



Council of the
European Union

Brussels, 18 January 2021
(OR. en)

5321/21

LIMITE

AVIATION 11
NIS 1

Interinstitutional File:
2014/0008(NLE)

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	ST 8290/14
Subject:	Proposal for a COUNCIL DECISION on the signature, on behalf of the European Union, and provisional application of a Common Aviation Area Agreement between the European Union and its Member States and Ukraine

In preparation of the Aviation Working Party of 22 February 2021, delegations may find below the proposal from the Commission.

2014/0008 (NLE)

Proposal for a

COUNCIL DECISION

on the signature, on behalf of the European Union, and provisional application of a Common Aviation Area Agreement between the European Union and its Member States and Ukraine

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 proposal from the European Commission,

Whereas

- (1) On 12 December 2006, the Council authorised the Commission to open negotiations. The negotiations were successfully concluded by the initialling of the Agreement on 28 November 2013;
- (2) The Agreement creates equal and uniform conditions for market access for all Union carries and establishes new arrangements for regulatory co-operation and convergence between the European Union and Ukraine in fields essential for the safe, secure, and efficient operation of air services;
- (3) Therefore, the Agreement should be signed on behalf of the Union, subject to its conclusion at a later date;
- (4) In order to bring about the benefits of the Agreement as early as possible, it should be applied provisionally,

HAS ADOPTED THIS DECISION:

Article 1

1. The signing of the Common Aviation Area Agreement between the European Union and its Member States and Ukraine, is hereby approved on behalf of the Union, subject to the conclusion of the said Agreement.

The text of the Agreement to be signed is annexed to this Decision.

Article 2

The Council Secretariat General shall establish the instrument of full powers to sign the Agreement, subject to its conclusion, for the person(s) indicated by the negotiator of the Agreement.

Article 3

Pending its entry into force, the Agreement shall be applied provisionally in accordance with Article 38 of the Agreement from the date of signature of the Agreement.

Article 4

The European Union shall be represented in the Joint Committee established under Article 29 of the Agreement by the Commission

Article 5

1. The Commission shall represent the Union in dispute settlement proceedings under Article 30 of the Agreement.
2. Any appropriate action to be taken under Article 30 of the Agreement on matters which fall within the Union competence shall be decided upon by the Commission, in consultation with a Special Committee of representatives of the Member States appointed by the Council.

Article 6

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

Done at Strasbourg,

*For the Council
The President
[...]*

