



Evropska unija u Crnoj Gori

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EUROPEAID/140039/IH/SER/ME

TECHNICAL ASSISTANCE FOR CAPACITY SUPPORT TO THE TRANSPORT SECTOR AND EU AQUIS ALIGNMENT IN MONTENEGRO



IN CONSORTIUM WITH

GOPAInfra



AVENSA

PA

TDS

SPDs

STRATEGIC VISION

STRUCTURAL

MANAGEMENT SYSTEMS TOLL

TRANS

TE PROGRAMMING

Rail TCT Committee, Brussels, Belgium

Technical Assistance for Capacity Support to the Transport Sector and EU Acquis Alignment in
Montenegro

Project: PWA/MNE/IPA II/CAP17/SER/01-8132/1

Summary of the railway sector-related activities within the TA project

1st December 2022



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Railway station Podgorica



Montenegrin railway network

The main railway destinations in Montenegro are the capital **Podgorica** and coastal city of **Bar**.

The Bijelo Polje – Bar railway is the backbone of the Montenegrin railway system. It has features such as the **Mala Rijeka viaduct** (the highest railway viaduct in the world) and the 6.2 km long Sozina tunnel.

The project was started in 1969 and was completed in 1973. The viaduct is 498.8 metres long and at its highest is 200 metres above the Mala Rijeka River. It is also the longest bridge on the Belgrade–Bar railway.

When constructed, it was the highest railway bridge in the world, surpassing the record height previously held by the Fades viaduct in France. It held the record until 2001 when the Beipan River Shuibai Railway Bridge, a concrete arch bridge, was completed in Guizhou, China.



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Montenegrin railway network

Mala Rijeka viaduct



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Montenegrin railway network

- The existing railways are 249 km long – the main railway transport line is **Bar-Podgorica-Belgrade** with **branches towards Nikšić** and the other one **towards Skadar** (Albania).

Inter City (IC) trains connect Podgorica and Bar. Local trains serve the other stations.



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Train in Sutomore



Montenegrin railway network



Montenegrin railway network - connection to Bar

- The number of local passengers in local trains on Bar-Vrbnica railway increased as a consequence of a reduced number of trains in long-distance transport with Serbia.
- **The port of Bar** is the most important source of activities for the Montenegrin part of the Belgrade-Bar railway connection.
- As it is connecting the rail network to the port, it may have an important role to play in the framework of „greening” the transport systems and the Green Agenda and promotion of the intermodal transport of goods.



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Montenegrin railway network – the port of Bar

The port of Bar where reloading of all types of cargo is carried out, provides high opportunities for further development of intermodal and combined transport and connecting of the entire region due to the existence of Belgrade-Bar railway.

In order to upgrade its capacities it is necessary to build terminals for the combined transport in the railway stations Bar, Podgorica and Bijelo Polje. Further research should indicate the cost efficiency of connecting links to Bosnia and Herzegovina and Kosovo, reconstruction and modernization of railway Podgorica-Tuzi-Albania, as well as connecting the town of Pljevlja to the Bar railway.



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Montenegrin railway network – poss. connection to Bosnia & Herzegovina

- The quality of local transport services improved on a line between Podgorica and Nikšić. The number of passengers increased significantly after the railway reconstruction and modernization, introduction of new electromotive sets and increasing number of departures, along with the favourable pricing policy.
- Possible further development could entail extending the connection to Bosnia and Herzegovina, i.e. constructing the missing part of railway connection from Nikšić to Bosnia. The advantage of extending this line is supporting development of passenger transport connections in the Western Balkans.



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Montenegrin railway network – a route to Albania

- The route to Albania, i.e., **the railway Podgorica-Tuzi-Albanian border**, is oriented to cargo transport.
- This railway link is used as a connector to the Albanian network and its railway routes further to other European countries. That is why the dynamics of reconstruction and electrification of the railway is aligned with the approach to revitalization of the railway from Tirana to the border of Montenegro (WBIF 2022, EIB, EBRD).
- Passenger transport on this route will be possible after further investments into the railway system on both sides of the border (Montenegro and Albania).



