COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17.7.2008
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2008/0145 (CNS)

Proposal for a

COUNCIL DECISION

on the signing and provisional application of the Agreement between the European Community and the West African Economic and Monetary Union on certain aspects of air services

Proposal for a

COUNCIL DECISION

on the conclusion of the Agreement between the European Community and the West African Economic and Monetary Union on certain aspects of air services

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Context of the proposal

- **Grounds for and objectives of the proposal**

Following the judgements of the Court of Justice in the so-called 'Open Skies' cases, on 5 June 2003 the Council granted the Commission a mandate to open negotiations with third countries on the replacement of certain provisions in existing agreements with a Community agreement[1] (the 'horizontal mandate'). The objectives of such agreements are to give all Community air carriers non-discriminatory access to routes between the Community and third countries, and to bring bilateral air service agreements between Member States and third countries in line with Community law.

- **General context**

International aviation relations between Member States and third countries have traditionally been governed by bilateral air services agreements between Member States and third countries, the Annexes to such agreements and other related bilateral or multilateral arrangements.

Traditional designation clauses in Member States' bilateral air services agreements infringe Community law. They allow a third country to reject, withdraw or suspend the permissions or authorisations of an air carrier that has been designated by a Member State but that is not substantially owned and effectively controlled by that Member State or its nationals. This has been found to constitute discrimination against Community carriers established in the territory of a Member State but owned and controlled by nationals of other Member States. This is contrary to Article 43 of the Treaty which guarantees nationals of Member States who have exercised their freedom of establishment the same treatment in the host Member State as that accorded to nationals of that Member State.

There are further issues, such as aviation fuel taxation, tariffs introduced by third country air carriers on intra-Community routes, or obligatory commercial agreements between airlines where compliance with Community law should be ensured through amending or complementing existing provisions in bilateral air services agreements between Member States and third countries.

- **Existing provisions in the area of the proposal**

The provisions of the Agreement supersede or complement the existing provisions in the 47 bilateral air services agreements concluded between Member States and the Member States of the West African Economic and Monetary Union.

- **Consistency with the other policies and objectives of the Union**

The Agreement will serve a fundamental objective of the Community external aviation

[1] Council Decision No 11323/03 of 5 June 2003 (restricted document)

policy by bringing existing bilateral air services agreements in line with Community law.

2. Consultation of interested parties and impact assessment

- **Consultation of interested parties**

Consultation methods used, main sectors targeted and general profile of respondents

Member States as well as the industry were consulted throughout the negotiations.

Summary of responses and how they have been taken into account

Comments made by Member States and the industry have been taken into account.

3. Legal elements of the proposal

- **Summary of the proposed measures**

In accordance with the mechanisms and directives in the Annex to the 'horizontal mandate', the Commission has negotiated an Agreement with the West African Economic and Monetary Union that replaces certain provisions in the existing bilateral air services agreements between Member States and the Member States of the West African Economic and Monetary Union. Article 2 of the Agreement replaces the traditional designation clauses with a Community designation clause, permitting all Community carriers to benefit from the right of establishment. Articles 5 and 6 of the Agreement address two types of clauses concerning matters of Community competence. Article 5 deals with the taxation of aviation fuel, a matter which has been harmonised by Council Directive 2003/96/EC restructuring the Community framework for the taxation of energy products and electricity, and in particular Article 14(2) thereof. Article 6 (Pricing) resolves conflicts between the existing bilateral air services agreements and Council Regulation No 2409/92 on fares and rates for air services which prohibits third country carriers from being price leaders on air services for carriage wholly within the Community. Article 7 brings provisions in bilateral agreements which are clearly anti-competitive (obligatory commercial agreements between airlines) in line with EU competition law.

- **Legal basis**

EC Treaty Art. 80(2), 300(2)

- **Subsidiarity principle**

The proposal is entirely based on the 'horizontal mandate' granted by the Council taking into account the issues covered by Community law and bilateral air services agreements.

- **Proportionality principle**

The Agreement will amend or complement provisions in bilateral air services agreements only to the extent necessary to ensure compliance with Community law.

- **Choice of instruments**

The Agreement concluded between the Community and the West African Economic and Monetary Union is the most efficient instrument to bring all existing bilateral air services agreements between Member States and Member States of the West African Economic and Monetary Union into line with Community law.

4. Budgetary implication

No implications for the Community budget.

5. Additional information

- **Simplification**

The proposal provides for simplification of legislation.

The relevant provisions of bilateral air services agreements between Member States and the Member States of the West African Economic and Monetary Union will be superseded or complemented by provisions in one single Community agreement.

- **Detailed explanation of the proposal**

In accordance with the standard procedure for the signature and conclusion of international agreements, the Council is asked to approve the decisions on the signature and provisional application and on the conclusion of the Agreement between the European Community and the West African Economic and Monetary Union on certain aspects of air services and to designate the persons authorised to sign the Agreement on behalf of the Community.

Proposal for a

COUNCIL DECISION

on the signing and provisional application of the Agreement between the European Community and the West African Economic and Monetary Union on certain aspects of air services

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission[2],

Whereas:

(1) The Council authorised the Commission on 5 June 2003 to open negotiations with third countries on the replacement of certain provisions in existing bilateral Agreements with a Community Agreement.

(2) On behalf of the Community, the Commission has negotiated an Agreement with the West African Economic and Monetary Union on certain aspects of air services in accordance with the mechanisms and directives in the Annex to the Council Decision authorising the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.

(3) Subject to its possible conclusion at a later date, the Agreement negotiated by the Commission should be signed and provisionally applied.

HAS DECIDED AS FOLLOWS:

Sole Article

1. The President of the Council is hereby authorised to designate the person(s) empowered to sign on behalf of the Community the Agreement between the European Community and the West African Economic and Monetary Union on certain aspects of air services subject to its conclusion at a later date.

2. Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the parties have notified each

[2] OJ C [..] of [..], p. [..].

other of the completion of the necessary procedures for this purpose. The President of the Council is hereby authorised to make the notification provided for in Article 10(2) of the Agreement.

