



Council of the
European Union

Brussels, 28 May 2021
(OR. en)

8452/21

Interinstitutional File:
2021/0085 (NLE)

AVIATION 108
RELEX 386
COEST 97
NIS 13
OC 22
AM 5

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the signing, on behalf of the European Union, and provisional application of the Common Aviation Area Agreement between the European Union and its Member States, of the one part, and the Republic of Armenia, of the other part

COUNCIL DECISION (EU) 2021/...

of ...

**on the signing, on behalf of the European Union,
and provisional application of the Common Aviation Area Agreement
between the European Union and its Member States, of the one part,
and the Republic of Armenia, of the other part**

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(5) and (7) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 1 December 2016 the Council authorised the Commission to open negotiations with the Republic of Armenia for a common aviation area agreement. The negotiations were successfully concluded with the initialling of the Common Aviation Area Agreement between the European Union and its Member States, of the one part, and the Republic of Armenia, of the other part ('the Agreement') on 24 November 2017.
- (2) The signing of the Agreement on behalf of the Union and its provisional application do not affect the allocation of competences between the Union and its Member States. This Decision should not be interpreted as making use of the possibility for the Union to exercise its external competence with regard to areas covered by the Agreement falling within shared competence to the extent that such competence has not yet been exercised internally by the Union.
- (3) The Agreement should be signed and applied on a provisional basis, pending the completion of the procedures necessary for its entry into force.
- (4) It is appropriate to lay down the procedure to be followed with respect to the position to be taken on behalf of the Union as regards decisions of the Joint Committee under Article 27(7) of the Agreement concerning the inclusion of Union legislation in Annex II thereto,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Common Aviation Area Agreement between the European Union and its Member States, of the one part, and the Republic of Armenia, of the other part, is hereby authorised, subject to the conclusion of the said Agreement¹⁺.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 3

The Agreement shall be applied on a provisional basis in accordance with Article 30(4) and (5) thereof, pending the completion of the procedures necessary for its entry into force.

¹ The text of the Agreement is published in OJ L ..., ..., p.

⁺ OJ: please insert in the footnote the OJ reference of the Agreement contained in document st7738/21.

Article 4

The Commission is authorised to adopt, after consultation sufficiently in advance of the Council or its preparatory bodies, as the Council may decide, the position to be taken on behalf of the Union as regards decisions of the Joint Committee under Article 27(7) of the Agreement concerning the revision of Annex II to the Agreement, insofar as it concerns the inclusion of Union legislation in that Annex, subject to any technical adjustments needed.

Article 5

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

Done at ...,

For the Council

The President
