



# Procedure file

Basic information			
NLE - Non-legislative enactments Decision	2006/0036(NLE)	Procedure completed	
EU/Albania, Bosnia and Herzegovina, former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway, Serbia, Kosovo* Multilateral Agreement: European Common Aviation Area (ECAA)			
Subject 3.20.15.02 Air transport agreements and cooperation			
Geographical area Montenegro, from 06/2006 Albania Iceland Norway Bosnia and Herzegovina Former Yugoslav Republic of Macedonia Kosovo under UNSCR 1244/1999 Serbia, from 06/2006			
Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>TRAN</b> Transport and Tourism	ECR <a href="#">ZĪLE Roberts</a> Shadow rapporteur PPE <a href="#">DELI Andor</a> S&D <a href="#">ZEMKE Janusz</a> ALDE <a href="#">RADOŠ Jozo</a> GUE/NGL <a href="#">KONEČNÁ Kateřina</a> Verts/ALE <a href="#">TAYLOR Keith</a> EFDD <a href="#">PAKSAS Rolandas</a> ENF <a href="#">ARNAUTU Marie-Christine</a>	25/01/2016
	Former committee responsible		
	<b>TRAN</b> Transport and Tourism		
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a> <a href="#">Transport, Telecommunications and Energy</a>	<a href="#">3562</a> <a href="#">2735</a>	09/10/2017 08/06/2006
European Commission	Commission DG	Commissioner	
	<a href="#">Mobility and Transport</a>	KALLAS Siim	

Key events			
14/03/2006	Legislative proposal published	<a href="#">COM(2006)0113</a>	Summary
06/07/2006	Committee referral announced in Parliament, 1st reading/single reading		
27/02/2007	Vote in committee, 1st reading/single		Summary

	reading		
07/03/2007	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0060/2007</a>	
24/04/2007	Debate in Parliament		
25/04/2007	Results of vote in Parliament		
25/04/2007	Decision by Parliament, 1st reading/single reading	<a href="#">T6-0139/2007</a>	Summary
02/12/2009	Additional information		Summary
23/11/2015	Modified legislative proposal published	<a href="#">COM(2015)0575</a>	Summary
17/01/2017	Amended legislative proposal for reconsultation published	<a href="#">15654/2016</a>	Summary
27/02/2017	Formal reconsultation of Parliament		
11/07/2017	Vote in committee, 1st reading/single reading		
17/07/2017	Committee report tabled for plenary, reconsultation	<a href="#">A8-0260/2017</a>	Summary
13/09/2017	Decision by Parliament, 1st reading/single reading	<a href="#">T8-0332/2017</a>	Summary
09/10/2017	Act adopted by Council after consultation of Parliament		
09/10/2017	End of procedure in Parliament		
31/01/2018	Final act published in Official Journal		

### Technical information

Procedure reference	2006/0036(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the EU TFEU 100-p2; Treaty on the Functioning of the EU TFEU 218-p6a; Treaty on the Functioning of the EU TFEU 218-p7
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/6/34889; TRAN/8/09358

### Documentation gateway

Legislative proposal	<a href="#">COM(2006)0113</a>	14/03/2006	EC	Summary
Committee draft report	<a href="#">PE376.709</a>	11/01/2007	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0060/2007</a>	07/03/2007	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T6-0139/2007</a>	25/04/2007	EP	Summary
Modified legislative proposal	<a href="#">COM(2015)0575</a>	23/11/2015	EC	Summary

Amended legislative proposal for reconsultation		<a href="#">15654/2016</a>	17/01/2017	CSL	Summary
Document attached to the procedure		<a href="#">08823/2006</a>	01/02/2017	CSL	
Committee draft report		<a href="#">PE606.056</a>	19/06/2017	EP	
Committee final report tabled for plenary, reconsultation		<a href="#">A8-0260/2017</a>	17/07/2017	EP	Summary
Text adopted by Parliament after reconsultation		<a href="#">T8-0332/2017</a>	13/09/2017	EP	Summary

#### Additional information

National parliaments

[IPEX](#)

#### Final act

[Decision 2018/145](#)  
[OJ L 026 31.01.2018, p. 0001](#) Summary

## 2006/0036(NLE) - 14/03/2006 Legislative proposal

**PURPOSE:** to sign and conclude a Multilateral Agreement between the EU and eight Balkan countries plus Iceland and Norway on the Establishment of a European Common Aviation Area (ECAA).

**PROPOSED ACT:** Council Decision.

**CONTENT:** since 1996, the Commission has been striving to consolidate the European Common Aviation Area or ECAA. To recall, the purpose of the ECAA is to open up markets between Europe and its neighbours and to offer ECAA signatories the benefits of an internal market in the field of aviation. In other words, the ECAA is a multi-lateral agreement offering full market opening in terms of access, capacity, fares and the freedom of establishment without nationality clauses as well as an alignment with Community legislation on safety, security and air-traffic management matters. Initial negotiations from 1996 onwards focused on the then ten applicant countries. Following their accession in May 2004, the Commission's focus has shifted towards the Balkan region.

