



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 11 January 2012
(OR. en)**

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Government of the Republic of Turkey on certain aspects of air services

COUNCIL DECISION

of

**on the signing, on behalf of the Union, and provisional application
of the Agreement between the European Union
and the Government of the Republic of Turkey
on certain aspects of air services**

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) By its Decision of 5 June 2003, the Council authorised the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with an agreement at Union level.
- (2) On behalf of the Union, the Commission has negotiated an Agreement with the Government of the Republic of Turkey on certain aspects of air services ("the Agreement") in accordance with the mechanisms and directives in the Annex to the Council Decision of 5 June 2003.
- (3) The Agreement should be signed and provisionally applied subject to its conclusion.
- (4) This Decision is without prejudice to the current state of aviation relations between the Republic of Turkey and the Republic of Cyprus, including as regards the bilateral air service agreement initialled by the Republic of Turkey and the Republic of Cyprus in 1963. As regards the state of aviation relations between the Republic of Turkey and the Republic of Cyprus, the Agreement should contribute to the normalisation of air transport services between these two countries,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Agreement between the European Union and the Government of the Republic of Turkey on certain aspects of air services is hereby authorised on behalf of the Union, subject to the conclusion of the said Agreement*.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 3

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 purpose¹.

* Delegations: See document st 18268/11.

¹ The date from which the Agreement will be provisionally applied will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

Article 4

The President of the Council is hereby authorised to make the notification provided for in Article 8(2) of the Agreement.

Article 5

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

Done at Brussels,

For the Council

The President