

**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 (WAEMU), 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 WAEMU 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 WAEMU 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 WAEMU 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 WAEMU, to affect the balance between Community air carriers and air carriers of the WAEMU, 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 adopted the Joint Air Transport Programme of the Member States and WAEMU,

WHEREAS Directive No 08/2006/CM/WAEMU of 16 December 2006, granted 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 WAEMU,

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 WAEMU 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, 'WAEMU Member States' shall mean the Member States of the West African Economic and Monetary Union and 'African States' shall mean the Member States of the African Union and Morocco, respectively.

3. In each of the bilateral agreements listed in Part A of the Annexes 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 Part A of the Annexes 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 point (a) of Part B of the Annexes to this Agreement, 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 WAEMU Member State:

(i) the air carrier is established in the territory of the WAEMU Member State which has designated it and has received a valid air carrier's 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 Certificate in accordance with the relevant Annexes (in particular Annexes 1, 6 and 8) to the Chicago Convention, and the competent 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 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 point (b) of Part B of the Annexes to this Agreement, 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 a valid air carrier's 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 Certificate in accordance with the relevant Annexes (in particular Annexes 1, 6 and 8) to the Chicago Convention, or the competent 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 point (c) of Part B of the Annexes 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 International Civil Aviation Organization (ICAO) standards, and ensures that the air carrier meets the criteria established by the competent authorities for the operation of international air services and operates in accordance with all applicable ICAO standards.

#### 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 point (d) of Part B of the Annexes to this Agreement.

2. Notwithstanding any other provision to the contrary, nothing in each of the bilateral agreements listed in point (d) of Part B of the Annexes to this Agreement 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 a point in the territory of another EC Member State.

3. Notwithstanding any other provision to the contrary, nothing in each of the bilateral agreements listed in point (d) of Part B of the Annexes to this Agreement 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 a point in the territory of another WAEMU Member State.

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

##### Compatibility with competition rules

1. Notwithstanding any other provision to the contrary, nothing in each of the bilateral agreements listed in Part A of the Annexes 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 Part A of the Annexes to this Agreement that are incompatible with paragraph 1 of this Article shall not be applied.

#### Article 7

##### Annexes to the Agreement

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

#### Article 8

##### 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 9

##### 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 EC Member States and WAEMU Member States which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Part A of the Annexes to this Agreement. This Agreement shall apply to all such bilateral agreements and arrangements upon their entry into force or provisional application.

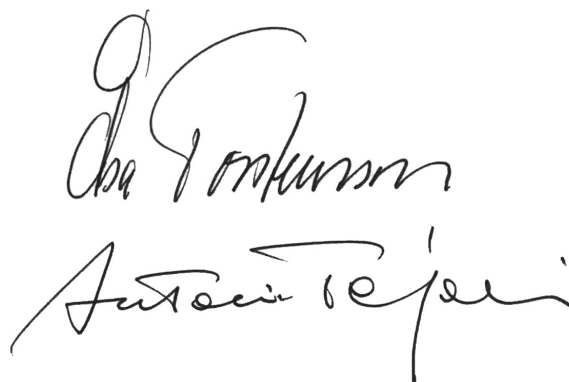
*Article 10***Termination**

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

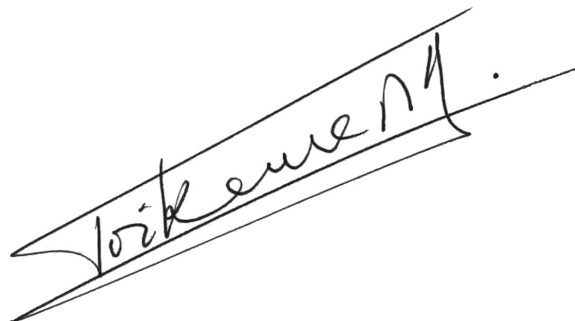
IN WITNESS WHEREOF the undersigned, being duly authorised, have signed this Agreement.

Done in duplicate at Brussels, this thirtieth day of November 2009 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, all texts being authentic. In case of divergent interpretation, the French text shall prevail.

