Council of the
European Union

Brussels, 9 June 2020
(OR. en)

8109/20

Interinstitutional File:
2019/0259 (NLE)

AVIATION 80
RELEX 344
USA 20

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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, 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, signed on 16 and 21 June 2011, to take account of the accession to the European Union of the Republic of Croatia

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, 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, signed on 16 and 21 June 2011, 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 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[1] (hereinafter the 'Air Transport Agreement') was signed on 16 and 21 June 2011.

(2) In accordance with the second subparagraph of Article 6(2) of the Act of Accession of the Republic of Croatia[2], 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, Iceland and the Kingdom of Norway.

(3) On 14 September 2012, the Council authorised the Commission to open negotiations with a view to concluding a Protocol amending the Air Transport Agreement to take account of the accession of Croatia to the European Union (hereinafter the 'Protocol').

[1] OJ L 283, 29.10.2011, p. 3.
[2] 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 by the Union and its Member States in accordance with Article 6 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, 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, signed on 16 and 21 June 2011, 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.[1]

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.

[1] 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 6 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