3. The text of the Agreement is attached to this Decision.

Done at Brussels,

For the Council
The President

2008/0145 (CNS)

Proposal for a

COUNCIL DECISION

on the conclusion of the Agreement between the European Community and the West African Economic and Monetary Union on certain aspects of air services

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) in conjunction with the first sentence of the first subparagraph of Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission[3],

Having regard to the opinion of the European Parliament[4],

Whereas:

(1) The Council authorised the Commission on 5 June 2003 to open negotiations with third countries on the replacement of certain provisions in existing bilateral Agreements with a Community Agreement.

(2) On behalf of the Community, the Commission has negotiated an Agreement with the West African Economic and Monetary Union on certain aspects of air services in accordance with the mechanisms and directives in the Annex to the Council Decision authorising the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.

(3) The Agreement was signed on behalf of the European Community on […] subject to its possible conclusion at a later date, in conformity with Council Decision …/…/EC of […][5].

(4) The Agreement should be approved,

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3 OJ C [..] of [..], p. [..].
4 OJ C [..] of [..], p. [..].
5 OJ C [..] of [..], p. [..].

HAS DECIDED AS FOLLOWS:

Article 1

1. The Agreement between the European Community and the West African Economic and Monetary Union on certain aspects of air services is approved on behalf of the Community.

2. The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to make the notification provided for in Article 10(1) of the Agreement.

Done at Brussels,

For the Council
The President

ANNEX

AGREEMENT
between the European Community and the West African Economic and Monetary Union on certain aspects of air services

THE EUROPEAN COMMUNITY

of the one part, and

THE WEST AFRICAN ECONOMIC AND MONETARY UNION
of the other part

(hereinafter referred to as 'the Parties')

NOTING that bilateral air service agreements have been concluded between [several] Member States of the European Community and of the West African Economic and Monetary Union respectively which contain provisions contrary to Community law, as noted in the decisions of the Court of Justice of the European Communities in November 2002,

NOTING that the European Community has exclusive competence with respect to several aspects that may be included in bilateral air service agreements between Member States of the European Community and third countries,

NOTING that under European Community law and WAEMU law Community air carriers established in a Member State have the right to non-discriminatory access to air routes between the Member States of the European Community and third countries,

HAVING REGARD to the agreements between the European Community and certain third countries providing for the possibility for the nationals of such third countries to acquire ownership in air carriers licensed in accordance with European Community law,

RECOGNISING that certain provisions governing designation contained in the bilateral air service agreements between Member States of the European Community and of the West African Economic and Monetary Union respectively, which are contrary to Community law, must be brought into line with it in order to establish a sound legal basis for air services between the European Community and the West African Economic and Monetary Union and to preserve the continuity of such services,

NOTING that under European Community law and WAEMU law air carriers may not, in principle, conclude agreements which may affect trade between Member States of the European Community and WAEMU respectively, which have as their object or effect the prevention, restriction or distortion of competition,

RECOGNISING that provisions contained in bilateral air service agreements concluded between Member States of the European Community and of the West African Economic and Monetary Union respectively, which

i) require or favour the adoption of agreements between undertakings, decisions by associations of undertakings or concerted practices that prevent, distort or restrict competition between air carriers on the relevant routes; or

ii) reinforce the effects of any such agreement, decision or concerted practice; or

iii) delegate to air carriers or other private economic operators the responsibility for taking measures that prevent, distort or restrict competition between air carriers on the relevant routes,

may render ineffective the application of the competition rules applicable to undertakings,

NOTING that it is not an aim of the Parties, as part of these negotiations, to increase the total volume of air traffic between the European Community and the West African Economic and Monetary Union, to affect the balance between Community air carriers and air carriers of the West African Economic and Monetary Union, or to negotiate amendments to the provisions of existing bilateral air service agreements concerning traffic rights,

NOTING that air links between the Member States of WAEMU and those of the European Community represent more than 80% of their international air routes, links which have been traditionally governed by bilateral air agreements,

WHEREAS Decision No 08/2002/CM/WAEMU of 27 June 2002 adopting the Joint Air Transport Programme of the Member States and WAEMU,

WHEREAS Directive No 08/2006/CM/WAEMU of 16 December 2006, granting the Commission of the WAEMU, assisted by the representatives of the Member States of WAEMU, a mandate to open and lead negotiations with the European Commission with a view to introducing a Community designation clause in air agreements between Member States of the European Community and Member States of the West African Economic and Monetary Union,

NOTING the European Commission's proposal to use the opportunity offered to it under European legislation and the provisions of the West African Economic and Monetary Union Treaty to carry out group-with-group negotiations on the introduction of a Community designation clause into air agreements signed between Member States of the West African Economic and Monetary Union and those of the European Community;

HAVE AGREED ON THE FOLLOWING PROVISIONS:

ARTICLE 1
General Provisions

1. For the purposes of this Agreement, the terms and expressions below shall mean the following:

   i. WAEMU: West African Economic and Monetary Union,

   ii. EC: European Community

2. For the purposes of this Agreement, 'EC Member States' shall mean the Member States of the European Community and 'WAEMU Member States' shall mean the Member States of the West African Economic and Monetary Union respectively.

3. In each of the bilateral agreements listed in Annex I to this Agreement, the references made to nationals of the EC Member State and nationals of the WAEMU Member State shall be understood to mean nationals of the EC Member States or WAEMU Member States.

4. In each of the bilateral agreements listed in Annex I to this Agreement, the references made to carriers or airlines of the EC Member State and of the WAEMU Member State which are parties to this Agreement shall be understood to be references to carriers or airlines designated by these States.

ARTICLE 2
Designation and Authorisation

1. The provisions set out in Paragraph 2 of this Article shall supersede the corresponding provisions in the articles listed in Annex 2(a), in relation to the designation of an air carrier, and the licences and permits granted to it.

2. On receipt of a designation by a Member State of one of the Parties, the State of the other Party shall grant the appropriate licences and permits with minimum procedural delay, provided that:

(a) In the case of an air carrier designated by an EC Member State:

i. the air carrier is established, under the Treaty establishing the European Community, in the territory of the designating EC Member State and has a valid Operating Licence in accordance with European Community law; and,

ii. effective regulatory control of the air carrier is exercised and maintained by the EC Member State responsible for issuing its Air Operator's Certificate and the relevant aeronautical authority is clearly identified in the designation;

(b) In the case of an air carrier designated by a Member State of WAEMU:

i. the air carrier is established in the territory of the WAEMU Member State which has designated it and has received valid approval in accordance with WAEMU legislation; and,

ii. effective regulatory control of the air carrier is exercised and maintained by the WAEMU Member State responsible for issuing its Air Operating Licence in accordance with Annexes 1, 6 and 8 of the Chicago Convention, and the relevant aeronautical authority is clearly identified in the designation; and,

iii. Either:

a. the air carrier is owned directly or through majority ownership and is effectively controlled by WAEMU Member States and/or nationals of WAEMU Member States, or by other African States and/or nationals of such other African States, or

b. the services operated by the certified air carrier in accordance with WAEMU community legislation mainly depart from or arrive at one or more airports in a WAEMU Member State and its operational technical and management staff is comprised mainly of nationals of WAEMU Member States, if the EC Member State concerned confirms the application of the provisions contained in this point b.

