. 32.</p> <p>Implementaciona odluka Komisije 2014/880/EU od 26. Novembra 2014. godine o zajedni kim specifikacijama registra Oeljezni ke infrastrukture i o prestanku va0enja Oduke o sprovo enju 2011/633/EU, Sl. list L 356, 12.12.2014, str. 489.</p>

Regulatorna oblast	Zakonodavstvo
	<p>Odluka Komisije 2012/757/EU od 14. novembra 2012. godine o tehni koj specifikaciji za interoperabilnost podistema sđovjanje i upravljanje saobra ajem%oo Oeljezni kog sistema Evropske Unije i o izmjenama i dopunama Odluke 2007/756/EZ, Sl. list L 345, 15.12.2012, str. 1.</p> <p>Odluka Komisije 2011/229/EU od 4. aprila 2011. godine o tehni kim specifikacijama za interoperabilnost podistema sOeljezni ka vozila - buka%transevropskog konvencionalnog Oeljezni kog sistema, Sl. list L 99, 13.4.2011, str.1.</p> <p>Odluka Komisije 2011/291/EU od 26. aprila 2011. godine o tehni koj specifikaciji za interoperabilnost u vezi podistema Oeljezni kih vozila - slokomotive i putni ka Oeljezni ka vozila%transevropskog konvencionalnog Oeljezni kog sistema, Sl. list L 139,26.5.2011, str. 1.</p> <p>Regulativa Komisije (EU) br. 454/2011 od 5. maja 2011. godine o tehni koj specifikaciji za interoperabilnost u vezi s podistemom stelematskih aplikacija za putni ke usluge" transevropskog Oeljezni kog sistema, Sl. list L 123, 12.5.2011, str.11.</p> <p>Odluka Komisije 2011/314/EU od 12. maja 2011. godine o tehni koj specifikaciji za interoperabilnost u vezi s podistemom sđovjanje i upravljanje saobra ajem%transevropskog konvencionalnog Oeljezni kog sistema, S), list L 144, 31.5.2011, str. 1.</p> <p>Regulativa Komisije (EU) br. 201/2011 od 1. marta 2011. godine o modelu izjave o uskla enosti odobrenog tipa Oeljezni kog vozila, Sl. list L 57,2.3.2011, str. 8.</p> <p>Regulativa Komisije (EU) 2016/919 od 27. maja 2016. godine o tehni koj specifikaciji za interoperabilnost u vezi s skontroino-upravlja kim i signalnim%o podistemima Oeljezni kog sistema u Evropskoj uniji, Sl. list L 158, 15.6.2016, str. 1.</p> <p>Regulativa Komisije (EU) br. 321/2013 od 13. marta 2013. godine o tehni koj specifikaciji za interoperabilnost u vezi s podistemom sOeljezni ka vozila - teretni vagoni%eljezni kog sistema u Evropskoj uniji i o prestanku vaOenja Odluke 2006/861/EZ, Sl. list L 104,12.4.2013, str. 1</p> <p>Komisije 2010/713/EU od 9. novembra 2010. godine o modulima za postupke ocjene uskla enosti, prikladnosti za upotrebu i Z provjere podistema koji se koriste u tehni kim specifikacijama za interoperabilnöst usvojenim na osnovu Direktive 2008/57/EZ Evropskog parlamenta i Savjeta Sl. list L 319, 4.12.2010, str. 1.</p>
	<p>i Savjeta,</p> <p>Sl. list L 319, 4.12.2010, str. 1</p>

Regulatorna oblast	Zakonodavstvo
Evropska agencija za Oeljeznice	Regulativa (EU) 2016/796 Evropskog parlamenta i Savjeta od 11. maja 2016. godine o Evropskoj agenciji za Oeljeznicu i o prestanku vađenja Regulative (EZ) br. 881/2004,81. Sl. list L 138,26.5.2016, str. 1.
Sigurnost Oeljeznice	<p>Direktiva (EU) 2016/798 Evropskog parlamenta i Savjeta od 11. maja 2016. godine o sigurnosti Oeljeznica Sl. list L 138,26.5.2016, str. 102.</p> <p>Direktiva 2004/49/EZ Evropskog parlamenta i Savjeta od 29. aprila 2004, godine o sigurnosti Oeljeznica Zajednice i izmjenama i dopunama Direktive Savjeta 95/18/EZ o izdavanju dozvola za Oeljezni ka preduze a i Direktive 2001/14/EZ o dodjeli Oeljezni kog infrastrukturnog kapaciteta i naplati nadoknada za koriz enje Oeljezni ke infrastrukture i dodjeli uvjerenja o sigurnosti (Direktiva o sigurnosti Oeljeznice), Sl. list L 164. 30.4.2004, str, 44. (Pogledati i lan 34. Direktive (EU) 2016/798).</p> <p>Regulativa Komisije (EZ) br. 653/2007 od 13. juna 2007. godine o upotrebi jedinstvenog evropskog obrasca potvrde o sigurnosti i dokumentaciji za izdavanje potvrde o sigurnosti u Skladu s lanom 10 Direktive 2004/49/EZ Evropskog parlamenta i Savjeta i o valjanosti potvrde o sigurnosti izdatih u skladu s Direktivom 2001/14/EZ, Sl. list L 153,14.6.2007, str, 9.</p> <p>Regulativa Komisije (EU) br. 445/2011 od 10. maja 2011. godine o sistemu izdavanja ovlaz enja tijelima nadle0nim za odr0avanje teretnih vagona i o izmjenama i dopunama Regulative (EZ) br. 653/2007, Sl. list L 122, 11.5.2011, str. 22.</p> <p>Regulativa Komisije (EU) br. 1158/2010 od 9. decembra 2010. godine o zajedni koj sigurnosnoj metodi za ocjenu uskla enosti sa zahtjevima za dobijanje potvrde o sigurnosti Oeljeznic, Sl. list L 326, 10.12.2010, str. 11.</p> <p>Regulativa Komisije (EU) br. 1169/2010 od 10. decembra 2010. godine o zajedni koj sigurnosnoj metodi za ocjenu uskla enosti sa zahtjevima za dobijanje uvjerenja o sigurnosti Oeljeznice, Sl. list L 327,11.12.2010, str. 13.</p> <p>Regulativa Komisije (EU) br. 1078/2012 od 16. novembra 2012. godine o zajedni koj sigurnosnoj metodi za kontrolu koju e primjenjivati Oeljezni ki prevoznici i upravlja i infrastrukture nakon izdate potvrde o sigurnosti za upravljanje Oeljezni kom infrastrukturom i uvjerenja o sigurnosti za obavljanje usluga Oeljezni kog prevoza i subjekti nadle0ni za odr0avanje, Sl. list L 320, 17.11.2012, str. 8.</p>

Regulatorna oblast	Zakonodavstvo
	<p>Regulativa Komisije (EU) br. 1077/2012 od 16. novembra 2012. godine o zajedni koj sigurnosnoj metodi nadzora koju sprovode nacionalna tijela nadle0na za sigurnost nakon izdavanja potvrde o sigurnosti ili uvjerenja o sigurnosti, Sl. List L 320, 17.11.2012., str. 3.</p> <p>Odluka Komisije 2009/460/EZ od 5. juna 2009. godine o usvajanju zajedni ke sigurnosne metode za ocjenu ostvarenja sigurnosnih ciljeva, kako se navodi u lanu 6 Direktive 2004/49/EZ Evropskog parlamenta i Savjeta, Sl. list L 150, 13.6.2009., str. 11.</p>
Unutraznji prevoz opasnih materija	<p>Direktiva 2008/68/EZ Evropskog parlamenta i Savjeta od 24. septembra 2008.</p> <p>godine o unutraznjem prevozu opasnih materija, Sl. list L 260, 30.9.2008., str. 13.</p>
Prenosiva oprema pod pritiskom	<p>Direktiva 2010/35/EU Evropskog parlamente i Savjete od 16. juna 2010, godine o prenosivoj opremi pod pritiskom i o prestanku va0enja direktiva Savjeta 76/767/EEZ, 84/525/E EZ, 84/52 /EEZ, 84/527/EEZ1 1999/36/EZ, Sl. list L 165, 30.6.2010, str. 1.</p>
Druzvena oblast . radno vrijeme / sati	<p>Direktiva 2003/88/EZ Evropskog parlamenta i Savjeta od 4. novembra 2003. godine o odre enim aspektima organizacije radnog vremena, Sl. list L 299, 18.11.2003., str. 9.</p> <p>Direktiva Savjeta 2005/47/EZ od 18. jula 2005, godine o Sporazumu izme u Zajednice evropskih Oeljeznica (CER) i Evropske federacije transportnih radnika (ETF) o odre enim aspektima uslova rada mobilnih radnika koji rade na interoperabiinim prekograni nim poslovima u sektoru Oeljeznica - Sporazum zaklju en izme u Evropske federacije transportnih radnika (ETF) i Zajednice evropskih Oeljeznica (CER) o odre enim aspektima uslova rada mobilnih radnika koji rade na interoperabilnim prekograni nim poslovima, Sl. list L 195, 27.07.2005., str. 15.</p>
Prava putnika	Regulativa (EZ) br. 1371/2007 Evropskog parlamenta i Savjeta od 23. oktobra 2007. godine o pravima i obavezama putnika u Oeljezni kom saobra aju, Sl. list L 315, 3.12.2007., str. 14.

ANEKS I.3

PRAVILA KOJA SE PRIMJENJUJU NA DRUMSKI SAOBRA AJ

Primjenljive odredbe%sljede ih akata Evropske unije primjenjuju se u skladu s Ugovorom i Aneksom II o horizontalnom usaglazavanju osim ukoliko nije druga ije definisano u ovom aneksu iii u protokolima I do VI. Prema potrebi, posebna usuglazavanja za svaki pojedina ni akt definisana su u daljem tekstu.

Akti Evropske unije dati u nastavku odnose se na najnovije verzije takvih akata s posljednjim izmjenama.

Regulatorna oblast	Zakonodavstvo
Naknada za koriz enje putne infrastrukture . godiznje naknade za vozila	Direktiva 1999/62/EZ o naknadama koje se napla uju za koriz enje odre enih infrastruktura za tezka teretna vozila kako je izmijenjena i dopunjena Direktivom 2006/38/EC Evropskog parlamenta i Savjeta od 17. maja 2006. godine, Sl. list L187, 20.7.1999, str. 42.
Pristup delatnosti preduzetnika u drumskom saobra aju	Regulativa (EZ) br. 1071/2009 Evropskog parlamenta i Savjeta od 21. oktobra 2009. godine o uspostavljanju zajedni kih pravila koja se ti u uslova za obavljanje djelatnosti drumske prevoze i o prestanku va0enja Direktive Savjeta 96/26/EZ, Sl. listL300,14.11.2009, str. 51.
Socijalne odredbe - vriieme vo0nje i periodi odmora	Regulativa (EZ) br. 561/2006 Evropskog parlamenta i Savjeta od 15. marta 2006. godine o uskla ivanju odre enih socijalnih zakonskih propisa u vezi s drumskim prevozom i o prestanku va0enja Regulative Savjeta (EEZ) br. 3820/85, Sl. list L 102,11.4,2006, str. 1. Regulativa Komisije (EU) br. 581/2010 od 1. jula 2010. godine o najdu0im periodima za preuzimanje odgovaraju ih podataka s jedinica u vozilu i kartica voza a, Sl. list L 168,2.7.2010, str. 16.

Regulatorna oblast	Zakonodavstvo
Tahograf	<p>Regulativa (EU) br. 165/2014 Evropskog parlamenta i Savjeta od 4. februara 2014. godine o tahografima u drumskom prevozu, prestanku va0enja Regulative Savjeta (EEZ) br. 3821/85 o ure ajima za snimanje u drumskom saobra aju i o izmjenama i dopunama Regulative (EZ) br. 561/2006 Evropskog parlamenta i Savjeta o uskla ivanju odre enog socijalnog zakonodavstva koje se odnosi na drumski saobra aj, Sl. list L 60, 28.2.2014., str. 1.</p> <p>Implementaciona regulativa Komisije (EU) 2016/68 od 21. januara 2016. godine o zajedni kim postupcima i specifikacijama potrebnim za me upovezanost elektronskih evidencija kartica voza a, Sl. list L 15, 22.1.2016. str. 51.</p> <p>Implementaciona regulativa Komisije (EU) 2016/799 Od 18. marta 2016. godine o sprovo enju Regulative (EU) br. 165/2014 Evropskog parlamenta i Savjeta o utvr ivanju tehni kih zahtjeva za izradu, ispitivanje, ugradnju, rad i opravke tahografa i njihovih sastavnih djelova, Sl. list L 139, 26.5.2016, str. 1.</p> <p>Regulativa Savjeta (EEZ) br. 3821/85 o ure ajima za snimanje u drumskom saobra aju, Sl. list L 370, 31.12.1985, str. 8.</p> <p>(Pogledati i lan 46 Regulative (EU) br. 165/2014).</p>
Sprovo enje socijalnog zakonodavstva	Direktiva 2006/22/EZ Evropskog parlamenta i Savjeta od 15. marta 2006. godine o minimalnim uslovima za sprovo enje regulativa Savjeta (EEZ) br. 3820/85 i (EEZ) br. 3821/85 o socijalnom zakonodavstvu koje se odnosi na aktivnosti drumskog saobra aja i prestanku va0enja Direktive Savjeta 88/599/EEZ, Sl. list L 102,11.4.2006, str. 35.
Obrazac potvrdu aktivnosti za	Direktiva Komisije 2007/230/EZ od 12. aprila 2007. godine o obrascu u vezi socijalnog zakonodavstva koje se odnosi na djelatnosti drumskog saobra aja, Sl. list L 99,14.4.2007, str. 14.
Radno vrijeme	Direktiva 2002/15/EZ Evropskog parlamenta i Savjeta od 11. marta 2002. godine o organizaciji radnog vremena osoba koje obavljaju mobilne djelatnosti drumskog saobra aja, Sl. Ust L 80,23.3.2002, str. 35.
Prenosiva oprema pod pritiskom	Direktiva 2010/35/EU Evropskog parlamenta i Savjeta od 16. juna 2010. godine o prenosivoj opremi pod pritiskom i o prestanku va0enja direktiva Savjeta 76/767/EEZ, 84/525/EEZ, 84/526/EEZ, 84/527/EEZ i 1999/36/EZ, Sl. list L 165,30.6.2010, str. 1.

