


# Procedure file

Basic information		
NLE - Non-legislative enactments Decision	<a href="#">2012/0018(NLE)</a>	Procedure completed
EU/Sri Lanka Agreement: air services		
Subject 3.20.15.02 Air transport agreements and cooperation		
Geographical area Sri Lanka		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>TRAN</b> Transport and Tourism		15/05/2012
		PPE <a href="#">SARVAMAA Petri</a>	
		Shadow rapporteur	
		S&D <a href="#">EL KHADRAOUI Saïd</a>	
		ALDE <a href="#">BENNION Phil</a>	
		Verts/ALE <a href="#">LICHTENBERGER Eva</a>	
		ECR <a href="#">FOSTER Jacqueline</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">3253</a>	15/07/2013
European Commission	Commission DG	Commissioner	
	<a href="#">Mobility and Transport</a>	KALLAS Siim	

Key events			
13/02/2012	Preparatory document	<a href="#">COM(2012)0039</a>	Summary
08/11/2012	Legislative proposal published	<a href="#">15318/2012</a>	Summary
10/12/2012	Committee referral announced in Parliament		
07/05/2013	Vote in committee		
13/05/2013	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A7-0169/2013</a>	Summary
21/05/2013	Results of vote in Parliament		
21/05/2013	Decision by Parliament	<a href="#">T7-0191/2013</a>	Summary
15/07/2013	Act adopted by Council after consultation of Parliament		
15/07/2013	End of procedure in Parliament		
27/05/2014	Final act published in Official Journal		

Technical information	
Procedure reference	2012/0018(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-p6a; Treaty on the Functioning of the EU TFEU 218-p8-a2; Treaty on the Functioning of the EU TFEU 100-p2
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/7/08865

Documentation gateway					
Preparatory document		<a href="#">COM(2012)0039</a>	13/02/2012	EC	Summary
Document attached to the procedure		<a href="#">08176/2012</a>	24/04/2012	CSL	
Legislative proposal		<a href="#">15318/2012</a>	09/11/2012	CSL	Summary
Committee draft report		<a href="#">PE501.918</a>	13/12/2012	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A7-0169/2013</a>	13/05/2013	EP	Summary
Text adopted by Parliament, 1st reading/single reading		<a href="#">T7-0191/2013</a>	21/05/2013	EP	Summary

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

Final act
<a href="#">Decision 2014/300</a> <a href="#">OJ L 157 27.05.2014, p. 0031</a> Summary

## EU/Sri Lanka Agreement: air services

**PURPOSE:** to conclude the Agreement on certain aspects of air services between the European Union and the Democratic Socialist Republic of Sri Lanka.

**PROPOSED ACT:** Council Decision.

**LEGAL BASIS:** Article 100(2), 218(6) (a) and (8) of the 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 Union and bilateral air services agreements.

**IMPACT ASSESSMENT:** no impact assessment was carried out.

**BACKGROUND:** following the judgements of the Court of Justice in the so-called "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 an agreement at Union level<sup>1</sup> (the "horizontal mandate"). The objectives of such agreements are to give all European Union air carriers non-discriminatory access to routes between the European Union and third countries, and to bring bilateral air service agreements between Member States and third countries in line with the law of the Union.

**CONTENT:** in accordance with the mechanisms and directives in the Annex to the "horizontal mandate", the Commission has negotiated an agreement with the Democratic Socialist Republic of Sri Lanka that replaces certain provisions in the existing bilateral air services agreements between Member States and the Democratic Socialist Republic of Sri Lanka.

- Article 2 of the Agreement replaces the traditional designation clauses with an EU designation clause, permitting all EU carriers to

benefit from the right of establishment.

- Article 4 resolves potential conflicts with the competition rules of the Union.

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 on the conclusion of the Agreement on certain aspects of air services between the European Union and the Democratic Socialist Republic of Sri Lanka and to designate the persons authorised to sign the Agreement on behalf of the Union.

BUDGETARY IMPLICATION: there are no implications for the EU budget.

## EU/Sri Lanka Agreement: air services

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**PURPOSE:** the conclusion of the Agreement on certain aspects of air services between the European Union and the Government of the Democratic Socialist Republic of Sri Lanka.

**PROPOSED ACT:** Council Decision.

**LEGAL BASIS:** Article 100(2) of the Treaty on the Functioning of the European Union, in conjunction with Article 218(6)(a) and 218(8) thereof.

**CONTENT:** by its Decision of 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 an agreement at Union level.

On behalf of the Union, the Commission has negotiated an Agreement on certain aspects of air services with the Government of the Democratic Socialist Republic of Sri Lanka in accordance with the mechanisms and directives in the Annex to the Council Decision of 5 June 2003.

The Agreement was signed on behalf of the Union on 27 September 2012 subject to its possible conclusion at a later date. As a consequence it is proposed to approve the agreement on behalf of the European Union.

## EU/Sri Lanka Agreement: air services

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The Committee on Transport and Tourism adopted unanimously the report by Petri SARVAMAA (EPP, FI) on the draft Council decision on the conclusion of the Agreement on certain aspects of air services between the European Union and the Government of the Democratic Socialist Republic of Sri Lanka.

It recommends the European Parliament to give its consent to the conclusion of the Agreement.

## EU/Sri Lanka Agreement: air services

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The European Parliament adopted a legislative resolution on the draft Council decision on the conclusion of the Agreement on certain aspects of air services between the European Union and the Government of the Democratic Socialist Republic of Sri Lanka.

Parliament gave its consent to the conclusion of the Agreement.

## EU/Sri Lanka Agreement: air services

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**PURPOSE:** to conclude the Agreement on certain aspects of air services between the European Union and the Democratic Socialist Republic of Sri Lanka.

**NON-LEGISLATIVE ACT:** Council Decision 2014/300/EU on the conclusion of the Agreement on certain aspects of air services between the European Union and the Government of the Democratic Socialist Republic of Sri Lanka.

**CONTENT:** 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 an agreement at Union level. On behalf of the Union, the Commission has negotiated an Agreement on certain aspects of air services with the Government of the Democratic Socialist Republic of Sri Lanka in accordance with the mechanisms and directives in the Annex to the Council Decision of 5 June 2003.

The Agreement was signed on behalf of the Union on 27 September 2012 subject to its possible conclusion at a later date, in conformity with Council Decision 2013/100/EU.

In summary, the agreement:

- replaces the traditional designation clauses with an EU designation clause, permitting all EU carriers to benefit from the right of establishment;
- resolves potential conflicts with the competition rules of the Union.

The agreement between the European Union and Sri Lanka is approved on behalf of the Union.

**ENTRY INTO FORCE:** the decision enters into force on 15.07.2013. The date of entry into force of the agreement will be published in the Official Journal of the European Union by the General Secretariat of the Council.