EU/China Agreement: civil aviation safety

2018/0155(NLE) - 03/12/2019 - Legislative proposal

PURPOSE: to conclude an agreement on civil aviation safety between the European Union and the Government of the People's Republic of China.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the Agreement on civil aviation safety between the European Union and the Government of the People's Republic of China negotiated by the Commission was signed on 20 March 2019, subject to its conclusion at a later date. The Agreement now needs to be approved.

CONTENT: the draft Council Decision is aimed at approving, on behalf of the Union, the Agreement on civil aviation safety between the European Union and China. The Agreement is based on mutual confidence as regards systems and on the comparison of regulatory differences.

The objectives of this Agreement are to:

- enable the reciprocal acceptance, as provided for in the Annexes to this Agreement, of findings of compliance and certificates issued by either Party's Competent Authorities;

- facilitate the multinational dimension of the civil aviation industry;

- facilitate and promote the free circulation of civil aeronautical products and services;

- promote cooperation in order to achieve a high level of civil aviation safety and environmental compatibility.

The scope of cooperation under this Agreement includes the following areas:

- the airworthiness Certificates and Monitoring of Civil Aeronautical Products;

- environmental testing and Certificates of Civil Aeronautical Products;

- the certification and Monitoring of design and production organisations;

- the certification and Monitoring of maintenance organisations;

- personnel licensing and training;

- operation of aircraft;

- air traffic services and air traffic management.

The Union shall be represented in the Joint Committee established by the Agreement by the European Commission, assisted by the European Union Aviation Safety Agency ('EASA') and accompanied by the aviation authorities as representatives of the Member States. It shall be represented in the Certification

Oversight Board established by the Agreement by EASA, assisted by the aviation authorities directly concerned by the agenda of each meeting.

The Commission shall be authorised to approve, on behalf of the Union, amendments to the Annexes to the Agreement adopted by the Joint Committee in so far as such amendments are consistent with, and do not entail any modification of, relevant Union legal acts.

It shall in particular ensure that the approval on behalf of the Union: (i) is in the interests of the Union; (ii) serves the objectives pursued by the Union within the framework of its aviation safety and trade policy; (iii) takes into account the interests of the manufacturers, traders and consumers of the Union.

In order to ensure that the approval by the Commission of proposed amendments to the Annexes to the Agreement to be adopted by the Joint Committee is in conformity with the conditions laid down in this Decision, the Commission shall submit the proposed amendments to the Council for consultation sufficiently in advance of the Joint Committee meeting at which those amendments would be adopted. The conformity of the amendments submitted by the Commission to the Council should be assessed by the Committee of Permanent Representatives of the Governments of the Member States (Coreper).