Regulatorna oblast	Zakonodavstvo
Tehnička ispravnost vozila	<p>Direktiva 2014/45/EU Evropskog parlamenta i Savjeta od 3. aprila 2014. godine o periodima tehničkim pregledima motornih vozila i njihovih prikolica i prestanku važeњa Direktive 2009/40/EZ, Sl. list L 127, 29.4.2014, str. 51.</p> <p>Direktiva 2009/40/EZ Evropskog parlamenta i Savjeta od 6. maja 2009. godine o tehničkim pregledima motornih vozila i njihovih prikolica, Sl. list L 141, 6.6.2009, str. 12.</p> <p>(Pogledati i lan 24 Direktive 2014/47/EU).</p>
Pregledi na putu	<p>Direktiva 2000/30/EZ Evropskog parlamenta i Savjeta od 6. juna 2000. godine o tehničkim pregledima na putu u pogledu tehničke ispravnosti komercijalnih vozila koja se kreću unutar Zajednice, Sl. list L 203, 10.8.2000, str. 1.</p> <p>Direktiva 2014/47/EU Evropskog parlamenta i Savjeta od 3. aprila 2014. godine o tehničkim pregledima na putu u pogledu tehničke ispravnosti komercijalnih vozila koja se kreću unutar Unije i prestanku važeњa Direktive 2000/30/EZ, Sl. list L 127, 29.4.2014, str. 134. (vidi lan 27 sPrestanak važeњa% Direktive 2014/47/EU; sDirektiva 2000/30/EZ prestaje da važi s dejstvom od 20. maja 2018. godine.)</p> <p>(Pogledati i lan 27 Direktive 2014/47/EU).</p>
Uređaji za ograničenje brzine	Direktiva Savjeta 92/6/EEZ od 10. februara 1992. godine o ugradnji i upotrebi uređaja za ograničenje brzine za određene kategorije motornih vozila u Zajednici, Sl. list L 57, 2.3.1992, str. 27.
Sigurnosni pojasevi	Direktiva Savjeta 91/671/EEZ od 16. decembra 1991. godine o obaveznoj upotrebi sigurnosnih pojaseva i sistema sigurnosnog vezivanja djece u vozilima, Sl. list L 373, 31.12.1991, str. 26.
Retrovizori	Direktiva 2007/38/EZ Evropskog parlamenta i Savjeta od 11. jula 2007. godine o naknadnom postavljanju retrovizora na teška teretna vozila registrovana u Zajednici, Sl. list L 184, 14.7.2007, str. 25.
Dokumenta za registraciju	<p>Direktiva Savjeta 1999/37/EZ od 29. aprila 1999. godine o dokumentima za registraciju vozila, Sl. list L 138, 1.6.1999, str. 57,</p> <p>Direktiva Savjeta 2006/103/EZ od 20. novembra 2006. godine Sl. list L 363, 20.12.2006, str. 344.</p>

Regulatorna oblast	Zakonodavstvo
Obuka voza a	Direktiva 2003/59/EZ Parlamenta i Savjeta od 15. jula 2003. godine o po etnim kvalifikacijama i periodi nom osposobljavanju voza a odre enih drumskih vozila za prevoz robe ili putnika, kojom se mijenjaju i dopunjavaju Regulativa Savjeta (EEZ) br. 3820/85 i Direktiva Savjeta 91/439/EEZ i prestaje da vaOi Direktiva Savjeta 76/914/EEZ, Sl. list L 226,10.9.2003, str. 4.
Voza ke dozvole	Direktiva 2006/126/EZ Evropskog parlamenta i Savjeta od 20. decembra 2006, godine (prera ena), Sl. list L 403,30.12.2006, str. 18. Regulativa Komisije (EU) br. 383/2012 od 4. maja 2012. godine o utvr ivanju tehni kih zahtjeva za voza ke dozvole koje imaju ugra en ure aji za uvanje podataka (mikro ip), Sl. list L 120,5.S.2012, str. 1.
Prekograni na razmjena informacija	Direktiva (EU) 2015/413 Evropskog parlamenta i Savjeta od 11. marta 2015. godine o olakzavanju prekograni ne razmjene informacija o saobra ajnim prekrzajima u vezi sigurnosti saobra aja na putevima, Sl. list L 68,133.2015, str. 9.
Unutraznji prevoz opasnog tereta	Direktiva 2008/68/EZ Evropskog parlamenta i Savjeta od 24. septembra 2008. godine o unutraznjem prevozu opasnog tereta, Sl. list L 260, 30.9.2008, str. 13.
Provjere prvoza opasnog tereta	Direktiva Savjeta 95/50/EZ od 6. oktobra 1995. godine o jedinstvenim postupcima provjera prevoza opasnog tereta u drumskom saobra aju, Sl. list L 249,17.10.1995, str. 35.
Tuneli	Direktiva 2004/54/EZ Evropskog parlamenta i Savjeta od 29. aprila 2004. godine o minimalnim sigurnosnim zahtjevima za tunele u transevropskoj putnoj mreOi, Sl. list L 201, 7.6.2004, str. 56.
Upravljanje sigurnoz u putne	Direktiva 2008/96/EZ Evropskog parlamenta i Savjeta od 19. novembra 2008. godine o upravljanju sigurnoz u putne infrastrukture, Sl. list L 319, 29.11.2008, str. 59.
Dimenzije teOina vozila	i Direktiva Savjeta 96/53/EZ od 25. jula 1996, godine o utvr ivanju, za odre ena drumska vozila koja saobra aju unutar Zajednice, najve ih dozvoljenih dimenzija u unutraznjem i me unarodnom saobra aju i najve e dozvoljene mase u me unarodnom saobra aju, Sl. list L 235, 17.9.1996, str. 59.

Regulatorna oblast	Zakonodavstvo
Prava putnika	Regulativa (EU) br. 181/2011 Evropskog parlamenta i Savjeta od 16. februara 2011. godine o pravima putnika u autobuskom prevozu i o izmjenama i dopunama Reeuulative tEZI br. 2006/2004. Sl. List 55, 28. 2. 2011, str. 1.
ista vozila i/ili infrastruktura za alternativna goriva	Direktiva 2009/33/EZ Evropskog parlamenta i Savjeta od 23. aprila 2009. godine o promociji istih i energetski efikasnih vozila u drumskom saobra aju, Sl. list L 120, 15.5.2009, str. 5. Direktiva 2014/94/EU Evropskog parlamenta i Savjeta od 22. oktobra 2014, godine o uspostavljanju infrastrukture za alternativna goriva, Sl. list L 307, 28.10.2014, str. 1.
Inteligentni transportni sistemi (ITS)	Direktiva 2010/40/EU Evropskog parlamenta i Savjeta od 7. jula 2010. godine o okviru za uvo enje inteligentnih saobra ajnih sistema u drumskom saobra aju i za veze s ostalim sredstvima prevoza, Sl. list L 207, 6.8.2010, str. 1. Implementaciona odluka Komisije 2011/453/EU od 13. jula 2011. godine o usvajanju smjernica za izvjeztavanje od strane dr0ava lanica na osnovu Direktive 2010/40/EU Evropskog parlamenta i Savjeta, Sl. list L 193, 23.7.2011, str. 48. Implementaciona odluka Komisije (EU) 2016/209 od 12. februara 2016. godine o zahtjevu za standardizaciju upu enom evropskim organizacijama za standardizaciju u pogledu inteligentnih transportnih sistema (ITS) u gradskim podru jima u cilju podrzke Direktivi 2010/40/EU Evropskog parlamenta i Savjeta o okviru za uvo enje inteligentnih saobra ajnih sistema u drumskom saobra aju i za veze i ostalim sredstvima provoza, Sl. list L 39, 16.2.2016, str. 48. Delegirana regulativa Komisije (EU) br. 305/2013 od 26. novembra 2012, godine o dopuni Direktive 2010/40/EU Evropskog parlamenta i Savjeta u vezi s uskla enom odredbom interoperabilne usluge E-poziva (seCall%ona cijelom podru ju Evropske unije, Sl. list L 91, 3.4.2013, str. 1). Delegirana regulativa Komisije (EU) br. 885/2013 od 15. maja 2013. godine o dopuni ITS Direktive 2010/40/EU Evropskog parlamenta i Savjeta u vezi sa pru0anjem usluga informisanja o sigurnim i zazti enim parking mjestima za kamione i komercijalna vozila, Sl. list L 247, 18.9.2013, p. 1). Delegirana regulativa Komisije (EU) br. 886/2013 od 15. maja 2013, godine o dopuni Direktive 2010/40/EU Evropskog parlamenta i Savjeta u pogledu podataka i postupaka za pru0anje korisnicima, gdje je to mogu e, besplatnih osnovnih opztih saobra ajnih informacija u vezi sa sigurnoz u drumskog saobra aja, Sl. list L 247, 18.9.2013, str. 6.

Regulatorna oblast	Zakonodavstvo
	<p>Delegirana regulativa Komisije (EU) 2015/962 od 18. decembra 2014. Godine o dopuni Direktive 2010/40/EU Evropskog parlamenta i Savjeta u pogledu pru0anja usluga saobra ajnih informacija u cijeloj Evropskoj uniji u realnom vremenu, Sl. list L, 157,23.6.2015, str. 21.</p> <p>Odluka br. 585/2014/EU Evropskog parlamenta i Savjeta od 15. maja 2014. godine o uvo enju interoperabilne usluge e-poziva (eCall) na podru ju cijele Evropske unije, Sl. list L 164,3.6.2014, str. 6.</p>
Sistemi za naplatu putarine	<p>Direktiva 2004/52/EZ Evropskog parlamenta i Savjeta od 29. aprila 2004. godine o interoperabilnosti elektronskih sistema za naplatu putarine u Zajednici, Sl. list L 200,7.6.2004, str. 50.</p> <p>Odluka Komisije 2009/750/EZ od 6. oktobra 2009. godine o definisanju evropske elektronske naplate putarine i tehni kih elemenata iste, Sl. list L 268, 13.10.2009, str. 11.</p>
Odobrenje tipa (homologizacija)	Direktiva 2007/46/EZ Evropskog parlamenta i Savjeta o 5. septembra 2007. godine o uspostavljanju okvira za homologaciju motornih vozila i njihovih prikolica, kao i sistema, sastavnih djelova i posebnih tehni kih jedinica namijenjenih za takva vozila (Okvirna direktiva), Sl. list L 263, 9.10.2007, str. 1.

PRAVILA KOJA SE PRIMJENJUJU NA POMORSKI SAOBRA AJ

Primjenljive odredbe sljede ih akata Evropske unije primjenjuju se u skladu s Ugovorom i Aneksom II o horizontalnom usaglazavanju osim ukoliko nije druga ije definisano u ovom aneksu ili u protokolima I do VI. Prema potrebi, posebna usaglašavanja za svaki pojedina ni akt definisana su u daljem tekstu.

Akti Evropske unije dati u nastavku odnose se na najnovije verzije takvih akata s posljednjim izmjenama.

Regulatorna oblast	Zakonodavstvo
Pomorska politika	Regulativa (EU) br. 1255/2011 Evropskog parlamenta i Savjeta od 30. novembra 2011. godine o uspostavljanju Programa za podršku daljem razvoju integrisane pomorske politike, Sl. list L 132, 5.12.2011, str. 1.
Pristup tržitu	Regulativa Savjeta (EEZ) br. 3577/92 od 7. decembra 1992. godine o primjeni na elu slobode pružanja usluga u pomorskom saobraćaju unutar država lanica (pomorska kabotaža), Sl. list L 364, 12.12.1992, str. 7. Regulativa Savjeta (EEZ) br. 4055/86 od 22. decembra 1986. godine o primjeni na elu slobode pružanja usluga u pomorskom prevozu među državama lanicama i među državama lanicama i trećim zemljama, Sl. list L 378, 31.12.1986, str. 1. Regulativa (EZ) br. 789/2004 Evropskog parlamenta i Savjeta od 21. aprila 2004. godine o prelasku teretnih i putničkih brodova između registara unutar Zajednice i prestanku vađenja Regulative Savjeta (EEZ) br. 613/91, Sl. list L 138, 30.4.2004, str. 19. Regulativa Savjeta (EEZ) br. 4058/86 od 22. decembra 1986. godine o uskladjenju zaštiti slobodnog pristupa teretu u okeanskoj plovidbi, Sl. list L 378, 31.12.1986, str. 21.
Međunarodni odnosi	Regulativa Savjeta (EEZ) br. 4057/86 od 22. decembra 1986. godine o nepravednoj praksi određivanja cijena u pomorskom saobraćaju, Sl. list L 378, 31.12.1986, str. 14.

Regulatorna oblast	Zakonodavstvo
Meunarodni sporazumi	<p>Odluka Savjeta 2012/22/EU od 12. decembra 2011. godine o pristupanju Evropske unije Protokolu iz 2002. godine uz Atinsku konvenciju o prevozu putnika i njihovog prtljaga morem iz 1974. godine, izuzev njegovih lanova 10 i 11, Sl. list L 8, 12.1.2012, str. 1.</p> <p>Odluka Savjeta 2012/23/EU od 12. decembra 2011. godine o pristupanju Evropske unije Protokolu iz 2002. godine uz Atinsku konvenciju o prevozu putnika i njihovog prtljaga morem iz 1974. godine, izuzev njegovih lanova 10 i U, Sl. list L 8, 12.1.2012, str. 13.</p>
Organizacije za pregled i nadzor brodova priznate organizacije	<p>Direktiva 2009/15/EZ Evropskog parlamenta i Savjeta od 23. aprila 2009. godine o zajedni kim pravilima i standardima za organizacije koje obavljaju pregled i nadzor brodova i za odgovaraju e aktivnosti pomorskih uprava, Sl. list L 131, 28.5.2009, str. 47.</p> <p>Odluka Komisije 2009/491/EZ od 16. juna 2009. godine o kriterijumima za odlu ivanje kada se u inkovitost organizacije koja djeluje u ime dr0ave zastave moe smatrati neprihvatljivom opasnoz u za sigurnost iivotnu sredinu, Sl. list L 162, 25.6.2009., str. 6.</p> <p>Regulativa (EZ) br. 391/2009 Evropskog parlamenta i Savjeta od 23. aprila 2009. godine o zajedni kim pravilima i standardima za organizacije koje obavljaju pregled i nadzor brodova), Sl. list L 131 of 28.05.2009, str. 11.</p> <p>Regulativa Komisije (EU) br. 788/2014 od 18. jula 2014. godine o utvr ivanju detaljnih pravila o uvo enju nov anih kazni i periodi nih pla anja nov anih kazni i oduzimanju priznanja organizacijama koje obavljaju pregled i nadzor brodova u skladu s l. 6 i 7 Regulative (EZ) br. 391/2009 Evropskog parlamenta i Savjeta, Sl. list L 214, 19.7.2014, str. 12, Ispravka, Sl. list L 234, 7.8.2014, str. 15.</p>
Dr0ava zastave	Direktiva 2009/21/EZ Evropskog parlamenta i Savjeta od 23. aprila 2009. godine o ispunjavanju zahtjeva dr0ave zastave, Sl. list L 131 od 28.05.2009, str. 132.

