



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 20 February 2009**

**6546/09**

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**Interinstitutional File:  
2008/0111 (CNS)**

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**AVIATION 21  
RELEX 148**

**"I/A" ITEM NOTE**

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From: Council Secretariat  
To: COREPER/Council  
No. Cion prop.: 10648/08 AVIATION 123 RELEX 443

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Subject: Proposal for a Council Decision on the conclusion of a **Memorandum of Cooperation** between the **International Civil Aviation Organization** and the European Community regarding security audits / inspections and related matters  
- Adoption

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The above Agreement is the result of the negotiating mandate granted to the Commission by the Council in November 2007 (14380/07). The purpose of the mandate was to reach an agreement with the International Civil Aviation Organization (ICAO) to reduce the number of individual security audits to be carried out by ICAO under its Universal Security Audit Programme (USAP) within the territory of the European Community in view of the fact that most standards contained in Annex 17 to the Chicago Convention are also covered by Community legislation<sup>1</sup>. The Commission conducts security inspections in order to monitor the application by Member States of this Regulation.

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<sup>1</sup> Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002, OJ L 97, 9.4.2008.

The Commission presented the above-mentioned proposal to the Council on 6 June 2008 (10648/08). The Decision concerning signature and provisional application was adopted by the Council on 24 July 2008 (11475/08). The agreement was signed on 16 September 2008. The European Parliament gave its opinions on the proposed Decisions concerning conclusion of the Agreements on 21 October 2008. The text of the draft Decision has now been prepared by the Council's lawyer-linguists (5949/09).

Coreper is therefore invited to examine the above text and to invite the Council to adopt the above draft Decision so as to permit the conclusion of the Agreement.

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