

# **EC/Bosnia and Herzegovina agreement: air services, replacing the bilateral agreements by a Community agreement**

2005/0140(NLE) - 04/05/2010 - Supplementary legislative basic document

**PURPOSE:** to clarify the draft Agreement concluded between the European Community and Bosnia and Herzegovina on certain aspects of air services.

**PROPOSED ACT:** Council Decision.

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

**BACKGROUND:** 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.

On behalf of the Community, the Commission negotiated an agreement with Bosnia and Herzegovina 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 behalf of the Community on 5 May 2006 subject to its possible conclusion at a later date, in conformity with Council Decision 2006/426/EC.

Following the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union should make a notification to Bosnia and Herzegovina as regards the European Union having replaced and succeeded the European Community. This is the aim of this proposal.

**CONTENT:** by this proposed decision, the Agreement between the European Community and Bosnia and Herzegovina on certain aspects of air services is hereby approved on behalf of the Union.

It aims to formally notify that as a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to 'the European Community' in the text of the Agreement are, where appropriate, to be read as the European Union.