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Contents

II *Non-legislative acts*

DECISIONS

- ★ **Council Decision (EU) 2021/1731 of 23 September 2021 on the position to be adopted on behalf of the European Union within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Preparatory Action on Defence Research) ⁽¹⁾** 1
- ★ **Council Decision (EU) 2021/1732 of 23 September 2021 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (European Solidarity Corps Programme) ⁽¹⁾** 3
- ★ **Council Decision (EU) 2021/1733 of 23 September 2021 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 30 on specific provisions on the organization of cooperation in the field of statistics and of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Single Market Programme) ⁽¹⁾** 5
- ★ **Council Decision (EU) 2021/1734 of 23 September 2021 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Horizon Europe) ⁽¹⁾** 7
- ★ **Council Decision (EU) 2021/1735 of 23 September 2021 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (European Social Fund Plus (ESF+)) ⁽¹⁾** 9

⁽¹⁾ Text with EEA relevance.

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Council Decision (EU) 2021/1736 of 23 September 2021 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Erasmus+) ⁽¹⁾	11
★ Council Decision (EU) 2021/1737 of 23 September 2021 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Digital Europe Programme) ⁽¹⁾	13
★ Council Decision (EU) 2021/1738 of 23 September 2021 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Union Civil Protection Mechanism) ⁽¹⁾	15
★ Council Decision (EU) 2021/1739 of 23 September 2021 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Creative Europe Programme) ⁽¹⁾	17
★ Council Decision (EU) 2021/1740 of 23 September 2021 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (LIFE Programme) ⁽¹⁾	19
★ Council Decision (EU) 2021/1741 of 23 September 2021 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (EU4Health Programme) ⁽¹⁾	21
★ Council Decision (EU) 2021/1742 of 23 September 2021 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Annex XIII (Transport) to the EEA Agreement (3rd and 4th Railway Packages) ⁽¹⁾	23
★ Council Decision (EU) 2021/1743 of 28 September 2021 on the position to be taken on behalf of the European Union within the Regional Steering Committee of the Transport Community as regards the establishment of a Technical Committee on Waterborne Transport and Multimodality	27

⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

DECISIONS

COUNCIL DECISION (EU) 2021/1731

of 23 September 2021

on the position to be adopted on behalf of the European Union within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Preparatory Action on Defence Research)

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 ⁽²⁾ and in particular Article 58(2), point (b), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽³⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee is able to decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31'), annexed to the EEA Agreement.
- (3) The EEA EFTA States should continue to participate in Union activities related to budget line PA 13 17 01 (Preparatory Action on Defence Research), entered into the general budget of the Union for the financial year 2021.
- (4) Protocol 31 should therefore be amended in order to allow for this extended cooperation to continue from 1 January 2021.
- (5) The position of the Union within the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.⁽²⁾ OJ L 193, 30.7.2018, p. 1.⁽³⁾ OJ L 1, 3.1.1994, p. 3.

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on the Union's behalf within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee ⁽⁴⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 23 September 2021.

For the Council
The President
G. DOVŽAN

⁽⁴⁾ See document ST 10932/21 at <http://register.consilium.europa.eu>.

COUNCIL DECISION (EU) 2021/1732**of 23 September 2021****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (European Solidarity Corps Programme)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 165(4), Article 166(4) and Article 214(5), in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31'), annexed to the EEA Agreement.
- (3) Regulation (EU) 2021/888 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee ⁽⁴⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2021/888 of the European Parliament and of the Council of 20 May 2021 establishing the European Solidarity Corps Programme and repealing Regulations (EU) 2018/1475 and (EU) No 375/2014 (OJ L 202, 8.6.2021, p. 32).

⁽⁴⁾ See document ST 11221/21 at <http://register.consilium.europa.eu>

Done at Brussels, 23 September 2021.

For the Council
The President
G. DOVŽAN

COUNCIL DECISION (EU) 2021/1733**of 23 September 2021**

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 30 on specific provisions on the organization of cooperation in the field of statistics and of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Single Market Programme)

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114, Article 43(2), Article 168(4)(b) and Articles 173 and 338, in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 30 on specific provisions on the organization of cooperation in the field of statistics ('Protocol 30') and Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31'), annexed to the EEA Agreement.
- (3) Regulation (EU) 2021/690 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Protocol 30 and Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Protocol 30 on specific provisions on the organization of cooperation in the field of statistics and of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee ⁽⁴⁾.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2021/690 of the European Parliament and of the Council of 28 April 2021 establishing a programme for the internal market, competitiveness of enterprises, including small and medium-sized enterprises, the area of plants, animals, food and feed, and European statistics (Single Market Programme) and repealing Regulations (EU) No 99/2013, (EU) No 1287/2013, (EU) No 254/2014 and (EU) No 652/2014 (OJ L 153, 3.5.2021, p. 1).

