Basic information

2009/0019(NLE) NLE - Non-legislative enactments Decision	Procedure lapsed or withdrawn
EC/Korea agreement: air services **Subject** 3.20.15.02 Air transport agreements and cooperation **Geographical area** South Korea	

Key players

Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Transport, Telecommunications and Energy	2935	2009-03-30
European Commission	**Commission DG**	**Commissioner**	
	Mobility and Transport	KALLAS Siim	

Key events

Date	Event	Reference	Summary
18/02/2009	Preparatory document	COM(2009)0065	Summary
02/12/2009	Additional information		Summary
29/09/2020	Proposal withdrawn by Commission		

Technical information

Procedure reference	2009/0019(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 100-p2
Stage reached in procedure	Procedure lapsed or withdrawn

Documentation gateway

European Commission			
Document type	**Reference**	**Date**	**Summary**
Preparatory document	COM(2009)0065	18/02/2009	Summary

Additional information		
Source	**Document**	**Date**
National parliaments	IPEX	
European Commission	EUR-Lex	

EC/Korea agreement: air services

2009/0019(NLE) - 18/02/2009 - Preparatory document

PURPOSE: to conclude the Agreement on certain aspects of air services between the European Community and the Republic of Korea.

PROPOSED ACT: Council Decision.

CONTENT: following the judgments of the Court of Justice in the so-called “Open Skies” cases, on 5 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 Annex to the ”horizontal mandate”, the Commission has negotiated an agreement with the Republic of Korea that replaces certain provisions in the existing bilateral air services agreements between Member States and the Republic of Korea.

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. 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 resolves potential conflicts with the EC competition rules.

In accordance with the standard procedure for the signature and conclusion of international agreements, the Council is asked to approve the decisions on the signature and on the conclusion of the Agreement on certain aspects of air services between the European Community and the Republic of Korea and to designate the persons authorised to sign the Agreement on behalf of the Community.