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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 6.11.2008
COM(2008) 700 final

Proposal for a

COUNCIL DECISION

**on the signing of the Amending Protocol to the Convention regarding the Regime of
Navigation on the Danube of 18 August 1948 (Belgrade Convention)**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. The attached Proposal for a Council Decision for the signature of the Amending Protocol to the Belgrade Convention constitutes the legal instrument for the signature by the Community of the Amending Protocol to the Convention regarding the Regime of Navigation on the Danube of 18 August 1948 (Belgrade Convention).
2. The Council decided on 6 June 2007 to authorise the Commission to negotiate the accession of the European Community to the Danube Commission. The accession should take place through the conclusion of a Protocol amending the Belgrade Convention, in the context of its revision process which had already been engaged since a number of years.

The negotiations in the Preparatory Committee for the Revision of the Belgrade Convention were undertaken in close consultation with the special committee established under Article 300 (1) of the EC Treaty, and especially with the EU Member States which are contracting parties to the Belgrade Convention.

The Preparatory Committee agreed on a final text of an Amending Protocol including the draft revised Belgrade Convention, on 6 June 2008. After some technical adjustments, the final text will be available in September/October 2008, in order to be prepared for signature at a diplomatic conference to take place in Belgrade on 20-21 November 2008. The present proposal does not prejudice the final text of the Amending Protocol including the revised Belgrade Convention.

3. The main purpose of the revised Belgrade Convention is to modernise the Danube Commission by strengthening its regulatory and operational capacities, the ultimate objective being the promotion of inland waterway transport on the Danube, the potential of which is not sufficiently used. In addition, the membership of the European Community in the Danube Commission will facilitate the adoption of harmonised rules with regard to inland waterway transport on the Danube.
4. The Commission asks the Council to engage the procedure for the signature of this Amending Protocol on the basis of the attached proposal.
5. The procedure for the signature of the Amending Protocol is the first indent, first sentence of Article 300 (2) of the EC Treaty, which provides for a separate Council Decision concerning the signing of the Amending Protocol on behalf of the European Community.
6. In a further, separate step, to take place once the Amending Protocol will have been signed, the Commission will propose to the Council to conclude the Amending Protocol after the assent of the European Parliament has been obtained, in accordance with the second subparagraph, fourth alternative of Article 300 (3) of the EC Treaty. Ratification by all contracting parties is a prerequisite for the entry into force of the revised Belgrade Convention.
7. In line with the above the Commission requests the Council to decide to nominate the Vice-President of the European Commission, Mr Antonio Tajani, to sign the Amending Protocol on behalf of the European Community.

Proposal for a

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on the signing of the Amending Protocol to the Convention regarding the Regime of Navigation on the Danube of 18 August 1948 (Belgrade Convention)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 71 in conjunction with Article 300 (2), first sentence thereof,

Having regard to the proposal from the Commission¹,

Whereas:

- (1) Negotiations with the contracting parties of the Belgrade Convention on the revision of the latter, including the accession of the European Community to the Danube Commission, have been completed on [...].

Subject to a possible conclusion at a later date, the Amending Protocol should therefore be signed on behalf of the European Community,

DECIDES:

Sole Article

Subject to its possible conclusion at a later date, the President of the Council is hereby authorised to designate the persons empowered to sign, on behalf of the European Community, the Amending Protocol to the Convention regarding the Regime of Navigation on the Danube of 18 August 1948 (Belgrade Convention).

Done at Brussels,

*For the Council
The President*

¹ OJ C , , p. .