Council of the European Union

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NOTE

From:	General Secretariat of the Council
To:	Delegations
No. Cion doc.:	16594/23
Subject:	Proposal for a COUNCIL DECISION on the position to be taken on behalf of the Union in the GNSS EU/ASECNA Committee set up by the Cooperation Agreement between the European Union and the Agency for the Safety of Air Navigation in Africa and Madagascar (ASECNA) on developing satellite navigation and providing associated services in ASECNA's area of competence for the benefit of civil aviation

Delegations will find attached an updated text on the above-mentioned proposal following comments from the Legal service. Changes in comparison to doc. 16594/23 are marked in **bold underline** for additions and in ~~strikethrough~~ for deletions.

2023/0420 (NLE)

Proposal for a

COUNCIL DECISION

on the position to be taken on behalf of the Union in the GNSS EU/ASECNA Committee set up by the Cooperation Agreement between the European Union and the Agency for ~~the Safety of Air~~ Aerial Navigation Safety in Africa and Madagascar (ASECNA) on ~~developing~~ the development of satellite navigation and ~~providing~~ the provision of associated services in ASECNA's area of competence for the benefit of civil aviation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular ~~the third subparagraph of~~ Article **189** ~~171~~, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Cooperation Agreement between the European Union and the Agency for ~~the Safety of Air~~ **Aerial** Navigation **Safety** in Africa and Madagascar (ASECNA) on ~~developing~~ **the development of** satellite navigation and ~~providing~~ **the provision of** associated services in ASECNA's area of competence for the benefit of civil aviation has been in force since 1 November 2018.

(2) Article 29 of the Agreement establishes a Joint Committee, called the 'GNSS EU/ASECNA Committee' ('the Joint Committee'), and provides that the Joint Committee establishes its rules of procedure **including, amongst other provisions, the arrangements for convening meetings, designating the chairperson, defining the latter's mandate and contacts between the parties**.

~~(3) At its meeting on [date to be determined], the Joint Committee must adopt its rules of procedure concerning, amongst other provisions, the arrangements for convening meetings, designating the chairperson, defining the latter's mandate and contacts between the parties.~~

(4) **It is appropriate to establish** ~~The~~ **the** position to be taken on the Union's behalf in the Joint Committee ~~should be established~~, as the **decision on the adoption of its rules of procedure will have legal effects** ~~Agreement is binding~~ on the Union.

~~(5) The Joint Committee must adopt its rules of procedure in order to ensure the proper functioning of the Agreement.~~

~~(6) The position of the Union with regard to the rules of procedure to be adopted by the Joint Committee must therefore be established.~~

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on behalf of the Union in the GNSS EU/ASECNA Committee set up by the Cooperation Agreement between the European Union and the Agency for the Safety of Air Navigation in Africa and Madagascar (ASECNA) on developing satellite navigation and providing associated services in ASECNA's area of competence for the benefit of civil aviation as regards the adoption of this Committee's rules of procedure shall be based on the draft decision attached to this Decision.

2. The representatives of the Union within the Joint Committee may agree to minor changes to the draft Decision without the need for a new decision of the Council.

Article 2

This Decision **shall enter into force on the date of its adoption** ~~is addressed to the Commission~~.

Done at Brussels,

For the Council
The President