Regulatorna oblast	Zakonodavstvo
Kontrola dr0ave luke	Direktiva 2009/16/EZ Evropskog parlamenta i Savjeta od 23. aprila 2009., godine o kontroli dr0ave luke, Sl. list L 131,28.5.2009, str. 57.
Pra enje plovidbe	Direktiva 2002/59/EZ Evropskog parlamenta i Savjeta od 27. juna 2002. godine o uspostavljanju sistema za pra enje i informisanje o pomorskom saobra aju i o prestanku va0enja Direktive Savjeta 93/75/EEZ, Sl. list L 208, 05.08.2002, str. 10.
Me unarodni pravilnik o upravljanju sigurnoz u	Regulativa (EZ) 336/2006 Evropskog parlamenta i Savjeta od 15. februara 2006. godine o sprovo enju Me unarodnog pravilnika o upravljanju sigurnoz u unutar Zajednice i o prestanku va0enja Regulative Savjeta (EZ) br 3051/95 Sl. list L 64 od 4.03.2006, str. 1.
Postupak prijavljivanja brodova	Direktiva Savjeta 91/671/EEZ od 16. decembra 1991. godine o obaveznoj upotrebi sigurnosnih pojaseva i sistema sigurnosnog vezivanja djece u vozilima, Sl. list L 373,31.12.1991, str. 26.
Pomorska oprema	Direktiva 2014/90/EU Evropskog parlamenta i Savjeta od 23. jula 2014, godine o pomorskoj opremi i o prestanku va0enja Direktive Savjeta 96/98/EZ, Sl. list L 257,28.8.2014, str. 146.
Putni ki brodovi	<p>Direktiva 2003/25/EZ Evropskog parlamenta i Savjeta od 14. aprila 2003. godine o posebnim zahjtevima stabilnosti za putni ke brodove, Sl. list L 123,17.05.2003, str. 22.</p> <p>Regulativa (EZ) br. 392/2009 Evropskog parlamenta i Savjeta od 23. aprila 2009. godine o odgovornosti prevoznika u prevozu putnika morem u slu aju nesre a, Sl. list L131,28.05.2009, str. 24.</p> <p>Direktiva Savjeta 98/41/EZ od 18. juna 1998. godine o prijavi osoba koje putuju putni kim brodovima prema lukama ili iz luka dr0ava lanica Zajednice, Sl. list L 188,2.7.1998, str. 35.</p> <p>Direktiva 2009/45/EZ Evropskog parlamenta i Savjeta od 6. maja 2009. godine o pravilima i standardima sigurnosti za putni ke brodove (prera ena), Sl. list L 163,5,6.2009, str. 1.</p> <p>Direktiva Savjeta 1999/35/EZ od 29. aprila 1999. godine o sistemu obaveznih pregleda radi sigurnog obavljanja linijske plovidbe ro-ro putni kih brodova i brzih putni kih plovila, Sl. list L 138,1.6.1999, str. 1.</p>

Regulatorna oblast	Zakonodavstvo
Sigurnost ribarskih brodova	Direktiva Savjeta 97/70/EZ od 11. decembra 1997. godine o uspostavljanju usaglašenog sigurnosnog sistema za ribarske brodove dužine 24 metra ili vize, Sl. list L 34, 9.2.1998, str. 1.
Tankeri za naftu	Regulativa (EU) br. 530/2012 Evropskog parlamenta i Savjeta od 13. juna 2012. godine o ubrzanim postupnom uvođenju zahtjeva za dvostrukom oplatom ili ekvivalentnih projektnih zahtjeva za tankere za naftu s jednostrukom oplatom), Sl. list L 172, 30.6.2012, str. 3.
Brodovi za rasuti teret	Direktiva 2001/96/EZ Evropskog parlamenta i Savjeta od 4. decembra 2001. godine o utvrđivanju usaglašenih zahtjeva i postupaka za siguran ukrcaj i iskrcaj brodova za rasuti teret, Sl. list L 13, 16.1.2002, str. 9.
Istraživanje nesreća	Direktiva 2009/18/EZ Evropskog parlamenta i Savjeta od 23. aprila 2009. godine o utvrđivanju osnovnih načela o istraživanju nesreća u sektoru pomorskog saobraćaja i izmjenama i dopunama Direktive Savjeta 1999/35/EZ i Direktive 2002/59/EZ Evropskog parlamenta i Savjeta, Sl. list L 13, 8.05.2009, str. 114. Implementaciona regulativa Komisije (EU) br. 651/2011 od 5. jula 2011. godine o usvajanju poslovnika o stalnom okviru saradnje koji drže lanice uspostavljaju u saradnji s Komisijom u skladu s članom 10 Direktive 2009/18/EZ Evropskog parlamenta i Savjeta, Sl. list L 177, 6.7.2011, str. 18. Regulativa Komisije (EU) br. 1286/2011 od 9. decembra 2011. godine o donozenju zajedničke metodologije za istraživanje pomorskih nesreća i nezgoda razvijene u skladu s članom 5 stav 4 Direktive 2009/18/EZ Evropskog parlamenta i Savjeta, Sl. list L 328, 10.12.2011, str. 36.
Osiguranje	Direktiva 2009/20/EZ Evropskog parlamenta i Savjeta od 23. aprila 2009. godine o osiguranju brodovlasnika od pomorskih odzetičnih zahtjeva, Sl. list L 131, 28.05.2009, str. 128.
Zagađenje sa brodova	Direktiva 2005/35/EZ Evropskog parlamenta i Savjeta od 7. septembra 2005. godine o zagađenju mora s brodova i o uvođenju kazni, uključujući i krivi nekazne, za prekrzaje zagađenja, Sl. list L 255, 30.9.2005, str. 11.
Brodski otpad	Direktiva 2000/59/EZ Evropskog parlamenta i Savjeta od 27. novembra 2000. godine o luku i prihvativim vrstama za otpadne materije i ostatke tereta s brodova, Sl. list L 332, 28.12.2000, str. 81.
Organska jedinjenja kalaja	Regulativa (EZ) br. 782/2003 Evropskog parlamenta i Savjeta od 14. aprila 2003. godine o zabrani organskih jedinjenja kalaja na brodovima, Sl. list L 115, 9.5.2003, str. 1.

Regulatorna oblast	Zakonodavstvo
Pomorska bezbjednost	<p>Regulativa (EZ) br. 725/2004 Evropskog parlamenta i Savjeta od 31. marta 2004. godine oja anju bezbjednosne zaztite brodova i luka, Sl. list L 129,29.4.2004, str. 6.</p> <p>Direktiva 2005/65/EZ Evropskog parlamenta i Savjeta od 26. oktobra 2005. godine o ja anju bezbjednosne zaztite luka, Sl. list L 310,25.11.2005, str. 28.</p> <p>Regulativa Komisije (EZ) br. 324/2008 od 9. aprila 2008. godine o utvr ivanju izmijenjenih postupaka za obavljanje pregleda Komisije u oblasti pomorske bezbjednosti, Sl. list L 98,10,4.2008, str. 5.</p>
Obuka pomoraca	<p>Direktiva 2008/106/EZ Evropskog parlamenta i Savjeta od 19. novembra 2008. godine o minimalnom stepenu obuke pomoraca Sl. list L 323,3.12.2008, str. 33.</p> <p>Direktiva 2005/45/EZ od 7. septembra 2005. godine Evropskog parlamenta i Savjeta o me usobnom priznavanju ovlast enja o osposobljenosti pomoraca koja izdaju drave lanice, Sl. list L 255 od 30.09.2005, str. 160.</p>
Socijalni aspekti	<p>Direktiva 2013/54/EU Evropskog parlamenta i Savjeta od 20. novembra 2013. godine o nekim nadle0nostima drave zastave za uskla ivanje s Konvencijom o radu pomoraca i sprovo enje iste, 2006, Sl. list L 329,10.12.2013, str. 1.</p> <p>Direktiva Savjeta 1999/63/EZ od 21. juna 1999. godine o Sporazumu o organizaciji radnog vremena pomoraca koji su sklopili Udru0enje brodovlasnika Evropske zajednice (ECSA) i Savez sindikata transportnih radnika u Evropskoj uniji (FST), Sl. list L 167, 2.7.1999, str. 33.</p> <p>Direktiva 1999/95/EZ Evropskog parlamenta i Savjeta od 13. decembra 1999. godine o sprovo enju odredaba o radnom vremenu pomoraca na brodovima koji uplovjavaju u luke Zajednice, Sl. list L 14, 20.1.2000, str. 29.</p> <p>Direktiva Savjeta 2009/13/EC od 16. februara 2009, godine o sprovo enju Sporazuma koji su sklopili Udru0enje brodovlasnika Evropske zajednice (ECSA) i Evropski savez transportnih radnika (ETF) o Konvenciji o radu pomoraca, iz 2006, i izmjenama i dopunama Direktive 1999/63/EZ, Sl. list L 124,20/05/2009, str. 30.,</p> <p>Direktiva Savjeta 92/29/EEZ od 31, marta 1992. godine o minimalnim zahtjevima u pogledu sigurnosti i zdravstvene zaztite za poboljzanje medicinske njege na brodovima, Sl. list L 113, 30.4.1992, str. 19.</p>

Morski i unutrašnji plovni putevi	Regulativa (EU) br. 1177/2010 Evropskog parlamenta i Savjeta od 24. novembra 2010. godine o pravima putnika kada putuju morem ili unutrašnjim plovnim putevima i o izmjenama i dopunama Regulative (EZ) br. 2006/2004, Sl. list L 334, 17.12.2010, Str. 1.
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Regulatorna oblast	Zakonodavstvo
Prenosiva oprema pod pritiskom	Direktiva 2010/35/EU Evropskog parlamenta i Savjeta od 16. juna 2010. godine o prenosivoj opremi pod pritiskom i prestanku važeњa direktiva Savjeta 76/767/EEZ, 84/525/EEZ, 84/526/EEZ, 84/527/EEZ i 1999/36/EZ, Sl. list L 165, 30.6.2010, str. 1.
EMSA	Regulativa (EZ) br. 1406/2002 Evropskog parlamenta i Savjeta od 27. juna 2002. godine o osnivanju Evropske agencije za pomorsku sigurnost (EMSA), Sl. list L 208, 5.8.2002, str. 1.
COSS	Regulativa (EZ) br. 2099/2002 Evropskog parlamenta i Savjeta od 5. novembra 2002. godine o osnivanju Odbora za sigurnost na moru i spreavanje zagađenja sa brodova (COSS) i o izmjenama i dopunama regulativa o pomorskoj sigurnosti i spreavanju zagađenja s brodova, Sl. list L 324, 29.11.2002, str. 1.

ANEKS I.5

PRAVILA KOJA SE PRIMJENJUJU NA UNUTRAŠNJE PLOVNE PUTEVE

Primjenljive odredbe sljede ih akata Evropske unije primjenjuju se u skladu s Ugovorom i Aneksom II o horizontalnom usaglavavanju osim ukoliko nije druga ije definisano u ovom aneksu ili u protokolima I do VI. Prema potrebi, posebna usaglavavanja za svaki pojedina ni akt d efinisana su u daljem tekstu.

Akti Evropske unije dati u nastavku odnose se na najnovije verzije takvih akata s posljednjim izmjenama.

Regulatorna oblast	Zakonodavstvo
Pristup tržitu	<p>Regulativa Savjeta (EZ) br. 1356/96 o zajedni kim pravilima koja se primjenjuju na prevoz robe ili putnika unutrašnjim plovnim putevima izme u dr0ava lanica u cilju uspostavljanja slobode pru0anja tih transportnih usluga, Sl. list L 175,13.7.1996, str. 7.</p> <p>Regulativa Savjeta (EEZ) br. 3921/91 o utvr ivanju uslova pod kojima nerezidentni prevoznici mogu prevoziti robu ili putnike unutrašnjim plovnim putevima unutar dr0ave lanice, Sl. list L 373, 31.12.1991,str. 1.</p> <p>Regulativa Savjeta (EZ) br. 718/99 od 29. marta 1999. godine o politici Zajednice u odnosu na kapacitet flote s ciljem promocije prevoza unutrašnjim plovnim putevima, Sl. list L 90,2.4.1999, str.1.</p> <p>Direktiva Savjeta (EZ) br. 96/75 o sistemima iznajmljivanja brodova i odre ivanja cijena u doma em i me unarodnom prevozu unutrašnjim plovnim putevima u Zajednici, Sl. list L 304, 27.11.1996, str. 12.</p> <p>Regulativa Savjeta (EEZ) br. 2919/85 o utvr ivanju uslova za pristup aran0manima u okviru izmijenjene Konvencije o plovidbi Rajnom za plovila koja pripadaju Rajskej plovidbi, Sl. list L 280, 22.10.1985, str. 4.</p>
Pristup djelatnosti	Direktiva Savjeta (EEZ) br. 87/540 o pristupu obavljanju djelatnosti prevoznika robe plovnim putevima u doma em i me unarodnom prevozu kao i o me usobnom priznavanju diploma, uvjerenja i drugih dokaza o formalnim kvalifikacijama za tu djelatnost, Sl. list L 322,12.11.1987, str. 20..

Regulatorna oblast	Zakonodavstvo
Uvjerenja zapovjednika brodova	Direktiva Savjeta (EEZ) br. 91/672 o uzajamnom priznavanju nacionalnih uvjerenja o sposobljenosti zapovjednika brodova za prevoz robe i putnika unutraznim plovnim putevima, Sl. list L 377, 31.12.1991, str. 48.
Sigurnosni/tehnici zahtjevi	<p>Direktiva Savjeta (EZ) br. 96/50 o usklađivanju uslova za dobijanje nacionalnih uvjerenja o sposobljenosti zapovjednika brodova za prevoz robe i putnika unutraznim plovnim putevima u Zajednici, Sl. list L 235, 17.9.1996, str. 31.</p> <p>Direktiva 2009/100/EC Evropskog parlamenta i Savjeta od 16. septembra 2009. godine o uzajamnom priznavanju uvjerenja o sposobnosti za plovidbu brodova unutraznim plovnim putevima, Sl. list L 259, 2.10.2009., str. 8.</p> <p>Direktiva (EU) 2016/1629 Evropskog parlamenta i Savjeta od 14. septembra 2016. godine o utvrđivanju tehničkih pravila za brodove unutražne plovidbe, izmjenama i dopunama Direktive 2009/100/EZ i prestanku važeњa Direktive 2006/87/EZ, Sl. list L 252, 16.9.2016, str. 118.</p>
Unutrašnji prevoz opasnog tereta	Direktiva 2008/68/EZ Evropskog parlamenta i Savjeta od 24. septembra 2008. godine o unutrašnjem prevozu opasnog tereta, Sl. list L 260, 30.9.2008, str. 13.
Riječni informacioni servisi	<p>Direktiva 2005/44/EZ Evropskog parlamenta i Savjeta od 7. septembra 2005. godine o usklađenju riječnim mformacionim servisima (RIS) na unutražnjim plovnim putevima u Zajednici, Sl. list L 255, 30.9.2005, str. 152.</p> <p>Implementaciona regulativa Komisije (EU) br. 909/2013 od 10. septembra 2013. godine o tehničkim specifikacijama za elektronski prikaz navigacionih kartica i informacioni sistem za unutrašnju plovidbu (<i>Inland ECDIS</i>) iz Direktive 2005/44/EZ Evropskog parlamenta i Savjeta, Sl. list L 258, 28.9.2013, str. 1.</p> <p>Regulativa Komisije (EU) br. 164/2010 od 25. januara 2010. godine o tehničkim specifikacijama za elektronsko prijavljivanje brodova u unutrašnjoj plovidbi iz Istanice 5 Direktive 2005/44/EZ Evropskog parlamenta i Savjeta o usklađenju riječnim mformacionim servisima (RIS) na unutražnjim plovnim putevima u Zajednici, Sl. list L 57, 6.3.2010, str. 1.</p> <p>Regulativa Komisije (EZ) br. 416/2007 od 22. marta 2007. godine o tehničkim specifikacijama za obavještavanja za skipere kako je navedeno u Istanici 5 Direktive 2005/44/EZ Evropskog parlamenta i Savjeta o usklađenju riječnim mformacionim servisima (RIS) na unutražnjim plovnim putevima u Zajednici, Sl. list L 105, 23.4.2007, str. 88.</p>

Regulatorna oblast	Zakonodavstvo
	<p>Regulativa Komisije (EZ) br. 415/2007 od 13. marta 2007. godine o tehničkim specifikacijama za sisteme za pravljenje i određivanje položaja brodova iz lana 5 Direktive 2005/44/EZ Evropskog parlamenta i Savjeta o uskladjenosti riječi "informacioni servis" (RIS) na unutražnjim plovnim putevima u Zajednici, Sl. list L 105, 23.4.2007, str. 35.</p> <p>Regulativa Komisije (EZ) br. 414/2007 od 13. marta 2007. godine o tehničkim smjernicama za planiranje, sprovođenje i operativnu upotrebu riječi "informacioni servis" (RIS) iz lana 5 Direktive 2005/44/EZ Evropskog parlamenta i Savjeta o uskladjenosti riječi "informacioni servis" (RIS) na unutražnjim plovnim putevima u Zajednici, Sl. list L 105, 23.4.2007, str. 1</p>
Zaštita okolišne sredine	<p>Direktiva 2009/30/EZ Evropskog parlamenta i Savjeta od 23. aprila 2009. godine o izmjenama i dopunama Direktive 98/70/EZ u pogledu specifikacije motornog benzina, dizel-goriva i gasnog ulja i uvođenju mehanizma pravlenja i smanjivanja emisija gasova s efektom staklene bazte i izmjenama i dopunama Direktive Savjeta 1999/32/EZ o specifikacijama goriva koje se koristi u plovilima unutražnje plovidbe, Sl. list L 140, 5.6.2009, str. 88.</p> <p>Regulativa (EU) 2016/1628 Evropskog parlamenta i Savjeta od 14. septembra 2016. godine o zahtjevima koji se odnose na ograničenje emisija gasovitih i vrstih zagađujućih estica i homologaciju tipa za motore s unutražnjim sagorijevanjem za vandrumske mobilne mazine, o izmjenama i dopunama regulative (EU) br. 1024/2012 i (EU) br. 167/2013, i izmjenama i dopunama i prestanku vađenja Direktive 97/68/EZ, Sl. list L 252, 16.9.2016, str. 53.</p> <p>Direktiva 97/68/EZ Evropskog parlamenta i Savjeta od 16. decembra 1997. godine o uskladjenosti zakonodavstava država članica u pogledu mera protiv emisije gasovitih i vrstih zagađujućih estica iz motora s unutražnjim sagorijevanjem koji se ugrađuju u van-drumske mobilne mazine, Sl. list L 59, 27.2.1998, str. 1. (Pogledajte i lan 64 Regulative (EU) 2016/1628).</p> <p>Direktiva 2004/26/EC Evropskog parlamenta i Savjeta od 21. aprila 2004. godine o izmjenama i dopunama Direktive 97/68/EZ o uskladjenosti zakonodavstava država članica u pogledu mera protiv emisije gasovitih i vrstih zagađujućih estica iz motora s unutražnjim sagorijevanjem koji se ugrađuju u mobilne mazine koje se ne koriste na putevima (<i>uključujući motore brodova unutrašnje plovidbe koji su predmet primjene</i>), Sl. list 146, 30.4.2004, str. 1.</p>
Morski i unutražnji plovni putevi	Regulativa (EU) br. 1177/2010 Evropskog parlamenta i Savjeta od 24. novembra 2010. godine o pravima putnika kada putuju morem ili unutražnjim plovnim putevima i o izmjenama i dopunama Regulative (EZ) br. 2006/2004, Sl. list L 334, 17.12.2010, str. 1.

