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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 9.4.2008
COM(2008) 178 final

2008/0068 (CNS)

Proposal for a

COUNCIL DECISION

on the conclusion of the Agreement between the European Community and the State of Israel on certain aspects of air services

Proposal for a

COUNCIL DECISION

on the signature and provisional application of the Agreement between the European Community and the State of Israel on certain aspects of air services

(presented by the Commission)

EXPLANATORY MEMORANDUM

1 Context of the proposal

Grounds for and objectives of the proposal

Following the judgements of the Court of Justice in the so-called “Open Skies” cases, on 5 June 2003 the Council granted the Commission a mandate to open negotiations with third countries on the replacement of certain provisions in existing agreements with a Community agreement¹ (the “horizontal mandate”). The objectives of such agreements are to give all EU air carriers non-discriminatory access to routes between the Community and third countries, and to bring bilateral air service agreements between Member States and third countries in line with Community law.

General context

International aviation relations between Member States and third countries have traditionally been governed by bilateral air services agreements between Member States and third countries, the Annexes to such agreements and other related bilateral or multilateral arrangements.

Traditional designation clauses in Member States’ bilateral air services agreements infringe Community law. They allow a third country to reject, withdraw or suspend the permissions or authorisations of an air carrier that has been designated by a Member State but that is not substantially owned and effectively controlled by that Member State or its nationals. This has been found to constitute discrimination against Community carriers established in the territory of a Member State but owned and controlled by nationals of other Member States. This is contrary to Article 43 of the Treaty which guarantees nationals of Member States who have exercised their freedom of establishment the same treatment in the host Member State as that accorded to nationals of that Member State.

There are further issues, such as aviation fuel taxation, tariffs introduced by third country air carriers on intra-Community routes, or obligatory commercial agreements between airlines where compliance with Community law should be ensured through amending or complementing existing provisions in bilateral air services agreements between Member States and third countries.

Existing provisions in the area of the proposal

The provisions of the Agreement supersede or complement the existing provisions in the bilateral air services agreements between Member States and the State of Israel.

Consistency with the other policies and objectives of the Union

The Agreement will serve a fundamental objective of the Community external aviation policy by bringing existing bilateral air services agreements in line with Community law.

¹ Council Decision 11323/03 of 5 June 2003 (restricted document)

2 Consultation of interested parties and impact assessment

Consultation of interested parties

Consultation methods, main sectors targeted and general profile of respondents

Member States as well as the industry were consulted throughout the negotiations.

Summary of responses and how they have been taken into account

Comments made by Member States and the industry have been taken into account.

3 Legal elements of the proposal

Summary of the proposed action

In accordance with the mechanisms and directives in the Annex to the "horizontal mandate", the Commission has negotiated an agreement with the State of Israel that replaces certain provisions in the existing bilateral air services agreements between Member States and the State of Israel. Article 2 of the Agreement replaces the traditional designation clauses with a Community designation clause, permitting all Community carriers to benefit from the right of establishment. Articles 4 and 5 of the Agreement address two types of clauses concerning matters of Community competence. Article 4 deals with the taxation of aviation fuel, a matter which has been harmonised by Council Directive 2003/96/EC restructuring the Community framework for the taxation of energy products and electricity, and in particular Article 14 (2) thereof. Article 5 (Pricing) resolves conflicts between the existing bilateral air services agreements and Council Regulation No 2409/92 on fares and rates for air services which prohibits third country carriers from being price leaders on air services for carriage wholly within the Community. Article 6 brings provisions in bilateral agreements which are clearly anti-competitive (obligatory commercial agreements between airlines) in line with EU competition law.

Legal basis

EC Treaty Art. 80(2), 300(2)

Subsidiarity principle

The proposal is entirely based on the "horizontal mandate" granted by the Council taking into account the issues covered by Community law and bilateral air services agreements.

Proportionality principle

The Agreement will amend or complement provisions in bilateral air services agreements only to the extent necessary to ensure compliance with Community law.

Choice of instruments

The Agreement between the Community and the State of Israel is the most efficient

instrument to bring all existing bilateral air services agreements between Member States and the State of Israel into conformity with Community law.

4 Budgetary implication

The proposal has no implication for the Community budget.

