

# Procedure file

Basic information		
CNS - Consultation procedure Decision	<a href="#">2007/0057(CNS)</a>	Procedure completed
EC/Panama agreement: air services		
Subject 6.40.10 Relations with Latin America, Central America, Caribbean islands		
Geographical area Panama		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>TRAN</b> Transport and Tourism		08/05/2007
		ALDE <a href="#">COSTA Paolo</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">General Affairs</a>	<a href="#">2850</a>	18/02/2008
	<a href="#">General Affairs</a>	<a href="#">2808</a>	18/06/2007
European Commission	Commission DG Energy and Transport	Commissioner BARROT Jacques	

Key events			
30/03/2007	Legislative proposal published	<a href="#">COM(2007)0151</a>	Summary
09/07/2007	Committee referral announced in Parliament		
27/08/2007	Vote in committee		Summary
29/08/2007	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0306/2007</a>	
25/09/2007	Results of vote in Parliament		
25/09/2007	Decision by Parliament	<a href="#">T6-0387/2007</a>	Summary
18/02/2008	Act adopted by Council after consultation of Parliament		
18/02/2008	End of procedure in Parliament		
16/04/2008	Final act published in Official Journal		

Technical information
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Procedure reference	2007/0057(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 080-p2; EC Treaty (after Amsterdam) EC 300-p2/3-a1/2
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/6/48380

### Documentation gateway

Legislative proposal	<a href="#">COM(2007)0151</a>	30/03/2007	EC	Summary
Committee draft report	<a href="#">PE392.044</a>	03/07/2007	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0306/2007</a>	29/08/2007	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T6-0387/2007</a>	25/09/2007	EP	Summary

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Decision 2008/305](#)  
[OJ L 106 16.04.2008, p. 0006](#) Summary

## EC/Panama agreement: air services

PURPOSE: i) to sign a provisional application of an Agreement between the Community and the Republic of Panama on certain aspects of air services and ii) to conclude the Agreement.

PROPOSED ACT: Council Decision.

BACKGROUND: since 2003, when the European Court of Justice delivered the 'Open Skies' cases, the Commission had been granted a mandate by the Council to open negotiations with third countries to replace certain provisions in existing bi-lateral agreements; the latter being contrary to basic EU law. The objective of the new agreements is 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.

CONTENT: the purpose of this proposal is to sign and conclude such an agreement on certain aspects of air services between the Community and the Republic of Panama. In summary, the Agreement negotiated by the Commission:

- replaces the traditional designation clauses with a Community designation clause. This permits all Community carriers to benefit from the right of establishment;
- addresses the issue of safety, within the context of Community designations;
- addresses the matter of aviation fuel taxation (a matter which has been harmonised by Council Directive 2003/96/EC);
- resolves conflicts between the existing bilateral air services agreements and Council Regulation (EC) 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; and
- resolves potential conflicts with EC competition rules.

In accordance with the standard procedure for the signature and conclusion of international agreements, therefore, the Council is asked to approve the proposed Decisions.

## EC/Panama agreement: air services

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The Committee on Transport and Tourism adopted a report drafted by Paolo COSTA (ALDE, IT) and approved the conclusion of the agreement between the EC and Panama on certain aspects of air services.

## EC/Panama agreement: air services

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The European Parliament adopted a resolution drafted by Paolo COSTA (ALDE, IT) by 480 votes in favour to 8 against with 10 abstentions and approved the conclusion of the agreement between the EC and Panama on certain aspects of air services.

## EC/Panama agreement: air services

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**PURPOSE:** to conclude the Agreement between the European Community and the Republic of Panama on certain aspects of air services.

**LEGISLATIVE ACT:** Council Decision 2008/305/EC on the conclusion of the Agreement between the European Community and the Republic of Panama on certain aspects of air services.

**CONTENT:** on 5 June 2003, the Council authorised the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement. The Commission has negotiated, on behalf of the Community, an Agreement with Panama 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 on the replacement of certain provisions in existing bilateral agreements with a Community agreement.

The Agreement was signed on 1 October 2007 subject to its possible conclusion at a later date.

The objective of the new agreements is 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.

In summary, the Agreement:

- replaces the traditional designation clauses with a Community designation clause (Article 2). This permits all Community carriers to benefit from the right of establishment;
- addresses the issue of safety, within the context of Community designations (Articles 4 and 5);
- addresses the matter of aviation fuel taxation (Article 4) (a matter which has been harmonised by Council Directive 2003/96/EC);
- resolves conflicts between the existing bilateral air services agreements and Council Regulation (EC) 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 (Article 5);
- resolves potential conflicts with EC competition rules (Article 6).