



**COUNCIL OF
THE EUROPEAN UNION**

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: DECISION OF THE COUNCIL AND OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN UNION, MEETING WITHIN THE COUNCIL on the conclusion of the Air Transport Agreement between the United States of America, of the first part, the European Union and its Member States, of the second part, Iceland, of the third part, and the Kingdom of Norway, of the fourth part; and on the conclusion of the Ancillary Agreement between the European Union and its Member States, of the first part, Iceland, of the second part, and the Kingdom of Norway, of the third part, on the application of the Air Transport Agreement between the United States of America, of the first part, the European Union and its Member States, of the second part, Iceland, of the third part, and the Kingdom of Norway, of the fourth part

DECISION No .../2011/EU
OF THE COUNCIL AND OF THE REPRESENTATIVES
OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN UNION,
MEETING WITHIN THE COUNCIL

of

on the conclusion of the Air Transport Agreement between the United States of America, of the first part, the European Union and its Member States, of the second part, Iceland, of the third part, and the Kingdom of Norway, of the fourth part; and

on the conclusion of the Ancillary Agreement between the European Union and its Member States, of the first part, Iceland, of the second part, and the Kingdom of Norway, of the third part, on the application of the Air Transport Agreement between the United States of America, of the first part, the European Union and its Member States, of the second part, Iceland, of the third part, and the Kingdom of Norway, of the fourth part

THE COUNCIL AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN UNION, MEETING WITHIN THE COUNCIL,

Having regard to the Treaty on the Functioning of the European Union, and in particular
Article 100(2), in conjunction with Article 218(6) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) The Air Transport Agreement between the European Community and its Member States, on the one hand, and the United States of America, on the other hand¹ ("the Air Transport Agreement"), signed by the European Community and its Member States and United States of America on 25 and 30 April 2007, as amended by the Protocol to amend the Air Transport Agreement between the United States of America and the European Community and its Member States, signed on 25 and 30 April 2007² ("the Protocol"), signed by the United States of America and the European Union and its Member States on 24 June 2010, explicitly provides for the accession of third countries to the Air Transport Agreement.
- (2) In accordance with Article 18(5) of the Air Transport Agreement, as amended by the Protocol, the Joint Committee established thereunder has developed a proposal for the accession of Iceland and the Kingdom of Norway to the Air Transport Agreement, as amended by the Protocol.
- (3) On 16 November 2010 the Joint Committee proposed an Air Transport Agreement between the United States of America, of the first part, the European Union and its Member States, of the second part, Iceland, of the third part, and the Kingdom of Norway, of the fourth part ("the Accession Agreement").

¹ OJ L 134, 25.5.2007, p. 4.

² OJ L 223, 25.8.2010, p. 3.

- (4) The Commission has negotiated an Ancillary Agreement between the European Union and its Member States, of the first part, Iceland, of the second part, and the Kingdom of Norway, of the third part, on the application of the Air Transport Agreement between the United States of America, of the first part, the European Union and its Member States, of the second part, Iceland, of the third part, and the Kingdom of Norway, of the fourth part ("the Ancillary Agreement").
- (5) In accordance with Decision No .../2011/EU of the Council and of the representatives of the Governments of the Member States of the European Union, meeting within the Council of ...^{1*}, the Accession Agreement and the Ancillary Agreement were signed at Luxembourg on 16 June 2011 and at Oslo on 21 June 2011 respectively, subject to their conclusion at a later date.
- (6) The Accession Agreement and the Ancillary Agreement should be approved,

HAVE ADOPTED THIS DECISION:

¹ OJ L ...

* OJ: please complete the title of the Decision and insert number, date and publication reference of document 10258/11.

Article 1

The Air Transport Agreement between the United States of America, of the first part, the European Union and its Member States, of the second part, Iceland, of the third part, and the Kingdom of Norway, of the fourth part ("the Accession Agreement") is hereby approved on behalf of the Union and its Member States^{1*}.

Article 2

The Ancillary Agreement between the European Union and its Member States, of the first part, Iceland, of the second part, and the Kingdom of Norway, of the third part, on the application of the Air Transport Agreement between the United States of America, of the first part, the European Union and its Member States, of the second part, Iceland, of the third part, and the Kingdom of Norway, of the fourth part ("the Ancillary Agreement") is hereby approved on behalf of the Union and its Member States^{2**}.

¹ The Accession Agreement has been published in OJ L ... together with the decision on signature.

* OJ: please complete the publication reference of the Accession Agreement, attached to doc 10258/11.

² The Ancillary Agreement has been published in OJ L ... together with the decision on signature.

** OJ: please complete the publication reference of the Ancillary Agreement, attached to doc 10258/11.

Article 3

The President of the Council shall designate the person(s) empowered to make the notifications provided for in Article 6 of the Accession Agreement and Article 9 of the Ancillary Agreement¹.

Article 4

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

Done at ...,

The President

¹ The date of entry into force of the Accession Agreement and of the Ancillary Agreement will be published in the Official Journal of the European Union by the General Secretariat of the Council.