Common rules ensuring basic air connectivity following the end of the transition period mentioned in the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

2020/0363(COD) - 10/12/2020 - Legislative proposal

PURPOSE: to lay down temporary measures to ensure basic air transport connectivity after the end of the transitional period referred to in the agreement on the withdrawal of the United Kingdom.

PROPOSED ACT: Regulation of the European Parliament and of the Council

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: this proposal is part of a package of contingency measures to prepare for a possible scenario of no agreement between the Union and the United Kingdom after the end of the transitional period.

In the absence of an agreement between the EU and the United Kingdom governing the matter, there would be no legal basis for the provision of air services between the United Kingdom and the Member States by the respective carriers after the end of the transition period under the withdrawal agreement.

In a no-deal scenario, it is expected that the consequences for the respective economies would be severe. The disruption of air transport connectivity would represent the loss of a strategic asset for the EU and the Member States.

CONTENT: the proposed Regulation aims to ensure the provision of certain air services between the United Kingdom and the European Union for a limited period of 6 months (until 30 June 2021) if no agreement governing this area can be reached, provided that the United Kingdom does the same.

The proposal provides for:

- the unilateral grant of first, second, third and fourth freedom traffic rights to United Kingdom air carriers so that these can continue to overfly and make technical stops in Union's territory, as well as serve direct routes between the respective territories;

- the possibility for UK carriers to provide those services by means of code-sharing or blocked-space arrangements, and to enter into leasing arrangements under strict conditions;

- a mechanism to ensure that the rights enjoyed by Union carriers in the United Kingdom stay equivalent to those granted to UK carriers under the proposed Regulation. If that is not the case, the Commission is empowered to adopt the necessary measures to correct the situation by means of implementing acts;

- the establishment of a flexible mechanism to ensure that Union air carriers enjoy fair and equal conditions of competition with United Kingdom carriers once the United Kingdom is no longer bound by Union law;

- the establishment of procedures to enable Member States to verify that air carriers, aircraft and crews entering their territory under the Regulation are licensed or certified by the United Kingdom in accordance with internationally recognised safety standards.