

## **Kosovo**

### **1. Report on the implementation of TDG activities and policies**

1. The state of implementation of the instructions of the TDG and annex I of the TCT:

In order to implement the guidelines of the TDG, Kosovo has taken concrete actions to make changes and additions to the strategic documents through which policies are drawn up regarding the development of the land transport sector of dangerous goods, where the drafting of the concept document regarding the Multimodal Transport Strategy has been drawn up, which foresees the drafting of the law for supplementing and amending the current law no. 04/L-183 for the land transport of dangerous goods in order to address the relevant documents contained in the TDG Guideline and the recommendations issued by Progress Report.

In this dispute, it should be emphasized that within the framework of the National Development Plan (NDP) approved by the Government of Kosovo, it is planned that within the year 2023 the finalization of the concept document for the transport of dangerous goods, which precedes the drafting of the draft law for the transport of dangerous goods who will transpose Directive No. 2008/68/EC, Directive (EU).2022/1999, ADR and other relevant legislation according to Annex 1 of the TCT.

MESPI has drafted the draft law on road transport, which has included the part of road transport of goods, also in the framework of this draft law, the regulation of water transport, the part of intermodal transport, multimodal transport has been incorporated.

This draft law includes the transposition of a large part of Annex 1 of the TCT for the transport sector, this draft law also deals with the part of the digital tachograph and the part of the digitization of the transport which affect and have an impact indirectly with the implementation of obligations for the transport of dangerous goods.

In this framework, the approval of the Multimodal Transport Strategy should be highlighted, which has addressed all the issues and recommendations of the action plans in rail transport, the transport of dangerous goods, multimodal transport, and water transport, and we are drafting the action plan for the next 3 years, which is expected to be approved within June 2023.

-year Action Plan will be approved, which contains concrete objectives and measures in the realization of strategic objectives for the development of the transport sector in general and the part of the transport of dangerous goods.

It should also be noted that MESPI is drafting the Strategy for ITS which is being drawn up by CONECTA and which will have an impact and will enable the implementation of concrete objectives and measures from the TDG sector, also in this context MESPI is also drafting the Administrative Instruction for ITS, which act is in the drafting phase and is expected to be approved during this year by the Minister, through which it is intended to operationalize the technical and operational infrastructure of the Intelligent Transportation System (ITS), which will affect the gradual development of transport in increasing safety in general.

MESPI is also drafting the concept document of the railways, respectively, this document will be approved during the month of July 2023 and after this concept document, Kosovo will start drafting two new laws: the law on railways and the law on railway safety and inoperability. These two laws will transpose Annex 1 of the TCT for rail transport and therefore will have a direct impact on the realization and implementation of the TDG Guidelines.

As a Technical Committee with the aim of implementing the guidelines and increasing safety in the transport of dangerous goods, we have asked the senior manager of MESPI to identify, assign and build control points in the main road network of RKS with emphasis on especially the road network that is integrated into the green corridor, which will be dedicated to the control of the transport of dangerous goods.

In addition, we are discussing the possibility of the safety of mobile vehicles for technical control on the road, which will influence the increase of safety in road traffic. At this point, we use the opportunity to request support from the TCT for the provision of funds or other opportunities to provide such a vehicle in the context of the implementation of the obligations from the TDG.

Kosovo has started with the establishment of the technical subcommittee with other relevant groups that are included in the TDG Guide, in this case it has held several meetings to implement the obligations arising from the action plan/TDG Guide in the relevant sectors, as well as to identify the support needs of all the responsible sectors, whether in the equipment for operation or even the building of administrative and human capacities in order to implement all relevant obligations.

We have currently received many requests from the representatives of the subcommittee representing the relevant authorities and we are handling them together with all other actors to identify the projects of primary importance and to address them through the TAIEX mechanisms for support.

In function of the implementation of the TDG, Kosovo and Albania, respectively, the expert groups of the responsible authorities that deal with the transport of dangerous goods have started with the development of joint cooperation activities with the aim of exchanging mutual experiences between the two countries.

In the framework of the activities of this cooperation with the Albanian authorities, several meetings and joint controls have been organized in the road transport of dangerous goods and this has undoubtedly helped in the exchange of experiences of both countries, reflecting the unification of common rules and technical standards in the control of dangerous goods transported by road.

Also in the function of the implementation of the control on the road, the MESPI Inspectorate has drawn up the minutes of inspections / **the Checklist according to the EU Directive 2022/2019** of the European Parliament and the Council and these checklists (minutes) have been sent for printing/printing as soon as if they reach us printed, we will put them into inspection use during this year.

