

EU/Bangladesh Agreement: air services

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PURPOSE: to conclude an Agreement between the European Union and Bangladesh on certain aspects of air services.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: following the judgements of the Court of Justice in the so-called “Open Skies” cases, on 5 June 2003 the Council authorised the Commission to open negotiations with third countries on the replacement of certain provisions in existing agreements with an agreement at Union level (the “horizontal authorisation”). 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 services agreements between Member States and third countries in line with Union law.

PURPOSE: in accordance with the mechanisms and directives in the Annex to the “horizontal authorisation”, the Commission has negotiated an agreement with Bangladesh that replaces certain provisions in the existing bilateral air services agreements between Member States and Bangladesh. The objective of the Agreement is to bring bilateral air services agreements between 8 Member States and the People's Republic of Bangladesh in line with Union law.

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 5 resolves potential conflicts with the competition rules of the Union.

Under this proposed Decision, the Council is called upon to approve, on behalf of the Union, the Agreement between the European Union and the Government of the People's Republic of Bangladesh on certain aspects of air services.