5 Additional information

Simplification

The proposal provides for simplification of legislation.

The relevant provisions of bilateral air services agreements between Member States and the State of Israel will be superseded or complemented by provisions in one single Community agreement.

Detailed explanation of the proposal

In accordance with the standard procedure for the signature and conclusion of international agreements, the Council is asked to approve the decisions on the signature and provisional application and on the conclusion of the Agreement between the European Community and the State of Israel on certain aspects of air services and to designate the persons authorised to sign the Agreement on behalf of the Community.

Proposal for a

COUNCIL DECISION

on the signature and provisional application of the Agreement between the European Community and the State of Israel on certain aspects of air services

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission²,

Whereas:

- (1) The Council authorised the Commission on 5 June 2003 to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.
- (2) On behalf of the Community, the Commission has negotiated an Agreement with the State of Israel on certain aspects of air services in accordance with the mechanisms and directives in the Annex to the Council Decision authorising the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.
- (3) Subject to its possible conclusion at a later date, the Agreement negotiated by the Commission should be signed and provisionally applied.

HAS DECIDED AS FOLLOWS:

Sole Article

1. The President of the Council is hereby authorised to designate the person(s) empowered to sign on behalf of the Community the Agreement between the European Community and the State of Israel on certain aspects of air services subject to its conclusion at a later date.
2. Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the parties have notified each other of the completion of the necessary procedures for this purpose. The President of the Council is hereby authorised to make the notification provided for in Article 9(2) of the Agreement.

² OJ C , , p . .

3. The text of the Agreement is attached to this Decision.

Done at Brussels,

*For the Council
The President*

Proposal for a

COUNCIL DECISION

on the conclusion of the Agreement between the European Community and the State of Israel on certain aspects of air services

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) in conjunction with the first sentence of the first subparagraph of Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission³,

Having regard to the opinion of the European Parliament⁴,

Whereas:

- (1) The Council authorised the Commission on 5 June 2003 to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.
- (2) On behalf of the Community, the Commission has negotiated an Agreement with the State of Israel on certain aspects of air services in accordance with the mechanisms and directives in the Annex to the Council Decision authorising the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.
- (3) The Agreement was signed on behalf of the Community on [...] subject to its possible conclusion at a later date, in conformity with Council Decision .../.../EC of [...]⁵.
- (4) The Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Agreement between the European Community and the State of Israel on certain aspects of air services is hereby approved on behalf of the Community.

³ OJ C , , p. .

⁴ OJ C , , p. .

⁵ OJ C , , p. .

2. The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to make the notification provided for in Article 9(1) of the Agreement.

Done at Brussels,

*For the Council
The President*

ANNEX

AGREEMENT

between the European Community and the State of Israel

on certain aspects of air services

THE EUROPEAN COMMUNITY

of the one part, and

THE STATE OF ISRAEL

(hereinafter referred to as “Israel”)

of the other part

(hereinafter referred to as “the Parties”)

NOTING that bilateral air service agreements have been concluded between several Member States of the European Community and Israel containing provisions contrary to Community law,

NOTING that the European Community has exclusive competence with respect to several aspects that may be included in bilateral air service agreements between Member States of the European Community and third countries,

NOTING that under European Community law Community air carriers established in a Member State have the right to non-discriminatory access to air routes between the Member States of the European Community and third countries,

HAVING REGARD to the agreements between the European Community and certain third countries providing for the possibility for the nationals of such third countries to acquire ownership in air carriers licensed in accordance with European Community law,

RECOGNISING that certain provisions of the bilateral air service agreements between Member States of the European Community and Israel, which are contrary to European Community law, must be brought into conformity with it in order to establish a sound legal basis for air services between the European Community and Israel and to preserve the continuity of such air services,

NOTING that under European Community law air carriers may not in principle conclude agreements which may affect trade between Member States of the European Community and which have as their object or effect the prevention, restriction or distortion of competition,

RECOGNISING that provisions in bilateral air service agreements concluded between Member States of the European Community and Israel which i) require or favour the adoption of agreements between undertakings, decisions by associations of undertakings or concerted practices that prevent, distort or restrict competition between air carriers on the relevant routes; or ii) reinforce the effects of any such agreement, decision or concerted practice; or iii) delegate to air carriers or other private economic operators the responsibility for taking

measures that prevent, distort or restrict competition between air carriers on the relevant routes may render ineffective the competition rules applicable to undertakings,

NOTING that it is not a purpose of the European Community, as part of these negotiations, to increase the total volume of air traffic between the European Community and Israel, to affect the balance between Community air carriers and air carriers of Israel, or to negotiate amendments to the provisions of existing bilateral air service agreements concerning traffic rights.

