Basic information

2010/0296(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Cape Verde agreement: air services **Subject** 3.20.15.02 Air transport agreements and cooperation **Geographical area** Cabo Verde	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	RIQUET Dominique (PPE)	25/11/2010
	Shadow rapporteur EL KHADRAOUI Saïd (S&D) MEISSNER Gesine (ALDE) LICHTENBERGER Eva (Verts/ALE) ZĪLE Roberts (ECR) KOHLÍČEK Jaromír (GUE/NGL)	

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	3122	2011-11-08

European Commission

Commission DG	Commissioner
Energy and Transport	KALLAS Siim

Key events

Date	Event	Reference	Summary
22/10/2010	Preparatory document	COM(2010)0591	Summary

06/05/2011	Legislative proposal published	09114/2011	Summary
07/06/2011	Committee referral announced in Parliament		
08/09/2011	Vote in committee		Summary
12/09/2011	Committee report tabled for plenary, 1st reading/single reading	A7-0307/2011	
13/10/2011	Decision by Parliament	T7-0434/2011	Summary
13/10/2011	Results of vote in Parliament		
08/11/2011	Act adopted by Council after consultation of Parliament		
08/11/2011	End of procedure in Parliament		
12/11/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/0296(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 218-p8-a2 Treaty on the Functioning of the European Union TFEU 100-p2
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/7/04372

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE467.162	23/06/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0307/2011	12/09/2011	
Text adopted by Parliament, 1st reading/single reading		T7-0434/2011	13/10/2011	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	16459/2010	07/12/2010	
Legislative proposal	09114/2011	06/05/2011	Summary

European Commission

Document type	Reference	Date	Summary

Preparatory document	COM(2010)0591	22/10/2010	Summary

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

Final act	
Decision 2011/0732 OJ L 292 12.11.2011, p. 0003	Summary

EU/Cape Verde agreement: air services

2010/0296(NLE) - 08/11/2011 - Final act

PURPOSE: to conclude an agreement on air services between the EU and Cape Verde.

NON-LEGISLATIVE ACT: Council Decision 2011/732/EU on the conclusion of the Agreement between the European Union and the Republic of Cape Verde on certain aspects of air services.

CONTENT: on behalf of the Union, the Commission has negotiated an Agreement on certain aspects of air services with the Republic of Cape Verde in accordance with the mechanisms and directives in the Annex to the Council Decision of 5 June 2003 (the "horizontal mandate"). The Agreement replaces certain provisions in the bilateral air services agreements between Member States of the European Union and the Republic of Cape Verde.

Article 2 of the Agreement replaces the traditional designation clauses with an EU designation clause, permitting all European Union 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 competition rules of the European Union.

The Agreement was signed on behalf of the Union on 23 March 2011.

This Decision approves the Agreement between the EU and Cape Verde on certain aspects of air services on behalf of the Union.

ENTRY INTO FORCE: 08/11/2011.

EU/Cape Verde agreement: air services

2010/0296(NLE) - 06/05/2011 - Legislative proposal

PURPOSE: the conclusion of an agreement on certain aspects of air services between the European Union and the Republic of Cape Verde.

PROPOSED ACT: Council Decision.

BACKGROUND: the Commission has negotiated, on behalf of the Union, an agreement with Cape Verde on certain aspects of air services, in accordance with the mechanisms and directives in the Annex to the Council Decision of 5 June 2003.

It is now appropriate to approve the agreement, on behalf of the EU.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Articles 100(2) and 218(6) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: with this proposal, the agreement between the European Union and Cape Verde on certain aspects of air services is approved on behalf of the Union.

For further information regarding the content of this agreement, please refer to the summary of the previous initial legislative document dated 22/10 /2010.

BUDGETARY IMPACT: the proposal has no impact on the EU's budget.

EU/Cape Verde agreement: air services

2010/0296(NLE) - 13/10/2011 - Text adopted by Parliament, 1st reading/single reading

The European Parliament gave its consent to the conclusion of the Agreement between the EU and the Republic of Cape Verde on certain aspects of air services.

EU/Cape Verde agreement: air services

2010/0296(NLE) - 22/10/2010 - Preparatory document

PURPOSE: conclusion of the Agreement on certain aspects of air services between the European Union and the Republic of Cape Verde.

PROPOSED ACT: Council Decision.

LEGAL BASIS: Article 100(2), in conjunction with Article 218(6) of the treaty on the Functioning of the European Union. The proposal is entirely based on the "horizontal mandate" granted by the Council taking into account the issues covered by the law of the European Union and bilateral air services agreements.

IMPACT ASSESSMENT: no impact assessment was carried out.

BACKGROUND: following the judgements 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 an agreement at Union level (the "horizontal mandate").

The objectives of such agreements are to give all European Union air carriers non-discriminatory access to routes between the European Union and third countries, and to bring bilateral air service agreements between Member States of the European Union and third countries in line with the law of the European Union.

CONTENT: in accordance with the mechanisms and directives in the Annex to the "horizontal mandate", the Commission has negotiated an agreement with the Republic of Cape Verde that replaces certain provisions in the existing bilateral air services agreements between Member States of the European Union and the Republic of Cape Verde.

- Article 2 of the Agreement replaces the traditional designation clauses with an EU designation clause, permitting all European Union 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 competition rules of the European Union.

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 Union and the Republic of Cape Verde and to designate the persons authorised to sign the Agreement on behalf of the European Union.

BUDGETARY IMPLICATION: this proposal has no implication for the European Union budget.