PROTOCOLUL REFERITOR LA CONFERINȚA EUROPEANĂ A MINIȘTRILOR DE TRANSPORT*

ÎNCHEIAT LA BRUXELLES LA 17 OCTOMBRIE 1953

PROTOCOL CONCERNING THE EUROPEAN CONFERENCE OF MINISTERS OF TRANSPORT

SIGNED AT BRUSSELS ON OCTOBER 17, 1953

* *În vigoare pentru Republica Moldova din 30 august 1996*

The Governments represented at the European Conference of Ministers of Transport meeting in Brussels from 13th to 17th October, 1953;

Desirous of instituting a procedure whereby effective steps can be taken to co-ordinate and rationalise European inland transport of international importance;

Have agreed as follows:

Article 1

European Conference of Ministers of Transport

There is hereby organised a European Conference of Ministers of Transport (hereinafter referred to as "the Conference").

Article 2

Structure of the Conference

The Conference shall comprise :

(a) A Council of Ministers of Transport (hereinafter referred as "the Council");

(b) A Committee of Deputies (hereinafter referred as "the Committee");

These two bodies shall be assisted by Administrative Secretaries.

Article 3

Purposes of the Conference

The purposes of the Conference shall be:

(a) To take whatever measures may be necessary to achieve, at general or regional level, the maximum use and most rational development of European inland transport of international importance;

(b) To co-ordinate and promote the activities of international organisations concerned with European inland transport, taking into account the work of supranational authorities in this field.

Article 4

Membership and Associate Membership of the Conference

1. The members of the Conference shall be the contracting parties to the present Protocol.

2. The associate members of the Conference shall be the Government of the United States of America and the Government of Canada, if they so request, and any other Government, after its application for associate membership has received the unanimous approval of the Council.

3. Associate members may be represented by observers at the meetings of the Council and of the Committee. All documents originating in the Conference shall be communicated to them.

Article 5

Council of Ministers

The Council shall be composed of those Ministers who are responsible for inland transport in their own Governments. In those cases where, in one Government, different inland transport questions are dealt with by two or more Ministers, any of those Ministers may participate in the work of the Council provided that no member Government shall have more than one vote in the Council.

Article 6

Committee of Deputies

1. The Committee shall be composed of officials appointed on the basis of one deputy for each Minister, it being understood that each member Government shall have no more than one vote in the Committee.

2. The function of the Committee shall be:

(a) To prepare for each meeting of the Council;

(b) To deal with questions delegated to it by the Council;

(c) To report on the measures taken in different countries to implement the conclusions reached within the Conference.

Article 7

Administrative Arrangements

(a) The administrative seat of the Conference shall be in Paris.

The Council shall meet at the administrative seat of the Conference, or elsewhere, as they may decide.

The Committee shall normally meet at the administrative seat of the Conference. They may, however, meet elsewhere if the Council so decide with the agreement of the Government concerned.

(b) The administrative secretariat shall be administratively integrated with the secretariat of the Organisation for European Economic Co-operation but they shall be solely under the operational control of the Conference.

The Administrative Secretaries shall be appointed with the agreement of

the Conference. They shall be responsible for the preparation of the agenda, records and minutes of the meetings of the Council or Committee. They shall also take note of the conclusions of the Conference and shall be responsible for the distribution of documents and the safekeeping of the archives of the Conference;

Article 8

Restricted Groups

(a) Restricted groups may be formed for the purposes of initiating studies and discussions, within the framework of the Conference, of questions which are of special interest to certain members and are covered by the purposes of the Conference.

(b) The Council shall be notified of the formation of any restricted groups and kept informed of the general progress of its work.

(c) If the other members consider their interests are involved, they will be allowed to follow the studies and discussions of the restricted group, but they will not be able to oppose their being carried out within the framework of the Conference.