Regulatorna oblast	Zakonodavstvo
Pomorska bezbjednost	<p>Regulativa (EZ) br. 725/2004 Evropskog parlamenta i Savjeta od 31. marta 2004. godine oja anju bezbjednosne zaztite brodova i luka, Sl. list L 129,29.4.2004, str. 6.</p> <p>Direktiva 2005/65/EZ Evropskog parlamenta i Savjeta od 26. oktobra 2005. godine o ja anju bezbjednosne zaztite luka, Sl. list L 310,25.11.2005, str. 28.</p> <p>Regulativa Komisije (EZ) br. 324/2008 od 9. aprila 2008. godine o utvr ivanju izmijenjenih postupaka za obavljanje pregleda Komisije u oblasti pomorske bezbjednosti, Sl. list L 98,10,4.2008, str, 5.</p>
Obuka pomoraca	<p>Direktiva 2008/106/EZ Evropskog parlamenta i Savjeta od 19. novembra 2008. godine o minimalnom stepenu obuke pomoraca Sl. list L 323,3.12.2008, str. 33.</p> <p>Direktiva 2005/45/EZ od 7. septembra 2005. godine Evropskog parlamenta i Savjeta o me usobnom priznavanju ovlaž enja o osposobljenosti pomoraca koja izdaju dr0ave lanice, Sl. list L 255 od 30.09.2005, str. 160.</p>
Socijalni aspekti	<p>Direktiva 2013/54/EU Evropskog parlamenta i Savjeta od 20. novembra 2013. godine o nekim nadle0nostima dr0ave zastave za uskla ivanje s Konvencijom o radu pomoraca i sprovo enje iste, 2006, Sl. list L 329,10.12.2013, str. 1.</p> <p>Direktiva Savjeta 1999/63/EZ od 21. juna 1999. godine o Sporazumu o organizaciji radnog vremena pomoraca koji su sklopili Udr0enje brodovlasnika Evropske zajednice (ECSA) i Savez sindikata transportnih radnika u Evropskoj uniji (FST), Sl. listL 167, 2.7.1999, str. 33.</p> <p>Direktiva 1999/95/EZ Evropskog parlamenta i Savjeta od 13. decembra 1999. godine o sprovo enju odredaba o radnom vremenu pomoraca na brodovima koji uplovjavaju u luke Zajednice, Sl. list L 14, 20.1.2000, str. 29.</p> <p>Direktiva Savjeta 2009/13/EC od 16. februara 2009, godine o sprovo enju Sporazuma koji su sklopili Udr0enje brodovlasnika Evropske zajednice (ECSA) i Evropski savez transportnih radnika (ETF) o Konvenciji o radu pomoraca, iz 2006, i izmjenama i dopunama Direktive 1999/63/EZ, Sl. list L 124,20/05/2009, str. 30.,</p> <p>Direktiva Savjeta 92/29/EEZ od 31, marta 1992. godine o minimalnim zahtjevima u pogledu sigurnosti i zdravstvene zaztite za poboljzanje medicinske njege na brodovima, Sl. list L 113, 30.4.1992, str. 19.</p>
Morski i unutražnji plovni putevi	Regulativa (EU) br. 1177/2010 Evropskog parlamenta i Savjeta od 24. novembra 2010. godine o pravima putnika kada putuju morem ili unutražnjim plovnim putevima i o izmjenama i dopunama Regulative (EZ) br. 2006/2004, Sl. list L 334,17.12.2010, Str. 1.

ANEKS I.6

PRAVILA ZA TITE ŽIVOTNE SREDINE KOJA SE PRIMJENJUJU U SEKTORU

SAOБRA AJA

sPrimjenljive odredbe%sljede ih akata Evropske unije primjenjuju se u skladu s Ugovorom i Aneksom II o horizontalnom usaglazavanju osim ukoliko nije druga ije definisano u ovom aneksu ili u protokolima I do VI. Prema potrebi, posebna usaglazavanja za svaki pojedina ni akt definisana su u daljem tekstu.

Akti Evropske unije dati u nastavku odnose se na najnovije verzije takvih akata s posljednjim izmjenama.

Regulatorna oblast	Zakonodavstvo
Procjena uticaja	<p>Direktiva 2011/92/EU Evropskog parlamenta i Savjeta od 13. decembra 2011. godine o procjeni uticaja odre enih javnih i privatnih projekata na Oivotnu sredinu, Sl. list L 026,28.1.2012, str. 1.</p> <p>i Konvencija o procjeni uticaja na Oivotnu sredinu u prekograni nom aspektu (Konvencija iz Espoa)</p> <p>"Svi projekti koji spadaju u predmet Ugovora podlige0u procjeni uticaja na Oivotnu sredinu u skladu sa standardima EU. Osim toga, prekograni ni aspekti treba da budu obra eni u skladu sa zahtjevima konvencije iz Espoa+</p> <p>Direktiva 2001/42/EZ Evropskog parlamenta i Savjeta od 27. juna 2001. godine o procjeni uticaja odre enih planova programa na Oivotnu sredinu, Sl. list L 197,21.7.2001, str. 30.</p> <p>i Protokol o stratezkoj procjeni uticaja na Oivotnu sredinu u okviru Konvencije iz Espoa (SEA protokol).</p> <p>Svi planovi i programi u oblasti saobra aja e, gdje je primjenljivo, biti predmet procjene Oivotne sredine na sli an na in kako je to predvi eno u direktivi SEA. Osim loga, prekograni ni aspekti treba da budu obra eni u skladu sa zahtjevima protokola SEA uz konvenciju ESPOO. "</p>
O uvanje	<p>Direktiva Savjeta 92/43/EEZ od 21. maja 1992, godine o o uvanju prirodnih stanicza i divlje flore i faune, Sl. list L 206,22.7.1992, str. 7.</p> <p>s Ukoliko postoji vjerovatnoća da će projekat imali uticaj na posebno značajna područja očuvanja prirode, sprovodi se odgovarajuća procjena očuvanja prirode, koja je jednaka procjeni definisanoj u članu 6 Direktive 92/43/EEZ."</p>

Regulatorna oblast	Zakonodavstvo
Goriva	<p>Direktiva 98/70/EZ Evropskog parlamenta i Savjeta od 13. oktobra 1998. godine o kvalitetu benzinskih i dizel0e) goriva i izmjenama i dopunama Direktive Savjeta 93/12/EEZ, Sl. list L 350 28.12.1998, str., 58.</p> <p>Direktiva (EU) 2016/802 Evropskog parlamenta i Savjeta od 11. maja 2016. godine o smanjenju sadr0aja sumpora u odre enim te nim gorivima, Sl. list L 132,21.5.2016, str. 58.</p>
Vodna politika	<p>Direktiva 2000/60/EZ Evropskog parlamenta i Savjeta od 23. oktobra 2000. godine o uspostavljanju okvira za djelovanje Zajednice u oblasti vodne politike, Sl. list L 327,22.12.2000, str.l.</p> <p>s Svi saobra ajni projekti o plovidbi koji spadaju u predmet ovog ugovora treba da budu sa injeni i sprovedeni u skladu s odredbama lana 4.7 "Vodne okvirne direktive".</p> <p>Svi saobra ajni projekti o plovidbi koji spadaju u predmet ovog ugovora, gdje je primjenljivo, treba da se sprovode u skladu sa Zajedni kom izjavom o unutraznjoj plovidbi i odrOnosti iivotne sredine u slivu rijeke Dunav kako je potvr eno od strane Me unarodne komisije za zaztitu rijeke Dunav (ICPDR), Dunavske komisije i Savske komisije.%o</p>

ANEKS I.7

PRAVILA JAVNIH NABAVKI KOJA SE PRIMJENJUJU U SEKTORU SAOBRA AJA

sPrimjenljive odredbe%sljede ih akata Evropske unije primjenjuju se u skladu s Ugovorom i Aneksom II o horizontalnom usaglazivanju osim ukoliko nije druga ije definimsano u ovom aneksu ili u protokolima 1 do VI. Prema potrebi, posebna usaglazavanja za svaki pojedina ni akt definisana su u daljem tekstu.

Akti Evropske unije dati u nastavku odnose se na najnovije verzije takvih akata s posljednjim izmjenama.

Regulatorna oblast	Zakonodavstvo
Postupak kontrole	Direktiva Savjeta 89/665/EEZ o 21. decembra 1989. godine o uskla ivanju zakona, propisa i administrativnih odredaba koji se odnose na primjenu postupaka kontrole na sklapanje ugovora o javnim nabavkama robe i javnim radovima, Sl. list L 395 30.12.1989, str. 33. Direktiva Savjeta 92/13/EEZ od 25. februara 1992. godine o uskla ivanju zakona, propisa i administrativnih odredaba o primjeni pravila Zajednice u postupcima nabavke subjekata koji posluju u sektoru vodoprivrede, energetskom, saobra ajnom i telekomunikacionom sektor, Sl. listL 076 23.3.1992, str, 14.
Postupci nabavke	Direktiva 2014/23/EU Evropskog parlamenta i Savjeta od 26. februara 2014. godine o dodjeli ugovora o koncesiji, Sl. list L 094 28.3.2014, str.1. Direktiva 2014/24/EU Evropskog parlamenta i Savjeta od 26. februara 2014. godine o javnim nabavkama i prestanku va0enja Direktive 2004/18/EZ, Sl. list L 094 28.3.2014, str, 65. Direktiva 2014/25/EU Evropskog parlamenta i Savjeta od 26. februara 2014, godine o nabavkama subjekata koji posluju u sektoru vodoprivrede, energetskom i saobra ajnom sektoru i sektom poztanskih usluga i o prestanku va0enja Direktive 2004/17/EZ, Sl. list L 094 28.3.2014, str. 243. Implementaciona regulativa Komisije (EU) 2015/1986 od 11. novembra 2015. godine o utvr ivanju standardnih obrazaca za objavljivanje obavjeztenja u oblasti javnih nabavki i o prestanku va0enja Implementacione regulative (EU) br. 842/2011, Sl. Jist L296,12.11.2015, str. 1.

Regulatorna oblast	Zakonodavstvo
Javne nabavke	Regulativa (EZ) br. 1370/2007 Evropskog parlamenta i Savjeta od 23. oktobra 2007. godine o uslugama javnog prevoza putnika u Šeljezni kom i putnom saobraćaju i o prestanku vađenja regulativa Savjeta (EEZ) br. 1191/69 i 1107/70, Sl. list L 315, 3.12.2007, str. 1.

ANEKS II

HORIZONTALNA USAGLAŠAVANJA I ODREĐENA PROCEDURALNA PRAVILA

Odredbe akata navedenih u Aneksu I primjenjuju se u skladu s Ugovorom i tačkom 1 do 3 ovog aneksa, osim ako nije drugačije predviđeno u Aneksu I. Posebna usaglašavanja neophodna za pojedinačne akte definisana su u Aneksu I.

Ovaj ugovor je primjenljiv u skladu s proceduralnim pravilima definisanim u tačkom 4 do 6 ovog aneksa.

1. UVODNI DJELOVI AKATA

Preambule navedenih akata nijesu prilagođene za svrhe ovog ugovora. One su relevantne u mjeri u kojoj su neophodne za propisno tumačenje i primjenu, u okviru ovog ugovora, odredaba sadržanih u takvim aktima.

2. SPECIFIČNE TERMINOLOGIJE AKATA

Slijedeći izrazi koriste se u aktima navedenim u Aneksu I glase:

- (a) izraz "Evropska zajednica" "Zajednica" "Evropska Unija" "Unija" znači "Oblast Transportne zajednice"
- (b) izrazi "zakon Zajednice" "propisi Zajednice" "instrumenti Zajednice" "zakon Unije" "zakonodavstvo Unije" "instrumenti Unije" "ugovor" kada se odnosi na Ugovor o Evropskoj Uniji ili Ugovor o funkcionisanju Evropske unije" znači "ugovor o Transportnoj zajednici"
- (c) izraz "seljeznička infrastruktura" znači "seljeznička infrastruktura Oblasti Transportne zajednice"
- (d) izraz "sputna infrastruktura" znači "sputna infrastruktura Oblasti Transportne zajednice"
- (e) izraz "infrastruktura aerodroma" znači "infrastruktura aerodroma u Oblasti Transportne zajednice"
- (f) izraz "infrastruktura unutražnjih plovnih puteva" znači "infrastruktura unutrašnjih plovnih puteva u Oblasti Transportne zajednice"
- (g) izraz "Službeni list evropskih zajednica" ili "Službeni list Evropske unije" znači "Službeni list ugovornih strana".

3. POZIVANJA NA DRŽAVE-LANICE

Ne dovode u pitanje tačka 4 ovog aneksa, kad god akti navedeni u Aneksu I sadrže pozivanja na sdržavu(e) "lanicu(e)", podrazumijeva se da ta pozivanja obuhvataju, pored država lanica EU, i strane ugovomice JIE.

4. ODREDBE O ODBORIMA EVROPSKE UNIJE I KONSULTACIJAMA STRANA UGOVORNICA

Evropska komisija e konsultovati eksperte strana ugovomica JIE i dati im priliku da podnesu svoje savjete svaki put kada akti navedeni u Aneksu I predvi aju konsultacije Evropske komisije s odborima EU i mogu nost da dostave njihove savjete ili mizljenje.

Svaka konsultacija podrazumijeva jedan sastanak kojim predsjedava Evropska komisija i odvija se unutar Regionalnog upravnog odbora na poziv Evropske komisije prije konsultacije relevantnog odbora EU. Evropska komisija e dostaviti sve neophodne informacije svakoj strani ugovomici najmanje dvije nedjelje prije sastanka, osim ukoliko okolnosti ne zahtijevaju kra i rok.

Strane ugovomice JIE e biti pozvane da dostave svoja mizljenja Evropskoj komisiji, Evropska komisija e uzeti u obzir savjete koje dostave strane ugovomice JIE.

Gore navedene odredbe ne primjenjuju se na primjenu pravila o konkurenciji iz ovog ugovora koja e biti ure ena posebnim postupcima konsultacije iz Aneksa III.

SARADNJA I RAZMJENA INFORMACIJA

Da bi se pojednostavilo ostvarivanje relevantnih ovlaz enja nadle0nih organa ugovornih strana, takvi organi e na zahtjev me usobno razmijeniti sve informacije neophodne za pravilno funkcionisanje ovog ugovora.