The text of the multilateral agreement has been accepted by: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the European Community, Iceland, the former Yugoslav Republic of Macedonia, Norway, Serbia and Montenegro, Romania and the United Nations Interim Administration Mission in Kosovo.

Following extensive negotiations these countries have agreed to align their national aviation legislation with that of the EU's. The Commission suggests that this development acts as a major step forward. In future air transport will play a key role in both the economic and political integration of Europe.

Upon adoption of the proposed Council Decisions the existing bilateral air service agreements between the Member States and the ECAA partners will, to a large extent, cease to exist and be substituted by one single Community Agreement. In addition, the the text of the Agreement has been simplified. For instance, competition issues will henceforth be dealt with through the Stabilisation and Association Process. In terms of its structure, a common ?multilateral main text? forms the basis of the ECAA. This text will be obligatory to all signatories. A series of Protocols have been added which accommodating the specific need of each country, including appropriate transitional arrangements. Lastly, an Annex lists all of the EU's aviation acts applicable within the ECAA.

## 2006/0036(NLE) - 27/02/2007 Vote in committee, 1st reading/single reading

The committee adopted the report by Eva LICHTENBERGER (Greens/EFA, AT) approving unamended, under the consultation procedure, the conclusion of the proposed Multilateral Agreement between Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the European Community, Iceland, the former Yugoslav Republic of Macedonia, Norway, Serbia and Montenegro, Romania and the UN Interim Administration Mission in Kosovo on the Establishment of a European Common Aviation Area (ECAA).

## 2006/0036(NLE) - 25/04/2007 Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report by Eva LICHTENBERGER (Greens/EFA, AT) approving the conclusion of the proposed Multilateral Agreement between Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the European Community, Iceland, the former Yugoslav Republic of Macedonia, Norway, Serbia and Montenegro, Romania and the UN Interim Administration Mission in Kosovo on the Establishment of a European Common Aviation Area (ECAA).

## 2006/0036(NLE) - 02/12/2009 Additional information

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The Lisbon Treaty, which entered into force on 1 December 2009, amended the EU's two core treaties, the Treaty on European Union (TEU) and the Treaty establishing the European Community (EC Treaty). The latter was renamed the Treaty on the Functioning of the European Union (TFEU).

These changes had various consequences for many ongoing procedures. First of all, the articles of the TEU and of the old EC Treaty that constitute the legal basis of all the proposals founded on those Treaties were renumbered in accordance with the table of equivalences mentioned in Article 5 of the Lisbon Treaty.

In addition, some proposals underwent a change to their legal basis going beyond a mere change to their numbering, and this resulted in changes to the type of procedure.

The Lisbon Treaty also introduced new concepts of decision-making procedure. The old "codecision procedure" was extended to new areas and renamed the "ordinary legislative procedure". A new "consent procedure" replaced the old "assent procedure". New interinstitutional procedures were also set up for the adoption of certain non-legislative acts, for example the conclusion of some international agreements.

The ongoing proposals concerned by these changes were formally modified by the Commission in a Communication published on 2 December 2009 ([COM\(2009\)0665](#)).

In the case of the proposal for a Council Decision on the conclusion of the Multilateral Agreement between the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the European Community, the Republic of Iceland, the former Yugoslav Republic of Macedonia, the Kingdom of Norway, Serbia and Montenegro, Romania and the United Nations Interim Administration Mission in Kosovo on the Establishment of a European Common Aviation Area (ECAA), the entry into force of the Lisbon Treaty had the following impacts:

- the old legal basis ? Treaty/EC/Art.80(2), Art.300(2) first para and (3) first para, and (4). ? became Art 100(2), Art 218 (6)(a) and (7) of the TFEU. Please note that the numbering of the old legal basis corresponds to the consolidated version of the Treaty that was applicable immediately before the entry into force of the Lisbon Treaty, and may differ from the references in the original Commission proposal;
- the proposal, which had previously fallen under the old consultation procedure (CNS), was classified as an interinstitutional non-legislative procedure (NLE).

## 2006/0036(NLE) - 23/11/2015 Modified legislative proposal

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The Commission has negotiated, on behalf of the Union, a Multilateral Agreement on the establishment of a European Common Aviation Area (ECAA) between the European Community and its Member States and Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway, Romania, Serbia and the United Nations Interim Administration Mission in Kosovo, pursuant to a decision of the Council authorising the opening of negotiations on 10 December 2004.

The ECAA Agreement was signed on behalf of the Community on 9 June 2006, subject to its conclusion at a later date, in accordance with Decision 2006/682/EC of the Council and of the Representatives of the Member States of the European Union meeting within the Council, which authorized its signature and provisional application.

As regards the EU side, both the Union and its Member States are Parties to this Agreement. The ratification process has been completed by all Member States on 23 January 2014.

The proposal at issue modifies the initial proposal of the Commission (see the summary of the proposal of the legislative document dated 14.03.2006), and subsequently submitted to the Council, with a view notably to take account of the entry into force of the Treaty of Lisbon.

The whole of the relevant text is submitted as amended proposal.