We also inform you that during the months of **January-May-2023**, we inspected 46 operators of dangerous goods transport: of them 12 international operators. The measures taken in some of these cases were administrative.

Of course, we have a lot of work ahead of us to do: we still have designated the places for road stops and we are waiting for this from the Committee with the relevant infrastructural actors, while we also need joint training and inspections regarding new developments in ADR.

## **2. Other authorities also have an important role in the implementation of the TDG:**

The Ministry of Economy, which through law no. 06/L-031, for Pressure Equipment transposed Directive (EU) no. 2010/35 for transportable pressure equipment.

Also, through the drafting of by-laws, the ME has continuously transposed Acquis in the part it covers according to its powers.

-REGULAR (ME) No. 01/2022 FOR SIMPLE PRESSURE VESSELS, this regulation partially implements directive 2014/29/EU;

-REGULATION (ME) NO. 13/ 2022 FOR TRANSPORTABLE PRESSURE EQUIPMENT, this regulation partially transposes Directive 2010/35/EU;

- REGULATION (MEA) NO. 03/2020 FOR THE SAFETY OF PRESSURE EQUIPMENT, this regulation partially transposes Directive 2014/68/EU;

The Ministry of Internal Affairs is drafting the law for civil use of explosives which will be in compliance with Directive 2014/28/EU for civil explosives and Directive 2013/29/EU for pyrotechnic articles, this draft law has completed public consultations with the parties of interest and is expected to be approved by the Government and Assembly during 2023.

### **3. For the transportation of radioactive substances and nuclear materials it applies:**

LAW No. 06/L-029 FOR RADIATION PROTECTION AND NUCLEAR SAFETY, was drafted based on the EU Directives.

The EU Directive which regulates the Transport of Radioactive Waste and Spent Fuel is (Directive 2006/117/EURATOM,

This directive deals with all transport procedures, including the form of packaging marked depending on the type and activity of the radioactive and nuclear source or material that must be transported, the means of transport, the way of transport (road, rail, air or water).

**Within the law, there is a special article (Article 35) which deals with the transport and transit of radioactive materials.**

For the implementation of this article, the Government, with the proposal of the Agency, issues regulations for the transport of radioactive waste and nuclear materials and closed sources with high activity in the territory of the Republic of Kosovo.

The Agency is now in the process of drafting regulations for the implementation of the law.

Now we have planned the drafting of the regulation for the transport of radioactive waste and nuclear materials and closed sources with high activity.

In the absence of human and professional capacities in this field, we as an Agency need international expertise, with a special emphasis on EU experts who would assist us in drafting and giving recommendations for the implementation of the regulation.

Until now, in the absence of this regulation, the issue of the transport of radioactive materials has been referred to based on the law on the transport of dangerous goods.

The constant demands for import and transport of radioactive sources, especially in health, and in rarer cases also in industry, make it urgent to draw up a regulation that will regulate all administrative and technical procedures for the transport of radioactive sources and materials.

We also inform you that Kosovo is not a member of many international organizations/mechanisms in the transport sector , and in the absence of this membership, Kosovo has been forced to regulate the

international road transport of goods with many countries of the region and the EU through bilateral roads with bilateral agreements. - to overcome eventual barriers.

#### **4. Implementation activities and policies**

All the experiences and lessons learned in the workshops and seminars organized by the TCT have been addressed to the appropriate mechanisms within the relevant institutions in such a way that they are reflected in the sectors that are competent for the drafting of sectoral policies, the management and control of the transport of goods and dangerous goods according to ADR.

Also regarding the control on the road regarding the part of the tachograph according to the national legislation in force, the control and supervision of the transport of dangerous goods by road is the responsibility of the Ministry's inspectorate (MMPHI) and the Traffic Police, including the control of the tachograph (Time of driving and resting).

The main challenge is that during the control of the transport of dangerous goods in Kosovo, the competent bodies do not apply the standard forms as defined in the Directive (EU) 2022/1999 for the control on the road as well as UA no. 2014 for the drafting of the minutes for the control of the transport of dangerous goods dangerous.

The experience from the early workshops regarding the importance of applying the standards set according to the directive in question and international good practices shows the fact how important the part of supervision and control is in increasing the safety of the transport of dangerous goods in general, the protection of health and the environment. In this context, Kosovo has taken actions regarding the coordination of control bodies for the application of procedures and control on the road according to the standards and modalities defined in the said directive.