5. POZIVANJE NA JEZIKE

Ugovorne strane imaju pravo da koriste, u postupcima utvr enim u podru ju ovog ugovora i ne dovode i u pitanje Aneks IV, zvani ni jezik institucija Evropske unije ili druge ugovorne strane. Me utim, ugovorne strane su upoznate da upotreba engleskog jezika pojednostavljuje ove postupke. Ukoliko se u nekom zvani nom dokumentu koristi jezik koji nije zvani ni jezik institucija Evropske unije, mora se istovremeno dostaviti prevod na zvani ni jezik institucija Evropske unije, uzimaju i u obzir odredbu iz prethodne re enice. Ukoliko jedna ugovorna strana namjerava da koristi, u usmenom postupku, jezik koji nije zvani ni jezik institucija Evropske unije, ta ugovorna strana mora obezbijediti simultano prevo enje na engleski jezik.

ANEKS III

PRAVILA O KONKURENCIJI I DRŽAVNOJ POMO I IZ LANA 17 OSNOVNOG UGOVORA

LAN 1

Državni monopolii

Strana ugovomica postepeno prilagoava eventualne državne monopole komercijalne prirode, kako bi obezbijedila da, do kraja drugog perioda iz protokola ovog ugovora, koji sadrži prelazne mjeru vezane za relevantnu stranu ugovomicu, vize ne postoje diskriminacija u pogledu uslova pod kojima se roba nabavlja i prodaje između državljanina ugovornih strana. Regionalni upravni odbor će biti informisan o mjerama koje su utvrđene radi ostvarivanja ovog cilja.

LAN 2

Usklađivanje propisa o državnoj pomoći i konkurenciji

1. Ugovorne strane prepoznaju značaj usklađivanja važećih propisa o državnoj pomoći i konkurenciji strana ugovomica s propisima Evropske unije. Strane ugovomice će nastojati da osiguraju postepeno usklađivanje svojih važećih i budućih zakona o državnoj pomoći i konkurenciji s pravnim tekovinama EU.
2. Usklađivanje zapravo danom stupanja na snagu ovog ugovora, i postepeno će se prozirivati na sve elemente odredaba Evropske unije o državnoj pomoći i konkurenciji iz ovog aneksa do kraja drugog perioda iz protokola ovog ugovora koji sadrži prelazne mjeru u pogledu relevantne strane ugovomice. Strana ugovomica će definisati, u sporazumima s Evropskom komisijom, i načine za pravne sprove enja radnji koje je potrebno preuzeti u cilju usklađivanja zakonodavstva i izvršenja zakona.

LAN 3

Pravila o konkurenciji i ostale ekonomski odredbe

1. Sljedeći postupci nespojivi su s pravilnim funkcionisanjem ovog ugovora, u mjeri u kojoj mogu uticati na trgovinu između dviju ili više ugovornih strana:
 - a) svih sporazumi između privrednih društava, odluke udruženja privrednih društava i povezane prakse između istih, čiji je cilj ili dejstvo spremanje, ograničavanje ili naruzavanje konkurenčije;
 - b) zloupotreba dominantnog položaja jednog ili više privrednih društava na teritoriji ugovornih strana u cijelini ili njihovim značajnim djelovima;
 - c) svaka državna pomoć koja naruzava ili prijeti da narazi konkurenčiju favorizovanjem određenih privrednih društava ili određenih proizvoda.
2. Svi postupci suprotni ovom lanu ocjenjivaće se na osnovu kriterijuma koji proizilaze iz primjene pravila o konkurenciji koji se primjenjuju u Evropskoj uniji, narođeno ito iz čl. 93, 101, 102, 106, 107 i 108 Ugovora o funkcionisanju Evropske unije i instrumenata za tumačenje koje su usvojile institucije EU.
3. Svaka strana ugovomica će obezbijediti da operativno nezavisnom javnom organu budu povjerena ovlašćenja neophodna za potpunu primjenu stava 1 tačka (i) i (ii), u vezi s

privatnim i javnim privrednim družtvima i privrednim družtvima kojima su dodijeljena posebna prava.

4. Svaka strana ugovornica JIE će odrediti ili osnovati operativno nezavisni organ kojem će povjeriti ovaj enja neophodna za potpunu primjenu stava 1 tačka (iii). Taj organ će, između ostalog, biti ovlašten da odobrava programe državne pomoći i pojedinačne pomoći i u skladu sa stavom 2, kao i ovaj enja da naredi povraćaj državne pomoći i koja je nezakonito dodijeljena.

5. Svaka ugovorna strana će obezbijediti transparentnost u oblasti državne pomoći i tako što će, između ostalog, ostalim ugovornim stranama dostavljati redovni godišnji izvještaj ili drugi slični dokument, sljedeći metodologiju i prezentaciju pregleda Evropske unije o državnoj pomoći. Na zahtjev jedne od ugovornih strana, druga strana će obezbijediti informacije o određenim pojedinim slučajevima javne pomoći.

6. Svaka strana ugovornica JIE će utvrditi sveobuhvatan popis programa pomoći i koji su pokrenuti prije osnivanja organa iz stava 4 i takve će programe pomoći uskladiti s kriterijumima iz stava 2.

7. a) Radi primjene odredaba stava 1 tačka (iii), ugovorne strane prihvataju da će se tokom perioda iz protokola ovog ugovora koji sadrži privremene mјere u pogledu svake pojedinice no strane ugovomice, svaka javna pomoć koju dodjeljuje ta strana ugovornica ocjenjivati imajući u vidu da se ta strana ugovornica JIE smatra područjem koje je identično onim područjem Evropske unije gdje je Oivotni standard neuobičajeno nizak ili kada postoji ozbiljna nedovoljna zaposlenost, kao što je navedeno u članu 107 stav 3 tačka a Ugovora o funkcionisanju Evropske unije;

b) Do kraja prvog perioda iz protokola ovog ugovora koji sadrži prelazne mјere u pogledu jedne strane ugovornice JIE, ta strana će Evropskoj komisiji dostavljati podatke o BDP-u po glavi stanovnika koji su usklađeni na nivou NUTS-a II. Organ iz stava 4 i Evropska komisija će, zatim, zajedno ocijeniti podobnost područja predmetne strane ugovornice JIE i, na osnovu toga, utvrditi najveći i iznos pomoći i za izradu mape regionalne pomoći i na osnovu odgovarajućih smjernica Evropske unije.

8. Ako jedna od ugovornih strana smatra da je neka određena praksa nespojiva s uslovima iz stava 1, ona može preduzeti odgovarajuće mјere nakon konsultacija s Regionalnim upravnim odborom ili nakon trideset radnih dana nakon što je uputila zahtjev za konsultacije.

9. Ugovorne strane će razmjenjivati informacije uzimajući u obzir ograničenja koja name u uslovi o profesionalnoj i poslovnoj povjerljivosti.

ANEKS IV

UPU IVANJA NA SUD PRAVDE EVROPSKE UNIJE

1. Opzti principi koji se odnose na Iana 19 Ugovora

1. Odredbe Statuta Suda pravde Evropske unije, u daljem tekstu: Sud pravde, i njegovog poslovnika o upu ivanju na odluku o prethodnom pitanju primjenjuju se, primjereno potrebi, na zahtjeve za odlu ivanje o prethodnom pitanju podnijete od strane suda ili tribunalala strane ugovomice JIE na osnovu Iana 19 Ugovora.

2. U tim slu ajevima strane ugovomice JIE e imati, u okviru podru ja primjene ovog ugovora, ista prava da podnesu prigovore Sudu pravde kao dr0ave lanice EU.

2. Opseg i na ini postupka iz Iana 19 Ugovora

1. Kada, u skladu s Iantom 19 stav 2, jedna strana ugovornica JIE doneše odluku o opsegu i na inu upu ivanja zahtjeva Sudu pravde, tom odlukom mora biti definisano da:

- (a) sud ili tribunal strane ugovornice JIE, protiv iih odluka ne postoji pravni lijek u doma em zakonu, tra0i od Suda pravde da doneše odluku o prethodnom pitanju o odre enom pitanju pokrenutom u slu aju koji se vodi pred tim sudom ili tribunalom, a odnosi se na valjanost ili tuma enje ovog ugovora ili odredbe iz Iana 19, ukoliko taj sud ili tribunal smatra da je takva odluka o predmetnom pitanju neophodna kako bi mogao da doneše presudu, ili
- (b) svaki sud ili tribunal strane ugovomice mo0e tra0iti od Suda pravde da doneše odluku o prethodnom pitanju o odre enom pitanju koje je pred njim postavljeno i koje se odnosi na valjanost ili tuma enje ovog ugovora ili odredbe iz Iana 19, ukoliko taj sud ili tribunal smatra daje odluka o tom pitanju neophodna da bi donio presudu. Na ini primjene Iana 19 Osnovnog ugovora temelje se na principima obuhva enim u zakonskim odredbama koje ure uju funkcionisanje Suda pravde, uklju uju i relevantne odredbe Ugovora o Evropskoj uniji i Ugovora o funkcionisanju Evropske unije, statuta i poslovnika Suda pravde, kao i njegove sudske prakse. U slu aju da doneše odluku o na inima primjene ove odredbe, strana ugovomica uzima u razmatranje i preporuke koje je izdao Sud pravde nacionalnim sudovima i tribunalima za pokretanje procedura odlu ivanja o prethodnom pitanju.

2. Sporovi dostavljeni Sudu pravde u skladu s Iantom 37 stav 3 Ugovora

Odredbe Statuta Suda pravde Evropske unije i njegovog poslovnika koje se odnose na sporove podnesene Sudu u skladu s Iantom 273 Ugovora o fmkcionisanju Evropske unije primjenjuju se, primjereno potrebi, na sporove podnesene u skladu s Iantom 37 stav 3 Ugovora.

3. Upu ivanje zahtjeva Sudu pravde i jezici

Strane ugovomice JIE imaju pravo da koriste, u postupcima pred Sudom pravde koji su pokrenuti unutar podru ja Ugovora, bilo koji zvani ni jezik institucija Evropske unije ili druge strane ugovomice JIE. Ukoliko se u zvani nom dokumentu koristi jezik koji nije zvani ni jezik institucija Evropske unije, mora se istovremeno dostaviti prevod na francuski jezik. Ukoliko neka strana ugovomica JIE namjerava da u usmenom postupku koristi jezik koji nije zvani ni jezik Evropske unije, ta strana ugovomica e obezbijediti simultani prevod na francuski jezik.

ANEKS V

DOPRINOS BUDŽETU TRANSPORTNE ZAJEDNICE

Strane	Doprinos u procentima
Evropska unija	80,00
Republika Albanija	3,20
Bosna i Hercegovina	3,55
Bivza jugoslovenska Republika Makedonija	2,88
Kosovo*	2,57
Crna Gora	2,38
Republike Srbija	5,42

Doprinos se dijeli na dva dijela: 80% za Evropsku uniju i 20% za 6 strana iz JIE.

Iznos od 20% za strane iz JIE biće tako podijeljen u skladu sa sljedećim razmještanjem: svaka strana doprinosi 2% budžetu a preostalih 8% se raspoređuju među 6 partnera iz JIE srazmjerno njihovom učešću u BDP-a u ukupnom BDP-u strana ugovornica JIE.

* Ovaj naziv je bez prejudiciranja stavova o statusu i u skladu je sa Rezolucijom UNSCR 1244 (1999) i Mizljenjem Međunarodnog suda pravde o kosovskoj deklaraciji o nezavisnosti.

PROTOKOL I

PRELAZNI ARANŽMANI IZME U EVROPSKE UNIJE, S JEDNE STRANE,
I REPUBLIKE ALBANIJE, S DRUGE STRANE

I. Uslovi koji se odnose na tranziciju u oblasti Oeljezni kog saobra aja

LAN 1

1. Prvi prelazni period traje od stupanja na snagu ovog ugovora do ispunjenja svih uslova iz lana 2 stav 1 ovog protokola od strane Republike Albanije, u daljem tekstu: Albanija, kako je utvr eno procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.
2. Drugi prelazni period traje od kraja prvog prelaznog perioda do ispunjenja svih uslova iz lana 2 stav 2 ovog protokola od strane Albanije kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.
3. Na kr ju prvog prelaznog paroda, Albanija moe da zatraoi od Evropske komisije da procijeni napredak u skladu s lanom 40 Osnovnog ugovora s ciljem da direktno pre e na integraciju tr0izta u skladu s lanom 11 Osnovnog ugovora.

LAN 2

1. Do kraja prvog prelaznog perioda, Albanija e
 - a) spovesti sve propise iz oblasti Oeljezni kog saobra aja koji su defmisani u Aneksu I;
 - b) ostvariti dovoljan stepen napretka u sprovo enju pravila o dr0avnoj pomo i i konkurenciji koja su obuhva ena relevantnim ugovorom shodno lanu 17 Osnovnog Ugovora ili Aneksu III, koji god je primjenljiv.
2. Do kraja prvog prelaznog perioda, Albanija e primjenjivati ovaj ugovor uklju uju i sve propise koji se odnose na Oeljezni ki saobra aj i pravila o dr0avnoj pomo i i konkurenciji iz stava 1.

LAN 3

1. Bez obzira na lan I stav 1 Osnovnog ugovora:
 - a) tokom prvog prelaznog perioda, Oeljeznice licencirane u Albaniji dobi e pristup Oeljezni koj infrastrukturi u Albaniji;

- b) tokom drugog prelaznog perioda, Oeljezni kim preduze ima licenciranim u Albaniji bi e dozvoljeno da ostvaruju saobra ajna prava predvi ena u propisima u oblasti Oeljezni kog saobra aja iz Aneksa I o Oeljezni koj infrastrukturi neke druge strane ugovomice JIE.

II. Uslovi koji se odnose na tranziciju u oblasti pomorskog saobra aja

LAN 1

1. Prvi prelazni period traje od stupanja na snagu ovog ugovora do ispunjenja svih uslova iz lana 2 stav 1 ovog protokola od strane Albanije kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.
2. Drugi prelazni period traje od kraja prvog prelaznog perioda do ispunjenja svih uslova iz lana 2 stav 2 ovog protokola od strane Albanije kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.

LAN 2

1. Do kraja prvog prelaznog perioda
 - a) Albanija e sprovoditi sve pomorske propise koji su navedeni u Aneksu I, osim Regulative br. 3577/92;
 - b) Dr0avljeni Albanije i brodarske kompanije osnovane u Albaniji ima e pravo da prevoze putnike ili robu morem izme u bilo koje luke dr0ave lanice EU i bilo koje luke ili postrojenja na moru druge dr0ave lanice ili dr0ave koja nije lanica Evropske unije. Isto se primjenjuje na dr0avljanje Albanije koji borave van Albanije i na brodarske kompanije osnovane van Albanije a kojima upravljaju dr0avljeni Albanije, ukoliko su njihovi plovni objekti registrovani u Albaniji u skladu s njenim zakonodavstvom.

Recipro no, vlasnici brodova iz EU imaju pravo da prevoze putnike ili robu morem izme u bilo koje luke ili postrojenja na moru dr0ave lanice Evropske unije i Albanije i bilo koje luke ili postrojenja na moru dr0ave koja nije lanica Evropske unije i Albanije. Isto se primjenjuje na dr0avljanje dr0ava lanica EU koji borave van Evropske unije i na brodarske kompanije osnovane van Evropske unije kojima upravljaju dr0avljeni lanice EU, ukoliko su njihovi plovni objekti registrovani u toj dr0avi lanici EU u skladu s njenim zakonodavstvom.

2. Do kraja drugog prelaznog perioda
 - a) Albanija e primjenjivati ovaj ugovor uklju uju i sve propise navedene u Aneksu I;
 - b) vlasnici brodova iz EU koji upravljaju brodovima registrovanim u nekoj dr0avi lanici EU ili u Albaniji i plove pod zastavom te dr0ave lanice EU ili Albanije ima e slobodu da pru0aju usluge pomorskog transporta unutar Albanije pod uslovima utvr enim u Regulativi br. 3577/92.