⁽⁴⁾ See document ST 11225/21 at <http://register.consilium.europa.eu>.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 23 September 2021.

For the Council
The President
G. DOVŽAN

COUNCIL DECISION (EU) 2021/1734**of 23 September 2021****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Horizon Europe)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 173(3), Article 182(1), Article 183 and the second paragraph of Article 188, in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31'), annexed to the EEA Agreement.
- (3) Regulation (EU) 2021/695 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Regulation (EU) 2021/819 of the European Parliament and of the Council ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (6) The position of the Union in the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).

⁽⁴⁾ Regulation (EU) 2021/819 of the European Parliament and of the Council of 20 May 2021 on the European Institute of Innovation and Technology (OJ L 189, 28.5.2021, p. 61).

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee ⁽³⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 23 September 2021.

For the Council
The President
G. DOVŽAN

⁽³⁾ See document ST 11229/21 at <http://register.consilium.europa.eu>

COUNCIL DECISION (EU) 2021/1735**of 23 September 2021****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (European Social Fund Plus (ESF+))****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 46, point (d), Article 149, Article 153(2), point (a), Article 164, Article 175, third paragraph, and Article 349, in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31'), annexed to the EEA Agreement.
- (3) Regulation (EU) 2021/1057 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee ⁽⁴⁾.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2021/1057 of the European Parliament and of the Council of 24 June 2021 establishing the European Social Fund Plus (ESF+) and repealing Regulation (EU) No 1296/2013 (OJ L 231, 30.6.2021, p. 21).

⁽⁴⁾ See document ST 11233/21 at <http://register.consilium.europa.eu>

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 23 September 2021.

For the Council
The President
G. DOVŽAN

COUNCIL DECISION (EU) 2021/1736**of 23 September 2021****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Erasmus+)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 165 and 166, in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31'), annexed to the EEA Agreement.
- (3) Regulation (EU) 2021/817 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee ⁽⁴⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2021/817 of the European Parliament and of the Council of 20 May 2021 establishing Erasmus+: the Union Programme for education and training, youth and sport and repealing Regulation (EU) No 1288/2013 (OJ L 189, 28.5.2021, p. 1).

⁽⁴⁾ See document ST 11238/21 at <http://register.consilium.europa.eu>.

Done at Brussels, 23 September 2021.

For the Council
The President
G. DOVŽAN

COUNCIL DECISION (EU) 2021/1737**of 23 September 2021****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Digital Europe Programme)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 172 and Article 173(3), in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31'), annexed to the EEA Agreement.
- (3) Regulation (EU) 2021/694 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee ⁽⁴⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2021/694 of the European Parliament and of the Council of 29 April 2021 establishing the Digital Europe Programme and repealing Decision (EU) 2015/2240 (OJ L 166, 11.5.2021, p. 1).

⁽⁴⁾ See document ST 11242/21 at <http://register.consilium.europa.eu>.

Done at Brussels, 23 September 2021.

For the Council
The President
G. DOVŽAN

COUNCIL DECISION (EU) 2021/1738**of 23 September 2021****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Union Civil Protection Mechanism)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 196 and Article 322(1)(a), in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31'), annexed to the EEA Agreement.
- (3) Regulation (EU) 2021/836 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee ⁽⁴⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2021/836 of the European Parliament and of the Council of 20 May 2021 amending Decision No 1313/2013/EU on a Union Civil Protection Mechanism (OJ L 185, 26.5.2021, p. 1).

⁽⁴⁾ See document ST 11255/21 at <http://register.consilium.europa.eu>.

Done at Brussels, 23 September 2021.

For the Council
The President
G. DOVŽAN

COUNCIL DECISION (EU) 2021/1739**of 23 September 2021****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (Creative Europe Programme)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 167 and 173, in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31'), annexed to the EEA Agreement.
- (3) Regulation (EU) 2021/818 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee ⁽⁴⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2021/818 of the European Parliament and of the Council of 20 May 2021 establishing the Creative Europe Programme (2021 to 2027) and repealing Regulation (EU) No 1295/2013 (OJ L 189, 28.5.2021, p. 34).

