


Fiche de procédure

| Basic information | | |
|--|----------------|---------------------|
| CNS - Consultation procedure Decision | 2006/0094(CNS) | Procedure completed |
| EC/Paraguay agreement: air services, replacing the bilateral agreements by a Community agreement | | |
| Subject 3.20.15.02 Air transport agreements and cooperation | | |
| Geographical area Paraguay | | |

| Key players | | | |
|-------------------------------|---|----------------------------------|------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | TRAN Transport and Tourism | | 20/06/2006 |
| Council of the European Union | | ALDE COSTA Paolo | |
| | Council configuration | Meeting | Date |
| | General Affairs | 2850 | 18/02/2008 |
| European Commission | Agriculture and Fisheries | 2750 | 18/09/2006 |
| | Commission DG | Commissioner | |
| | Energy and Transport | BARROT Jacques | |

| Key events | | | |
|------------|--|---|---------|
| 02/06/2006 | Legislative proposal published | COM(2006)0266 | Summary |
| 28/09/2006 | Committee referral announced in Parliament, 1st reading/single reading | | |
| 22/11/2006 | Vote in committee, 1st reading/single reading | | Summary |
| 23/11/2006 | Committee report tabled for plenary, 1st reading/single reading | A6-0406/2006 | |
| 14/12/2006 | Results of vote in Parliament |  | |
| 14/12/2006 | Decision by Parliament, 1st reading/single reading | T6-0576/2006 | Summary |
| 18/02/2008 | Act adopted by Council after consultation of Parliament | | |
| 18/02/2008 | End of procedure in Parliament | | |
| 05/03/2008 | Final act published in Official Journal | | |

| Technical information | |
|-----------------------|------------------------------|
| Procedure reference | 2006/0094(CNS) |
| Procedure type | CNS - Consultation procedure |
| Procedure subtype | International agreement |

| | |
|----------------------------|---|
| Legislative instrument | Decision |
| Legal basis | EC Treaty (after Amsterdam) EC 300-p2/3-a1; EC Treaty (after Amsterdam) EC 080-p2 |
| Stage reached in procedure | Procedure completed |
| Committee dossier | TRAN/6/37518 |

Documentation gateway

| | | | | | |
|---|--|-------------------------------|------------|----|---------|
| Legislative proposal | | COM(2006)0266 | 02/06/2006 | EC | Summary |
| Committee draft report | | PE376.689 | 03/10/2006 | EP | |
| Committee report tabled for plenary, 1st reading/single reading | | A6-0406/2006 | 23/11/2006 | EP | |
| Text adopted by Parliament, 1st reading/single reading | | T6-0576/2006 | 14/12/2006 | EP | Summary |

Additional information

| | |
|----------------------|-------------------------|
| National parliaments | IPEX |
| European Commission | EUR-Lex |

Final act

[Decision 2008/197](#)
[OJ L 060 05.03.2008, p. 0031](#) Summary

2006/0094(CNS) - 02/06/2006 Legislative proposal

PURPOSE : to approve decisions on the signature and provisional application and on the conclusion of the Agreement between the EC and Paraguay on certain aspects of air services.

PROPOSED ACT : Council Decision.

CONTENT : Following the judgments of the Court of Justice in the '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(the 'horizontal mandate?'). The objectives of such agreements are to give all EU 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. The Commission has negotiated an agreement with Paraguay that replaces certain provisions in the existing bilateral air services agreements between Member States and Paraguay.

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 4 and 5 of the Agreement address two types of clauses concerning matters of Community competence. Article 4 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 5 (Pricing) resolves conflicts between the existing bilateral air services agreements and Council Regulation 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.

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 Paraguay on certain aspects of air services and to designate the persons authorised to sign the Agreement on behalf of the Community.

2006/0094(CNS) - 22/11/2006 Vote in committee, 1st reading/single reading

The committee adopted the report by its chairman, Paolo COSTA (ALDE, IT), approving (under the consultation procedure) the conclusion of the agreement between the EC and Paraguay on certain aspects of air services.

2006/0094(CNS) - 14/12/2006 Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Paolo **COSTA** (ALDE, IT), approving the conclusion of the agreement between the EC and Paraguay on certain aspects of air services.

2006/0094(CNS) - 18/02/2008 Final act

PURPOSE: the conclusion of the Agreement between the European Community and the Republic of Paraguay on certain aspects of air services.

LEGISLATIVE ACT: Council Decision 2008/197/EC on the conclusion of the Agreement between the European Community and the Government of the Republic of Paraguay on certain aspects of air services.

CONTENT: following the rulings of the Court of Justice of the European Communities in the 'Open skies' case, the Council authorised the Commission, in June 2003, to open negotiations with third countries in order to replace certain provisions in existing bilateral agreements with Community agreements. On behalf of the Community, the Commission has negotiated an Agreement with the Republic of Paraguay 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 in order to replace certain provisions in existing bilateral agreements with Community agreements.

The Council decided to approve the agreement between the European Community and the Government of the Republic of Paraguay on certain aspects of air services. 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. Article 4 deals with the taxation of aviation fuel, a matter which has been harmonised by Council Directive 2003/96/EC. Article 5 (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.