EU/Moldova Common Aviation Area Agreement

2012/0006(NLE) - 03/12/2019 - Supplementary legislative basic document

PURPOSE: conclusion of the Common Aviation Area Agreement between the European Union and its Member States, of the one part, and the Republic of Moldova, of the other part.

PROPOSED ACT: Council Decision.

BACKGROUND: the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova was signed on 26 June 2012, subject to its conclusion, in accordance with Decision 2012/639/EU of the Council and of the Representatives of the Governments of the Member States, meeting within the Council.

The Agreement was ratified by all Member States except for Croatia, which accedes to the Agreement in accordance with the 2012 Act of Accession. The Protocol amending the Common Aviation Area Agreement between the European Union and its Member States and Moldova, to take account of the accession to the European Union of Croatia was signed on 22 July 2015.

It is now necessary to approve the Agreement on behalf of the Union.

CONTENT: the draft Council Decision concerns the approval, on behalf of the Union, of the Agreement on the establishment of a Common Aviation Area between the European Union and its Member States and Moldova.

The proposed decision provides that the position to be taken by the Union with regard to decisions taken by the Joint Committee under the Agreement on the inclusion of Union legislation in Annex III to the Agreement, subject to the necessary technical adaptations, shall be expressed by the Commission, after it has submitted it for consultation to the Council or its preparatory bodies, as decided by the Council.

The Council draft also terminates the application of Articles 4 and 5 of Decision 2012/639/EC, which contain decision-making and representation provisions on various issues contained in the Agreement, in the light of the judgment of the Court of Justice of the European Union of 28 April 2015 in Case C-28/12.