⁽⁴⁾ See document ST 11259/21 at <http://register.consilium.europa.eu>.

Done at Brussels, 23 September 2021.

For the Council
The President
G. DOVŽAN

COUNCIL DECISION (EU) 2021/1740**of 23 September 2021****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (LIFE Programme)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1), in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31'), annexed to the EEA Agreement.
- (3) Regulation (EU) 2021/783 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee ⁽⁴⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2021/783 of the European Parliament and of the Council of 29 April 2021 establishing a Programme for the Environment and Climate Action (LIFE), and repealing Regulation (EU) No 1293/2013 (OJ L 172, 17.5.2021, p. 53).

⁽⁴⁾ See document ST 11528/21 at <http://register.consilium.europa.eu>.

Done at Brussels, 23 September 2021.

For the Council
The President
G. DOVŽAN

COUNCIL DECISION (EU) 2021/1741**of 23 September 2021****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement (EU4Health Programme)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 168(5), in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Protocol 31 on cooperation in specific fields outside the four freedoms ('Protocol 31'), annexed to the EEA Agreement.
- (3) Regulation (EU) 2021/522 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Protocol 31 on cooperation in specific fields outside the four freedoms, annexed to the EEA Agreement, shall be based on the draft decision of the EEA Joint Committee ⁽⁴⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ Regulation (EU) 2021/522 of the European Parliament and of the Council of 24 March 2021 establishing a Programme for the Union's action in the field of health ('EU4Health Programme') for the period 2021-27, and repealing Regulation (EU) No 282/2014 (OJ L 107, 26.3.2021, p. 1).

⁽⁴⁾ See document ST 11535/21 at <http://register.consilium.europa.eu>

Done at Brussels, 23 September 2021.

For the Council
The President
G. DOVŽAN

COUNCIL DECISION (EU) 2021/1742**of 23 September 2021****on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning the amendment of Annex XIII (Transport) to the EEA Agreement (3rd and 4th Railway Packages)****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91, in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, inter alia, Annex XIII (Transport) to the EEA Agreement.
- (3) The following acts concerning rail transport are to be incorporated into the EEA Agreement:
 - Directive 2012/34/EU of the European Parliament and of the Council ⁽³⁾,
 - Directive (EU) 2016/2370 of the European Parliament and of the Council ⁽⁴⁾,
 - Commission Implementing Regulation (EU) 2015/171 ⁽⁵⁾,
 - Commission Implementing Regulation (EU) 2015/429 ⁽⁶⁾,
 - Commission Implementing Regulation (EU) 2015/909 ⁽⁷⁾,
 - Commission Implementing Regulation (EU) 2015/1100 ⁽⁸⁾,
 - Commission Implementing Regulation (EU) 2016/545 ⁽⁹⁾,
 - Commission Implementing Regulation (EU) 2017/2177 ⁽¹⁰⁾,

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ 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).

⁽⁴⁾ 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 infrastructure (OJ L 352, 23.12.2016, p. 1).

⁽⁵⁾ Commission Implementing Regulation (EU) 2015/171 of 4 February 2015 on certain aspects of the procedure of licensing railway undertakings (OJ L 29, 5.2.2015, p. 3).

⁽⁶⁾ Commission Implementing Regulation (EU) 2015/429 of 13 March 2015 setting out the modalities to be followed for the application of the charging for the cost of noise effects (OJ L 70, 14.3.2015, p. 36).

⁽⁷⁾ 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).

⁽⁸⁾ Commission Implementing Regulation (EU) 2015/1100 of 7 July 2015 on the reporting obligations of the Member States in the framework of rail market monitoring (OJ L 181, 9.7.2015, p. 1).

⁽⁹⁾ Commission Implementing Regulation (EU) 2016/545 of 7 April 2016 on procedures and criteria concerning framework agreements for the allocation of rail infrastructure capacity (OJ L 94, 8.4.2016, p. 1).

⁽¹⁰⁾ Commission Implementing Regulation (EU) 2017/2177 of 22 November 2017 on access to service facilities and rail-related services (OJ L 307, 23.11.2017, p. 1).