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Montenegrin railway development strategies

Railway Strategies: 2007-2016; 2017-2027

- **All the Western Balkan Regional Partners, and Montenegro among them, have a problem with sustainability of their railway systems.**
- After a large investment cycle in Montenegro (2006-2013) which was implemented by investing into general overhaul, modernization and electrification of the railway infrastructure, supply of new trains, the condition of the railways significantly improved.
- Restructuring of the vertically integrated Željeznica Crne Gore a.d. as four independent companies and assuming debts on the basis of their loans was not sufficient to achieve their full strengthening, and the newly established companies had to struggle with liquidity issues and difficulties regarding further development.



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Montenegrin railway network

The stakeholders in the railway sector in Montenegro are the following:

a) Railway companies with the following ownership structures:

- **ŽICG A.D. (RIOM) (Željeznička infrastruktura Crne Gora** - Railway infrastructure of Montenegro): state and state funds - 73,5%; private funds - 18,6% and natural persons - 7,9%.
- **ŽPCG A.D. (RTOM) (Željeznički prevoz Crne Gore** - Railway transport of Montenegro): state and state funds: 90,9%; private funds: 6,0% and natural persons 3,1%.
- **Montecargo A.D.:** state - 87,6%; private funds and legal entities – 8,0% and natural persons 4,4%.
- **OŽVS A.D. (MORRS) (Održavanje željezničkih vozni sredstava** - Maintenance of railway rolling stock): state - 85,4%; private funds and legal entities – 10,3% and natural persons – 4,3%.

b) State authorities within the railway sector:

- **Ministry of Capital Investments (MoCI) and its Railway Directorate General;**
- **National Investigation Commission of accidents and serious incidents** of aircraft, emergency occurrences which endanger the safety of railway traffic, and maritime incidents and accidents (NIC, a Government authority).

Montenegrin railway network – further work

Development of the Montenegrin railways – the way forward:

1. Develop the network for cooperation on transport and infrastructure policy with the neighbours in the Western Balkans, in achieve better connectivity and closer integration of the markets, including the freight corridors.
2. Follow the guidelines for the improvement of the railway infrastructure and the development of the regional transport network.
3. Reinforce the railway connection between Bar and the border with Serbia, with support from the EU and other funds.
4. Extension of the regional transport network for the Podgorica – Nikšić railway connection, parallel to activities for the poss. construction of railway Nikšić -Trebinje – Čapljina.



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Preliminary Legislation Gap Assessment

- **Purpose: To set up the baseline for the activities to follow**
- Assessment of stages of implementation of EU *acquis* related to transport legislation, including rail, into national legislation of Montenegro in the light of provisions and requirements determined within the framework of **Chapter 14** (Transport policy) and **Chapter 21** (Trans-European Networks policy)








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Methodology

-  1
Series of meetings with the representatives of MoCI
-  2
Document and online-based research
-  3
Available draft documents, tables of concordance, mission reports from experts
-  4
EU accession program of Montenegro
-  5
EC country report on Montenegro 2022



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Gap Assessment tables

- 1. List of relevant EU Acquis (directives, regulations, decisions and recommendations) have been listed, together with their respective CELEX number for easy reference and search in the EURLEX platform**

- Document(s) which transposed/will transpose the EU Acquis
- Status of the transposition process: *fully* or *partially*
- Stage of the legislative process
- Date of the said status



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Transport sectors covered

Railways

73 EU
legal acts

Road

118 EU
legal acts

Maritime

69 EU
legal acts

Inland WW

34 EU
legal acts



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Gap Assessment tables

1. TCT legislative table (Annex I of the Transport Community Treaty)

- Status of the transposition process: *fully, partially, not transposed*
- Explanation of the progress
- Planned deadlines
- Stage of the legislative process
- Responsible person within MoCI