HAVE AGREED AS FOLLOWS:

ARTICLE 1

General provisions

1. For the purposes of this Agreement, 'Member States' shall mean Member States of the European Community.
2. References in each of the agreements listed in Annex 1 to nationals of the Member State that is a party to that agreement shall be understood as referring to nationals of the Member States of the European Community.
3. References in each of the agreements listed in Annex 1 to air carriers or airlines of the Member State that is a party to that agreement shall be understood as referring to air carriers or airlines designated by that Member State.

ARTICLE 2

Designation by a Member State

1. The provisions in paragraphs 2 and 3 of this Article shall supersede the corresponding provisions in the articles listed in Annex 2 (a) and (b) respectively, in relation to the designation of an air carrier by the Member State concerned, its authorisations and permissions granted by Israel, and the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively.
2. On receipt of a designation by a Member State, Israel shall grant the appropriate authorisations and permissions with minimum procedural delay, provided that:
 - i. the air carrier is established in the territory of the designating Member State under the Treaty establishing the European Community and has a valid Operating Licence in accordance with European Community law;
 - ii. effective regulatory control of the air carrier is exercised and maintained by the Member State responsible for issuing its Air Operator's Certificate

and the relevant aeronautical authority is clearly identified in the designation; and

- iii. the air carrier is owned, directly or through majority ownership, and it is effectively controlled by Member States and/or nationals of Member States, and/or by other states listed in Annex 3 and/or nationals of such other states.
3. Israel may refuse, revoke, suspend or limit the authorisations or permissions of an air carrier designated by a Member State where:
- i. the air carrier is not established in the territory of the designating Member State under the Treaty establishing the European Community or does not have a valid Operating Licence in accordance with European Community law;
 - ii. effective regulatory control of the air carrier is not exercised or not maintained by the Member State responsible for issuing its Air Operator's Certificate, or the relevant aeronautical authority is not clearly identified in the designation; or
 - iii. the air carrier is not owned, directly or through majority ownership, or it is not effectively controlled by Member States and/or nationals of Member States, and/or by other states listed in Annex 3 and/or nationals of such other states; or
 - iv. the air carrier is already authorised to operate under a bilateral agreement between Israel and another Member State, and Israel can demonstrate that by exercising traffic rights under this Agreement on a route that includes a point in that other Member State, the air carrier would be circumventing restrictions on traffic rights imposed by the bilateral agreement between Israel and that other Member State.

In exercising its right under this paragraph, Israel shall not discriminate between Community air carriers on the grounds of nationality.

ARTICLE 3

Safety

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the articles listed in Annex 2 (c).
2. Where a Member State has designated an air carrier whose regulatory control is exercised and maintained by another Member State, the rights of Israel under the safety provisions of the agreement between the Member State that has designated the air carrier and Israel shall apply equally in respect of the adoption, exercise or maintenance of safety standards by that other Member State and in respect of the operating authorisation of that air carrier.

ARTICLE 4

Taxation of aviation fuel

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the articles listed in Annex 2 (d).
2. Notwithstanding any other provision to the contrary, nothing in each of the agreements listed in Annex 2 (d) shall prevent a Member State from imposing, on a non-discriminatory basis, taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated air carrier of Israel that operates between a point in the territory of that Member State and another point in the territory of that Member State or in the territory of another Member State.
3. Notwithstanding any other provision to the contrary, nothing in each of the agreements listed in Annex 2 (d) shall prevent Israel from imposing on a non-discriminatory basis taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated air carrier of a Member State that operates between a point in the territory of Israel and a point in the territory of the Member State.

ARTICLE 5

Tariffs for carriage within the European Community

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the articles listed in Annex 2 (e).
2. The tariffs to be charged by the air carrier(s) designated by Israel under an agreement listed in Annex 1 containing a provision listed in Annex 2 (e) for carriage wholly within the European Community shall be subject to European Community law.