- Commission Implementing Regulation (EU) 2018/1795 ⁽¹¹⁾,
- Commission Delegated Decision (EU) 2017/2075 ⁽¹²⁾,
- Regulation (EU) 2016/796 of the European Parliament and of the Council ⁽¹³⁾,
- Regulation (EU) 2016/2338 of the European Parliament and of the Council ⁽¹⁴⁾,
- Commission Regulation (EU) 2019/554 ⁽¹⁵⁾,
- Commission Regulation (EU) No 1305/2014 ⁽¹⁶⁾,
- Commission Delegated Regulation (EU) 2018/761 ⁽¹⁷⁾,
- Commission Delegated Regulation (EU) 2018/762 ⁽¹⁸⁾,
- Commission Implementing Regulation (EU) 2017/6 ⁽¹⁹⁾,
- Commission Implementing Regulation (EU) 2018/278 ⁽²⁰⁾,
- Commission Implementing Regulation (EU) 2018/545 ⁽²¹⁾,
- Commission Implementing Regulation (EU) 2018/763 ⁽²²⁾,
- Commission Implementing Regulation (EU) 2018/764 ⁽²³⁾,
- Commission Implementing Regulation (EU) 2018/867 ⁽²⁴⁾,

⁽¹¹⁾ Commission Implementing Regulation (EU) 2018/1795 of 20 November 2018 laying down procedure and criteria for the application of the economic equilibrium test pursuant to Article 11 of Directive 2012/34/EU of the European Parliament and of the Council (OJ L 294, 21.11.2018, p. 5).

⁽¹²⁾ 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).

⁽¹³⁾ Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004 (OJ L 138, 26.5.2016, p. 1).

⁽¹⁴⁾ Regulation (EU) 2016/2338 of the European Parliament and of the Council of 14 December 2016 amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail (OJ L 354, 23.12.2016, p. 22).

⁽¹⁵⁾ Commission Regulation (EU) 2019/554 of 5 April 2019 amending Annex VI to Directive 2007/59/EC of the European Parliament and of the Council on the certification of train drivers operating locomotives and trains on the railway system in the Community (OJ L 97, 8.4.2019, p. 1).

⁽¹⁶⁾ Commission Regulation (EU) No 1305/2014 of 11 December 2014 on the technical specification for interoperability relating to the telematics applications for freight subsystem of the rail system in the European Union and repealing the Regulation (EC) No 62/2006 (OJ L 356, 12.12.2014, p. 438).

⁽¹⁷⁾ Commission Delegated Regulation (EU) 2018/761 of 16 February 2018 establishing common safety methods for supervision by national safety authorities after the issue of a single safety certificate or a safety authorisation pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 1077/2012 (OJ L 129, 25.5.2018, p. 16).

⁽¹⁸⁾ Commission Delegated Regulation (EU) 2018/762 of 8 March 2018 establishing common safety methods on safety management system requirements pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulations (EU) No 1158/2010 and (EU) No 1169/2010 (OJ L 129, 25.5.2018, p. 26).

⁽¹⁹⁾ Commission Implementing Regulation (EU) 2017/6 of 5 January 2017 on the European Rail Traffic Management System European deployment plan (OJ L 3, 6.1.2017, p. 6).

⁽²⁰⁾ Commission Implementing Regulation (EU) 2018/278 of 23 February 2018 amending the Annex to Regulation (EU) No 1305/2014 as regards the structure of the messages, data and message model, Wagon and Intermodal Unit Operating Database, and to adopt an IT standard for the communication layer of the Common Interface (OJ L 54, 24.2.2018, p. 11).

⁽²¹⁾ Commission Implementing Regulation (EU) 2018/545 of 4 April 2018 establishing practical arrangements for the railway vehicle authorisation and railway vehicle type authorisation process pursuant to Directive (EU) 2016/797 of the European Parliament and of the Council (OJ L 90, 6.4.2018, p. 66).

⁽²²⁾ Commission Implementing Regulation (EU) 2018/763 of 9 April 2018 establishing practical arrangements for issuing single safety certificates to railway undertakings pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council, and repealing Commission Regulation (EC) No 653/2007 (OJ L 129, 25.5.2018, p. 49).

⁽²³⁾ Commission Implementing Regulation (EU) 2018/764 of 2 May 2018 on the fees and charges payable to the European Union Agency for Railways and their conditions of payment (OJ L 129, 25.5.2018, p. 68).

⁽²⁴⁾ Commission Implementing Regulation (EU) 2018/867 of 13 June 2018 laying down the rules of procedure of the Board(s) of Appeal of the European Union Agency for Railways (OJ L 149, 14.6.2018, p. 3).

