



Council of the
European Union

Brussels, 29 November 2022
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AVIATION 189
RELEX 829
NIS 203

PARTIAL DECLASSIFICATION

of document: 15605/06

dated: 23 November 2006

new status: Public

Subject: **Preparation of the Council meeting (Transport, Telecommunication and Energy) on 11 and 12 December 2006:**

Draft Decision by the Council on authorising the Commission to open negotiations with Ukraine in the field of air transport

- Adoption

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



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 23 November 2006

15605/06

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**AVIATION 189
RELEX 829
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REPORT

From : Working Party on Aviation

To: COREPER

No. Cion prop. : 12742/05 AVIATION 130 NIS 133

No. prev. doc. : 14910/06 AVIATION 180 RELEX 756 NIS 190

Subject : **Preparation of the Council meeting (Transport, Telecommunication and Energy) on 11 and 12 December 2006:**
Draft Decision by the Council on authorising the Commission to open negotiations with Ukraine in the field of air transport
- Adoption

On 27 September 2005 the Commission adopted a Recommendation to the Council in order to authorise the Commission to open negotiations on a comprehensive aviation agreement with Ukraine. The agreement would integrate the Ukrainian aviation sector into a wider European aviation area.

In light of the above Recommendation, the Working Party on Aviation has prepared a text of a draft Council Decision on authorising the Commission to open negotiations with Ukraine in the field of air transport (see Annex).

NOT DECLASSIFIED

DE also has a general scrutiny reserve on the text.

UK has a specific scrutiny reserve set out in footnote 2 (page 4).

Task for COREPER

Following the above, COREPER is invited to settle the outstanding issues so as to allow the TTE Council, at its meeting on 11- 12 December 2006, to adopt the mandate authorising the Commission to open negotiations with Ukraine in the field of air transport.

DRAFT DECISION BY THE COUNCIL

on

authorising the Commission to open negotiations
with Ukraine in the field of air transport

The Council, acting on a Commission recommendation, hereby authorises the Commission to open negotiations on behalf of the European Community and its Member States, within the limits of their respective competencies, with Ukraine with a view to establish a Common Aviation Area.

The Commission shall conduct the negotiations in accordance with the directives set out in Annex I.

The Commission shall be assisted during the negotiations by a Special Committee designated by the Council. The Commission will regularly inform the Council on the progress of the negotiations.

The Commission shall conduct the negotiations in accordance with the ad hoc procedure set out in Annex II of this Decision.¹

This Decision is without prejudice to arrangements, in accordance with Community law and in particular Regulation (EC) N° 847/2004 on the negotiation and implementation of air service agreements between Member States and third countries, for ongoing bilateral agreements between Member States and Ukraine, pending the conclusion of a Community agreement.

¹ The negotiations shall be conducted in a way that will ensure full and timely consultation of all relevant stakeholders, including the European airline industry, throughout the negotiations.

Application of this agreement to Gibraltar airport is understood to be without prejudice to the respective legal positions of the Kingdom of Spain and the United Kingdom with regard to the dispute over sovereignty over the territory in which the airport is situated and to the continuing suspension of Gibraltar Airport from EU Aviation measures existing as at 18th September 2006 as between Member States in accordance with the terms of the Ministerial Statement on Gibraltar Airport agreed in Cordoba on the 18th September 2006.²

² UK has a scrutiny reserve on this paragraph.

