

Procedure file

Basic information		
NLE - Non-legislative enactments Decision	2010/0388(NLE)	Procedure lapsed or withdrawn
EU/Saudi Arabia agreement: air services		
Subject 3.20.15.02 Air transport agreements and cooperation		
Geographical area Saudi Arabia		

Key players		
European Parliament		
Council of the European Union		
European Commission	Commission DG Mobility and Transport	Commissioner KALLAS Siim

Key events			
07/01/2011	Preparatory document	COM(2010)0803	Summary
20/05/2017	Proposal withdrawn by Commission		

Technical information	
Procedure reference	2010/0388(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 218-p6; Treaty on the Functioning of the EU TFEU 100-p2
Stage reached in procedure	Procedure lapsed or withdrawn

Documentation gateway					
Preparatory document		COM(2010)0803	07/01/2011	EC	Summary

Additional information	
National parliaments	IPEX
European Commission	EUR-Lex

PURPOSE: to conclude an agreement on air service between the EU and Saudi Arabia .

PROPOSED ACT: Council Decision.

BACKGROUND: following the judgements of the Court of Justice in the 'Open Skies' cases, on 5 June 2003, the Commission had been granted a mandate by the Council to open negotiations with third countries to replace certain provisions in existing bilateral 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.

LEGAL BASIS: Articles 100(2) and 218(6) TFEU. The proposal is entirely based on the 'horizontal mandate' granted by the Council taking into account the issues covered by the law of the European Union and bilateral air services agreements.

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

- Article 2 replaces the traditional designation clauses with a Community designation clause. This permits all Community carriers to benefit from the right of establishment;
- Article 4 addresses the matter of aviation fuel taxation (a matter which has been harmonised by Council Directive 2003/96/EC); and
- Article 5 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.

BUDGETARY IMPLICATION: the proposal has no implications for the EU budget.