

MEETING OF THE MINISTERS OF TRANSPORT OF AUSTRIA, BOSNIA-HERZEGOVINA, HUNGARY, SLOVAKIA

Luxembourg, 8 June, 2006

Common Statement

Considering the legal obligations of the Parties to the CEATS Agreement and the need to implement the Agreement in good faith and to undertake the necessary steps related to these obligations within the ambit of the CEATS Agreement;

Considering the number of unsuccessful attempts to proceed and progress with the implementation of the CEATS Agreement and the differing positions of some CEATS States in this respect;

Considering the views expressed in and the conclusions of the report of the CCG Task Force and the lack of unanimous agreement on the way forward;

Considering the position of States that have already indicated their intention to continue with the implementation of the CEATS Agreement, as reflected in the Vienna Declaration signed on 1st of June 2005;

Considering the need to invite any other CEATS States that share this intention to associate themselves with this common statement;

Considering the proposals for revisited arrangements contained in the CCG Task Force report as further analysed in the legal assessments presented to the CCG;

Those CEATS States that wish to continue with the implementation of the CEATS without further delay (hereafter the Implementing States) hereby make the following statement concerning their course of action with respect to the implementation of the CEATS Agreement:

1. Implementing States

The Implementing States jointly inform the other CEATS States of their decision to go ahead without delay with the implementation of the CEATS Agreement, in accordance with their commitments and obligations as, inter alia, expressed in the Vienna Declaration and reassessed through the revisited arrangements resulting from the CCG Task Force report, consisting of four basic elements that are in line with the CEATS Agreement (hereinafter referred to as "implementation of CEATS").

2. Proposed Options

For those States that may not wish to continue at this moment in time within the institutional frame of the CEATS Agreement and further implementation of CEATS as described above, the Implementing States hereby strongly encourage each of those States to consider one of the following options:

- a) To again consider joining the Implementing States in going-ahead with the implementation as described under article 1;
- b) Suspension of the (provisional) application of the CEATS Agreement for that State; or
- c) Withdrawal from the CEATS Agreement in accordance with applicable international law;
- d) Confirmation of those States that have not yet ratified the CEATS Agreement of their decision not to become a Party to CEATS agreement;

The implementation of options b) c) and d) (and their consequences) will need to be agreed by all Parties to the CEATS Agreement, in accordance with the relevant provisions of the CEATS Agreement and with the general principles of international law codified in the Vienna Convention on the Law of Treaties. Likewise, financial consequences and responsibilities for respective shares for the debts of the past will also need to be jointly discussed and agreed. The necessary negotiations and legal procedures will be initiated simultaneously.

The Implementing States intend to propose that those States that would agree with the suspension of the application of the CEATS Agreement for them be invited to participate as observers in the further proceedings of the CEATS implementation as described in Article 1. At the end of the suspension period (or at any time before), the terms and conditions relating to the reactivation of the application of the CEATS Agreement could be agreed with the Parties applying the said Agreement.

The Implementing States intend to avail themselves of the conflict resolution procedures referred to in the CEATS Agreement, and in particular, arbitration, to resolve, especially, any conflicts or differing opinions in accordance with applicable international law.

3. Future Steps

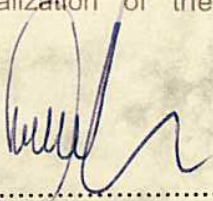
The Implementing States intend to proceed with the implementation of the CEATS Agreement on the basis of a joint approach reflecting the roles of the Implementing States, EUROCONTROL and the ANSPs considering, inter alia, the proposals for revisited arrangements contained in the CCG Task Force report as further analysed in the legal assessments presented to the CCG. The necessary arrangements with the ANSPs of the Implementing States will also be developed.

The Implementing States will continue to honor all commitments arising from the Vienna Declaration and any additional arrangements that may be required to ensure compliance with the requirements of the Single European Sky;

The Implementing States wish to again reconfirm their invitation to the other States to join their position.

The position of the Implementing States and any other States will be reflected at the political level through their commitment, or the absence thereof, to the approach described in this Common Statement. The formalization of the consequential arrangements will follow thereafter.

For the Republic of Austria



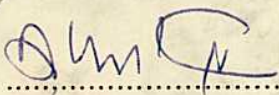
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For Bosnia-Herzegovina



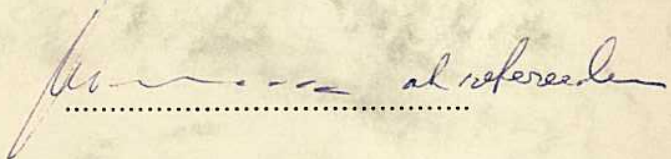
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For the Republic of Hungary



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For the Slovak Republic



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Done at Luxembourg, 8 June, 2006