- Commission Implementing Regulation (EU) 2018/868 ⁽²⁵⁾,
- Commission Implementing Regulation (EU) 2019/250 ⁽²⁶⁾,
- Commission Implementing Regulation (EU) 2019/772 ⁽²⁷⁾,
- Commission Implementing Regulation (EU) 2019/773 ⁽²⁸⁾,
- Commission Implementing Regulation (EU) 2019/774 ⁽²⁹⁾,
- Commission Implementing Regulation (EU) 2019/775 ⁽³⁰⁾,
- Commission Implementing Regulation (EU) 2019/776 ⁽³¹⁾,
- Commission Implementing Regulation (EU) 2019/777 ⁽³²⁾,
- Commission Implementing Regulation (EU) 2019/778 ⁽³³⁾,
- Commission Implementing Regulation (EU) 2019/779 ⁽³⁴⁾,
- Commission Implementing Regulation (EU) 2020/387 ⁽³⁵⁾,
- Commission Implementing Regulation (EU) 2020/424 ⁽³⁶⁾,
- Directive (EU) 2016/797 of the European Parliament and of the Council ⁽³⁷⁾,

⁽²⁵⁾ Commission Implementing Regulation (EU) 2018/868 of 13 June 2018 amending Regulation (EU) No 1301/2014 and Regulation (EU) No 1302/2014 as regards provisions on energy measuring system and data collecting system (OJ L 149, 14.6.2018, p. 16).

⁽²⁶⁾ Commission Implementing Regulation (EU) 2019/250 of 12 February 2019 on the templates for 'EC' declarations and certificates for railway interoperability constituents and subsystems, on the model of declaration of conformity to an authorised railway vehicle type and on the 'EC' verification procedures for subsystems in accordance with Directive (EU) 2016/797 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 201/2011 (OJ L 42, 13.2.2019, p. 9).

⁽²⁷⁾ Commission Implementing Regulation (EU) 2019/772 of 16 May 2019 amending Regulation (EU) No 1300/2014 as regards inventory of assets with a view to identifying barriers to accessibility, providing information to users and monitoring and evaluating progress on accessibility (OJ L 139 I, 27.5.2019, p. 1).

⁽²⁸⁾ Commission Implementing Regulation (EU) 2019/773 of 16 May 2019 on the technical specification for interoperability relating to the operation and traffic management subsystem of the rail system within the European Union and repealing Decision 2012/757/EU (OJ L 139 I, 27.5.2019, p. 5).

⁽²⁹⁾ Commission Implementing Regulation (EU) 2019/774 of 16 May 2019 amending Regulation (EU) No 1304/2014 as regards application of the technical specification for interoperability relating to the subsystem 'rolling stock – noise' to the existing freight wagons (OJ L 139 I, 27.5.2019, p. 89).

⁽³⁰⁾ Commission Implementing Regulation (EU) 2019/775 of 16 May 2019 amending Regulation (EU) No 454/2011 as regards Change Control Management (OJ L 139 I, 27.5.2019, p. 103).

⁽³¹⁾ Commission Implementing Regulation (EU) 2019/776 of 16 May 2019 amending Commission Regulations (EU) No 321/2013, (EU) No 1299/2014, (EU) No 1301/2014, (EU) No 1302/2014, (EU) No 1303/2014 and (EU) 2016/919 and Commission Implementing Decision 2011/665/EU as regards the alignment with Directive (EU) 2016/797 of the European Parliament and of the Council and the implementation of specific objectives set out in Commission Delegated Decision (EU) 2017/1474 (OJ L 139 I, 27.5.2019, p. 108).

⁽³²⁾ Commission Implementing Regulation (EU) 2019/777 of 16 May 2019 on the common specifications for the register of railway infrastructure and repealing Implementing Decision 2014/880/EU (OJ L 139 I, 27.5.2019, p. 312).

⁽³³⁾ Commission Implementing Regulation (EU) 2019/778 of 16 May 2019 amending Regulation (EU) No 1305/2014 as regards Change Control Management (OJ L 139 I, 27.5.2019, p. 356).

⁽³⁴⁾ Commission Implementing Regulation (EU) 2019/779 of 16 May 2019 laying down detailed provisions on a system of certification of entities in charge of maintenance of vehicles pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 445/2011 (OJ L 139 I, 27.5.2019, p. 360).

