

**AGREEMENT BETWEEN  
THE REPUBLIC OF SERBIA AND  
THE TRANSPORT COMMUNITY REGARDING THE SEAT OF  
THE PERMANENT SECRETARIAT OF THE TRANSPORT  
COMMUNITY**

The Republic of Serbia represented by Ms Zorana Mihajlovic, Deputy Prime Minister and

The Transport Community represented by Mr Alain Baron, (interim) Director of the Permanent Secretariat of the Transport Community (Hereinafter referred to as the Parties)

HAVING REGARD to the Treaty establishing the Transport Community signed 9 October 2017 and in particular Article 21(d) and Article 33 thereof;

DESIRING to conclude an agreement for the purpose of implementing Decision no. 2017/1 of the Ministerial Council of the Transport Community providing that the seat of the Permanent Secretariat of the Transport Community shall be located in Belgrade;

DESIRING to define the status, privileges and immunities of the Transport Community in the Republic of Serbia as well as any further matters as necessary so as to enable the Permanent Secretariat of the Transport Community to fulfil its purposes and functions efficiently, in accordance with the Treaty;

TAKING INTO ACCOUNT the assistance provided by the Republic of Serbia for the establishment of the Transport Community;

HAVE AGREED as follows:

**Article 1**  
**DEFINITIONS**

For the purpose of this Agreement:

- (a) 'the Treaty' means the Treaty establishing the Transport Community;
- (b) 'Contracting Parties' means the contracting parties to the Treaty which are the European Union and the South East European Parties (the Republic of Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo\*, Montenegro and the Republic of Serbia);
- (c) 'Observers': means European Union Member States in accordance with Article 22 and Article 24(2) of the Treaty;
- (d) 'Competent authorities' means such state and self-government bodies or other authorities in the Republic of Serbia in charge of the matters subject of this Agreement in accordance with the laws applicable in the Republic of Serbia;
- (e) 'Secretariat' means the Permanent Secretariat of the Transport Community established under Article 28 of the Treaty;
- (f) 'Director' means the person appointed as the Director of the Secretariat in accordance with Article 30 of the Treaty;
- (g) 'Officials of the Secretariat' means the Director, Deputy Directors and all other staff from the Contracting Parties, working permanently at the Secretariat in accordance with the Staff Regulations of the Secretariat, and seconded experts;

\*This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

- (h) 'Local staff' means persons, other than officials of the Secretariat, who are recruited by the Secretariat in the Republic of Serbia for the purposes of technical work such as maintenance, cleaning, driving etc.;
- (i) 'Official activities' means any activities necessary for carrying out the purposes of the Transport Community as set forth in the Treaty;
- (j) 'Official visitors' means all persons participating at the meetings of the bodies of the Transport Community and other meetings convened by the Transport Community.
- (k) 'Assets of the Transport Community' means the total assets, including financial assets, income and other assets as well as any other moveable or immoveable property owned, held or managed by the Transport Community in order to carry out its official activities;
- (l) 'Archives' means all records, correspondence, documents, manuscripts, computer records, stationary and mobile images, audio-visual records as well as any other records owned or held by the Transport Community in order to carry out its official activities;
- (m) 'Family members' means the spouse of an official of the Secretariat and dependent children of free marital status aged 26 and below, who live in the joint household with the official of the Secretariat and who are notified to the competent authorities in the same manner as the official of the Secretariat; and