

# **RULES OF PROCEDURE OF THE WATERBORNE TRANSPORT AND MULTIMODALITY TECHNICAL COMMITTEE**

## **I. GENERAL**

1. These Rules of Procedure establish the internal procedures for operation of the Waterborne Transport and Multimodality Technical Committee (WTM TC) under the Treaty establishing the Transport Community ('the Treaty') between the European Union and the South East European Parties (the Republic of Albania, Bosnia and Herzegovina, the Republic of North Macedonia, Kosovo\*, Montenegro and the Republic of Serbia).
2. In case of any contradiction between these Rules of Procedure and the Treaty, the provisions of the Treaty shall apply.

## **II. MEMBERS, OBSERVERS AND OTHER PARTICIPANTS**

1. The members of the WTM TC from the South East European Parties should, in principle, be nominated by the respective ministries dealing with multimodal, maritime, and inland waterway issues as well as from other public authorities dealing with waterborne transport and multimodality.
2. The European Union shall be represented by an official from the European Commission's Directorate-General for Mobility and Transport.
3. Participation in the WTM TC as observers shall be open to all EU member states, international organizations and other relevant institutions or organizations dealing with waterborne transport and multimodality. The WTM TC may invite on case by case basis, external experts and stakeholders to participate and/or contribute to its discussions and activities. External experts and stakeholders can participate only in the part of the TCR meeting related to the relevant agenda item.

## **III. CHAIRPERSON**

1. Each South East European Party shall hold the Chairmanship of the WTM TC for one calendar year and shall follow in alphabetical order as provided in subparagraph (b) of Article 2(1) of the Treaty. The first South East European Party to hold the Chairmanship shall be Montenegro.
2. The Chairperson shall chair the WTM TC meetings. It shall be assisted by one representative of the European Union, who shall be the Deputy Chair.
3. Should the Chairperson not be in a position to perform its duties for a particular meeting, that meeting shall be chaired by the representative of the European Union who is the Deputy Chair.

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\* 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.

#### **IV. PREPARATION OF MEETINGS**

1. The Permanent Secretariat of the Transport Community will notify the WTM TC members on the time and venue of the meetings. The meetings can take place through videoconference or in South East European Parties or in EU Member States, but the Secretariat may solicit the members that meetings are held back-to back with visits to economic operators, institutions or organizations dealing with waterborne transport and multimodality, such as ports or other multimodal hubs, where operations could be observed, if possible.
2. The draft agenda of the meeting shall be agreed by the Chair and the Deputy Chair. The draft agenda and any documents related to it shall be distributed to the members and the observers at least three weeks prior to the relevant meeting. The members may make comments and propose new items to be added. Material of interest to other stakeholders invited in accordance with paragraph 3 of Section II shall also be distributed to them.
3. The Permanent Secretariat shall be responsible for the preparation of the meetings. It shall inform the Chair and Deputy Chair periodically and upon request about the preparation process and follow their requests and guidance in this regard.
4. The working language of the WTM TC shall be English.

#### **V. MEETINGS OF THE TECHNICAL COMMITTEE - PROCEDURAL RULES**

1. The WTM TC shall be considered as meeting the required quorum only if four South East European Parties and the European Union are represented.
2. The agenda for the meeting shall be approved at its beginning. In urgent circumstances, new items may be included during the meeting subject to the agreement of the Chair and Deputy Chair.
3. Members, Observers and other participants are encouraged to actively participate in the discussions and may make statements when invited by the Chair.
4. The Conclusions of each meeting shall be drawn up with the assistance of the Secretariat. The Conclusions shall record all measures adopted at the meeting as well as the positions of the members and any statement by observers regarding actions proposed to be taken by the Technical Committee.
5. The Conclusions shall be distributed to the members and the observers. In case it is not possible to prepare the draft Conclusions by the end of the relevant meeting, the Chair shall ensure that they are prepared and distributed within seven calendar days after the meeting. Any member may request corrections within seven calendar days upon receipt of the draft Conclusions. The Chair shall arrange that the final version is distributed within seven days upon the expiry of the deadline for comments.
6. If a member of the WTM TC is absent from the meeting, he/she shall communicate his/her position in writing within the same period of seven calendar days from the date of the receipt of the conclusions. After that period, in absence of written interventions, it shall be deemed that the member concerned has no objection.
7. The Conclusions of meetings may not in any way restrict the scope or effects of legal acts or the Treaty. No statements or conclusions which contradict binding legal provisions shall be made. The Conclusions of meetings shall not form part of legal acts, nor shall have any normative effect.

## **VI. REPORTING**

1. Conclusions and recommendations issued by the WTM TC shall be communicated to the Regional Steering Committee of the Transport Community through the Permanent Secretariat. WTM TC members may be called upon to present a Report on implementation of the Action Plan for Waterborne Transport and Multimodality as well as other issues under the scope of WTM TC, for the Transport Community Ministerial Councils and for other meetings within the framework of the Connectivity agenda for Western Balkans.
2. The Chair and/or the Permanent Secretariat will report annually to the Regional Steering Committee on the work of the WTM TC and the progress on the implementation of the Action Plan for Waterborne Transport and Multimodality.

## **VII. DISCLOSURE OF INFORMATION**

1. Unless otherwise decided, the finalised documents of the meetings (agenda, Conclusions, etc.) shall be made public on the website of the Secretariat.
2. The right of access to documents held by the Technical Committee shall be laid down in accordance with Article 38(2) and (3) of the Treaty.

## **VIII. FINAL PROVISIONS**

1. Any amendments to these Rules of Procedure shall be adopted by a decision of the WTM TC.
2. If application of these Rules of Procedure to a specific situation gives rise to a difficulty of interpretation, the Chair, in consultation and agreement with the Deputy Chair, shall provide advice to resolve the situation.
3. Following one year from the entry into force of these Rules of Procedure, based on the practical experience with their application, the Secretariat may propose amendments to these Rules of Procedure as it deems useful or necessary. Where a member of the Technical Committee wishes to propose such amendment, it shall consult first with the Secretariat.
4. These Rules of Procedure shall enter into force on the day of their adoption by the Technical Committee.