За Европейската общност  
 Por la Comunidad Europea  
 Za Evropské společenství  
 For Det Europæiske Fællesskab  
 Für die Europäische Gemeinschaft  
 Euroopa Ühenduse nimel  
 Για την Ευρωπαϊκή Κοινότητα  
 For the European Community  
 Pour la Communauté européenne  
 Per la Comunità europea  
 Eiropas Kopienas vārdā  
 Europos bendrijos vardu  
 az Európai Közösség részéről  
 Ghall-Komunità Ewropea  
 Voor de Europese Gemeenschap  
 W imieniu Wspólnoty Europejskiej  
 Pela Comunidade Europeia  
 Pentru Comunitatea Europeană  
 Za Európske spoločenstvo  
 za Evropsko skupnost  
 Euroopan yhteisön puolesta  
 För Europeiska gemenskapen



За Западноафриканския икономически и валутен съюз  
 Por la Unión Económica y Monetaria del África Occidental  
 Za Západoafrickou hospodářskou a měnovou unii  
 For den Vestafrikanske Økonomiske og Monetære Union  
 Für die Westafrikanische Wirtschafts- und Währungsunion  
 Lääne-Aafrika majandus- ja rahaliidu nimel  
 Για τη Δυτικοαφρικανική Οικονομική και Νομισματική Ένωση  
 For the West African Economic and Monetary Union  
 Pour l'Union économique et monétaire Ouest-africaine  
 Per l'Unione economica e monetaria dell'Africa occidentale  
 Rietumāfrikas Ekonomiskās un monetārās savienības vārdā  
 Vakarų Afrikos Ekonominės ir pinigų sąjungos vardu  
 A Nyugat-afrikai Gazdasági és Monetáris Unió részéről  
 Ghall-Unjoni Ekonomika u Monetarja tal-Afrika tal-Punent  
 Voor de West-Afrikaanse Economische en Montaire Unie  
 W imieniu Unii Gospodarczej i Walutowej Afryki Zachodniej  
 Pela União Económica e Monetária da África Ocidental  
 Pentru Uniunea Economică și Monetară a Africii de Vest  
 Za Západoafrickou hospodářskou a menovú úniu  
 Za Ekonomsko in monetarno unijo Zahodne Afrike  
 Länsi-Afrikan talous- ja rahaliiton puolesta  
 För Västafrikanska ekonomiska och monetära unionen



## ANNEX I

**BENIN**

## PART A

**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 Part B,
  - 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 Part B,
  - 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 Part B,
  - Agreement between the Government of the Polish People's Republic and the Government of the People's Republic of Benin relating to Civil Air Transport signed at Cotonou on 13 May 1988, hereinafter referred to as the 'Benin-Poland Agreement' in Part B.
- (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:
- Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of Benin initialled at London on 16 September 1999, hereinafter referred to as the 'Draft Benin-United Kingdom Agreement' in Part B.

## PART B

**List of articles in the agreements listed in Part A and referred to in Articles 2 to 5 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 Draft 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 Draft 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 Draft 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 Draft Benin-United Kingdom Agreement

---



## ANNEX II

**BURKINA FASO**

## PART A

**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 Part B,
  - 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 Part B.
- (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.

## PART B

**List of articles in the agreements listed in Annex I and referred to in Part A and in Articles 2 to 5 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
- (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
- (c) Regulatory control
- Article 9 of the Burkina Faso-Belgium Agreement
  - Article 11 of the Burkina Faso-France Agreement
- (d) Taxation of aviation fuel
- Article 2 of the Burkina Faso-Belgium Agreement
  - Article 3 of the Burkina Faso-France Agreement
-

## ANNEX III

## GUINEA-BISSAU

## PART A

**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 Portuguese Republic 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 Part B.
- (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.

## PART B

**List of articles in the agreements listed in Part A and referred to in Articles 2 to 5 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
-

## ANNEX IV

## IVORY COAST

## PART A

**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:
- Air Transport Agreement between the Federal Republic of Germany and the Republic of the Ivory Coast at Bonn on 3 October 1978, hereinafter referred to as the 'Ivory Coast-Germany Agreement' in Part B,
  - 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 Part B,  
  
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 7 June 1966, hereinafter referred to as the 'Ivory Coast-Denmark Agreement' in Part B,
  - Agreement between the Republic of the Ivory Coast and the Kingdom of Spain relating to Air Transport signed at Madrid on 15 July 1976, hereinafter referred to as the 'Ivory Coast-Spain Agreement' in Part B,  
  
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 Part B,
  - Agreement between the Republic of the Ivory Coast and the Italian Republic relating to Air Transport signed at Abidjan on 19 February 1968, hereinafter referred to as the 'Ivory Coast-Italy Agreement' in Part B,
  - 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 Part B,
  - Agreement between the Government of the Polish People's Republic 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 Part B,
  - Agreement between the Government of the Republic of the Ivory Coast and the Portuguese Republic relating to Civil Air Transport signed at Lisbon on 16 September 1987, hereinafter referred to as the 'Ivory Coast-Portugal Agreement' in Part B,
  - 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 Part B,
  - Agreement between the Kingdom of Sweden and the Republic of the Ivory Coast relating to Air Transport signed at Abidjan on 7 June 1966, hereinafter referred to as the 'Ivory Coast-Sweden Agreement' in Part B,
  - 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 Part B.
- (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 Government of the Kingdom of Belgium and the Government of the Republic of the Ivory Coast relating to Air Transport initialled at Brussels on 14 January 2009, hereinafter referred to as the 'Draft Ivory Coast-Belgium Agreement' in Part B,