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RESULT 1: Alignment of Montenegrin legislation with EU Acquis – JNKE 16 Legislative Tables

RAIL SECTOR					
DIRECTIVE (D)/REGULATION (R) Decision (Dec) Recommendation (Rec)	CELEX	TRANSPOSED/ IMPLEMENTED THROUGH	FULLY/ PARTIALLY	DATE	
Dec 2007/756	32007D0756	Old Railway safety and interoperability law + Rulebooks	F	2014	
R 2019/779	32019R0779	Not yet, planned for 2022, after transposition of the EU Directive 2016/798	F	2022	
R 2018/764	32018R0764	Not yet, planned for 2021		2021	
R 2018/763	32018R0763	New Railway safety and interoperability law + Rulebooks	F	2019	
R 2019/250	32019R0250	New Railway safety and interoperability law + Rulebooks	F	2019	
Rec 2019/780	32019H0780	New Railway safety and interoperability law + Rulebooks	F	2019	
R 402/2013	32013R0402	New Railway safety and interoperability law + Rulebooks	F	2019	
R 2018/545	32018R0545	Not yet (will be implemented later on under TCT)		2022	
Dec 2018/1614	32018D1614	Not yet, planned for 2022		2022	
R 1192/69	31969R1192	Old Railway Law	F	2013	
R 2016/2337	32016R2337	No longer in force		N/A	
D 2016/2370	32016L2370	Not yet, planned for 2021		2021	



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RESULT 1: Alignment of Montenegrin legislation with EU Acquis – JNKE 16 Legislative Tables – in line with TCT

Legislative tables 07 06 2022 - Excel										
E89										
Inspection.										
ROAD ACQUIS										
2. Professional road transport activities										
ACTION PLAN REQUIREMENTS										
RELEVANT EU ACQUIS FROM ANNEX I										
Current situation (drop down menu)										
Comments										
Status/stage of										
Planned to be transposed in the period 2021 – 2026										
TABLE OF CONCORDANCE										
Choose an option from the drop down menu										
Deadline										
EU ACQUIS										
ANNEX I.3										
MONTENEGRO										
If transposition is in progress - short explanation of the status										
If partially transposed, explain the status - what is not transposed and why										
FULLY ALIGNED										
RULES APPLICABLE TO RAIL TRANSPORT										
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 L 300, 14.11.2009, p. 51).										
Fully aligned										
Regulation (EU) 2020/1055 of the European Parliament and of the Council of 15 July 2020 amending Regulations (EC) No 1071/2009, (EC) No 1072/2009 and (EU) No 1024/2012 with a view to adapting them to developments in the road transport sector. (See however Article 4 of Regulation (EU) 2020/1055 on the date of entry into force or application).										
Fully aligned										
Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain rules relating to international road transport										
Fully aligned										
Rail Interoperability										
Modernisation of RNI										
Road										
Road transport activities										
Maritime										
Inlan ...										



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Current state of play

- **Railways transport** - part of the EU legislation fully transposed, adopted and implemented (about 50%); major laws drafted: Railway Law and Railway Safety and Interoperability Law – awaiting adoption
- **Road Transport** - Montenegro adopted about 70% of EU directives and regulations, although some of them are partially aligned, and is expected to introduce further legislation to fully satisfy the Transport Community Treaty requirements
- **Maritime transport** - Montenegro transposed/implemented about 50% of EU directives and regulations, although many of them are still only partially aligned



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Current state of play - two draft laws, transposing the EU railway legislation are in the final stages before adoption:

Draft Law on Railways

The act currently in force:

Zakon o željeznici, "Službeni list Crne Gore", br. 27/13 od 11.06.2013, 43/13 od 13.09.2013.