Recipro no, vlasnici brodova iz Albanije koji upravljaju brodovima registrovanim u dr0avi lanici EU ili u Albaniji i plove pod zastavom te dr0ave lanice ili Albanije ima e slobodu da pru0aju usluge pomorskog transporta unutar bilo koje dr0ave

Ilanice EU pod uslovima koji su utvrđeni u Regulativi br. 3577/92.

III. Uslovi koji se odnose na tranziciju u oblasti saobraćaja unutrašnjim plovnim putevima

LAN 1

1. Prelazni period traje od datuma stupanja na snagu ovog ugovora do ispunjenja svih uslova iz člana 2 ovog protokola od strane Albanije kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz člana 40 Osnovnog ugovora.

LAN 2

1. Do kraja prelaznog perioda:

- a) Albanija će primjenjivati ovaj ugovor uključujući i sve propise navedene u Aneksu I. Albanija će imati pravo da prevozi putnike ili robu unutrašnjim plovnim putevima između luke države ilanice i luke ili postrojenja na moru druge države ilanice.

PROTOKOL II

PRELAZNI ARANŽMANI IZME U EVROPSKE UNIJE, S JEDNE STRANE, I BOSNE I HERCEGOVINE, S DRUGE STRANE

I. Uslovi koji se odnose na tranziciju u oblasti Oeljezni kog saobra aja

LAN 1

1. Prvi prelazni period traje od stupanja na snagu ovog ugovora do ispunjenja svih uslova iz lana 2 stav 1 ovog protokola od strane Bosne i Hercegovine, kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.
2. Drugi prelazni period traje od kraja prvog prolaznog perioda do ispunjenja svih uslova iz lana 2 stav 2 ovog protokola od strane Bosne i Hercegovine kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.
3. Na kraju prvog prelaznog perioda, Bosna i Hercegovina može da zatraži od Evropske komisije da procijeni napredak u skladu s lanom 40 Osnovnog ugovora s ciljem da direktno pređe na integraciju tržišta u skladu s lanom 11 Osnovnog ugovora.

LAN 2

1. Do kraja prvog prolaznog perioda, Bosna i Hercegovina će:
 - a) sprovesti sve propise iz oblasti Oeljezni kog saobra aja koji su definisani u Aneksu I;
 - b) ostvariti dovoljan stepen napretka u sprovezenju pravila o državnoj pomoći i konkurenčiji koja su obuhvata na relevantnim ugovorom iz lana 17 Osnovnog ugovora ili Aneksa III, koji god je primjenljiv.
2. Do kraja drugog prolaznog perioda, Bosna i Hercegovina će primjenjivati ovaj ugovor uključujući i sve propise koji se odnose na Oeljezni kog saobra aja i pravila o državnoj pomoći i konkurenčiji iz stava 1.

LAN 3

1. Bez obzira na lana 1 stav 1 Osnovnog ugovora,
 - a) tokom prvog prelaznog perioda, Oeljezni će preduzeti a licencirana u Bosni i Hercegovini dobiti pristup Oeljezni kog infrastrukturi u Bosni i Hercegovini;
 - b) tokom drugog prelaznog perioda, Oeljezni kim preduzeće ima licenciranim u Bosni i Hercegovini biće dozvoljeno da ostvaruju saobraćajna prava predviđena u propisima u oblasti Oeljezni kog saobra aja iz Aneksa I o Oeljezni kog infrastrukturi neke druge strane ugovomice E.

II. Usloví koji se odnose na tranziciju u oblasti pomorskog saobra aja

LAN 1

1. Prvi prelazni period traje od stupanja na snagu ovog ugovora do ispunjenja svih uslova iz lana 2 stav 1 ovog protokola od strane Bosne i Hercegovine kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.
2. Drugi prelazni period traje od kraja prvog prelaznog perioda do ispunjenja svih uslova iz lana 2 stav 2 ovog protokola od strane Bosne i Hercegovine kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.

LAN 2

1. Do kraja prvog prelaznog perioda:
 - a) Bosna i Hercegovina e sprovoditi sve pomorske propise koji su navedeni u Aneksu I, osim Regulative br. 3577/92;
 - b) dr0avljeni Bosne i Hercegovine i brodarske kompanije osnovane u Bosni i Hercegovini imaju pravo da prevoze putnike ili robu morem izme u bilo koje luke dr0ave lanice EU i bilo koje luke ili postrojenja na moru druge dr0ave lanice EU ili dr0ave koja nije lanica Evropske unije. Isto se primjenjuje na dr0avljane Bosne i Hercegovine koji borave van Bosne i Hercegovine i na brodarske kompanije osnovane van Bosne i Hercegovine kojima upravljaju dr0avljeni Bosne i Hercegovine, ukoliko su njihovi plovni objekti registrovani u Bosni i Hercegovini u skladu s njenim zakonodavstvom.

Recipro no, vlasnici brodova iz EU imaju pravo da prevoze putnike ili robu morem izme u bilo koje luke ili postrojenja na moru dr0ave lanice Evropske unije i Bosne i Hercegovine, i bilo koje luke ili postrojenja na moru dr0ave koja nije lanica EU i Bosne i Hercegovine. Isto se primjenjuje na dr0avljane dr0ave lanica EU koji borave van Evropske unije i na brodarske kompanije osnovane van Evropske unije kojima upravljaju dr0avljeni dr0ave lanice EU, ukoliko su njihovi plovni objekti registrovani u toj dr0avi lanici EU u skladu s njenim zakonodavstvom.

2. Do kraja drugog prelaznog perioda:
 - a) Bosna i Hercegovina e primjenjivati ovaj ugovor uklju uju i sve propise navedene u Aneksu I;
 - b) vlasnici brodova iz EU koji upravljaju brodovima registrovanim u nekoj dr0avi lanici EU ili u Bosni i Hercegovini i plove pod zastavom te dr0ave lanice EU ili Bosne i Hercegovine ima e slobodu da pru0aju usluge pomorskog transporta unutar Bosne i Hercegovine pod uslovima utvr enim u Regulativi br. 3577/92.

Recipro no, vlasnici brodova iz Bosne i Hercegovine koji upravljaju brodovima registrovanim u dr0avi lanici EU ili u Bosni i Hercegovini i plove pod zastavom te dr0ave lanice ili Bosne i Hercegovine ima e slobodu da pru0aju usluge pomorskog

transporta unutar bilo koje države u lanice EU pod uslovima koji su utvrđeni u Regulativi br. 3577/92.

III. Uslovi koji se odnose na tranziciju u oblasti saobraćaja unutražnjim plovnim putevima

LAN 1

1. Prelazni period traje od datuma stupanja na snagu ovog ugovora do ispunjenja svih uslova iz člana 2 ovog protokola od strane Bosne i Hercegovine kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz člana 40 Osnovnog ugovora.

LAN 2

1. Do kraja prelaznog perioda:

- a) Bosna i Hercegovina će primjenjivati ovaj ugovor uključujući i sve propise navedene u Aneksu I.
- b) Bosna i Hercegovina će imati pravo da prevozi putnike ili robu unutražnjim plovnim putevima između bilo koje luke države u lanice i bilo koje luke ili postrojenja na moru druge države u lanice EU.

PROTOKOL III

PRELAZNI ARANŽMANI IZMEĐU EVROPSKE UNIJE, S JEDNE STRANE,
I BIVŠE JUGOSLOVENSKE REPUBLIKE MAKEDONIJE, S DRUGE STRANE

I. Uslovi koji se odnose na tranziciju u oblasti Oeljezni kog saobraćaja

LAN 1

1. Prvi prelazni period traje od stupanja na snagu ovog ugovora do ispunjenja svih uslova iz člana 2 stav 2 ovog protokola od strane bivše jugoslovenske Republike Makedonije, kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz člana 40 Osnovnog ugovora.
2. Drugi prelazni period traje od kraja prvog prelaznog perioda do ispunjenja svih uslova iz člana 2 stav 2 ovog protokola od strane bivše jugoslovenske Republike Makedonije, kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz člana 40 Osnovnog ugovora.
3. Na kraju prvog prelaznog perioda, bivša jugoslovenska Republika Makedonija može da zatraži od Evropske komisije da procijeni napredak u skladu s članom 40 Osnovnog ugovora s ciljem da direktno pređe na integraciju tržišta u skladu s članom 11 Osnovnog ugovora.

LAN 2

1. Do kraja prvog prelaznog perioda, bivša jugoslovenska Republika Makedonija će:
 - a) sprovesti sve propise iz oblasti Oeljezni kog saobraćaja koji su definisani u Aneksu I;
 - b) ostvariti dovoljan stepen napretka u sprovezenju pravila o državnoj pomoći i konkurenčiji koja su obuhvata na relevantnim ugovorom iz člana 17 Osnovnog ugovora ili Aneksa III, koji god je primjenljiv.
2. Do kraja drugog prelaznog perioda, bivša jugoslovenska Republika Makedonija će primjenjivati ovaj ugovor uključujući i sve propise koji se odnose na Oeljezni kog saobraćaj i pravila o državnoj pomoći i konkurenčiji iz stava 1.

LAN 3

1. Bez obzira na član 1 stav 1 Osnovnog ugovora:
 - a) tokom prvog prelaznog perioda, Oeljezni će preduzeti a licencirana u bivšoj jugoslovenskoj Republici Makedoniji dobiti pristup Oeljezni koj infrastrukturi u

bivzoy jugoslovenskoj Republici Makedoniji;

- b) tokom drugog prelaznog perioda, Oeljezni kim preduze ima licenciranim u bivzoy jugoslovenskoj Republici Makedonji bi e dozvoljeno da ostvaruju saobra ajna prava predvi ena u propisima u oblasti Oeljezni kog saobra aja iz Aneksa I o Oeljezni koj infrastrukturi neke druge strane ugovomice JIE. Uslovi koji se odnose na tranziciju u oblasti pomorskog saobra aja

LAN 1

1. Prvi prelazni period traje od stupanja na snagu ovog ugovora do ispunjenja svih uslova iz lana 2 stav 1 ovog protokola od strane bivze jugoslovenske Republike Makedonije kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.
2. Drugi prelazni period traje od kraja prvog prelaznog perioda do ispunjenja svih uslova iz lana 2 stav 2 ovog protokola od strane bivze jugoslovenske Republike Makedonije kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.

LAN 2

1. Do kraja prvog prelaznog perioda:
 - a) bivza jugoslovenska Republika Makedonija sprovodi e sve pomorske propise koji su navedeni u Aneksu I, osim Regulative br. 3577/92;
 - b) dr0avljeni bivze jugoslovenske Republike Makedonije i brodarske kompanije osnovane u bivzoy jugoslovenskoj Republici Makedonji ima e pravo da prevoze putnike ili robu morem izme u bilo koje luke dr0ave lanice EU i bilo koje luke ili postrojenja na moru druge dr0ave lanice EU ili dr0ave koja nije lanica Evropske unije. Isto se primjenjuje na dr0avljanje bivze jugoslovenske Republike Makedonije koji borave van bivze jugoslovenske Republike Makedonije i na brodarske kompanije osnovane van bivze jugoslovenske Republike Makedonije kojima upravljaju dr0avljeni bivze jugoslovenske Republike Makedonije, ukoliko su njihovi plovni objekti registrovani n bivzoy jugoslovenskoj Republici Makedoniji u skladu s njenim zakonodavstvom.

Recipro no, vlasnici brodova iz EU ima e pravo de prevoze putnike ili robu morem izme u bilo koje luke ili postrojenja na moru dr0ave koja je lanica Evropske unije i bivze jugoslovenske Republike Makedonije, i bilo koje luke ili postrojenja na moru dr0ave koja nije lanica EU i bivze jugoslovenske Republike Makedonije. Isto se primjenjuje na dr0avljanje dr0ava lanica EU koji borave van Evropske unije i na brodarske kompanije osnovane van Evropske unije kojima upravljaju dr0avljeni lanice EU, ukoliko su njihovi plovni objekti registrovani u toj dr0avi lanici EU u skladu s njenim zakonodavstvom.

2. Do kraja drugog prelaznog perioda:
 - a) bivza jugoslovenska Republika Makedonija primjenjiva e ovaj ugovor uklju uju i sve propise navedene u Aneksu I;

b) vlasnici brodova iz EU koji upravljaju brodovima registrovanim u nekoj drzavi lanici EU ili u bivzoj jugoslovenskoj Republici Makedoniji i plove pod zastavom te drzave lanice EU ili bivze jugoslovenske Republike Makedonije ima e slobodu da pruozaju usluge pomorskog transporta unutar bivze jugoslavenske Republike Makedonije pod uslovima utvr enim u Regulativi br. 3577/92.

Recipro no, vlasnici brodova iz bivze jugoslovenske Republike Makedonije koji upravljaju brodovima registrovanim u drzavi lanici EU ili u bivzoj jugoslovenskoj Republici Makedoniji i plove pod zastavom te drzave lanice ili bivze jugoslovenske Republike Makedonije ima e slobodu da pruozaju Usluge pomorskog transporta unutar bilo koje drzave lanice EU pod uslovima koji su utvr eni u Regulativi br. 3577/92.

II. Uslovi koji se odnose na tranziciju u oblasti saobra aja unutraznjim plovnim putevima

LAN 1

1. Prelazni period traje od datuma stupanja na snagu ovog ugovora do ispunjenja svih uslova iz lana 2 ovog protokola od strane bivze jugoslovenske Republike Makedonije kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz dana 40 Osnovnog ugovora.

LAN 2

Do kraja prelaznog perioda:

- a) bivza jugoslovenska Republika Makedonija primjenjiva e ovaj ugovor uklju uju i sve propise navedene u Aneksu I;
- b) bivza jugoslovenska Republika Makedonija ima e pravo da prevozi putnike ili robu unutraznjim plovnim putevima izme u bilo koje luke drzave lanice i bilo koje luke ili postrojenja na moru druge drzave lanice EU.

PROTOKOL IV

PRELAZNI ARANŽMANI IZME U EVROPSKE UNIJE, S JEDNE STRANE, I KOSOVA^{*}, S DRUGE STRANE

I. Uslovi koji se odnose na tranziciju u oblasti Oeljezni kog saobra aja

LAN 1

1. Prvi prelazni period traje od stupanja na snagu ovog ugovora do ispunjenja svih uslova iz lana 2, stav 2 ovog protokola od strane Kosova, kako je utvr eno procjenom koju sprovodi Evropska komisija u skladu sa postupkom iz lana 40 Osnovnog ugovora.
2. Drugi prelazni period traje od kraja prvog prelaznog perioda do ispunjenja svih uslova iz lana 2, stav 2 ovog protokola od strane Kosova, kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu sa postupkom iz lana 40 Osnovnog ugovora.
3. Na kraju prvog prelaznog perioda, Kosovo moe da zatraoi od Evropske komisije da procijeni napredak u skladu s lanom 40 Osnovnog ugovora s ciliem da direktno pre e na integraciju tr0izta u skladu s lanom 11 Osnovnog ugovora.

LAN 2

1. Do kraja prvog prelaznog perioda, Kosovo e:
 - a) sprovesti sve propise iz oblasti Oeljezni kog saobra aja koji su definisani u Aneksu 1;
 - b) ostvariti dovoljan stepen napretka u sprovo enju pravila o dr0avnoj pomo i i konkurenciji koja su obuhva ena relevantnim ugovorom shodno lanu 17 Osnovnog ugovora ili Aneksu III, koji god je primjenljiv.
2. Do kraja drugog prelaznog perioda, Kosovo e primjenjivati ovaj ugovor uklju uju i sve propise koji se odnose na Oeljezni ki saobra aj i pravila o dr0avnoj pomo i i konkurenciji iz stava
- 3.

LAN 3

1. Bez obzira na lan 1 stav 1 Osnovnog ugovora:
 - a) tokom prvog prelaznog perioda, Oeljezni ka preduze a licencirana na Kosovu dobi e pristup Oeljezni koj infrastrukturi na Kosovu;

* Ovaj naziv je bez prejudiciranja stavova o statusu i u skladu je sa Rezolucijom UNSCR 1244 (1999) i Mizljenjem Me unarodnog suda pravde o kosovskoj deklaraciji o nezavisnosti.