- Agreement between the Republic of the Ivory Coast and the Republic of Portugal relating to Air Transport initialled at Lisbon on 12 July 1990, hereinafter referred to as the 'Draft Ivory Coast-Portugal Agreement' in Part B.

#### PART B

##### List of articles in the agreements listed in Part A and referred to in Articles 2 to 5 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 4 of the Draft 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 Draft 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, paragraph 1, first and second sentences, of the Ivory Coast-Germany Agreement  
Article 11 of the Ivory Coast-Belgium Agreement  
Article 5 of the Draft 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 Draft 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 4 of the Ivory Coast-Belgium Agreement  
Article 7 of the Draft 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 Draft 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 11 of the Draft 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 Draft 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

---

## ANNEX V

## MALI

## PART A

**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 Part B,  
  
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 Part B,
  - 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 Part B,
  - 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 Part B,
  - 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 Part B.
- (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.

## PART B

**List of articles in the agreements listed in Part A and referred to in Articles 2 to 5 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

---

## ANNEX VI

## NIGER

## PART A

**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 Part B,
  - 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 Part B.
- (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.

## PART B

**List of articles in the agreements listed in Part A and referred to in Articles 2 to 5 of this Agreement**

- (a) Designation by a Member State
- Article 10 of the Niger-Belgium Agreement
  - Article 13 of the Niger-France 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
- (c) Regulatory control
- Article 10 of the Niger-Belgium Agreement
  - Article 11 of the Niger-France Agreement
- (d) Taxation of aviation fuel
- Article 3 of the Niger-Belgium Agreement
  - Article 3 of the Niger-France Agreement
-



## ANNEX VII

## SENEGAL

## PART A

**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:
- Air Transport Agreement between the Federal Republic of Germany and the Republic of the Senegal signed at Bonn on 29 October 1964, hereinafter referred to as the 'Senegal-Germany Agreement' in Part B,
  - 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 Part B,
  - 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 Part B,  
  
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 21 October 1969, hereinafter referred to as the 'Senegal-Bulgaria Agreement' in Part B,
  - 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 Part B,
  - Agreement between the Republic of Senegal and the Kingdom of Spain relating to Air Transport signed at Dakar on 26 June 1968, hereinafter referred to as the 'Senegal-Spain Agreement' in Part B,  
  
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 16 September 1974, hereinafter referred to as the 'Senegal-France Agreement' in Part B,
  - Agreement between the Italian Republic 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 Part B,  
  
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 Part B,
  - Agreement between the Government of the Polish People's Republic 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 Part B,
  - 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 Part B,
  - 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 Part B.
- (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:

- Agreement between the Government of Senegal and the United Kingdom of Great Britain and Northern Ireland initialled at Dakar on 21 June 2006, hereinafter referred to in Part B as the 'Draft Senegal-United Kingdom Agreement'.

## PART B

**List of articles in the agreements listed in Annex I and referred to in Articles 2 to 5 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 Draft 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 Draft Senegal-United Kingdom Agreement

## (c) Regulatory control

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  
Annex VI to the Memorandum of Understanding between Senegal and Spain  
Article 14 of the Draft 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 Draft Senegal-United Kingdom Agreement

---

## ANNEX VIII

## TOGO

## PART A

**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 Part B,  
  
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 Part B,
  - Air Transport Agreement between the Federal Republic of Germany and the Republic of Togo signed at Bonn on 27 May 1971, hereinafter referred to as the 'Togo-Germany Agreement' in Part B,
  - 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 Part B,  
  
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 done at Lomé on 24 March 1992, hereinafter referred to as the 'Togo-Luxembourg Agreement' in Part B,
  - 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 Part B.
- (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:
- 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 initialled at London on 15 February 1999, hereinafter referred to in Part B as the 'Draft Togo-United Kingdom Agreement'.

## PART B

**List of articles in the agreements listed in Part A and referred to in Articles 2 to 5 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 Draft 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 Draft Togo-United Kingdom Agreement

(c) Regulatory control

Article 3 of the Togo-Belgium Agreement  
Article 12 of the Togo-Bulgaria 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 Draft 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 Draft Togo-United Kingdom Agreement

---