



Council of the  
European Union

049170/EU XXV. GP  
Eingelangt am 04/12/14

Brussels, 4 December 2014  
(OR. en)

---

**Interinstitutional File:**  
**2013/0186 (COD)**

---

**16430/14**  
**ADD 1**

**AVIATION 227**  
**CODEC 2429**

## **OUTCOME OF PROCEEDINGS**

---

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	15732/14 AVIATION 217 CODEC 2290 + COR 1
No. Cion doc.:	11501/13 AVIATION 91 CODEC 1588
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the implementation of the Single European Sky (recast)

---

Delegations will find in Annex a unilateral statement for the Council minutes submitted by the United Kingdom on the above-mentioned subject.

**Unilateral Statement by the United Kingdom**

"The United Kingdom does not accept that the Council has agreed a General Approach on this file. It is not possible to reach a General Approach where key elements of the legal text are subject to disagreement between member states as evidenced by the continued existence of a footnote and the square brackets around the text. The position of the United Kingdom is that only a partial General Approach could have been reached in these circumstances. The United Kingdom strongly objects to this dossier proceeding to trilogue on the basis of a partial General Approach that includes any footnote saying that its application to Gibraltar is subject to the outcome of discussions between the United Kingdom and Spain or otherwise open to question. The United Kingdom notes that Article 355(3) of the Treaty on the Functioning of the European Union provides that "The provisions of the Treaties shall apply to the European territories for whose external relations a Member State is responsible", and that such territories include Gibraltar. The United Kingdom reserves its position on the lawfulness of any suspension, and on its response, including the possibility of legal proceedings."