- b) tokom drugog prelaznog perioda, Oeljezni kim preduze ima licenciranim na Kosovu bi e dozvoljeno da ostvaruju saobra ajna prava predvi ena u propisima u oblasti Oeljezni kog saobra aja iz Aneksa I o Oeljezni koj infrastrukturi neke druge strane ugovornice JIE.

II. II. Uslovi koji se odnose na drumski saobra aj

Evropska unija i Kosovo se slaou da, bez obzira na lana 61 stav 1 Sporazuma o stabilizaciji i pridruivanju izme u Evropske unije i Evropske zajednice za atomsku energiju, s jedne strane, i Kosova*, s druge strane¹, Poglavlje o tranzitnom saobra aju e se i dalje primjenjivati kada Ugovor o osnivanju Transportne zajednice stupi na snagu.

III. Uslovi koji se odnose na tranziciju u oblasti pomorskog saobra aja

LAN 1

1. Prvi prelazni period traje od stupanja na snagu ovog ugovora do ispunjenja svih uslova iz lana 2 stav 1 ovog protokola od strane Kosova kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.
2. Drugi prelazni period traje od kraja prvog prelaznog perioda do ispunjenja svih uslova iz lana 2 stav 2 ovog protokola od strane Kosova kako se potvidi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.

LAN 2

1. Do kraja prvog prelaznog perioda:

- a) Kosovo e sprovoditi sve pomorske propise koji su navedeni u Aneksu I osim Regulative br. 3577/92;
- b) Dr0avljeni Kosovo i brodarske kompanije osnovane na Kosovu e imati pravo da prevoze putnike ili robu morem izme u bilo koje luke dr0ave lanice EU i bilo koje luke ili postrojenja na moru druge dr0ave lanice EU ili dr0ave koja nije lanica Evropske unije. Isto se primjenjuje na dr0avljanje Kosova koji borave van Kosova i na brodarske kompanije osnovane van Kosova kojima upravljaju dr0avljeni Kosova, ukoliko su njihovi plovni objekti registrovani na Kosovu u skladu s njenim zakonodavstvom.

Recipro no, vlasnici brodova iz EU e imati pravo da prevoze putnike ili robu morem izme u bilo koje luke ili postrojenja na moru dr0ave lanice Evropske unije i Kosova, i bilo koje luke ili postrojenja na moru dr0ave koja nije lanica EU i Kosova. Isto se primjenjuje na dr0avljanje dr0ava lanica EU koii borave van Evropske unije i na brodarske kompanije osnovane van Evropske unije kojima upravljaju dr0avljeni lanice EU, ukoliko su njihovi plovni objekti registrovani ii to dr0avi lanici EU u skladu s njenim zakonodavstvom.

* Ovaj naziv je bez prejudiciranja stavova o statusu i u skladu je sa Rezolucijom UNSCR 1244 (1999) i Mizljenjem Me unarodnog suda pravde o kosovskoj deklaraciji o nezavisnosti.

¹ Sl. EU L 71, 16.3.2016, str. 3.

2. Do kraja drugog prelaznog perioda:

- a) Kosovo će primjenjivati ovaj ugovor uključujući i sve propise navedene u Aneksu I;
- b) vlasnici brodova iz EU koji upravljaju brodovima registrovanim u nekoj državi lanici EU ili na Kosovu i plove pod zastavom te države lanice EU ili Kosova imaće slobodu da pružaju usluge pomorskog transporta unutar Kosova pod uslovima utvrđenim u Regulativi br. 3577/92.

Recipročno, vlasnici brodova s Kosova koji upravljaju brodovima registrovanim u državi lanici EU ili na Kosovu i plove pod zastavom te države lanice ili Kosova imaće slobodu da pružaju usluge pomorskog transporta unutar bilo koje države lanice EU pod uslovima koji su utvrđeni u Regulativi br. 3577/92.

IV. Uslovi koji se odnose na tranziciju u oblasti saobraćaja unutrašnjim plovnim putevima

LAN 1

1. Prelazni period traje od datuma stupanja na snagu ovog ugovora do ispunjenja svih uslova iz člana 2 ovog protokola od strane Kosova kako se potvrди procjenom koju sprovodi Evropska komisija u skladu s postupkom iz člana 40 Osnovnog ugovora.

LAN 2

Do kraja prelaznog perioda:

- a) Kosovo će primjenjivati ovaj ugovor uključujući i sve propise navedene u Aneksu I;
- b) Kosovo će imati pravo da prevozi putnike ili robu unutrašnjim plovnim putevima između bilo koje luke države lanice i bilo koje luke ili postrojenja na moru druge države lanice EU.

PROTOKOL V

PRELAZNI ARANŽMANI IZME U EVROPSKE UNIJE, S JEDNE STRANE, I CRNE GORE, S DRUGE STRANE

I. Uslovi koji se odnose na tranziciju u oblasti Željezni kog saobra aja II.

LAN 1

1. Prvi prelazni period traje od stupanja na snagu ovog ugovora do ispunjenja svih uslova iz īana 2 stav 1 ovog protokola od strane Crne Gore, kako je utvr eno procjenom koju sprovodi Evropska komisija u skladu s postupkom iz īana 40 Osnovnog ugovora.
2. Drugi prelazni period traje od kraja prvog prelaznog perioda do ispunjenja svih uslova iz īana 2 stav 2 ovog protokola od strane Crne Gore kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz īana 40 Osnovnog ugovora.
3. Na kraju prvog prelaznog perioda, Crna Gora moe da zatraoi od Evropske komisije da procijeni napredak u skladu s īanom 40 Osnovnog ugovora s ciljem da direktno pre e na integraciju tr0izta u skladu s īanom 11 Osnovnog ugovora.

LAN 2

1. Do kraja prvog prelaznog perioda, Crna Gora e:
 - a) sprovesti sve propise iz oblasti Željezni kog saobra aja koji su definisani u Aneksu I;
 - b) ostvariti dovoljan stepen napretka u sprovo enju pravila o dr0avnoj pomo i i konkurenciji koja su obuhvata ena relevantnim ugovorom iz īana 17 Osnovnog ugovora ili Aneksa III, koji god je primjenljiv.
2. Do kraja drugog prelaznog perioda, Crna Gora e primjenjivati ovaj ugovor uklju uju i sve propise koji se odnose na Željezni ki saobra aj i pravila o dr0avnoj pomo i i konkurenciji iz stava 1.

LAN 3

1. Bez obzira na īan 1 stav 1 Osnovnog ugovora:
 - a) tokom prvog prelaznog perioda, Željezni ka preduze a licencirana u Crnoj Gori dobi e pristup Željezni koj infrastrukturi u Crnoj Gori;

- b) tokom drugog prelaznog perioda, Oeljezni kim preduze ima licenciranim u Crnoj Gori biće dozvoljeno da ostvaruju saobraćajna prava predviđena u propisima u oblasti Oeljezni kog saobraćaja iz Aneksa I o Oeljezni koj infrastrukturi neke druge strane ugovornice JIE.

III. Uslovi koji se odnose na tranziciju u oblasti pomorskog saobraćaja

LAN 1

1. Prvi prelazni period traje od stupanja na snagu ovog ugovora do ispunjenja svih uslova iz člana 2 stav 1 ovog protokola od strane Crne Gore kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz člana 40 Osnovnog ugovora.
2. Drugi prelazni period traje od kraja prvog prelaznog perioda do ispunjenja svih uslova iz člana 2 stava 2 ovog protokola od strane Crne Gore kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz člana 40 Osnovnog ugovora.

LAN 2

1. Do kraja prvog prelaznog perioda:

- a) Crna Gora će sprovoditi sve pomorske propise koji su navedeni u Aneksu I, osim Regulative br. 3577/92;
- b) državljanji Crne Gore i brodarske kompanije osnovane u Crnoj Gori će imati pravo da prevoze putnike ili robu morem između bilo koje luke države članice EU i bilo koje luke ili postrojenja na moru druge države članice EU ili države koja nije članica Evropske unije. Isti se primjenjuje na državljane Crne Gore koji borave van Crne Gore i na brodarske kompanije osnovane van Crne Gore kojima upravljaju državljanji Crne Gore, ukoliko su njihovi plovni objekti registrovani u Crnoj Gori u skladu s njenim zakonodavstvom.

Recipročno, vlasnici brodova iz EU će imati pravo da prevoze putnike ili robu morem između bilo koje luke ili postrojenja na moru države članice Evropske unije i Crne Gore, i bilo koje luke ili postrojenja na moru države koja nije članica EU i Crne Gore. Isti se primjenjuje na državljane države članice EU koji borave van Evropske unije i na brodarske kompanije osnovane van Evropske unije kojima upravljaju državljanji članice EU, ukoliko su njihovi plovni objekti registrovani u toj državi članici EU u skladu s njenim zakonodavstvom.

2. Do kraja drugog prelaznog perioda:

- a) Crna Gora će primjenjivati ovaj ugovor uključujući i sve propise navedene u Aneksu I;
- b) vlasnici brodova iz EU koji upravljaju brodovima registrovanim u nekoj državi članici EU ili u Crnoj Gori i plove pod zastavom te države članice EU ili Crne Gore će imati slobodu da pružaju usluge pomorskog transporta unutar Crne Gore pod uslovima utvrđenim u Regulativi br. 3577/92.

Recipročno, vlasnici brodova iz Crne Gore koji upravljaju brodovima registrovanim u državni lanici EU ili u Crnoj Gori i plove pod zastavom te države lanice ili Crne Gore imaju slobodu da pružaju usluge pomorskog transporta unutar bilo koje države lanice EU pod uslovima koji su utvrđeni u Regulativi br. 3577/92.

IV. Uslovi koji se odnose na tranziciju u oblasti saobraćaja unutrašnjim plovnim putevima

LAN 1

1. Prelazni period traje od datuma stupanja na snagu ovog ugovora do ispunjenja svih uslova iz lana 2 ovog protokola od strane Crne Gore kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.

LAN 2

Do kraja prelaznog perioda:

- a) Crna Gora će primjenjivati ovaj ugovor uključujući i sve propise navedene u Aneksu I;
- b) Crna Gora će imati pravo da prevozi putnike ili robu unutrašnjim plovnim putevima između bilo koje luke države lanice i bilo koje luke ili postrojenja na moru druge države lanice EU.

PROTOKOL VI

PRELAZNI ARANŽMANI IZME U EVROPSKE UNIJE, S JEDNE STRANE, I REPUBLIKE SRBIJE S DRUGE STRANE

I. Uslovi koji se odnose na tranziciju u oblasti Oeljezni kog saobra aja

LAN 1

1. Prvi prelazni period traje od stupanja na snagu ovog ugovora do ispunjenja svih uslova iz Iana 2 stav 1 ovog protokola od strane Republike Srbije, u daljem tekstu: Srbija, kako je utvr eno procjenom koju sprovodi Evropska komisija u skladu s postupkom iz Iana 40 Osnovnog ugovora.
2. Drugi prelazni period traje od kraja prvog prelaznog perioda do ispunjenja svih uslova iz Iana 2 stav 2 ovog protokola od strane Srbije kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz Iana 40 Osnovnog ugovora.
3. Na kraju prvog prelaznog perioda, Srbija moe da zatraoi od Evropske komisije da procijeni napredak u skladu s Iantom 40 Osnovnog ugovora s ciljem da direktno pre e na integraciju tr0izta u skladu s Iantom 11 Osnovnog ugovora.

LAN 2

1. Do kraja prvog prelaznog perioda, Srbija e:
 - a) sprovesti sve propise iz oblasti Oeljezni kog saobra aja koji su definisani u Aneksu I;
 - b) ostvariti dovoljan stepen napretka u sprove enju pravila o dr0avnoj pomo i i konkurennciji koja su obuhvata ena relevantnim ugovorom shodno Iantu 17 Osnovnog Ugovora ili Aneksu III, koji god je primjenljiv.
2. Do kraja drugog prelaznog perioda, Srbija e primjenjivati ovaj ugovor uklju uju i sve propise koji se odnose na Oeljezni ki saobra aj i pravila o dr0avnoj pomo i i konkurennciji iz stava I.

LAN 3

1. Bez obzira na Ian 1 stav 1 Osnovnog ugovora:
 - a) tokom prvog prelaznog perioda, Oeljezni ka preduze a licencirana u Srbiji obi e pristup Oeljezni koj infrastrukturi u Srbiji;
 - b) tokom drugog prelaznog perioda, Oeljezni kim preduze ima licenciranim u Sitiji bi e dozvoljeno da ostvaruju saobra ajna prava predvi ena u propisima u oblasti Oeljezni kog saobra aja iz Aneksa I o Oeljezni koj infrastrukturi neke druge strane

ugovomice JIE.

II. Uslovi koji se odnose na tranziciju u oblasti pomorskog saobraćaja

LAN 1

1. Prvi prelazni period traje od stupanja na snagu ovog ugovora do ispunjenja svih uslova iz člana 2 stav 1 ovog protokola od strane Srbije kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz člana 40 Osnovnog ugovora.

2. Drugi prelazni period traje od kraja prvog prelaznog perioda do ispunjenja svih uslova iz člana 2 stav 2 ovog protokola od strane Srbije kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz člana 40 Osnovnog ugovora.

LAN 2

1. Do kraja prvog prelaznog perioda:

- a) Srbija će sprovoditi sve pomorske propise koji su navedeni u Aneksu I, osim Regulative br. 3577/92;
- b) državljanji Srbije i brodarske kompanije osnovane u Srbiji će imati pravo da prevoze putnike ili robu morem između bilo koje luke države članice EU i bilo koje luke ili postrojenja na moru druge države članice EU ili države koja nije članica Evropske unije. Isto se primjenjuje na državljane Srbije koji borave van Srbije i na brodarske kompanije osnovane van Srbije kojima upravljaju državljanji Srbije, ukoliko su njihovi plovni objekti registrovani u Srbiji u skladu s njenim zakonodavstvom. Recipročno, vlasnici brodova iz EU će imati pravo da prevoze putnike ili robu morem između bilo koje luke ili postrojenja na moru države članice Evropske unije i Srbije, i bilo koje luke ili postrojenja na moru države koja nije članica EU i Srbije. Isto se primjenjuje na državljane države članice EU koji borave van Evropske unije i na brodarske kompanije osnovane van Evropske unije kojima upravljaju državljanji države članice EU, ukoliko su njihovi plovni objekti registrovani u toj državi članici EU u skladu s njenim zakonodavstvom.

2. Do kraja drugog prelaznog perioda:

- a) Srbija će primjenjivati ovaj ugovor uključujući i sve propise navedene u Aneksu I;
- b) vlasnici brodova iz EU koji upravljaju brodovima registrovanim u nekoj državi članici EU ili u Srbiji i plove pod zastavom te države članice EU ili Srbije imaće slobodu da pružaju usluge pomorskog transporta unutar Srbije pod uslovima utvrđenim u Regulativi br. 3577/92.

Recipročno, vlasnici brodova iz Srbije koji upravljaju brodovima registrovanim u državi članici EU ili u Srbiji i plove pod zastavom te države članice ili Srbije imaće slobodu da pružaju usluge pomorskog transporta unutar bilo koje države članice EU pod uslovima koji su utvrđeni u Regulativi br. 3577/92.

III. Uslovi koji se odnose na tranziciju u oblasti saobraćaja unutarnjim plovnim putevima

LAN 1

1. Prelazni period traje od datuma stupanja na snagu ovog ugovora do ispunjenja svih uslova iz lana 2 ovog protokola od strane Srbije kako se potvrdi procjenom koju sprovodi Evropska komisija u skladu s postupkom iz lana 40 Osnovnog ugovora.