ARTICLE 3

Refusal, revocation, suspension or limitation

1. The provisions set out in Paragraph 2 of this Article shall supersede the corresponding provisions in the articles listed in Annex 2(b), in relation to the refusal, revocation, suspension or limitation of the licences or permits of an air carrier.

2. Each Member State may refuse, revoke, suspend or limit the licences or permits of an air carrier designated by a Member State of the other Party where one of the following conditions is fulfilled:

   (a) In the case of an air carrier designated by an EC Member State:

      i. the air carrier is not established, under the Treaty establishing the European Community, in the territory of the designating EC Member State or does not have a valid Operating Licence in accordance with European Community law; or

      ii. effective regulatory control of the air carrier is not exercised or not maintained by the EC Member State responsible for issuing its Air Operators Certificate, or the relevant aeronautical authority is not clearly identified in the designation.

   (b) In the case of an air carrier designated by a WAEMU Member State:

      i. the air carrier is not established in the territory of the WAEMU Member State which has designated it or does not have valid approval in accordance with WAEMU legislation; or

      ii. effective regulatory control of the air carrier is not exercised or maintained by the WAEMU Member State responsible for issuing its Air Operating Licence in accordance with Annexes 1, 6 and 8 of the Chicago Convention, or the relevant aeronautical authority is not clearly identified in the designation; or

      iii. Either:

         a. the air carrier is not owned directly or through majority ownership and is not effectively controlled by WAEMU Member States and/or nationals of WAEMU Member States, or by other African States and/or nationals of such other African States, or

         b. the services operated by the certified air carrier in accordance with WAEMU community law do not mainly depart from or arrive at one or more airports in a WAEMU Member State or its operational technical and management staff is not comprised mainly of nationals of WAEMU Member States.

3, In exercising its rights under this Article, the Member State concerned shall not discriminate between air carriers of the other Party on grounds of nationality.

ARTICLE 4

Rights with regard to effective regulatory control

1. The provisions set out in Paragraphs 2 and 3 of this Article shall complement the Articles listed in Annex 2(c) to this Agreement.

2. Where an EC Member State has designated an air carrier whose effective regulatory control is exercised and maintained by another EC Member State, the rights of the WAEMU Member State concerned under the safety provisions of the agreement between the EC Member State that has designated the air carrier and the WAEMU Member State shall apply equally in respect of the adoption, exercise or maintenance of safety standards by that other EC Member State and in respect of the operating licence of that air carrier.

3. Where a WAEMU Member State has designated an air carrier whose effective regulatory control is exercised and maintained by another WAEMU Member State, the rights of the EC Member State concerned under the safety provisions of the agreement between the WAEMU Member State that has designated the air carrier and the EC Member State concerned shall apply equally in respect of the adoption, exercise or maintenance of safety standards by that other WAEMU Member State and in respect of the Operating Licence of that air carrier.

4. For the purposes of this Agreement, the Parties agree that effective regulatory control implies at the very least that the Member State which has issued the Operating Licence or approval effectively and continuously maintains the aviation safety and security monitoring programmes by, as a minimum, applying the ICAO standards, and ensures that the air carrier meets the criteria established by the competent authorities for the operation of international air services.

ARTICLE 5
Taxation of aviation fuel

1. The provisions set out in Paragraphs 2 and 3 of this Article shall complement the corresponding provisions in the articles listed in Annex 2(d).

2. Notwithstanding any other provision to the contrary, nothing in each of the bilateral agreements listed in Annex 2(d) shall prevent an EC Member State from imposing taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated air carrier of a WAEMU Member State that operates between a point in the territory of that EC Member State and another point in the territory of that EC Member State or in the territory of another Member State of the European Community.

3. Notwithstanding any other provision to the contrary, nothing in each of the bilateral agreements listed in Annex 2(d) shall prevent a WAEMU Member State from imposing taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated air carrier of an EC Member State that operates between a point in the territory of that WAEMU Member State and another point in the territory of that WAEMU Member State or in the territory of another Member State of the West African Economic and Monetary Union.

4. If a plan is drawn up to introduce a fuel tax in accordance with this Article, the Parties agree to meet without delay to discuss the matter.

ARTICLE 6
Tariffs for carriage

1. The provisions set out in Paragraphs 2 and 3 of this Article shall complement the Articles listed in Annex 2(e) to this Agreement.

2. The tariffs to be charged by the air carrier(s) designated by a WAEMU Member State under one of the bilateral agreements listed in Annex 1 to this Agreement containing a provision listed in Annex 2(e) for carriage wholly within the European Community shall be subject to European Community law. European Community law shall be applied on a non-discriminatory basis.

3. The tariffs to be charged by the air carrier(s) designated by an EC Member State under one of the bilateral agreements listed in Annex 1 to this Agreement containing a provision listed in Annex 2(e) for carriage wholly within the West African Economic and Monetary Union shall be subject to WAEMU legislation which shall be applied on a non-discriminatory basis.

ARTICLE 7
Compatibility with competition rules

1. Notwithstanding any other provision to the contrary, nothing in each of the bilateral agreements listed in Annex 1 to this Agreement shall (i) favour the adoption of agreements between undertakings, decisions by associations of undertakings or concerted practices that prevent, distort or restrict competition; (ii) reinforce the effects of any such agreement, decision or concerted practice; or (iii) delegate to private economic operators the responsibility for taking measures that prevent, distort or restrict competition.

2. The provisions contained in the bilateral agreements listed in Annex 1 to this Agreement that are incompatible with Paragraph 1 of this Article shall not be applied.

ARTICLE 8
Annexes to the Agreement

The Annexes attached to the Agreement shall form an integral part of this Agreement.