## 2006/0036(NLE) - 17/01/2017 Amended legislative proposal for reconsultation

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**PURPOSE:** to conclude, on behalf of the Union, the Multilateral Agreement between the European Community and its Member States, Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway, Romania, Serbia and the United Nations Interim Administration Mission in Kosovo on the establishment of a European Common Aviation Area (ECAA).

**PROPOSED ACT:** Council Decision.

**ROLE OF THE EUROPEAN PARLIAMENT:** Council may adopt the act only if Parliament has given its consent to the act.

**BACKGROUND:** the Council decided, to take account of the entry into force of the Lisbon Treaty, to consult once again the European Parliament on the amending proposal seeking approval, on behalf of the Union, the Multilateral Agreement between the European Community and its Member States, Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway, Romania, Serbia and the United Nations Interim Administration Mission in Kosovo on the establishment of a European Common Aviation Area (ECAA).

The Agreement was signed on behalf of the Community on 9 June 2006, subject to its conclusion at a later date. It was ratified by all Member States.

**CONTENT:** the draft Council Decision seeks the approval on behalf of the Union, the Multilateral Agreement between the European Community and its Member States, Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway, Romania, Serbia and the United Nations Interim Administration Mission in Kosovo on the establishment of a European

## 2006/0036(NLE) - 17/07/2017 Committee final report tabled for plenary, reconsultation

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The Committee on Transport and Tourism adopted the report by Roberts ZELE (ECR, LV) on the draft Council Decision on the conclusion, on behalf of the Union, of the Multilateral Agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo on the establishment of a European Common Aviation Area (ECAA).

The committee recommended that the European Parliament give its consent to the conclusion of the agreement.

As a reminder, the aim of this agreement is the creation of a European Common Aviation Area (ECAA), integrating the EU's neighbours in South-East Europe in the EU's internal aviation market which consists of EU Member States as well as Norway and Iceland. It should deliver substantial economic benefits for air travellers and the aviation industry, covering 36 countries and more than 500 million people.

At the same time, the agreement offers the same high standards in term of safety and security across Europe, through the uniform application of rules.

The ECAA agreement was signed on 9 June 2006, subject to its conclusion at a later date. Parliament had then approved the conclusion of the agreement. The ratification process was completed by all Member States on 23 January 2014.

The Commission then presented on 23 November 2015 an amended proposal for a Council Decision on the conclusion of the Agreement in order to take into account the entry into force of the Treaty of Lisbon and the accession of Bulgaria, Croatia and from Romania to the Union.

## 2006/0036(NLE) - 13/09/2017 Text adopted by Parliament after reconsultation

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The European Parliament adopted by 599 votes to 38, with 30 abstentions, a legislative resolution on the draft Council Decision on the conclusion, on behalf of the Union, of the Multilateral Agreement between the European Community and its Member States, Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway, Romania, Serbia and the United Nations Interim Administration Mission in Kosovo on the establishment of a European Common Aviation Area (ECAA).

Following the recommendation of its Committee on Transport and Tourism, the European Parliament gave its consent to the conclusion of the Agreement.

The Agreement was signed on behalf of the Community on 9 June 2006, subject to its conclusion at a later date. Parliament then approved the conclusion of the Agreement. The ratification process was completed by all Member States on 23 January 2014.

The objective of the Agreement is to establish a European Common Aviation Area (ECAA) which would include the EU's neighbours in South-East Europe in the EU's internal aviation market which consists of EU Member States as well as Norway and Iceland.

## 2006/0036(NLE) - 09/10/2017 Final act

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**PURPOSE:** to conclude the establishment of a common aviation area encompassing the Union and its Member States, the Western Balkan countries, Norway and Iceland.

**NON-LEGISLATIVE ACT:** Council Decision (EU) 2018/145 on the conclusion, on behalf of the Union, of the Multilateral Agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo on the establishment of a European Common Aviation Area (ECAA).

**CONTENT:** the Council concluded the Multilateral Agreement between the European Community and its Member States, Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway, Romania, Serbia and the United Nations Interim Administration Mission in Kosovo on the establishment of a European Common Aviation Area (ECAA).

The aim of the Agreement is the creation of a European Common Aviation Area, based on free market access, freedom of establishment, equal conditions of competition, and common rules including in the safety, security, air traffic management, social and environment areas.

The Agreement was signed on behalf of the Community on 9 June 2006, subject to its conclusion at a later date, pursuant to [Decision 2006/682/EC](#) of the Council and of the Representatives of the Member States of the European Union meeting within the Council. It has been ratified by all Member States.

Following their accession to the Union, Bulgaria, Romania and Croatia have become Member States and therefore automatically ceased to be Associated Parties under the Agreement.

Following the entry into force of the Lisbon Treaty, the European Union replaces and succeeds the European Community and, from that date, assumes all the rights and obligations of the European Community.

The Council Decision states that the position to be taken by the Union as regards decisions of the Joint Committee under the Agreement regarding merely the inclusion of Union legislation into Annex I to the Agreement, subject to any technical adjustments needed, will be adopted by the Commission, after consultation of a Special Committee appointed by the Council.

**ENTRY INTO FORCE:** 9.10.2017.

