



Council of the
European Union

Brussels, 25 November 2022
(OR. en)

13160/16
DCL 1

AVIATION 201
RELEX 830
COEST 254

DECLASSIFICATION

of document: 13160/16 RESTREINT UE/EU RESTRICTED

dated: 12 October 2016

new status: Public

Subject: Draft COUNCIL DECISION authorising the Commission to open negotiations on a comprehensive air transport agreement between the European Union and its Member States and the Republic of Armenia as regards matters falling within the exclusive Union competence

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.



Council of the
European Union

Brussels, 12 October 2016
(OR. en)

13160/16

RESTREINT UE/EU RESTRICTED

AVIATION 201
RELEX 830
COEST 254

WORKING DOCUMENT

From: General Secretariat of the Council

To: Delegations

No. Cion doc.: 15115/15

Subject: Draft COUNCIL DECISION authorising the Commission to open negotiations on a comprehensive air transport agreement between the European Union and its Member States and the Republic of Armenia as regards matters falling within the exclusive Union competence

Delegations will find attached a revised version of the above draft Council Decision, with a view to the discussions at the Aviation Working Party. Changes compared to the Commission proposal (doc. 15115/15) are set out in **bold, underline** and ~~strikethrough~~.

DRAFT

~~Recommendation for a~~

COUNCIL DECISION

~~In order to authorise~~ **authorising** the Commission to open negotiations on a comprehensive air transport agreement between the European Union and its Member States and the Republic of Armenia, **as regards matters falling within the exclusive Union competence**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles **100(2) and** 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) Negotiations should be opened with a view to concluding a comprehensive air transport agreement with the Republic of Armenia.
- (2) The Commission should be designated as negotiator.
- (3) The negotiations should be conducted by the Commission in consultation with the special committee and in accordance with the respective roles of the institutions set out in Article 13(2) of the Treaty on European Union and in Article 218 of the Treaty on the Functioning of the European Union, as interpreted by the Court of Justice of the European Union.

- (4) In order to respond best to the interests of the Union external aviation policy, the authorisation to negotiate should be limited in time with the possibility of extension. Before the expiry period, the Council should assess, on the basis of a Recommendation from the Commission, if it is within the Union interest to continue the negotiations, taking into account the position of the Republic of Armenia, the progress of the negotiations as well as other factors relevant for this assessment. Such time-limited authorisation with the possibility of extension should not have the impact of restricting the power of the Union negotiator while negotiating with the Republic of Armenia.**

HAS ADOPTED THIS DECISION:

DECLASSIFIED

Article 1

The Commission is hereby authorised to negotiate, on behalf of the Union, a comprehensive air transport agreement with the Republic of Armenia, **as regards matters falling under the exclusive Union competence.**

Article 2

The **Commission shall conduct the negotiations in accordance with the** negotiating directives ~~are~~ set out in the Annex **to this Decision. The negotiating directives cannot be read as affecting in any way the respective competences of the Union and the Member States.**

Article 3

The negotiations shall be conducted in consultation with the **Special Committee and in accordance with the procedure laid down laid down in Section 2 of the Annex to this Decision.** ~~[name of the special committee to be inserted by the Council]. The Commission shall report in writing to the [special committee] and to the Council on the outcome of the negotiations [modalities of the reporting, e.g.: after each negotiating session and, in any event quarterly / regularly and promptly].~~

Article 3a

This Decision shall be valid for a period of [...] years from the date of its adoption. At the latest six months before the expiry of the validity of the Decision, the Commission may present to the Council a Recommendation to extend the period of validity of this Decision. The Council may decide to extend the validity period after an assessment taking into account the progress of the negotiations, the position of the Republic of Armenia, as well as other factors relevant for this assessment.

Article 4

This Decision is addressed to the Commission.

Done at Brussels,

*For the Council
The President*

DECLASSIFIED