Article 9

Conclusions of the Conference

(a) The conclusions reached within the Conference shall be put into effect in the countries in agreement with them in that the Ministers of Transport concerned, acting individually within the area of their national competence, shall take or propose whatever measures may seem to them to be most appropriate.

(b) Whenever the conclusion of a general or restricted international agreement seems necessary, each Minister of Transport concerned shall seek from his Government full powers to enable him, or any person or persons specially appointed for the purpose, to conclude the international agreement so concluded between a limited number of member Governments shall be open for accession by other member Governments.

(c) The Conference or a restricted group may, by unanimous agreement, in any particular instance notwithstanding the provisions of (a) and (b) above, transmit its conclusions to any international organisation competent to take decisions with a request that the organisation in question should adopt the conclusion concerned as its own decisions.

(d) Any Government which is a member of the Conference but is not a member of an international organisation which may have taken a decision under the provisions of paragraph (c) above, may notify the Conference of its intention to act as though it were bound by that decision.

Article 10

Financial Responsibilities

(a) The Organisation for European Economic Co-operation will be involved to pay the salaries and expenses of the Administrative secretariat and to provide whatever facilities may be required for the proper working of the Conference. Whenever a body of the Conference meets elsewhere that at the administrative seat of the Conference, the host country shall pay all the expenses incurred by the meeting except the salaries of the administrative secretariat which shall be paid by the Organisation for European Economic Co-operation.

(b) Member Government of the Conference who are not members of the Organisation for European Economic Co-operation will contribute to the expenses of the Conference under special arrangements to be concluded between them and the Organisation for European Economic Co-operation.

(c) The detailed application of this Article and of Article 7 above shall be the subject of an arrangement between the Conference and the Organisation for European Economic Co-operation.

Article 11

Relations with International Organisations

(a) The Conference may establish relations with any supranational intergovernmental or non-governmental international organisation concerned with European inland transport.

(b) Whenever particular technical questions under discussion in the Conference may require the undertaking of special studies, the Council or the Committee will, whenever possible and in whatever manner seems most suitable, invite an appropriate inter-governmental or non-governmental international organisation concerned with European inland transport to carry out the studies required. The Committee shall, on the basis of these studies, submit its conclusions to the Council for approval.

c) *(i)* It is required that the Conference has a major interest in consulting the Organisation for European Economic Co-operation on questions of European inland transport of general economic importance, and also in consulting the other organisations referred to in paragraph (a) above on problems of transport in their respective fields. This consultation shall, as far as possible, be on a reciprocal basis.

(ii) If the Organisation for European Economic Co-operation considers that a question studied by the Conference is of general economic importance, it may unanimously request to be consulted, it being understood that the Conference may equally request, under the same conditions, to be consulted by the Organisation for European Economic Co-operation on problems falling within its own competence.

Article 12

Rules of procedure

1. The rules of the procedure annexed thereto shall govern the work of the Conference.

2. The Council may, by unanimous decision, revise or make addition to the rules of procedure.

Article 13

Amendments

Any amendments to this Protocol may be adopted by the Council, the Ministers acting unanimously and furnished with full powers from their Governments.

Any such amendments shall enter into force when all the member Governments have approved them

Article 14

Signature, ratification and entry into force

1. The present Protocol shall remain open for signature, in Brussels, until 1st May, 1954, to all Governments represented at the European Conference of Transport Ministers held at Brussels from 13th to 17th October, 1953.

2. Any such Government may become a contracting party to the present Protocol:

a) By signature without reservation as to ratification;

b) By signature with reservation as to ratification, followed by ratification.

3. In the cases referred to in paragraph 2(b) above, the instruments of ratification shall be deposited with the Belgian Government, and shall take effect upon deposit. The Belgian Government shall notify the Governments referred to in paragraph 1 above of the deposit of instruments of ratification.

4. The present Protocol shall enter into force when six Governments have finally approved it, either by signature without reservation as to ratification or by signature followed by ratification, as the case may be. For each Government signing without reservation as to ratification or ratifying after the entry into force of the present Protocol, the Protocol shall enter into force upon signature or ratification, as the case may be.

