



2026/1369

17.6.2026

COUNCIL DECISION (EU) 2026/1369

of 12 June 2026

on the position to be taken on behalf of the European Union at the 238th session of the Council of the International Civil Aviation Organization (ICAO), as regards the adoption of Amendment 19 to Annex 17 to the Convention on International Civil Aviation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2), in conjunction with Article 218(9), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Convention on International Civil Aviation (the 'Chicago Convention'), which regulates international air transport, entered into force on 4 April 1947. It established the International Civil Aviation Organization (ICAO).
- (2) All Member States are contracting States to the Chicago Convention and members of the ICAO, while the Union has observer status in certain ICAO bodies. Six Member States are currently represented on the ICAO Council.
- (3) Pursuant to Article 54 of the Chicago Convention, the ICAO Council is to adopt international Standards and Recommended Practices (SARPs), and designate them as Annexes to the Chicago Convention.
- (4) The SARPs on aviation security have been adopted by the ICAO Council as Annex 17 to the Chicago Convention.
- (5) The ICAO Council, at its 238th session, is to adopt proposed amendment 19 to Annex 17 – Aviation Security – to the Chicago Convention ('Amendment 19'). Amendment 19 will improve a number of SARPs, introduce new definitions and revise certain existing definitions, and will align some practices more closely with existing practices in the Union, in particular in the area of aircraft security checks and searches.
- (6) It is appropriate to establish the position to be taken on behalf of the Union within the ICAO Council, as Amendment 19, once adopted, will be obligatory under international law in accordance with Article 90 of the Chicago Convention, and capable of decisively influencing the content of Union law, namely Regulation (EC) No 300/2008 of the European Parliament and of the Council⁽¹⁾, Commission Implementing Regulation (EU) 2015/1998⁽²⁾ and Commission Implementing Decision C(2015) 8005⁽³⁾.

⁽¹⁾ Regulation (EC) No 300/2008 of the European Parliament and of the Council of 11 March 2008 on common rules in the field of civil aviation security and repealing Regulation (EC) No 2320/2002 (OJ L 97, 9.4.2008, p. 72, ELI: <http://data.europa.eu/eli/reg/2008/300/oj>).

⁽²⁾ Commission Implementing Regulation (EU) 2015/1998 of 5 November 2015 laying down detailed measures for the implementation of the common basic standards on aviation security (OJ L 299, 14.11.2015, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2015/1998/oj).

⁽³⁾ Commission Implementing Decision C(2015) 8005 of 16 November 2015 laying down detailed measures for the implementation of the common basic standards on aviation security containing information, as referred to in point (a) of Article 18 of Regulation (EC) No 300/2008 (not published in the Official Journal).

- (7) The position to be taken on behalf of the Union at the 238th session of the ICAO Council, or at any subsequent session, should be to support Amendment 19. That position should be expressed by the Member States that are members of the ICAO Council, acting jointly in the interest of the Union.
- (8) Should Amendment 19 be adopted by the ICAO Council, the adoption of that amendment is to be announced by the ICAO Secretary-General via an ICAO State Letter procedure. In such a case, the position to be taken on behalf of the Union after the adoption should be to not register any disapproval and to comply with Amendment 19. Where Union law would differ from the newly adopted SARPs after the envisaged date of application of those SARPs, any difference between Union law and those particular SARPs should be notified to the ICAO. The position to be taken on behalf of the Union with respect to any such difference should be based on a written document submitted by the Commission to the Council for discussion and approval. That position should be expressed by all the Member States, acting jointly in the interest of the Union,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on behalf of the Union in the 238th session of the Council of the International Civil Aviation Organization (ICAO), or in any subsequent session, shall be to support the proposed Amendment 19 to Annex 17 – Aviation Security – to the Convention on International Civil Aviation ('Amendment 19').

2. The position to be taken on behalf of the Union, provided that the ICAO Council adopts without any substantial change Amendment 19, shall be to not register any disapproval and to notify compliance with the adopted measure in reply to the relevant ICAO State Letter.

In the event that Union law differs from the newly adopted SARPs set out in Annex 17 to the Chicago Convention after the envisaged date of application of those SARPs, any difference between Union law and those SARPs is to be notified to ICAO, in accordance with Article 38 of the Chicago Convention. In such a case, for the purpose of establishing the position of the Union with regard to any difference between Union law and those particular SARPs, the Commission shall, in due time and at least two months before any deadline set by the ICAO for the notification of differences, submit to the Council, for discussion and approval, a preparatory document setting out the position of the Union on the detailed differences to be notified to the ICAO on behalf of the Union by the Member States.

Article 2

The position referred to in Article 1(1) shall be expressed by the Member States that are members of the ICAO Council, acting jointly in the interest of the Union.

The positions referred to in Article 1(2) shall be expressed by all Member States, acting jointly in the interest of the Union.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 12 June 2026.

For the Council

The President

M. KERAVALOS