

EU/USA, Iceland and Norway Agreement: Time Limitations on Arrangements for the Provision of Aircraft with Crew

2019/0126(NLE) - 05/06/2019 - Document attached to the procedure

PURPOSE: signature, on behalf of the European Union, and provisional application of the Agreement on time limitations on arrangements for the provision of aircraft with crew between the United States of America, the European Union, Iceland and the Kingdom of Norway.

PROPOSED ACT: Council Decision.

BACKGROUND: the Agreement on time limitations on arrangements for the provision of aircraft with crew between the United States of America, the European Union, Iceland and the Kingdom of Norway was negotiated by the Commission, as authorised by the Council on 21 December 2016. The negotiations resulted in the initialling of the Agreement on 8 March 2019.

This Agreement is based on the Air Transport Agreement (ATA) between the EU and the United States, which was signed on 25 and 30 April 2007.

The EU-US ATA is the most important air transport agreement in the world, providing more than 75 million seats per year, and as such a cornerstone of the EU's external aviation policy.

The ATA between the EU and the US foresees an open wet-lease regime between the parties. The negotiating directives set out the general objective of negotiating a Wet Lease Agreement with the aim of providing precision to the relevant provisions of the ATA and abolishing time limitations for wet lease arrangements affecting the EU, Icelandic, Norwegian and US air carriers.

CONTENT: the Commission proposes that the Council decide to authorise, on behalf of the Union, the signature of the Agreement on time limitations on arrangements for the provision of aircraft with crew between the United States of America, the European Union, Iceland, and the Kingdom of Norway, subject to the conclusion of the Agreement.

The Wet Lease Agreement will resolve a long-standing uncertainty concerning the application of the wet lease provisions of the ATA, and as such contribute to the well-functioning of the transatlantic aviation relationship

The Agreement confirms the establishment of clear and non-restrictive wet lease arrangements involving the airlines of the Parties, thereby providing more precision to the respective provisions of the ATA. The Wet Lease Agreement not only resolves the current dispute on the application of the relevant provisions of the ATA, it also provides clarity and legal certainty for future arrangements affecting EU, Icelandic, Norwegian and US air carriers.

Pending its entry into force, the Agreement shall be applied on a provisional basis by the Union.