ARTICLE 9
Amendment

1. Either of the Parties may, at any time, request consultations with the other Party for the purposes of amending this Agreement. These consultations shall begin within sixty (60) days from the date of receipt of the request.

2. Any amendments made in this way shall enter into force when the Parties have notified each other in writing that their respective internal procedures necessary for their entry into force have been completed.

ARTICLE 10

Entry into force and provisional application

1. This Agreement will enter into force on the date of receipt of the last of the two notifications sent by the Parties to inform each other in writing that their respective internal procedures necessary for its entry into force have been completed.

2. Notwithstanding Paragraph 1, the Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Parties have notified each other of the completion of the necessary procedures.

3. The bilateral agreements and other arrangements between Member States of the European Community and those of the West African Economic and Monetary Union which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex 1(b). This Agreement shall apply to all such bilateral agreements and arrangements upon their entry into force or provisional application.

ARTICLE 11

Termination

1. In the event that one of the bilateral agreements listed in Annex 1 is terminated, all provisions of this Agreement that relate to the agreement listed in Annex 1 concerned shall terminate at the same time.

2. In the event that all the bilateral agreements listed in Annex 1 are terminated, this Agreement shall terminate at the same time.

IN WITNESS WHEREOF the undersigned, being duly authorised, have signed this Agreement.

Done at [….] in duplicate, on this […] day of […, …] in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish and Swedish languages.

FOR THE EUROPEAN COMMUNITY:

FOR THE WEST AFRICAN ECONOMIC AND MONETARY UNION

Annexes

BENIN

Annex 1

List of agreements referred to in Article 1 of this Agreement

(a) Bilateral air service agreements between the People's Republic of Benin and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally.

- Agreement between the **Kingdom of Belgium and the Republic of Dahomey** relating to Air Transport signed at Brussels on 15 February 1971, hereinafter referred to as the 'Benin - Belgium Agreement' in Annex 2,

- Agreement between the **Government of the People's Republic of Bulgaria and the Government of the People's Republic of Benin** relating to Air Transport signed at Sofia on 16 September 1982, hereinafter referred to as the 'Benin - Bulgaria Agreement' in Annex 2,

- Agreement between the **Republic of France and the Republic of Dahomey** relating to Air Transport signed at Paris on 9 December 1963, hereinafter referred to as the 'Benin - France Agreement' in Annex 2,

- Agreement between the **Government of the People's Republic of Poland and the Government of the People's Republic of Benin** relating to Air Transport signed at Cotonou on 13 May 1988, hereinafter referred to as the 'Benin - Poland Agreement' in Annex 2,

- Agreement between the **Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of Benin** signed at London on 16 September 1999, hereinafter referred to as the 'Benin - United Kingdom Agreement" in Annex 2,

(b) Air service agreements and other arrangements initialled or signed between the People's Republic of Benin and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally

Annex 2

List of articles in the agreements listed in Annex 1 and referred to in Articles 2 to 6 of this Agreement

(a) Designation by a Member State

- Article 10 of the Benin - Belgium Agreement;
- Article 3 of the Benin - Bulgaria Agreement
- Article 13 of the Benin - France Agreement
- Article 9 of the Benin - Poland Agreement
- Article 4 of the Benin - United Kingdom Agreement

(b) Refusal, revocation, suspension or limitation of licences and permits:

- Article 11 of the Benin - Belgium Agreement;
- Article 4 of the Benin - Bulgaria Agreement
- Article 6 of the Benin - France Agreement
- Article 10 of the Benin - Poland Agreement
- Articles 4 and 5 of the Benin - United Kingdom Agreement.

(c) Regulatory control

- Article 10 of the Benin - Belgium Agreement;
- Article 3 of the Benin - Bulgaria Agreement
- Article 11 of the Benin - France Agreement
- Article 9 of the Benin - Poland Agreement
- Article 14 of the Benin - United Kingdom Agreement

(d) Taxation of aviation fuel

- Article 3 of the Benin - Belgium Agreement;
- Article 10 of the Benin - Bulgaria Agreement
- Article 3 of the Benin - France Agreement
- Article 3 of the Benin - Poland Agreement
- Article 8 of the Benin - United Kingdom Agreement

(e) Tariffs for carriage within the Community

- Article 18 of the Benin - Belgium Agreement;
- Article 12 of the Benin - Bulgaria Agreement
- Article 18 of the Benin - France Agreement
- Article 17 of the Benin - Poland Agreement
- Article 7 of the Benin - United Kingdom Agreement

BURKINA FASO

Annex 1

List of agreements referred to in Article 1 of this Agreement

(a) **Bilateral air service agreements between Burkina Faso and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally.**

- Agreement between the **Kingdom of Belgium and the Republic of Upper Volta** relating to Air Transport signed at Brussels on 15 February 1984, hereinafter referred to as the 'Burkina Faso - Belgium Agreement' in Annex 2,

- Agreement between the **Republic of France and the Republic of Upper Volta** relating to Air Transport signed at Paris on 29 May 1962, hereinafter referred to as the 'Burkina Faso - France Agreement' in Annex 2,

(b) Air service agreements and other arrangements initialled or signed between Burkina Faso and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally

- Air services agreement signed between the **Government of the Republic of France and the Government of Burkina Faso at** […], on […], hereinafter referred to as the 'Burkina Faso - France Agreement' in Annex 2,

Annex 2

List of articles in the agreements listed in Annex 1 and referred to in Articles 2 to 6 of this Agreement

(a) Designation by a Member State

- Article 9 of the Burkina Faso - Belgium Agreement
- Article 13 of the Burkina Faso - France Agreement
- Article 3 of the Burkina Faso - France Draft Agreement

(b) Refusal, revocation, suspension or limitation of licences or permits:

- Article 10 of the Burkina Faso - Belgium Agreement
- Article 6 of the Burkina Faso - France Agreement
- Article 4 of the Burkina Faso - France Draft Agreement

(c) Regulatory control

- Article 9 of the Burkina Faso - Belgium Agreement
- Article 11 of the Burkina Faso - France Agreement
- Article 8 of the Burkina Faso - France Draft Agreement

(d) Taxation of aviation fuel

- Article 2 of the Burkina Faso - Belgium Agreement
- Article 3 of the Burkina Faso - France Agreement
- Article 10 of the Burkina Faso - France Draft Agreement

(e) Tariffs for carriage within the Community

- Article 17 of the Burkina Faso - Belgium Agreement
- Article 18 of the Burkina Faso - France Agreement
- Article 14 of the Burkina Faso - France Draft Agreement

COTE D'IVOIRE

Annex 1

List of agreements referred to in Article 1 of this Agreement

(a) Bilateral air service agreements between the Republic of the Ivory Coast and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally.