⁽³⁵⁾ Commission Implementing Regulation (EU) 2020/387 of 9 March 2020 amending Regulations (EU) No 321/2013, (EU) No 1302/2014 and (EU) 2016/919 as regards the extension of the area of use and transition phases (OJ L 73, 10.3.2020, p. 6).

⁽³⁶⁾ Commission Implementing Regulation (EU) 2020/424 of 19 March 2020 on submitting information to the Commission as regards non-application of technical specifications for interoperability in accordance with Directive (EU) 2016/797 (OJ L 84, 20.3.2020, p. 20).

⁽³⁷⁾ 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).

- Directive (EU) 2016/798 of the European Parliament and of the Council ⁽³⁸⁾,
- Commission Directive 2014/38/EU ⁽³⁹⁾,
- Commission Implementing Decision (EU) 2018/1614 ⁽⁴⁰⁾.

- (4) Annex XIII (Transport) to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the draft decisions of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee on the proposed amendment of Annex XIII (Transport) to the EEA Agreement shall be based on the draft decisions of the EEA Joint Committee ⁽⁴¹⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 23 September 2021.

For the Council
The President
G. DOVŽAN

⁽³⁸⁾ Directive (EU) 2016/798 of the European Parliament and of the Council of 11 May 2016 on railway safety (OJ L 138, 26.5.2016, p. 102).

⁽³⁹⁾ Commission Directive 2014/38/EU of 10 March 2014 amending Annex III to Directive 2008/57/EC of the European Parliament and of the Council as far as noise pollution is concerned (OJ L 70, 11.3.2014, p. 20).

⁽⁴⁰⁾ Commission Implementing Decision (EU) 2018/1614 of 25 October 2018 laying down specifications for the vehicle registers referred to in Article 47 of Directive (EU) 2016/797 of the European Parliament and of the Council and amending and repealing Commission Decision 2007/756/EC (OJ L 268, 26.10.2018, p. 53).

⁽⁴¹⁾ See documents ST 11745/21 and ST 11746/21 at <http://register.consilium.europa.eu>

COUNCIL DECISION (EU) 2021/1743**of 28 September 2021****on the position to be taken on behalf of the European Union within the Regional Steering Committee of the Transport Community as regards the establishment of a Technical Committee on Waterborne Transport and Multimodality**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91 and Article 100(2), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Treaty establishing the Transport Community (the ‘TCT’) was concluded by the Union by means of Council Decision (EU) 2019/392 ⁽¹⁾ and entered into force on 1 May 2019.
- (2) The Regional Steering Committee was established by the TCT for the administration and proper implementation of the TCT. Pursuant to Article 26 of the TCT, the Regional Steering Committee is to adopt decisions to establish technical committees.
- (3) Technical committees are able to make proposals in their sphere of responsibility to the Regional Steering Committee for decision. The technical committees consist of representatives of the Contracting Parties to the TCT. Participation as an observer is open to all Member States of the Union.
- (4) The Regional Steering Committee is shortly to adopt a decision to establish a Technical Committee on Waterborne Transport and Multimodality.
- (5) The establishment of a Technical Committee on Waterborne Transport and Multimodality will help to achieve the TCT’s aim, namely the creation of a Transport Community in the field of road, rail, inland waterway and maritime transport as well as the development of the transport network between the Union and the South East European Parties.
- (6) A Technical Committee on Waterborne Transport and Multimodality should aim to address critical issues relating to waterborne transport, which comprises maritime affairs, inland waterways and ports, as well as to address the multimodality aspects, and promote the efficient use, of such transport.
- (7) It is appropriate to establish the position to be taken on the Union’s behalf within the Regional Steering Committee as regards the establishment of a Technical Committee on Waterborne Transport and Multimodality, as such decision is necessary for the implementation of the TCT and will be binding upon the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union’s behalf within the Regional Steering Committee set up by the Treaty establishing the Transport Community as regards establishing a Technical Committee on Waterborne Transport and Multimodality shall be based on the draft decision of the Regional Steering Committee ⁽²⁾.

Minor changes to that draft decision may be agreed to by the representatives of the Union within the Regional Steering Committee without a further decision of the Council.

⁽¹⁾ Council Decision (EU) 2019/392 of 4 March 2019 on the conclusion, on behalf of the European Union, of the Treaty establishing the Transport Community (OJ L 71, 13.3.2019, p. 1.).

⁽²⁾ See document ST 11514/21 at <http://register.consilium.europa.eu>.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 28 September 2021.

For the Council
The President
S. KUSTEC

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