LAN 2

Do kraja prelaznog perioda:

- a) Srbija e primjenjivati ovaj ugovor uklju uju i sve propise navedene u Aneksu I;
- b) Srbija e imati pravo da prevozi putnike ili robu unutraznjim plovnim putevima izme u bilo koje luke dr0ave lanice i bilo koje luke ili postrojenja na moru druge dr0ave lanice EU.

LAN 3

Ovaj zakon stupa na snagu osmog dana od dana objavljivanja u %lu0benom listu Crne Gore . Me unarodni ugovori.+

**OBRAZLOŽENJE
za donošenje Zakona o potvrđivanju Ugovora o osnivanju transportne
zajednice**

I Ustavni osnov za donošenje zakona

Ustavni osnov za donozenje Zakona o potvrđivanju Ugovora o transportnoj zajednici sadržan je u članu 16 stav 1 tačka 5, a u vezi sa članom 82 stav 1 tačka 17 Ustava Crne Gore kojima je propisano da se zakonom, u skladu sa Ustavom, uređuju druga pitanja od interesa za Crnu Goru i da Skupština Crne Gore potvrđuje međunarodne ugovore.

II Ocjena stanja međunarodnih odnosa i cilj donošenja zakona

Ugovor o transportnoj zajednici je zamijeniti Memoranduma o razumijevanju za razvoj osnovne regionalne transportne mreže u Jugoistočnoj Evropi (**Memorandum**), koji je potписан u Luksemburgu, 11. juna 2004. godine, od strane vlada Crne Gore, Hrvatske, Bosne i Hercegovine, Makedonije, Albanije, Srbije i Kosova, dok je osma potpisnica bila Evropska komisija, a koji je do sada predstavljao kamen temeljac politike djelovanja Evropske Unije prema zemljama Zapadnog Balkana u oblasti saobraćaja.

Značajnije pozicioniranje potписанog *Memoranduma*, omogućeno je i kroz primjenu Protokola IV o kopnenom saobraćaju u okviru Sporazuma o stabilizaciji i pridruživanju između Evropskih Zajednica i njihovih država članica, s jedne strane, i Republike Crne Gore, s druge strane.

U okviru dosadnjih aktivnosti predstavnici Crne Gore uzeli su učešće na dvanaest (12) godišnjih sastanka ministara saobraćaja zemalja potpisnika *Memoranduma* i pedeset (52) sastanaka SEETO Nadzornog odbora (Steering Committee). Održan je i veliki broj sastanaka SEETO Nacionalnih koordinatora, radnih grupa, seminara i radionica. Misija *Memoranduma* je bila saradnja na razvoju glavne i pomorne infrastrukture na multimodalnoj osnovoj regionalnoj transportnoj mreži u Jugoistočnoj Evropi i unaprijeđenje politika u ovoj oblasti, u cilju ostvarivanja brojeg progresa u razvoju. Prezentacija rada i progresa zemalja potpisnika *Memoranduma* reflektovana je i kroz izradu Petogodišnjih akcionih planova (Multi Annual Plans (MAPs)), koji se ažuriraju na godišnjoj osnovi, a sadrže i prioritetu listu projekata, koji pored nacionalnog imaju i regionalni znak. Pomenuti dokument predstavlja regionalnu strategiju, te identificira znak ajan broj regionalno važnih reformi i mjera upravljanja u sektoru saobraćaja, a znak ajan je i sa aspekta procjene finansijske održivosti i ekonomске stabilnosti regiona.

Ugovor o osnivanju saobraćajne zajednice potписан je u Trstu 12. jula 2017. godine u originalu na engleskom jeziku, i u Briselu 9. oktobra 2017. godine u originalu na crnogorskom jeziku i na službenim jezicima institucija Evropske unije i strana potpisnica iz Jugoistočne Europe.

Kroz *Berlinski proces i Agendu povezivanja*, odnosno kroz proces saradnje predsjednika vlada zapadno-balkanske zemalje i do ponovnog aktualizovanja pitanja Ugovora o osnivanju transportne zajednice, a u znaku mjeri zahvaljujući i posvećenosti sadaznje EU komesarke za saobraćaj, gospođe Violeti Bulc, koja snažno podržava potrebu razvoja efikasnog i dobro povezanog transportnog sistema u zemljama Zapadnog Balkana.

Shodno zaključku Vlade Crne Gore, broj: 07-183 od 3. februara 2017, Tim za vođenje pregovora o osnivanju transportne zajednice u regionu Zapadnog Balkana, na sastanku održanom 03.02.2017. u Ministarstvu saobraćaja i pomorstva, razmotrio je i pripremio na dalju proceduru prema KEPIF-u i Vladi prijedlog Ugovora o osnivanju transportne zajednice u regionu Zapadnog Balkana. Nakon što je Vlada prihvatile tekst Koncepta Nacrta Ugovora o osnivanju transportne zajednice u regionu Zapadnog Balkana i ovlastila ministra saobraćaja i pomorstva Osmana Nurkovića da isti parafira, u Briselu je 10. februara 2017. godine organizovano parafiranje Ugovora.

Na etvrtom Samitu predsjednika vlada zapadno-balkanske zestorke (WB6), koji se odr0ao u Trstu, 12. jula 2017. godine, predsjednik Vlade Crne Gore Duzko Markovi , zajedno sa predsjednicima vlada zemalja JIE i predstavnicima EU, potpisao je Ugovor o osnivanju transportne zajednice u regionu Zapadnog Balkana, na engleskom jeziku.

Nakon zto je Evropska komisija uputila zvani an poziv preko Misije Crne Gore pri EU 29. septembra 2017. godine, Vlada Crne Gore je na sjednici 5. oktobra 2017. godine, ovlastila ambasadora Bojana Šarkića, šefa Misije Crne Gore pri EU, da potpize Ugovor osnivanju transportne zajednice u originalu na crnogorskom jeziku, u Briselu 9. oktobra 2017. godine.

Ugovor o osnivanju transportne zajednice svake strane ugovornice JIE treba da podigne na ve i nivo saradnju u oblasti saobra aja, uz zna ajnje obavezivanje zemalja potpisnica, a zire i aspekt djelovanja i na oblast zaztite Oivotne sredine, socijalnog dijaloga i javnih nabavki koje koreliraju sa sektorom saobra aja. Cilj primjene Ugovora je razvoj samoodr0ivog saobra aja, br0e dostizanje standarda i otvaranje tr0izta kako je to regulisano u Trans-evropskoj transportnoj mre0i, odnosno saobra ajoj mre0i Evropske unije. Ugovor o uspostavljanju transportne zajednice jedan je od klju nih politi kih procesa u okviru Agende povezivanja i Berlinskog procesa, kojim se te0i ja anju regionalne saradnje u oblasti saobra aja, ali i saradnje sa Evropskom unijom, te kvalitetnijem povezivanju zemalja Zapadnog Balkana saobra ajnom i energetskom infrastrukturom, sa svrhom unapre enja ekonomskog razvoja i rasta i podsticanja investicija, uz uskla ivanje regulatornih politika u ovim oblastima. Tako e, cilj Ugovora jeste i uskla ivanje nacionalnog zakonodavstva sa pravnom tekvinom EU u regionu Zapadnog Balkana.

Nakon stupanja na snagu Zakona o potvr ivanju Ugovora o osnivanju transportne zajednice Crna Gora e deponovati svoj instrument o potvr ivanju Generalnom sekretarijatu Savjeta Evropske unije. Ugovor stupa na snagu prvog dana drugog mjeseca nakon datuma deponovanja instrumenata o ratifikaciji ili odobrenju Evropske unije i najmanje etiri strane ugovornice jugoisto ne Evrope.

III Osnovna pitanja koja se uređuju Ugovorom osnivanju transportne zajednice

Ugovor o osnivanju transportne zajednice u regionu Zapadnog Balkana poslu0i e:

- za bolju i br0u integraciju transportnih tr0izta;
- za bolji tretman transportnih operatera na ne-diskriminatorni na in u pogledu njihovog pristupa saobra ajnim infrastrukturama;
- Oelji svake pojedina no strane ugovornice jugoisto ne Evrope (JIE) da usaglasi svoje zakone o transportu i povezana pitanja sa pravom Evropske unije, uklju uju i i budu i razvoj pravne tekvine Unije;
- obezbijediti zna ajnu tehniku podrzku, uklju uju i i bolje savladavanje izazova i potreba zaztite Oivotne sredinu i borbe protiv klimatskih promjena;
- omogu iti razvoj sektora saobra aja na odr0iv na in;
- omogu iti adekvatnije sagledavanje druztvene dimenzije transportne zajednice i uspostavljanje strukture socijalnog dijaloga kod Strana ugovornica JIE;
- te ovim putem podr0ati rijezenost zemalja kandidata i potencijalnih kandidata da se pribli0e Evropskoj uniji i sprovode njenu pravnu tekvinu, naro ito u oblasti transporta.

Cilj Ugovora je stvaranje Transportne zajednice u oblasti drumskog, Oeljezni kog, saobra aja unutraznjim plovnim putevima i pomorskog saobra aja, kao i razvoja transportne mre0e

izme u Evropske unije i strana ugovomica JIE. Transportna zajednica e se temeljiti na postepenoj integraciji transportnih tr0izta strana ugovomica JIE u transportno tr0izte Evropske unije na osnovu relevantnih pravnih tekovina Unije uklju uju i oblasti tehni kih standarda, interoperabilnosti, sigurnosti, bezbjednosti, upravljanja saobra ajem, socijalne politike, javnih nabavki i Oivotne sredine, za sve vrste saobra aja, izuzev vazduznog saobra aja. Za tu svrhu, ovim ugovorom utvr uju se pravila koja e se primjenjivati izme u ugovornih strana.

Ugovor o osnivanju transportne zajednice u regionu Zapadnog Balkana sadr0i Anexe I-V i Protokole I-VI, gdje su pobrojane sprijenjive odredbe akata Evropske unije koji se primjenjuju u skladu sa Ugovorom i Anexima o horizontalnom usaglazavanju, ukoliko to nije druga ije definisano upravo kroz Anexe i Protokole.

U Aneksu I sadržana su pravila koja se primjenjuju na sektor saobra aja i srodna pitanja. Aneks I izdijeljen je na 6 oblasti. Aneks I.1 sadr0i pravila koja se primjenjuju na saobra ajnu infrastrukturu koja ini Glavnu mre0u jugoisto ne Evrope; Aneks I.2 sadr0i odredbe akata Evropske unije koji se primjenjuju u skladu sa Ugovorom i Aneksem II o horizontalnim usaglazavanjima; Aneks I.3 sadr0i pravila koja se primjenjuju na drumske saobra aj; Aneks I.4 sadr0i pravila koja se primjenjuju na pomorski saobra aj; Aneks I.5 sadr0i pravila koja se primjenjuju na unutraznje plovne puteve; Aneks I.6 sadr0i pravila za tite Oivotne sredine koja se primjenjuju u sektoru saobra aja; i Aneks I.7 sadr0i pravila javnih nabavki koja se primjenjuju u sektoru saobra aja.

U Aneksu II sadr0ana su horizontalna usaglazavanja i odre ena proceduralna pravila, kojima se, pored onoga zto je predvi eno odredbama Ugovora, definize na in primjene odredaba akata navedenih u Aneksu I.

Aneksem III propisana su pravila o konkurenciji i dr0avnoj pomo i kojim se bli0e ure uje lan 17 *Osnovnog ugovora*.

Aneksem IV regulisano je pitanje upu ivanja na Sud pravde Evropske unije, kojim se bli0e ure uje lan 19 *Osnovnog ugovora* - %uma enja+, odnosno pitanja tuma enja Ugovora, opseg i na in upu ivanja zahtjeva Sudu pravde od strane jedne lanice Ugovora.

U Aneksu V utvr en je doprinos bud0etu Transportne zajednice svake strane ugovornice JIE.

Protokolima I . VI propisani su prelazni aran0mani izme u Evropske unije, sa jedne strane, i zest zemalja lanica *Ugovora*, sa druge strane. Protokolom V definisani su prelazni aran0mani izme u Evropske unije, sa jedne strane, i Crne Gore, sa druge strane.

IV Procjena finansijskih sredstava potrebnih za sprovođenje zakona

U Aneksu V utvr en je doprinos bud0etu transportne zajednice svake strane ugovornice JIE, odnosno prezentovana je metodologija i procentualna kontribucija strana ugovornica jugoisto ne Evrope. Predstavljena je analiza doprinosa iz dva dijela: 80% za Evropsku uniju i 20% za 6 partnera JIE. Analiza od 20% za 6 partnera JIE data je u skladu sa sljede om zemom: svaki partner doprinosi 2% bud0etu, a preostalih 8% se distribuira me u 6 partnera JIE srazmjerno njihovom u ez u u BDP-u od ukupnog BDP-a Strana ugovornica JIE, zto u ukupnom za Crnu Goru iznosi 2,38%.

Implementacijom *Ugovora* o osnivanju transportne zajednice svake strane ugovornice JIE proizilaze me unarodne finansijske obaveze, jer je dokument me unarodnog karaktera. S obzirom, da od 2005. godine u okviru *Memoranduma o razvoju osnovne regionalne transportne mreže jugoistočne Evrope*, Crna Gora ima obavezu da kontribuira za bud0et SEETO Sekretarijata (tehni ki sekretarijat koji opslu0uje zemlje potpisnice za primjenu *Memoranduma*), finansijska sredstva za kontribuciju Crne Gore obezbije ena su u bud0etu

za teku u fiskalnu godinu. Finansijska sredstva variraju na godiznjoj osnovi u odnosu na definisanje ukupnog budžeta za funkcionisanje SEETO Sekretarijata, ali se obra unavaju po utvrdnoj metodologiji i formuli, te u prosjeku, godiznja obaveza Crne Gore iznosi oko pedeset hiljada eura (50.000,00").

Plan Evropske komisije jeste da Sekretariat transportne zajednice započne sa funkcionisanjem u 2018. godini.

Ukupni budžet Sekretarijata, prema procjeni Evropske komisije, na godiznjem nivou trebalo bi da iznosi oko dva miliona eura (2.000.000"), prema tome, kontribucija za Crne Gore budžetu Sekretarijata transportne zajednice iznosila bi oko oko pedeset hiljada eura 50.000", zato ne predstavlja razliku u odnosu na dosadaznje kontribucije u okviru *Memoranduma*.

Kontribucija za Sekretariat transportne zajednice će se uplaćivati na godiznjem nivou. Po etnoj kontribuciji je procentualno fiksirana, a njen iznos će zavisiti od ukupno procijenjenog budžeta Sekretarijata, ije uvećanje može biti uslijed potrebe angažovanja dodatnih eksperata i stručnjaka.

V Potreba usaglašavanja unutrašnjih propisa sa međunarodnim ugovorom

Postepeni prelazak svake Strane ugovornice jugoistočne Europe (JIE) na potpunu primjenu Ugovora o osnivanju Transportne zajednice podliježe procjenama. Procjene sprovodi Evropska komisija u saradnji sa relevantnom stranom ugovornicom JIE. Evropska komisija može pokrenuti procjenu na sopstvenu inicijativu ili na inicijativu relevantne strane ugovornice JIE.

VI Razlozi za donošenje zakona po skraćenom postupku

Imajući u vidu da je plan Evropske komisije da Sekretariat transportne zajednice započne sa funkcionisanjem u prvoj polovini 2018. godine, realizacija unutrašnjih pravnih procedura, odnosno donozenje Zakona o potvrđivanju Ugovora o osnivanju transportne zajednice i njegovo stupanje na snagu nameće se kao prioritet, kako bi Crna Gora na vrijeme deponovala svoj instrument o pristupanju depozitaru Generalnom sekretarijatu Savjeta Evropske unije, imajući u vidu da će postati strana *Ugovora*, te biti u mogućnosti da izvrzava svoje obaveze i izbjegne nastanak eventualne ztete. Smatramo neophodnim da se Zakon o potvrđivanju Ugovora o osnivanju transportne zajednice usvoji po skraćenom postupku.