

EC/Canada agreement: air transport

2009/0018(NLE) - 08/05/2019 - Final act

PURPOSE: to approve, on behalf of the Union, the conclusion of the Agreement on Air Transport with Canada.

NON-LEGISLATIVE ACT: Council Decision (EU) 2019/702 on the conclusion, on behalf of the Union, of the Air Transport Agreement between the European Community and its Member States, of the one part, and Canada, of the other part.

CONTENT: the Council adopted a Decision on the approval, on behalf of the Union, of the Air Transport Agreement between the European Community and its Member States, of the one part, and Canada, of the other part.

The Agreement was signed on 17 and 18 December 2009, subject to its conclusion at a later date. It was ratified by all Member States, except for Croatia. It is intended that Croatia will accede to the Agreement in accordance with the 2011 Act of Accession.

The Agreement includes a gradual phasing-in of traffic rights and investment opportunities, as well as far reaching cooperation on a number of issues including safety, security, social matters, consumer interests, environment, air traffic management, state aids and competition.

The Agreement removes all restrictions on routes, prices, or the number of weekly flights between Canada and the EU. Airlines will be free to enter into commercial arrangements such as code-share agreements, and to establish their tariffs in line with competition law.

The Agreement contains provisions for the phased market opening (in four phases) linked to the granting of greater investment freedoms by both sides. It provides for:

- the agreement of both sides to cooperate closely in order to mitigate the effects of aviation on climate change;
- mutual recognition of standards and 'one-stop security' (i.e. transfer passengers, luggage and cargo would be exempted from any additional security measures);
- specific provisions to improve consumer interests including a commitment to consult on issues such as compensation for denied boarding, accessibility measures and passenger refunds;
- a strong mechanism to ensure that airlines cannot face discrimination in terms of access to infrastructure or state subsidies.

The Council's decision discontinues the application of the decision-making and representation provisions on various matters set out in the Agreement in view of the judgment of the Court of Justice of the European Union (ECJ) of 28 April 2015 in Case C-28/12.

ENTRY INTO FORCE: 15.4.2019.