EC/Azerbaijan agreement: air services, replacing the bilateral agreements by a Community agreement

2005/0011(CNS) - 25/02/2005 - Legislative proposal

PURPOSE : signature, provisional application and conclusion of the Agreement between the European Community and Republic of Azerbaijan on certain aspects of air services.

PROPOSED ACT : Council Decisions.

CONTENT : the Council authorised the Commission in June 2003 to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement. The Commission has negotiated on behalf of the Community an agreement with Republic of Azerbaijan on certain aspects of air services in accordance with the mechanisms and directives in the Annex to the Council’s decision authorising the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.

Article 2 of the Agreement replaces the traditional designation clauses with a Community designation clause, permitting all Community carriers to benefit from the right of establishment. Articles 4 and 5 of the Agreement address two types of clauses concerning matters of Community competence. Article 4 deals with the taxation of aviation fuel. Article 5 (Pricing) resolves conflicts between the existing bilateral air services agreements and Council Regulation 2409/92 on fares and rates for air services which prohibits third country carriers from being price leaders on air services for carriage wholly within the Community.

The Council is asked to approve the decisions on the signature and provisional application and on the conclusion of the agreement between the European Community and the Republic of Azerbaijan on certain aspects of air services and to designate the persons authorized to sign the agreement on behalf of the Community.