ARTICLE 6

Compatibility with competition rules

1. Notwithstanding any other provision to the contrary, nothing in each of the agreements listed in Annex 1 shall (i) require or favour the adoption of agreements between undertakings, decisions by associations of undertakings or concerted practices that prevent or distort competition; (ii) reinforce the effects of any such agreement, decision or concerted practice; or (iii) delegate to private economic operators the responsibility for taking measures that prevent, distort or restrict competition.

2. The provisions contained in the agreements listed in Annex 1 that are incompatible with paragraph 1 of this Article shall not be applied.

ARTICLE 7

Annexes to the Agreement

The Annexes to this Agreement shall form an integral part thereof.

ARTICLE 8

Revision or amendment

The Parties may, at any time, revise or amend this Agreement by mutual consent.

ARTICLE 9

Entry into force and provisional application

1. This Agreement shall enter into force when the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.
2. Notwithstanding paragraph 1, the Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.
3. Agreements and other arrangements between Member States and Israel which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex 1 (b). This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application.

ARTICLE 10

Termination

1. In the event that an agreement listed in Annex 1 is terminated, all provisions of this Agreement that relate to the agreement listed in Annex 1 concerned shall terminate at the same time.
2. In the event that all agreements listed in Annex 1 are terminated, this Agreement shall terminate at the same time.

IN WITNESS WHEREOF, the undersigned, being duly authorised, have signed this Agreement.

Done at [...] in duplicate, on this [...] day of [..., ...] in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish, Swedish and Hebrew languages.

FOR THE EUROPEAN COMMUNITY:

FOR THE STATE OF ISRAEL:

Annex 1

List of agreements referred to in Article 1 of this Agreement

(a) Air service agreements between Israel and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally

- Air Transport Agreement between **the Austrian Federal Government and the Government of the State of Israel**, done at Jerusalem on 2 August 1963, hereinafter referred to “Israel – Austria Agreement” in Annex 2;

Last modified by the Agreed Minutes done at Tel-Aviv on 20 July 2005;

- Agreement between **the Belgian Government and the Government of Israel** for Air Services between and beyond their respective Territories, done at Hakiryra on 30 June 1952, hereinafter referred to “Israel – Belgium Agreement” in Annex 2;
- Air Transport Agreement between the **Government of the Republic of Bulgaria and the Government of the State of Israel** for air services between and beyond their respective territories, done at Sofia on 25 March 1991, hereinafter referred to "Israel – Bulgaria Agreement" in Annex 2;
- Air Services Agreement between the **Government of the Republic of Cyprus and the Government of the State of Israel**, done at Jerusalem on 21 December 1993, hereinafter referred to " Israel-Cyprus Agreement" In Annex 2;
- Air Transport Agreement between **the Government of the Czech and Slovak Federal Republic and the Government of the State of Israel**, in respect of which the Czech Republic declared that it considers itself to be bound by the provisions thereof, done at Jerusalem on 24 April 1991, hereinafter referred to “Israel – Czech Republic Agreement” in Annex 2;
- Agreement between the Government of **the Kingdom of Denmark and the Government of the State of Israel** relating to Air Services, done in Jerusalem on 18 April 1977, hereinafter referred to “Israel – Denmark Agreement” in Annex 2;

To be read together with the Confidential Memorandum of Understanding between the Kingdom of Denmark, Norway and Sweden and the State of Israel done at Copenhagen on 11 February 1977;

- Air Services Agreement between **the Government of the Republic of Finland and the Government of the State of Israel**, done at Helsinki on 24 June 1997, hereinafter referred to “Israel – Finland Agreement” in Annex 2;

- Air Transport Agreement between the **Government of the Republic of France and the Government of the State of Israel**, done at Tel Aviv on 29 April 1952, hereinafter referred to "Israel – France Agreement" in Annex 2;

To be read together with the Memorandum of Understanding done at Tel Aviv on 29 April 1952;

Last modified by the Memorandum of Understanding done at Paris on 8 March 2007;