- Agreement between the **Federal Republic of Germany and the Republic of the Ivory Coast** relating to Air Transport signed at Bonn on 3 October 1978, hereinafter referred to as the 'Ivory Coast - Germany Agreement' in Annex 2,

- Agreement between the **Kingdom of Belgium and the Government of the Republic of the Ivory Coast** relating to Air Transport signed at Abidjan on 21 September 1963, hereinafter referred to as the 'Ivory Coast - Belgium Agreement' in Annex 2,

Last amended by the Memorandum of Understanding done at Abidjan on 31 August 2002.

- Agreement between the **Kingdom of Denmark and the Republic of the Ivory Coast** relating to Air Transport signed at Abidjan on 1 July 1966, hereinafter referred to as the 'Ivory Coast - Denmark Agreement' in Annex 2,

- Agreement between the **Republic of the Ivory Coast and the Spanish State** relating to Air Transport signed at Madrid on 15 July 1976, hereinafter referred to as the 'Ivory Coast - Spain Agreement' in Annex 2,

Last amended by the Memorandum of Understanding done at Madrid on 17 May 1994.

- Agreement between the **Republic of France and the Republic of the Ivory Coast** relating to Air Transport signed at Abidjan on 19 October 1962, hereinafter referred to as the 'Ivory Coast - France Agreement' in Annex 2,

- Agreement between the **Republic of the Ivory Coast and the Republic of Italy** relating to Air Transport signed at Abidjan on 19 February 1968, hereinafter referred to as the 'Ivory Coast - Italy Agreement' in Annex 2,

- Agreement between the **Kingdom of the Netherlands and the Republic of the Ivory Coast** relating to Air Transport signed at Abidjan on 9 October 1963, hereinafter referred to as the 'Ivory Coast - Netherlands Agreement' in Annex 2,

- Agreement between the **Government of the People's Republic of Poland and the Government of the Republic of the Ivory Coast** relating to Civil Air Transport signed at Abidjan on 13 July 1984, hereinafter referred to as the 'Ivory Coast - Poland Agreement' in Annex 2,

- Agreement between the **People's Republic of the Ivory Coast and the Republic of Portugal** relating to Air Transport signed at Lisbon on 16 September 1987, hereinafter referred to as the 'Ivory Coast - Portugal Agreement' in Annex 2,

- Agreement between the **Government of the Socialist Republic of Romania and the Government of the Republic of the Ivory Coast** relating to Civil Air Transport signed at Abidjan on 25 May 1979, hereinafter referred to as the 'Ivory Coast - Romania Agreement' in Annex 2,

- Agreement between the **Kingdom of Sweden and the Republic of the Ivory Coast** relating to Air Transport signed at Abidjan on 1 July 1966, hereinafter referred to as the 'Ivory Coast - Sweden Agreement' in Annex 2,

- Agreement between the **Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of the Ivory Coast** relating to Air Transport signed at London on 1 December 1976, hereinafter referred to as the 'Ivory Coast - United Kingdom Agreement' in Annex 2 ,

(b) Air service agreements and other arrangements initialled or signed between the Republic of the Ivory Coast and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally

- Agreement between the **People's Republic of the Ivory Coast and the Republic of Portugal** relating to Air Transport signed at Lisbon on 12 July 1990, hereinafter referred to as the 'Ivory Coast - Portugal Agreement' in Annex 2,

Annex 2

List of articles in the agreements listed in Annex 1 and referred to in Articles 2 to 6 of this Agreement

(a) Designation by a Member State

- Article 3 of the Ivory Coast - Germany Agreement
- Article 10 of the Ivory Coast - Belgium Agreement
- Article 10 of the Ivory Coast - Denmark Agreement
- Article 10 of the Ivory Coast - Spain Agreement
- Article 11 of the Ivory Coast - France Agreement
- Article 10 of the Ivory Coast - Italy Agreement
- Article 10 of the Ivory Coast - Netherlands Agreement
- Article IX of the Ivory Coast - Poland Agreement
- Article 6 of the Ivory Coast - Portugal Agreement
- Article 8 of the Ivory Coast - Romania Agreement
- Article 10 of the Ivory Coast - Sweden Agreement
- Article 10 of the Ivory Coast - United Kingdom Agreement

(b) Refusal, revocation, suspension or limitation of licences or permits:

- Article 4 of the Ivory Coast - Germany Agreement
- Article 11 of the Ivory Coast - Belgium Agreement
- Article 11 of the Ivory Coast - Denmark Agreement
- Article 11 of the Ivory Coast - Spain Agreement
- Article 12 of the Ivory Coast - France Agreement
- Article 11 of the Ivory Coast - Italy Agreement
- Article 11 of the Ivory Coast - Netherlands Agreement
- Article X of the Ivory Coast - Poland Agreement
- Article 21 of the Ivory Coast - Portugal Agreement
- Article 9 of the Ivory Coast - Romania Agreement

- Article 11 of the Ivory Coast - Sweden Agreement
- Article 11 of the Ivory Coast - United Kingdom Agreement

(c) Regulatory control

- Article 3 of the Ivory Coast - Germany Agreement
- Article 4 of the Ivory Coast - Belgium Agreement
- Article 10 of the Ivory Coast - Denmark Agreement
- Article 10 of the Ivory Coast - Spain Agreement
- Article 11 of the Ivory Coast - France Agreement
- Article 10 of the Ivory Coast - Italy Agreement
- Article 10 of the Ivory Coast - Netherlands Agreement
- Article IX of the Ivory Coast - Poland Agreement
- Article 7 of the Ivory Coast - Portugal Agreement
- Article 8 of the Ivory Coast - Romania Agreement
- Article 10 of the Ivory Coast - Sweden Agreement
- Article 14 of the Ivory Coast - United Kingdom Agreement

