



Council of the  
European Union

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## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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Subject: COUNCIL DECISION on the signing, on behalf of the European Union and its Member States, and provisional application, of the Protocol amending the Air Transport Agreement between the United States of America and the European Community and its Member States signed 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 2007, signed by the United States of America and the European Union and its Member States on 24 June 2010, to take account of the accession to the European Union of the Republic of Croatia

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**COUNCIL DECISION (EU) 2020/...**

**of ...**

**on the signing, on behalf of the European Union and its Member States,  
and provisional application, of the Protocol amending the Air Transport Agreement  
between the United States of America and the European Community  
and its Member States signed 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 2007,  
signed by the United States of America and the European Union  
and its Member States on 24 June 2010, to take account of the accession  
to the European Union of the Republic of Croatia**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2), in conjunction with Article 218(5) thereof,

Having regard to the Act of Accession of the Republic of Croatia, and in particular the second subparagraph of Article 6(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Air Transport Agreement between the United States of America, of the one part, and the European Community and its Member States, of the other part<sup>1</sup> (hereinafter the ‘Air Transport Agreement’) was signed on 25 and 30 April 2007 and was 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 2007<sup>2</sup> (hereinafter the ‘2010 Protocol’). The 2010 Protocol was signed by the United States of America and the European Union and its Member States on 24 June 2010.
- (2) In accordance with the second subparagraph of Article 6(2) of the Act of Accession of the Republic of Croatia<sup>3</sup>, the accession of Croatia to the Air Transport Agreement is to be agreed by means of a Protocol to that Agreement, concluded between the Council, acting unanimously on behalf of the Member States, and the United States of America.
- (3) On 14 September 2012, the Council authorised the Commission to open negotiations with the United States of America with a view to concluding a Protocol amending the Air Transport Agreement as amended by the 2010 Protocol to take account of the accession of Croatia to the European Union (hereinafter the ‘Protocol’).

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<sup>1</sup> OJ L 134, 25.5.2007, p. 4.

<sup>2</sup> OJ L 223, 25.8.2010, p. 3.

<sup>3</sup> OJ L 112, 24.4.2012, p. 21.

- (4) The negotiations were successfully concluded and the Protocol was initialled on 8 March 2019.
- (5) The Protocol should be signed and should be applied on a provisional basis in accordance with Article 4 thereof, subject to its conclusion at a later date,

HAS ADOPTED THIS DECISION:

### *Article 1*

The signing of the Protocol amending the Air Transport Agreement between the United States of America and the European Community and its Member States signed 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 2007, signed by the United States of America and the European Union and its Member States on 24 June 2010, to take account of the accession to the European Union of the Republic of Croatia (hereinafter the ‘Protocol’), is hereby authorised on behalf of the Union and its Member States, subject to the conclusion of the said Protocol.<sup>1</sup>

### *Article 2*

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Protocol on behalf of the Union and its Member States.

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<sup>1</sup> The text of the Protocol is published in ... [insert OJ reference].

*Article 3*

The Protocol shall be applied on a provisional basis in accordance with Article 4 thereof, pending the completion of the procedures necessary for its entry into force.

*Article 4*

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

Done at ...,

*For the Council*

*The President*

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