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"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

No. Cion doc.: 6422/15 AVIATION 26 RELEX 143 COEST 66 NIS 7

Subject: Proposal for a COUNCIL DECISION on the signing, on behalf of the European Union and its Member States, and provisional application of a Protocol amending the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova, to take account of the accession to the European Union of the Republic of Croatia

1. The Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova was negotiated on the basis of the Council Decision of 16 June 2011 authorising the opening of negotiations.
2. Further to the successful conclusion of the negotiations, the Decision of the Council and of the Representatives of the Member States meeting within the Council concerning the signature and provisional application of the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova was adopted by the Council on 7 June 2012.

3. The Agreement was signed on 26 June 2012, subject to its conclusion at a later date. The Decision on the signature and provisional application of the Agreement, together with the text of the Agreement, was published in the *Official Journal of the European Union* on 20 October 2012¹.
4. In order to take into account the accession of Croatia to the European Union on 1 July 2013, the Commission presented the above proposal to the Council on 19 February 2015.
5. Further to the examination of the proposal by the Aviation Working party, the text of the above draft Council decision on the signature of the Protocol² has now been prepared by the Council Legal Linguist Services, together with the text of the Protocol³.
6. Following the examination of the text, COREPER could invite the Council:
 - to adopt the above draft Council decision so as to permit the inclusion of Croatia to the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova;
 - to take note of the Commission's statement in annex to this note.

¹ OJ L 292, 20.10.2012, p. 1.

² 7044/15 AVIATION 38 NIS10 RELEX 206 COEST 93.

³ 7047/15 AVIATION 39 NIS 11 RELEX 207 COEST 94

STATEMENT BY THE COMMISSION

"The Commission takes note that an agreement was reached by unanimity on Article 2 of the proposal for a Council decision. The Commission recalls its views that the signature of an international agreement is an act of external representation of the Union, which the Commission is entrusted to do in line with Article 17(1) TEU."