- Air Transport Agreement between **the Federal Republic of Germany and the State of Israel**, done at Bonn on 12 February 1971, hereinafter referred to "Israel – Germany Agreement" in Annex 2;

To be read together with the Agreed Minutes done at Tel-Aviv on 2 August 2006;

- Agreement between **the Royal Hellenic Government and the Government of the State of Israel** on air services between their respective territories, done at Athens on 15 July 1952, hereinafter referred to "Israel – Greece Agreement" in Annex 2;
- Air Transport Agreement between **the Government of the Hungarian People's Republic and the Government of the State of Israel**, done at Jerusalem on 1 March 1989, hereinafter referred to "Israel – Hungary Agreement" in Annex 2;
- Air Transport Agreement between **the Government of the State of Israel and the Government of Ireland**, done at Jerusalem on 19 October 1993, hereinafter referred to "Israel-Ireland Agreement" in Annex 2;
- Agreement between **the Italian Republic and the State of Israel** on air services between their respective territories, done at Rome on 18 May 1979, hereinafter referred to "Israel – Italy Agreement" in Annex 2;

Last amended by the Agreed Minutes done at Tel-Aviv on 18 June 1998;

- Air Transport Agreement between **the Government of the Republic of Latvia and the Government of the State of Israel**, done at Jerusalem on 3 November 1993, hereinafter referred to "Israel – Latvia Agreement" in Annex 2;
- Air Services Agreement between **the Government of the State of Israel and the Government of the Republic of Lithuania**, initialled and attached to the Agreed Minutes done at Jerusalem on 20 November 1997, hereinafter referred to "Israel – Lithuania Agreement" in Annex 2;
- Air Transport Agreement between **the Government of the Grand Duchy of Luxembourg and the Government of the State of Israel**, done at Luxembourg on 14 June 1994, hereinafter referred to "Israel-Luxembourg Agreement" in Annex 2;
- Air Transport Agreement between **the Government of the State of Israel and the Government of Malta**, done at Jerusalem on 20 February 1995, hereinafter referred to "Israel-Malta Agreement", in Annex 2;

Last modified by the Memorandum of Understanding done at Malta 8 February 1999;

- Air Transport Agreement between **the Government of the Netherlands and the Government of Israel**, done at Jerusalem on 23 October 1950, hereinafter referred to “Israel – Netherlands Agreement” in Annex 2;

Last amended by the Memorandum of Understanding done at The Hague on 27 November 1997;

- Air Transport Agreement between **the Government of the Republic of Poland and the Government of the State of Israel**, done at Warsaw on 27 February 1990, hereinafter referred to “Israel – Poland Agreement” in Annex 2;
- Air Transport Agreement between **the Republic of Portugal and the State of Israel**, done at Lisbon on 8 May 1997, hereinafter referred to "Israel-Portugal Agreement" in Annex 2;
- Air Transport Agreement between the **Government of the Socialist Republic of Romania and the Government of the State of Israel**, done in Israel on 19 December 1967, hereinafter referred to "Israel – Romania Agreement" in Annex 2;

Last modified by the Memorandum of Understanding done at Tel Aviv on 14 May 1996;

- Air Transport Agreement between **the Government of the Slovak Republic and the Government of the State of Israel**, done at Bratislava on 22 August 1994, hereinafter referred to “Israel – Slovak Republic Agreement” in Annex 2;
- Air Transport Agreement between **the Republic of Slovenia and the State of Israel**, done at Ljubljana on 16 June 1993, hereinafter referred to “Israel – Slovenia Agreement” in Annex 2;
- Air Transport Agreement between **the Kingdom of Spain and the State of Israel**, done at Jerusalem on 31 July 1989, hereinafter referred to “Israel – Spain Agreement” in Annex 2;

Last modified by the Agreed Minutes done at Madrid on 7 July 2005;

- Agreement between **the Government of the Kingdom of Sweden and the Government of the State of Israel** relating to Air Services, done at Stockholm on 9 November 1977, hereinafter referred to “Israel – Sweden Agreement” in Annex 2;

To be read together with the Confidential Memorandum of Understanding between the Kingdom of Denmark, Norway and Sweden and the State of Israel done at Copenhagen on 11 February 1977;

- Agreement between **the State of Israel and the United Kingdom of Great Britain and Northern Ireland** concerning air services, signed at London on 24 September 1975, hereinafter referred to as “Israel – UK 1975 Agreement”;
- Agreement between **the Government of the State of Israel and the Government of the United Kingdom of Great Britain and Northern Ireland** concerning air services, done at Tel Aviv on 6 December 2001, hereinafter referred to as “Israel – UK 2001 Agreement”.

