



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 11 December 2008

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AVIATION 293

ADDENDUM TO "I/A" ITEM NOTE

From : General Secretariat of the Council

To : COREPER/Council

N° Cion prop 12204/08 AVIATION 160

Subject : Proposal for a Council Regulation (EC) No .../.... amending Council Regulation (EC) No 219/2007 on the establishment of a joint undertaking to develop the new generation European air traffic management system (SESAR)
- Adoption

Delegations will find attached a statement by DE on the above mentioned subject, to be added to the Council's minutes.

Statement for the minutes by the Federal Republic of Germany

"Germany observes with concern the process of progressive inclusion of decentralised Community bodies into the scope of the Protocol of the Communities concerning the Immunities and Privileges of 8 April 1965 and regrets that through the proposed adaptation of the Regulation establishing the SESAR Joint Undertaking a further step is being taken in this direction.

Germany recalls the need for conducting a general exchange of views concerning the appropriateness of granting privileges and immunities in the united Europe, in particular with regard to decentralised Community bodies, joint undertakings or other institutions of the Community. Germany has already asked for such a general exchange of views on several occasions, together with other Member States. The Commission has given its agreement to the holding of such a debate within an appropriate time span, in connection with the establishment of the European Border Protection Agency in March 2004.

Germany also maintains the view that the application of the EC Staff Regulations to all persons employed by Community establishments should be handled restrictively. Therefore, Germany asks the Commission to carry out a re-evaluation in principle of the increasingly extensive, and in part no longer functional, application of the EC Staff Regulations, including possible alternative approaches."