(d) Taxation of aviation fuel

- Article 6 of the Ivory Coast - Germany Agreement
- Article 3 of the Ivory Coast - Belgium Agreement
- Article 3 of the Ivory Coast - Denmark Agreement
- Article 3 of the Ivory Coast - Spain Agreement
- Article 3 of the Ivory Coast - France Agreement
- Article 3 of the Ivory Coast - Italy Agreement
- Article 3 of the Ivory Coast - Netherlands Agreement
- Article III of the Ivory Coast - Poland Agreement
- Article 5 of the Ivory Coast - Portugal Agreement
- Article 2 of the Ivory Coast - Romania Agreement

- Article 3 of the Ivory Coast - Sweden Agreement
- Article 3 of the Ivory Coast - United Kingdom Agreement

(e) Tariffs for carriage within the European Community

- Article 9 of the Ivory Coast - Germany Agreement
- Article 18 of the Ivory Coast - Belgium Agreement
- Article 17 of the Ivory Coast - Denmark Agreement
- Article 19 of the Ivory Coast - Spain Agreement
- Article 18 of the Ivory Coast - France Agreement
- Article 18 of the Ivory Coast - Italy Agreement
- Article 18 of the Ivory Coast - Netherlands Agreement
- Article XVII of the Ivory Coast - Poland Agreement
- Article 15 of the Ivory Coast - Portugal Agreement
- Article 16 of the Ivory Coast - Romania Agreement
- Article 17 of the Ivory Coast - Sweden Agreement
- Article 17 of the Ivory Coast - United Kingdom Agreement

GUINEA-BISSAU

Annex 1

List of agreements referred to in Article 1 of this Agreement

(a) Bilateral air service agreements between the Republic of Guinea Bissau and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally.

- Agreement between **the Republic of Portugal and the Republic of Guinea Bissau** relating to Air Transport signed at Lisbon on 30 August 2007, hereinafter referred to as the 'Guinea Bissau - Portugal Agreement' in Annex 2,

(b) Air service agreements and other arrangements initialled or signed between the Republic of Guinea Bissau and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally

Annex 2

List of articles in the agreements listed in Annex 1 and referred to in Articles 2 to 6 of this Agreement

(a) Designation by a Member State

- Article 3 of the Guinea Bissau – Portugal Agreement

(b) Refusal, revocation, suspension or limitation of licences or permits:

- Article 4 of the Guinea Bissau - Portugal Agreement

(c) Regulatory control

- Article 15 of the Guinea Bissau - Portugal Agreement

(d) Taxation of aviation fuel

- Article 6 of the Guinea Bissau - Portugal Agreement

(e) Tariffs for carriage within the Community

- Article 18 of the Guinea Bissau - Portugal Agreement

MALI

Annex 1

List of agreements referred to in Article 1 of this Agreement

(a) Bilateral air service agreements between the Republic of Mali and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally.

- Agreement between the **Kingdom of Belgium and the Republic of Mali** relating to Air Transport signed at Brussels on 9 May 1985, hereinafter referred to as the 'Mali - Belgium Agreement' in Annex 2,

Last amended by the Memorandum of Understanding done at [place] on 11 April 2002.

- Agreement between the **Socialist Republic of Czechoslovakia and the Republic of Mali** signed at Prague on 27 November 1961, hereinafter referred to as the 'Mali - Czechoslovakia Agreement' in Annex 2,

- Agreement between the **Government of the Kingdom of Spain and the Government of the Republic of Mali** relating to Air Transport signed at Madrid on 5 November 1990, hereinafter referred to as the 'Mali - Spain Agreement" in Annex 2,

- Agreement between the **Republic of France and the Republic of Mali** relating to Air Transport signed at Paris on 5 August 1961, hereinafter referred to as the 'Mali - France Agreement' in Annex 2,

- Agreement between the **Government of the Socialist Republic of Romania and the Government of the Republic of Mali** relating to Civil Air Transport, signed at Bucharest on 21 June 1983, hereinafter referred to as the 'Mali - Romania Agreement' in Annex 2,

(b) Air service agreements and other arrangements initialled or signed between the Republic of Mali and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally

Annex 2

List of articles in the agreements listed in Annex 1 and referred to in Articles 2 to 6 of this Agreement

(a) Designation by a Member State

- Article 6 of the Mali - Belgium Agreement
- Article 2 of the Mali - Czechoslovakia Agreement
- Article 6 of the Mali - Spain Agreement
- Article 14 of the Mali - France Agreement
- Article 3 of the Mali - Romania Agreement

(b) Refusal, revocation, suspension or limitation of licences or permits:

- Article 7 of the Mali - Belgium Agreement
- Article 2 of the Mali - Czechoslovakia Agreement
- Articles 6 and 7 of the Mali - Spain Agreement
- Article 7 of the Mali - France Agreement
- Article 6 of the Mali - Romania Agreement

(c) Regulatory control

- Article 5 of the Mali - Belgium Agreement
- Article 2 of the Mali - Czechoslovakia Agreement
- Article 5 of the Mali - Spain Agreement
- Article 14 of the Mali - France Agreement
- Article 3 of the Mali - Romania Agreement

(d) Taxation of aviation fuel

- Article 9 of the Mali - Belgium Agreement
- Article 4 of the Mali - Czechoslovakia Agreement
- Article 9 of the Mali - Spain Agreement
- Article 3 of the Mali - France Agreement
- Article 8 of the Mali - Romania Agreement

(e) Tariffs for carriage within the Community

- Article 14 of the Mali - Belgium Agreement
- Article 8 of the Mali - Czechoslovakia Agreement
- Article 14 of the Mali - Spain Agreement
- Article 20 of the Mali - France Agreement
- Article 13 of the Mali - Romania Agreement

NIGER

Annex 1

List of agreements referred to in Article 1 of this Agreement

(a) Bilateral air service agreements between the Republic of Niger and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally.