To be read together with the Memorandum of Understanding between the aeronautical authorities of Israel and the United Kingdom done at Tel Aviv on 6 December 2001;

Last modified by the Memorandum of Understanding done at Jerusalem on 10 September 2007.

- (b) Air service agreements and other arrangements initialled or signed between Israel and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally**

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Annex 2

List of articles in the agreements listed in Annex 1 and referred to in Articles 2 to 5 of this Agreement

(a) Designation by a Member State:

- Article 3 of the Israel – Austria Agreement;
- Article 3 of the Israel – Belgium Agreement;
- Article III of the Israel – Bulgaria Agreement;
- Article 4 of the Israel-Cyprus Agreement;
- Article III of the Israel – Czech Republic Agreement;
- Article 4 of the Israel – Denmark Agreement;
- Article 3 of the Israel –Finland Agreement;
- Article XIII of the Israel – France Agreement;
- Article 3 of the Israel – Germany Agreement;
- Article IV of the Israel – Greece Agreement;
- Article III of the Israel – Hungary Agreement;
- Article III of the Israel – Ireland Agreement;
- Article 4 of the Israel – Italy Agreement;
- Article 3 of the Israel – Latvia Agreement;
- Article III of the Israel – Lithuania Agreement;
- Article III of the Israel – Luxembourg Agreement;
- Article III of the Israel – Malta Agreement;
- Article II of the Israel – The Netherlands Agreement;
- Article III of the Israel – Poland Agreement;
- Article 3 of the Israel – Portugal Agreement;
- Article 3 of the Israel – Romania Agreement;
- Article 3 of the Israel – Slovak Republic Agreement;
- Article III of the Israel – Slovenia Agreement;

- Article III of the Israel – Spain Agreement;
- Article 4 of the Israel – Sweden Agreement;
- Article 4 of the Israel – UK 1975 Agreement;
- Article 4 of the Israel – UK 2001 Agreement.

(b) Refusal, revocation, suspension or limitation of authorisations or permissions:

- Article 5 of the Israel – Austria Agreement;
- Article 4 of the Israel – Belgium Agreement;
- Article IV of the Israel – Bulgaria Agreement;
- Article 5 of the Israel - Cyprus Agreement;
- Article IV of the Israel – Czech Republic Agreement;
- Article 4 of the Israel – Denmark Agreement;
- Article 4 of the Israel – Finland Agreement;
- Article VIII of the Israel – France Agreement;
- Article 4 of the Israel – Germany Agreement;
- Article IV of the Israel – Greece Agreement;
- Article IV of the Israel – Hungary Agreement;
- Article IV of the Israel - Ireland Agreement;
- Article 5 of the Israel – Italy Agreement;
- Article 4 of the Israel – Latvia Agreement;
- Article IV of the Israel – Lithuania Agreement;
- Article IV of the Israel - Luxembourg Agreement;
- Article IV of the Israel - Malta Agreement;
- Article VI of the Israel – The Netherlands Agreement;
- Article IV of the Israel – Poland Agreement;
- Article 4 of the Israel-Portugal Agreement;
- Article 4 of the Israel – Romania Agreement;
- Article 4 of the Israel – Slovak Republic Agreement;

- Article IV of the Israel – Slovenia Agreement;
- Article IV of the Israel – Spain Agreement;
- Article 4 of the Israel – Sweden Agreement;
- Article 4 of the Israel-UK 1975 Agreement;
- Article 5 of the Israel – UK 2001 Agreement.