5. Nevertheless, pending the entry into force of this Protocol, those Governments who have signed with reservation as to ratification agree, in order to avoid delay, to put it into operation upon signature on a provisional basis in so far as their several constitutional requirements permit.

Article 15
Accession

1. Any non-signatory European Government may become a contracting party to the present Protocol by accession thereto, after its application for membership of the Conference has been unanimously approved by the Council.

2. Instruments of accession shall be deposited with the Belgian Government and shall take effect upon deposit.

Article 16
Withdrawal

Any member Government may withdraw from the present Protocol by giving six months' notice to the Belgian Government, which shall notify other member Governments.

In witness whereof the undersigned Plenipotentiaries being duly authorised to that effect have signed the present Protocol.

Done at Brussels this 17th of October, 1953, in the English and French languages, both texts being equally authentic, in a single copy which shall remain deposited in the archives of the Belgian Government by which certified copies will be communicated to all the Participating Governments.

RULES OF PROCEDURE FOR THE EUROPEAN CONFERENCE OF MINISTERS OF TRANSPORT

Rule 1
Council

a) The Council shall elect on the majority of members present a Bureau consisting of a Chairman and two Vice-Chairmen.

This Bureau shall in principle be re-elected annually and shall remain in office until new officers are elected.

b) The outgoing Chairman shall normally be replaced by the senior Vice-Chairman of the previous year and the latter by the junior Vice-Chairman of the previous year.

c) If, while holding office, a member of the Bureau should relinquish his responsibilities for transport in his own Government, he shall automatically be succeeded by his successor in his Government.

Rule 2

This Council shall in principle be convened by its Chairman at least once a year. In addition, a meeting of the Council shall be convened by the Chairman on the express request of not less than one-third of the members.

Rule 3

Committee

The Bureau of the Committee shall consist of a Chairman and two Vice-Chairmen. In order to ensure close co-operation between the Bureaux of the Council and the Committee, the Chairman and Vice-Chairmen of the Committee shall be respectively the deputies of the Chairman and Vice-Chairmen of the Council.

Rule 4

The Committee shall meet as often as it considers necessary and, in any case, at each session of the Council.

In addition, a meeting of the Committee shall be convened by the Chairman at the request, or with the agreement of not less than one-third of the members.

Rule 5

Unless the Council decides otherwise, meetings of both the Council and of the Committee shall be held in private.

Rule 6

Restricted groups

The restricted groups formed in accordance with article 8 of the Protocol shall determine their own methods of work.

Rule 7

Agenda

a) Before each meeting of the Council or the Committee the Bureau concerned shall draw up a provisional agenda.

b) The first item on the agenda shall be a discussion of the measures taken by member countries to implement the Conclusions of the Conference.

c) The provisional agenda shall be made available to all members not less than six weeks before the date of each session of the Council and not less than three weeks before the date of each session of the Committee.

d) At the opening of each session any member shall have the right to propose an item for inclusion in the provisional agenda. Thereafter the agenda shall be adopted by a majority of members present.

Rule 8

Voting

The Resolutions agreed upon by the Council or the Committee on mat-

ters of procedure relating to the progress of their work shall be adopted by a majority of the members present, unless otherwise specially provided.

Rule 9

Quorum

The Council and the Committee shall not meet unless a minimum of two-thirds of the members are present or represented.

Rule 10

Records

Records shall be prepared of all meetings of the Council and the Committee.

Rule 11

Hearings

When the Conference discusses a subject which comes within the competence of an international organisation, arrangements may be made, by a majority of the Committee to hear the views of that organisation.

Rule 12

Miscellanious

Except where the Bureau of the Council or of the Committee may decide otherwise, documents originating in the Conference shall be communicated only to member and associate Governments.

Rule 13

The Bureau of the Council may, with the agreement of the Council, issue press communiques on the work of the Conference.