



Council of the
European Union

Brussels, 12 July 2022
(OR. en)

10712/22

Interinstitutional File:
2022/0203 (NLE)

AVIATION 148
ICAO 35
RELEX 895

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union at the 226th session of the Council of the International Civil Aviation Organization as regards the proposed adoption of Amendment 48 to Annex 6, Part I, to the Convention on International Civil Aviation

COUNCIL DECISION (EU) 2022/...

of ...

**on the position to be taken on behalf of the European Union
at the 226th session of the Council of the International Civil Aviation Organization
as regards the proposed adoption of Amendment 48 to Annex 6, Part I,
to the Convention on International Civil Aviation**

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(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Convention on International Civil Aviation ('the Chicago Convention'), which regulates international air transport, entered into force on 4 April 1947. It established the International Civil Aviation Organization (ICAO).
- (2) The Member States of the Union are contracting States to the Chicago Convention ('the contracting States') and members of the ICAO, while the Union has observer status in certain ICAO bodies. There are currently seven Member States represented in the ICAO Council.
- (3) Pursuant to Article 54 of the Chicago Convention, the ICAO Council is to adopt international standards and recommended practices and designate them as Annexes to the Chicago Convention (the 'Annexes').
- (4) Pursuant to Article 90 of the Chicago Convention, any Annex or any amendment of such an Annex is to become effective within three months after its submission to the contracting States, or at the end of such longer period of time as the ICAO Council may prescribe, unless in the meantime a majority of the contracting States register their disapproval with the ICAO Council.
- (5) The ICAO Council, at its 226th session, is to adopt Amendment 48 to Annex 6, Part I, to the Chicago Convention ('Amendment 48').

- (6) The main purpose of Amendment 48 is to postpone the date of applicability of Annex 6, Part I, standard 6.18.1 to 1 January 2025.
- (7) It is appropriate to establish the position to be taken on the Union's behalf at the 226th session of the ICAO Council with regard to Amendment 48. That position should be to support Amendment 48 and should be expressed by the Member States of the Union that are members of the ICAO Council, acting jointly on behalf of the Union.
- (8) The position of the Union after the adoption by the ICAO Council of Amendment 48, to be announced by the ICAO Secretary General by means of an ICAO State letter procedure, should be not to register disapproval, provided that Amendment 48 is adopted without any substantial changes,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on the Union's behalf at the 226th session of the ICAO Council, or at any subsequent session thereof, shall be to support the proposed Amendment 48 to Annex 6, Part I, to the Convention on International Civil Aviation ('Amendment 48') in its entirety.
2. The position to be taken on the Union's behalf, provided the ICAO Council adopts Amendment 48 without any substantial changes, shall be not to register disapproval of the adopted Amendment 48 in reply to the relevant ICAO State letter.

Article 2

1. The position referred to in Article 1(1) shall be expressed by the Member States of the Union that are members of the ICAO Council, acting jointly on behalf of the Union.
2. The position referred to in Article 1(2) shall be expressed by all Member States, acting jointly on behalf of the Union.

Article 3

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

Done at ...,

For the Council

The President