(c) Safety:

- Article XIV of the Israel – Bulgaria Agreement;
- Article 13 of the Israel - Cyprus Agreement;
- Article IX of the Israel – Czech Republic Agreement;
- Article 8 of the Israel – Denmark Agreement;
- Article 11 of the Israel – Finland Agreement;
- Article VIII of the Israel – Greece Agreement;
- Article IX of the Israel – Hungary Agreement;
- Article IX of the Israel - Ireland Agreement;
- Article 12 of the Israel – Italy Agreement;
- Article 9 of the Israel – Latvia Agreement;
- Article IX of the Israel – Lithuania Agreement;
- Article IX of the Israel - Luxembourg Agreement;
- Article IX of the Israel - Malta Agreement;
- Article IV of the Israel – The Netherlands Agreement;
- Article IX of the Israel – Poland Agreement;
- Article 8 of the Israel - Portugal Agreement;
- Article 7 of the Israel – Romania Agreement;
- Article 9 of the Israel – Slovak Republic Agreement;
- Article IX of the Israel – Slovenia Agreement;
- Article X of the Israel – Spain Agreement;
- Article 8 of the Israel – Sweden Agreement;

- Article 12 of the Israel – UK 2001 Agreement.

(d) Taxation of aviation fuel:

- Article 6 of the Israel – Austria Agreement;
- Article 5 of the Israel – Belgium Agreement;
- Article 7 of the Israel - Cyprus Agreement;
- Article V of the Israel – Czech Republic Agreement;
- Article 5 of the Israel – Denmark Agreement;
- Article 6 of the Israel – Finland Agreement;
- Article 6 of the Israel – Germany Agreement;
- Article VI of the Israel – France Agreement;
- Article X of the Israel – Greece Agreement;
- Article V of the Israel – Hungary Agreement;
- Article V of the Israel - Ireland Agreement;
- Article 6 of the Israel – Italy Agreement;
- Article 5 of the Israel – Latvia Agreement;
- Article V of the Israel – Lithuania Agreement;
- Article V of the Israel - Luxembourg Agreement;
- Article V of the Israel - Malta Agreement;
- Article III of the Israel – The Netherlands Agreement;
- Article V of the Israel – Poland Agreement;
- Article 6 of the Israel – Portugal Agreement;
- Article 8 of the Israel – Romania Agreement;
- Article 5 of the Israel – Slovak Republic Agreement;
- Article V of the Israel – Slovenia Agreement;
- Article V of the Israel – Spain Agreement;
- Article 5 of the Israel – Sweden Agreement;
- Article 5 of the Israel – UK 1975 Agreement;

- Article 9 of the Israel – UK 2001 Agreement.

(e) Tariffs for carriage within the European Community:

- Article 8 of the Israel – Austria Agreement;
- Article 8 of the Israel – Belgium Agreement;
- Article IX of the Israel – Bulgaria Agreement;
- Article 17 of the Israel-Cyprus Agreement;
- Article VI of the Israel – Czech Republic Agreement;
- Article 10 of the Israel – Denmark Agreement;
- Article 10 of the Israel – Finland Agreement;
- Article XVII of the Israel – France Agreement;
- Article 9 of the Israel – Germany Agreement;
- Article VI of the Israel – Greece Agreement;
- Article VI of the Israel – Hungary Agreement;
- Article VI of the Israel – Ireland Agreement;
- Article 8 of the Israel – Italy Agreement;
- Article 6 of the Israel – Latvia Agreement;
- Article VI of the Israel – Lithuania Agreement;
- Article VI of the Israel – Luxembourg Agreement;
- Article VI of the Israel – Malta Agreement;
- Paragraph 7 of the Annex to the Israel – The Netherlands Agreement;
- Article VI of the Israel – Poland Agreement;
- Article 16 of the Israel – Portugal Agreement;
- Article 6 of the Israel – Slovak Republic Agreement;
- Article VI of the Israel – Slovenia Agreement;
- Article VI of the Israel – Spain Agreement;
- Article 10 of the Israel – Sweden Agreement;
- Article 8 of the Israel – UK 1975 Agreement;

- Article 8 of the Israel – UK 2001 Agreement.

ANNEX 3

List of other states referred to in Article 2 of this Agreement

- (a) **The Republic of Iceland** (under the Agreement on the European Economic Area);
- (b) **The Principality of Liechtenstein** (under the Agreement on the European Economic Area);
- (c) **The Kingdom of Norway** (under the Agreement on the European Economic Area);
- (d) **The Swiss Confederation** (under the Agreement between the European Community and the Swiss Confederation on Air Transport)