- Agreement between the **Kingdom of Belgium and the Republic of Niger** relating to Air Transport signed at Niamey on 19 August 1963, hereinafter referred to as the 'Niger - Belgium Agreement' in Annex 2,

- Agreement between the **Republic of France and the Republic of Niger** relating to Air Transport signed at Paris on 28 May 1962, hereinafter referred to as the 'Niger - France Agreement' in Annex 2,

- Agreement between the **Government of the Socialist Republic of Romania and the Government of the Republic of Niger** relating to Civil Air Transport, signed at Bucharest on 7 June 1978, hereinafter referred to as the 'Niger - Romania Agreement' in Annex 2,

(b) Air service agreements and other arrangements initialled or signed between the Republic of Niger and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally

Annex 2

List of articles in the agreements listed in Annex 1 and referred to in Articles 2 to 6 of this Agreement

(a) Designation by a Member State

- Article 10 of the Niger - Belgium Agreement
- Article 13 of the Niger - France Agreement
- Article 3 of the Niger - Romania Agreement

(b) Refusal, revocation, suspension or limitation of licences or permits:

- Article 11 of the Niger - Belgium Agreement
- Article 6 of the Niger - France Agreement
- Article 5 of the Niger - Romania Agreement

(c) Regulatory control

- Article 10 of the Niger - Belgium Agreement
- Article 11 of the Niger - France Agreement
- Article 3 of the Niger - Romania Agreement

(d) Taxation of aviation fuel

- Article 3 of the Niger - Belgium Agreement
- Article 3 of the Niger - France Agreement
- Article 6 of the Niger - Romania Agreement

(e) Tariffs for carriage within the Community

- Article 18 of the Niger - Belgium Agreement
- Article 18 of the Niger - France Agreement
- Article 9 of the Niger - Romania Agreement

SENEGAL

Annex 1

List of agreements referred to in Article 1 of this Agreement

(a) Bilateral air service agreements between the Republic of Senegal and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally.

- Agreement between the **Federal Republic of Germany and the Republic of the Senegal** relating to Air Transport signed at Bonn on 29 October 1964, hereinafter referred to as the 'Senegal - Germany Agreement' in Annex 2,

- Agreement between the **Federal Republic of Austria and the Government of the Republic of Senegal** relating to Air Transport signed at Dakar on 4 February 1987, hereinafter referred to as the 'Senegal - Austria Agreement' in Annex 2,

- Agreement between the **Kingdom of Belgium and the Republic of Senegal** relating to Air Transport signed at Dakar on 25 November 1966, hereinafter referred to as the 'Senegal - Belgium Agreement' in Annex 2,

Last amended by the Memorandum of Understanding done at Dakar on 4 June 2002.

- Agreement between the **People's Republic of Bulgaria and the Republic of Senegal** relating to Air Transport signed at Sofia on [*date*],, hereinafter referred to as the 'Senegal - Bulgaria Agreement' in Annex 2,

- Agreement between the **Socialist Republic of Czechoslovakia and the Republic of Senegal** relating to Air Transport signed at Prague on 20 June 1962, hereinafter referred to as the 'Senegal - Czechoslovakia Agreement' in Annex 2,

- Agreement between the **Republic of Senegal and Spain** relating to Air Transport signed at Dakar on 26 June 1968, hereinafter referred to as the 'Senegal - Spain Agreement' in Annex 2,

Last amended by the Memorandum of Understanding done at Dakar on 22 February 2006.

- Agreement between the **Republic of France and the Republic of Senegal** relating to Air Transport signed at Paris on 15 June 1962, hereinafter referred to as the 'Senegal - France Agreement' in Annex 2,

- Agreement between the **Republic of Italy and the Republic of Senegal** relating to Air Transport signed at Rome on 20 April 1972, hereinafter referred to as the 'Senegal - Italy Agreement' in Annex 2,

Last amended by the Memorandum of Understanding done at Rome on 21 July 2004.

- Agreement between the **Government of the Kingdom of the Netherlands and the Government of the Republic of Senegal** relating to Air Transport signed at Dakar on 27 July 1977, hereinafter referred to as the 'Senegal - Netherlands Agreement' in Annex 2,

- Agreement between the **Government of the People's Republic of Poland and the Government of the Republic of Senegal** relating to Air Transport signed at Dakar on 1 August 1969, hereinafter referred to as the 'Senegal - Poland Agreement' in Annex 2,

- Agreement between the **Government of Portugal and the Government of the Republic of Senegal** relating to Air Transport signed at Lisbon on 21 February 1977, hereinafter referred to as the 'Senegal - Portugal Agreement' in Annex 2,

- Agreement between the **Government of the Socialist Republic of Romania and the Government of the Republic of Senegal** relating to Air Services signed at Dakar on 25 February 1977, hereinafter referred to as the 'Senegal - Romania Agreement' in Annex 2,

- Agreement between the **Government of Senegal and the United Kingdom of Great Britain and Northern Ireland** signed at Dakar on 21 June 2006, hereinafter referred to as the 'Senegal - United Kingdom Agreement" in Annex 2 ;

(b) Air service agreements and other arrangements initialled or signed between the Republic of Senegal and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally

Annex 2

List of articles in the agreements listed in Annex 1 and referred to in Articles 2 to 6 of this Agreement

(a) Designation by a Member State

- Article 14 of the Senegal - Germany Agreement
- Article 8 of the Senegal - Austria Agreement
- Article 10 of the Senegal - Belgium Agreement
- Article 12 of the Senegal - Bulgaria Agreement
- Article 10 of the Senegal - Czechoslovakia Agreement
- Article 11 of the Senegal - France Agreement
- Article 5 of the Senegal - Italy Agreement
- Article 7 of the Senegal - Netherlands Agreement
- Article 3 of the Senegal - Poland Agreement
- Article VIII of the Senegal - Portugal Agreement
- Article 8 of the Senegal - Romania Agreement
- Article 3 of the Senegal - Spain Agreement
- Article 4 of the Senegal - United Kingdom Agreement

(b) Refusal, revocation, suspension or limitation of licences or permits:

- Article 7 of the Senegal - Germany Agreement
- Articles 8 and 9 of the Senegal - Austria Agreement
- Article 11 of the Senegal - Belgium Agreement
- Article 13 of the Senegal - Bulgaria Agreement
- Article 5 of the Senegal - Czechoslovakia Agreement
- Article 6 of the Senegal - France Agreement
- Article 6 of the Senegal - Italy Agreement
- Article 9 of the Senegal - Netherlands Agreement
- Article 3 of the Senegal - Poland Agreement

- Article X of the Senegal - Portugal Agreement
- Article 9 of the Senegal - Romania Agreement
- Article 4 of the Senegal - Spain Agreement
- Article 5 of the Senegal - United Kingdom Agreement