New draft law transposes the following EU acts:

- Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a **single European railway area**, OJ L 343, 14.12.2012, p. 32–77,
- Directive (EU) 2016/2370 of the European Parliament and of the Council of 14 December 2016 amending Directive 2012/34/EU as regards the **opening of the market for domestic passenger transport services by rail** and the governance of the railway, OJ L 352, 23.12.2016, p. 1–17, amended by:
- Commission Delegated Decision (EU) 2017/2075 of 4 September 2017 replacing Annex VII to Directive 2012/34/EU of the European Parliament and of the Council establishing a **single European railway area**, OJ L 295, 14.11.2017, p. 69–73;



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And also the following EU acts:

- 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 L 315, 3.12.2007, p. 1–13;
- Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on **rail passengers' rights and obligations**, OJ L 315, 3.12.2007, p. 14–41 (this Regulation was partially transposed in 2010 and partially now);
- 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 L 148, 13.6.2015, p. 17–22;
- 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 L 276, 20.10.2010, p. 22–32913 2010 (partially, in as much as possible, to open up possibility to establish railway freight corridors in MNE).



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Current state of play

- **The drafted laws will fill in the obligation of Montenegro to transpose the EU transport *acquis* in the railway sector.**
- In particular, this was raised in the Commission Staff Working Document, Montenegro 2021 Report *Accompanying the document* “Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions” - 2021 Communication on EU Enlargement Policy.



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Current state of play

The Montenegrin document:

- *Report on the Implementation of the Action Plan for Addressing Key Recommendations from the Report of the European Commission on Montenegro 2021, December 10, 2021 - March 10, 2022,*
- developed by the Government of Montenegro, the President's Office and the Office for European Integration and published in Podgorica on 10 March 2022 is addressing this issue, placing accomplishing the obligation to harmonise the Railway Law with the EU *acquis* in the 2nd quarter of 2022.



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Recommendations

RAILWAY TRANSPORT

- Transpose and implement **Regulation (EC) No 1371/2007** of the European Parliament and of the Council of 23 October 2007 **on rail passengers' rights and obligations**, OJ L 315, 3.12.2007, p. 14–41. It is expected that this Regulation will be considered fully transposed once the new **Railway Law** is adopted. The draft Law is currently in the process of public discussion and it is expected to be adopted by the end of 2023. BS Europe is providing a Senior NKE as support in the process of finalization of transposition/implementation.
- After its transposition, it will be crucial to ensure the implementation of these rules.



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Recommendations

- **Finalize transposition, adopt and implement the Interoperability 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 L 138, 26.5.2016, p. 44–101 (**4th Railway Package**) (previously: Directive 2008/57/EC - valid until June 2020).

This Directive will be fully transposed once the new **Law on Railway Safety and Interoperability** is adopted. The Law is expected to be adopted in 2023. After its adoption, it is crucial to ensure the implementation of these rules as well as transposition of the implementing acts.



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All transport modes

- Transposition of **Regulation 2020/1056 on electronic freight transport information** should be prioritized.

Regulation (EU) 2020/1056 of the European Parliament and of the Council of 15 July 2020 on electronic freight transport information, OJ L 249, 31.7.2020, p. 33–48.

The efficiency of freight transport and logistics is vital for the growth and competitiveness of the Union economy, the functioning of the internal market and the social and economic cohesion of all regions of the Union.

The aim of this Regulation is to **encourage the digitalisation of freight transport and logistics** to reduce administrative costs, improve enforcement capabilities of competent authorities, and enhance the efficiency and sustainability of transport.



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An isometric illustration of a futuristic urban environment. In the foreground, a wide, light-colored pedestrian plaza is populated with numerous small human figures. A large, modern white building with a glass facade and a flat roof stands prominently. To the right, a multi-lane road features several sleek, dark-colored autonomous vehicles with rounded, pod-like shapes. These vehicles are emitting concentric white lines, suggesting sensor waves or communication signals. A green and yellow striped median separates the road from a dedicated bicycle lane where a few cyclists are riding. In the background, more autonomous vehicles are visible on the road, and a circular plaza with a central feature is partially seen. The overall scene conveys a vision of a smart, efficient, and pedestrian-friendly future city.

Future ?





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Thank you for your attention !

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Q & A



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