



Council of the  
European Union

Brussels, 3 July 2023  
(OR. en)

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**Interinstitutional File:  
2023/0141 (NLE)**

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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 Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other part, to take account of the accession to the European Union of the Republic of Croatia

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**COUNCIL DECISION (EU) 2023/...**

**of ...**

**on the signing, on behalf of the European Union and its Member States,  
and provisional application of the Protocol  
amending the Euro-Mediterranean Aviation Agreement  
between the European Community and its Member States, of the one part,  
and the Kingdom of Morocco, of the other part,  
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 Croatia, and in particular Article 6(2), second subparagraph, thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other part<sup>1</sup> (the ‘Agreement’) was signed on 12 December 2006 and entered into force on 19 March 2018. The Agreement was amended to take account of the accession to the European Union of the Republic of Bulgaria and Romania<sup>2</sup>.
- (2) The Treaty concerning the Accession of the Republic of Croatia to the European Union<sup>3</sup> was signed in Brussels on 9 December 2011 and entered into force on 1 July 2013.
- (3) On 14 September 2012, the Council authorised the Commission to open negotiations with third countries concerned in view of the accession of the Republic of Croatia to the Union.
- (4) The negotiations on the Protocol amending the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other part, to take account of the accession to the European Union of the Republic of Croatia (the ‘Protocol’) were successfully concluded and the Protocol was initialled on 23 December 2022.

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<sup>1</sup> OJ L 386, 29.12.2006, p. 57.

<sup>2</sup> Protocol amending the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other part, to take account of the accession to the European Union of the Republic of Bulgaria and Romania (OJ L 200, 27.7.2012, p. 25).

<sup>3</sup> OJ L 112, 24.4.2012, p. 10.

- (5) The Protocol should therefore be signed on behalf of the Union and its Member States, and applied on a provisional basis in accordance with Article 4(2) thereof, pending the completion of the procedures necessary for its entry into force,

HAS ADOPTED THIS DECISION:

### *Article 1*

The signing on behalf of the Union and its Member States of the Protocol amending the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other part, to take account of the accession to the European Union of the Republic of Croatia<sup>1+</sup> (the ‘Protocol’) is hereby authorised, subject to the conclusion of the Protocol.

### *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 for document ST 8938/23].

<sup>+</sup> Delegations: see document ST 8938/23.

*Article 3*

The Protocol shall be applied on a provisional basis with effect from the date of signature by the parties, in accordance with Article 4(2) thereof.

*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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