Basic information

2008/0068(CNS) CNS - Consultation procedure Decision	Procedure completed
EC/Israel agreement: air services **Subject** 3.20.15.02 Air transport agreements and cooperation **Geographical area** Israel	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	COSTA Paolo (ALDE)	05/05/2008

Council of the European Union

Council configuration	Meetings	Date
General Affairs	2888	2008-09-15
Transport, Telecommunications and Energy	2913	2008-12-08
Agriculture and Fisheries	2952	2009-06-22

European Commission

Commission DG	Commissioner
Energy and Transport	TAJANI Antonio

Key events

Date	Event	Reference	Summary
09/04/2008	Legislative proposal published	COM(2008)0178	Summary
13/01/2009	Committee referral announced in Parliament		
11/02/2009	Vote in committee		Summary
17/02/2009	Committee report tabled for plenary, 1st reading/single reading	A6-0059/2009	
10/03/2009	Decision by Parliament	T6-0083/2009	Summary
10/03/2009	Results of vote in Parliament		
02/04/2009	Final act published in Official Journal		
22/06/2009	Act adopted by Council after consultation of Parliament		

22/06/2009	End of procedure in Parliament		

Technical information	
Procedure reference	2008/0068(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 300-p2/3-a1 EC Treaty (after Amsterdam) EC 080-p2
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/6/61616

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE418.264	19/01/2009	
Committee report tabled for plenary, 1st reading/single reading		A6-0059/2009	17/02/2009	
Text adopted by Parliament, 1st reading/single reading		T6-0083/2009	10/03/2009	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2008)0178	09/04/2008	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2009/0515
OJ L 173 03.07.2009, p. 0009 Summary

EC/Israel agreement: air services

2008/0068(CNS) - 10/03/2009 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 615 votes to 23, with 23 abstention, a legislative resolution approving unamended, under the consultation procedure, the proposal for a Council decision on the conclusion of the Agreement between the European Community and the State of Israel on certain aspects of air services.

EC/Israel agreement: air services

2008/0068(CNS) - 22/06/2009 - Final act

PURPOSE: to approve the Agreement between the EC and Israel on certain aspects of air services.

LEGISLATIVE ACT: Council Decision 2009/515/EC on the conclusion of the Agreement between the European Community and the State of Israel on certain aspects of air services.

CONTENT: following the judgements of the Court of Justice in the “Open Skies” cases, in June 2003 the Council granted the Commission a mandate to open negotiations with third countries on the replacement of certain provisions in existing agreements with a Community agreement (the “horizontal mandate”). The objectives of such agreements are to give all EU air carriers non-discriminatory access to routes between the Community and third countries, and to bring bilateral air service agreements between Member States and third countries in line with Community law.

With this Decision, the Agreement between the European Community and the State of Israel on certain aspects of air services is hereby approved on behalf of the Community.

In summary, the Agreement:

- replaces the traditional designation clauses with a Community designation clause. This permits all Community carriers to benefit from the right of establishment;
- deals with the taxation of aviation fuel, a matter which has been harmonised by Council Directive 2003/96/EC restructuring the Community framework for the taxation of energy products and electricity;
- resolves conflicts between the existing bilateral air services agreements and Council Regulation (EC) No 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;
- brings provisions in bilateral agreements which are clearly anti-competitive (obligatory commercial agreements between airlines) in line with EU competition law.

EC/Israel agreement: air services

2008/0068(CNS) - 09/04/2008 - Legislative proposal

PURPOSE: the signature and provisional application of the Agreement between the European Community and the State of Israel on certain aspects of air services.

PROPOSED ACT: Council Decision.

CONTENT: following the judgements of the Court of Justice in the so-called “Open Skies” cases, in June 2003 the Council granted the Commission a mandate to open negotiations with third countries on the replacement of certain provisions in existing agreements with a Community agreement (the “horizontal mandate”). The objectives of such agreements are to give all EU air carriers non-discriminatory access to routes between the Community and third countries, and to bring bilateral air service agreements between Member States and third countries in line with Community law.

In accordance with the mechanisms and directives in the ”horizontal mandate”, the Commission has negotiated an agreement with the State of Israel that replaces certain provisions in the existing bilateral air services agreements between Member States and the State of Israel. 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 clause concerning matters of Community competence. Article 4 deals with the taxation of aviation fuel, a matter which has been harmonised by Council Directive 2003/96/EC restructuring the Community framework for the taxation of energy products and electricity, and in particular Article 14 (2) thereof. Article 5 (Pricing) resolves conflicts between the existing bilateral air services agreements and Council Regulation No 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. Article 6 brings provisions in bilateral agreements which are clearly anti-competitive (obligatory commercial agreements between airlines) in line with EU competition law.