



Council of the
European Union

120137/EU XXVII. GP
Eingelangt am 15/11/22

Brussels, 15 November 2022
(OR. en)

12788/14
EXT 1

AVIATION 173
RELEX 699
USA 19

PARTIAL DECLASSIFICATION

of document:	12788/14
dated:	4 September 2014
new status:	Public
Subject:	Recommendation for a COUNCIL DECISION authorising the Commission to negotiate an amendment to the Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety as regards additional areas of cooperation and acceptance

Delegations will find attached the partially declassified version of the above-mentioned document.



Council of the
European Union

Brussels, 4 September 2014
(OR. en)

12788/14

RESTREINT UE/EU RESTRICTED

AVIATION 173
RELEX 699
USA 19

NOTE

From: General Secretariat of the Council
To: Delegations
No. Cion prop. : 12370/14 AVIATION 158 RELEX 662 USA 17 **RESTREINT UE**
Subject : Recommendation for a COUNCIL DECISION authorising the Commission to negotiate an amendment to the Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety as regards additional areas of cooperation and acceptance

Further to the Commission Recommendation (doc. 12370/14) discussed at the Aviation Working Party on 3 September 2014, delegations will find in the annex a draft Council Decision on the above subject.

Changes with regard to doc. 12370/14 are marked in **bold** and ~~striketrough~~.

DRAFT DECISION OF THE COUNCIL

authorising the Commission to negotiate on behalf of the Union an amendment to the Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety as regards additional areas of cooperation and acceptance

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(3) and (4), and the first subparagraph of Article 218(8)** thereof,

Having regard to the recommendation from the European Commission,

Whereas,

- (1) The Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety¹ entered into force on 1 May 2011,
- (2) The current scope of the Agreement, as reflected in its Article 2.B, covers airworthiness approvals and monitoring of civil aeronautical products, environmental testing and approvals of civil aeronautical products; and approvals and monitoring of maintenance facilities,
- (3) In the course of the implementation of the Agreement, notably through discussions in the Bilateral Oversight Board, the United States' Federal Aviation Administration (FAA) and the European Union represented by the Commission have found that there is a mutual desire to enhance the possibilities for further aviation safety cooperation beyond the current provisions of the Agreement,
- (4) Both parties noted that greater cooperation should be developed. Expert work has confirmed the feasibility and need for extending the Agreement to additional areas of cooperation and acceptance,

¹ OJ L 291, 9.11.2011, p.3.

- (5) While the Bilateral Oversight Board is entitled to modify existing annexes and to adopt new annexes within the scope of the Agreement, it is not entitled to modify the scope of the Agreement,
- (6) **It is recalled that in accordance with Article 4(3) of Council Decision 2011/719/EU of 7 March 2011 concerning the conclusion of the Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety¹, the Council shall determine the position to be taken by the Union in the Bilateral Oversight Board with respect to the adoption of additional Annexes,**

HAS ADOPTED THIS DECISION:

Article 1

The Commission is hereby authorised to negotiate, on behalf of the European Union, an amendment to the Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety as regards the extension of its scope to other areas of cooperation.

Article 2

The Commission shall conduct the negotiations in accordance with the negotiating directives set out in Annex I **and the procedure set out in Annex II** to this Decision.

~~*Article 3*~~

~~The negotiations shall be conducted in consultation with [name of the special committee]~~

~~*Article 4-3*~~

This Decision is addressed to the Commission.

Done at Brussels,

*For the Council
The President*

¹ OJ L 291, 9.11.2011, p. 1.