(c) Regulatory control

- Article 12 of the Senegal - Germany Agreement
- Article 8 of the Senegal - Austria Agreement
- Article 4 of the Senegal - Belgium Agreement
- Article 12 of the Senegal - Bulgaria Agreement
- Article 10 of the Senegal - Czechoslovakia Agreement
- Article 11 of the Senegal - France Agreement
- Article 4 of the Senegal - Italy Agreement
- Article 7 of the Senegal - Netherlands Agreement
- Article 3 of the Senegal - Poland Agreement
- Article VIII of the Senegal - Portugal Agreement
- Article 8 of the Senegal - Romania Agreement
- Annexe VI of the Memorandum of Understanding between Senegal and Spain
- Article 14 of the Senegal - United Kingdom Agreement

(d) Taxation of aviation fuel

- Article 3 of the Senegal - Germany Agreement
- Article 5 of the Senegal - Austria Agreement
- Article 3 of the Senegal - Belgium Agreement
- Article 3 of the Senegal - Bulgaria Agreement
- Article 3 of the Senegal - Czechoslovakia Agreement
- Article 3 of the Senegal - France Agreement
- Article 3 of the Senegal - Italy Agreement

- Article 5 of the Senegal - Netherlands Agreement
- Article 8 of the Senegal - Poland Agreement
- Article V of the Senegal - Portugal Agreement
- Article 5 of the Senegal - Romania Agreement
- Article 5 of the Senegal - Spain Agreement
- Article 8 of the Senegal - United Kingdom Agreement

(e) Tariffs for carriage within the Community

- Article 18 of the Senegal - Germany Agreement
- Article 13 of the Senegal - Austria Agreement
- Article 18 of the Senegal - Belgium Agreement
- Article 20 of the Senegal - Bulgaria Agreement
- Article 17 of the Senegal - Czechoslovakia Agreement
- Article 18 of the Senegal - France Agreement
- Article 18 of the Senegal - Italy Agreement
- Article 14 of the Senegal - Netherlands Agreement
- Article 11 of the Senegal - Poland Agreement
- Article XIV of the Senegal - Portugal Agreement
- Article 13 of the Senegal - Romania Agreement
- Article 11 of the Senegal - Spain Agreement
- Article 7 of the Senegal - United Kingdom Agreement

TOGO

Annex 1

List of agreements referred to in Article 1 of this Agreement

(a) Bilateral air service agreements between the Republic of Togo and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally.

- Agreement between the **Kingdom of Belgium and the Republic of Togo** relating to Air Transport signed at Brussels on 12 May 1981, hereinafter referred to as the 'Togo - Belgium Agreement' in Annex 2,

Last amended by the Memorandum of Understanding done at Brussels on 21 January 2004.

- Agreement between the **Government of the People's Republic of Bulgaria and the Government of the Republic of Togo** relating to Air Transport signed at Lomé on 6 July 1990, hereinafter referred to as the 'Togo - Bulgaria Agreement' in Annex 2,

- Agreement between the **Federal Republic of Germany and the Republic of Togo** relating to Air Transport signed at Bonn on 27 May 1971, hereinafter referred to as the 'Togo - Germany Agreement' in Annex 2,

- Agreement between the **Government of the Republic of Togo and the Government of the Republic of France** relating to Air Transport signed at Lomé on 16 April 1982, hereinafter referred to as the 'Togo - France Agreement' in Annex 2,

Last amended by the minutes of the Consultations drawn up at Paris on 20 October 2003.

- Agreement between the **Republic of Togo and the Grand Duchy of Luxembourg** relating to Air Transport signed at Lomé on 23 October 1987, hereinafter referred to as the 'Togo - Luxembourg Agreement' in Annex 2,

- Agreement between the **Kingdom of the Netherlands and the Republic of Togo** relating to Air Transport signed at Lomé on 17 May 1981, hereinafter referred to as the 'Togo - Netherlands Agreement' in Annex 2,

- Agreement between the **Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Togo** relating to Air Transport signed at London on 15 February 1999, hereinafter referred to as the 'Togo - United Kingdom Agreement' in Annex 2 ,

(b) Air service agreements and other arrangements initialled or signed between the Republic of Togo and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally

Annex 2

List of articles in the agreements listed in Annex 1 and referred to in Articles 2 to 6 of this Agreement

(a) Designation by a Member State

- Article 9 of the Togo - Belgium Agreement
- Article 12 of the Togo - Bulgaria Agreement
- Article 9 of the Togo - France Agreement
- Article 14 of the Togo - Germany Agreement
- Article 11 of the Togo - Luxembourg Agreement
- Article 11 of the Togo - Netherlands Agreement
- Article 4 of the Togo - United Kingdom Agreement

(b) Refusal, revocation, suspension or limitation of licences or permits:

- Article 10 of the Togo - Belgium Agreement
- Article 13 of the Togo - Bulgaria Agreement
- Article 10 of the Togo - France Agreement
- Article 7 of the Togo - Germany Agreement
- Article 12 of the Togo - Luxembourg Agreement
- Article 12 of the Togo - Netherlands Agreement
- Article 5 of the Togo - United Kingdom Agreement

(c) Regulatory control

- Article 3 of the Togo - Belgium Agreement
- Article 12 of the Togo - Bulgaria Agreement
- Article 12 of the Togo - Germany Agreement
- Article 9 of the Togo - France Agreement
- Article 11 of the Togo - Luxembourg Agreement
- Article 11 of the Togo - Netherlands Agreement
- Article 14 of the Togo - United Kingdom Agreement

(d) Taxation of aviation fuel

- Article 2 of the Togo - Belgium Agreement
- Article 3 of the Togo - Bulgaria Agreement
- Article 2 of the Togo - France Agreement
- Article 3 of the Togo - Germany Agreement
- Article 2 of the Togo - Luxembourg Agreement
- Article 2 of the Togo - Netherlands Agreement
- Article 8 of the Togo - United Kingdom Agreement

(e) Tariffs for carriage within the Community

- Article 17 of the Togo - Belgium Agreement
- Article 18 of the Togo - Bulgaria Agreement
- Article 18 of the Togo - France Agreement
- Article 18 of the Togo - Germany Agreement
- Article 19 of the Togo - Luxembourg Agreement
- Article 19 of the Togo - Netherlands Agreement
- Article 7 of the Togo - United Kingdom Agreement