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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: PROTOCOL amending the Air Transport Agreement between the United States of America and the European Community and its Member States, signed on 25 and 30 April 2007, as amended by the Protocol to amend the Air Transport Agreement between the United States of America and the European Community and its Member States, signed on 25 and 30 April 2007, signed by the United States of America and the European Union and its Member States on 24 June 2010, to take account of the accession to the European Union of the Republic of Croatia

PROTOCOL
AMENDING THE AIR TRANSPORT AGREEMENT
BETWEEN THE UNITED STATES OF AMERICA
AND THE EUROPEAN COMMUNITY AND ITS MEMBER STATES,
SIGNED ON 25 AND 30 APRIL 2007,
AS AMENDED BY THE PROTOCOL
TO AMEND THE AIR TRANSPORT AGREEMENT
BETWEEN THE UNITED STATES OF AMERICA
AND THE EUROPEAN COMMUNITY AND ITS MEMBER STATES,
SIGNED ON 25 AND 30 APRIL 2007,
SIGNED BY THE UNITED STATES OF AMERICA
AND THE EUROPEAN UNION AND ITS MEMBER STATES
ON 24 JUNE 2010, TO TAKE ACCOUNT OF THE ACCESSION
TO THE EUROPEAN UNION OF THE REPUBLIC OF CROATIA

THE UNITED STATES OF AMERICA (hereinafter, the "United States"),

of the one part, and

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

being parties to the Treaty on European Union and the Treaty on the Functioning of the European Union and being Member States of the European Union (hereinafter the "Member States"),

and the EUROPEAN UNION,

of the other part,

HAVING REGARD to the accession of the Republic of Croatia to the European Union on 1 July 2013,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

The Air Transport Agreement between the United States of America and the European Community and its Member States, signed on 25 and 30 April 2007 (hereinafter the "Air Transport Agreement"), as amended by the Protocol to amend the Air Transport Agreement between the United States of America and the European Community and its Member States, signed on 25 and 30 April 2007, signed by the United States of America and the European Union and its Member States on 24 June 2010 (hereinafter the "2010 Protocol"), shall apply to the Republic of Croatia as a Member State of the European Union.

ARTICLE 2

Annex 1 to the Air Transport Agreement, as amended by the 2010 Protocol, is amended as follows:

1. In Section 1, after paragraph c relating to the Republic of Bulgaria, the following provision shall be added:

"c *bis*) The Republic of Croatia: Air Transport Agreement between the Government of the United States of America and the Government of the Republic of Croatia, signed at Washington on February 3, 2011.";

2. The text of Section 3 shall be deleted in its entirety and replaced with the following:

"Notwithstanding Article 3 of this Agreement, U.S. airlines shall not have the right to provide all-cargo services, that are not part of a service that serves the United States, to or from points in the Member States, except to or from points in the Czech Republic, the Federal Republic of Germany, the French Republic, the Republic of Croatia, the Grand Duchy of Luxembourg, Malta, the Republic of Poland, the Portuguese Republic, and the Slovak Republic.".

ARTICLE 3

This Protocol shall enter into force on the later of:

- (a) the date of entry into force of the 2010 Protocol; and
- (b) one month after the date of the last note of an exchange of diplomatic notes between the Parties confirming that all necessary procedures for entry into force of this Protocol have been completed.

ARTICLE 4

Pending its entry into force, the Parties agree to provisionally apply this Protocol, to the extent permitted under applicable domestic law, from the date of signature.

Done at, in duplicate, on

For the Kingdom of Belgium,

For the Republic of Bulgaria,

For the Czech Republic,

For the Kingdom of Denmark,

For the Federal Republic of Germany,

For the Republic of Estonia,

For Ireland,

For the Hellenic Republic,

For the Kingdom of Spain,

For the French Republic,

For the Republic of Croatia,

For the Italian Republic,

For the Republic of Cyprus,

For the Republic of Latvia,

For the Republic of Lithuania,

For the Grand Duchy of Luxembourg,

For Hungary,

For the Republic of Malta,

For the Kingdom of The Netherlands,

For the Republic of Austria,

For the Republic of Poland,

For the Portuguese Republic,

For Romania,

For the Republic of Slovenia,

For the Slovak Republic,

For the Republic of Finland,

For the Kingdom of Sweden,

For the United Kingdom of Great Britain and Northern Ireland,

For the European Union

For the United States of America:

JOINT DECLARATION

Representatives of the United States of America and of the European Union and its Member States confirmed that the text of the Protocol amending the Air Transport Agreement between the United States of America and the European Community and its Member States, signed on 25 and 30 April 2007, as amended by the Protocol to amend the Air Transport Agreement between the United States of America and the European Community and its Member States, signed on 25 and 30 April 2007, signed by the United States of America and the European Union and its Member States on 24 June 2010, to take account of the accession to the European Union of the Republic of Croatia (hereinafter the "Protocol"), initialled on 8 March 2019, is to be authenticated in other languages, as provided either by exchange of letters, before signature of the Protocol, or by decision of the Joint Committee, after signature of the Protocol.

The Representatives also confirmed that the term "other languages" in the Joint Declarations forming part of the Air Transport Agreement between the United States of America and the European Community and its Member States, signed on 25 and 30 April 2007, and the Protocol to amend the Air Transport Agreement between the United States of America and the European Community and its Member States, signed on 25 and 30 April 2007, signed by the United States of America and the European Union and its Member States on 24 June 2010, includes the languages of Member States acceding to the European Union.

This Joint Declaration is an integral part of the Protocol.

For the United States of America

For the European Union
For the Member States