Basic information

2011/0050(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/International Civil Aviation Organisation (ICAO) agreement: Memorandum of Cooperation **Subject** 3.20.01 Air transport and air freight 3.20.01.01 Air safety 3.20.15.02 Air transport agreements and cooperation	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	SIMPSON Brian (S&D)	17/05/2011
	Shadow rapporteur GROSCH Mathieu (PPE) UGGIAS Giommaria (ALDE) LICHTENBERGER Eva (Verts/ALE) FOSTER Jacqueline (ECR) KOHLÍČEK Jaromír (GUE/NGL)	

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	3151	2012-03-08

European Commission

Commission DG	Commissioner
Mobility and Transport	KALLAS Siim

Key events

Date	Event	Reference	Summary
10/03/2011	Preparatory document	COM(2011)0107	Summary
03/05/2011	Legislative proposal published	09138/2011	Summary

23/06/2011	Committee referral announced in Parliament		
22/11/2011	Vote in committee		
23/11/2011	Committee report tabled for plenary, 1st reading/single reading	A7-0391/2011	Summary
19/01/2012	Decision by Parliament	T7-0008/2012	Summary
19/01/2012	Results of vote in Parliament		
08/03/2012	Act adopted by Council after consultation of Parliament		
08/03/2012	End of procedure in Parliament		
08/05/2012	Final act published in Official Journal		

Technical information

Procedure reference	2011/0050(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-p7 Treaty on the Functioning of the European Union TFEU 100-p2 Treaty on the Functioning of the European Union TFEU 218-p6 Treaty on the Functioning of the European Union TFEU 218-p8-a2
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/7/05620

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE467.292	16/09/2011	
Committee report tabled for plenary, 1st reading/single reading		A7-0391/2011	23/11/2011	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0008/2012	19/01/2012	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	07702/2011	21/03/2011	
Legislative proposal	09138/2011	03/05/2011	Summary

European Commission

Document type	Reference	Date	Summary
	COM(2011)0107		

Preparatory document		10/03/2011	Summary

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

Final act	
Decision 2012/0243(01) OJ L 121 08.05.2012, p. 0016	Summary

EU/International Civil Aviation Organisation (ICAO) agreement: Memorandum of Cooperation

2011/0050(NLE) - 19/01/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution on the draft Council decision on the conclusion of a Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation, and laying down procedural arrangements related thereto.

Parliament has given its consent to the conclusion of the Memorandum of Cooperation.

EU/International Civil Aviation Organisation (ICAO) agreement: Memorandum of Cooperation

2011/0050(NLE) - 08/03/2012 - Final act

PURPOSE: to conclude a Memorandum of Cooperation between the EU and the International Civil Aviation Organisation (ICAO).

NON-LEGISLATIVE ACT: Council Decision 2012/243/EU on the conclusion of a Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation, and laying down procedural arrangements related thereto.

CONTENT: the Council authorised the conclusion of a memorandum of cooperation with the International Civil Aviation Organisation (ICAO), following the consent given by the European Parliament.

The memorandum, which was signed in spring 2011, provides a framework for enhanced cooperation in the areas of aviation safety and security, air traffic management, and environmental protection. Besides regular dialogue, consultation, exchange of information and expertise, and participation in audit and inspection programmes, the cooperation will include financing by the EU of specific actions and the posting of experts to the ICAO secretariat. Moreover, the memorandum will allow pooling and coordination of EU support.

ENTRY INTO FORCE: 08/03/2012.

EU/International Civil Aviation Organisation (ICAO) agreement: Memorandum of Cooperation

2011/0050(NLE) - 23/11/2011 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report drafted by Brian SIMPSON (S&D, UK) recommending the European Parliament to give its consent to the conclusion of a Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation, and laying down procedural arrangements related thereto.

EU/International Civil Aviation Organisation (ICAO) agreement: Memorandum of Cooperation

2011/0050(NLE) - 10/03/2011 - Preparatory document

PURPOSE: to conclude a Memorandum of Cooperation between the EU and the International Civil Aviation Organisation (ICAO).

PROPOSED ACT: Council Decision.

BACKGROUND: the ICAO is a UN Specialised Agency acting as the global forum for civil aviation. ICAO works to achieve its vision of safe, secure and sustainable development of civil aviation through cooperation amongst its member states. The legal basis for ICAO is the Chicago Convention of 1944. Currently ICAO covers 190 countries.

The EU has to work closely with ICAO for the following reasons:

-most aspects of the Chicago Convention are within Union competence. ICAO is pursuing policies in the fields of safety, security, environment and air traffic management;

-ICAO standards and requirements form the basis for EU legislation. Moreover, certain standards, such as environmental standards for aircraft, are part of EU law and the EU may not amend them.

For Europe it is therefore important to engage in the ICAO work and policy making to contribute to sound global aviation policies. Also the competitiveness of the European civil aviation industry is at stake. That is why other global players are also actively involved in ICAO activities.

The Council gave a mandate to the Commission on 17 December 2009 to launch the negotiations on an agreement, and the Memorandum of Cooperation was subsequently initialled on 27 September 2010 during the opening of the 37th ICAO Assembly.

IMPACT ASSESSMENT: no impact assessment was undertaken. Member States were regularly informed throughout the negotiation process. The Commission respected the conditions of the Council mandate.

LEGAL BASIS: Article 100(2) and Article 218(6) of the Treaty on the Functioning of the EU. The agreement covers issues where the European Union has competence and where relations with ICAO need to be maintained at the European level.

CONTENT: the proposal involves the conclusion of the Memorandum of Cooperation. The Memorandum shall:

- establish a framework for enhanced relations between the Parties;
- strengthen cooperation between the Parties;
- identify areas of mutual cooperation between the Parties; and
- establish the terms, conditions and mechanisms for implementing cooperation between the Parties in the areas of **aviation safety, aviation security, air traffic management, and environmental protection.**

Under the terms of the Memorandum, the EU may **finance specific actions or post experts to the ICAO secretariat**. The Memorandum allows the pooling and coordinating of European support.

The agreement also establishes a **joint committee** to oversee its application. This joint committee will adopt the annexes on security, environment and air traffic management, so as to cover the full scope of the activities.

BUDGETARY IMPLICATION: the Memorandum of Cooperation would provide for a financial support of **EUR 500 000 per year for an initial period of 3 years** and be the purpose of a contribution-specific agreement in the framework of the Financial and Administrative Framework Agreement. This budget can be complemented by financial support from Member States or the European Aviation Safety Agency.

EU/International Civil Aviation Organisation (ICAO) agreement: Memorandum of Cooperation

2011/0050(NLE) - 03/05/2011 - Legislative proposal

PURPOSE: to conclude a Memorandum of Cooperation between the EU and the International Civil Aviation Organisation (ICAO).

PROPOSED ACT: Council Decision.

BACKGROUND: the Commission has negotiated a Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation, in accordance with the mandate adopted by the Council on 17 December 2009 authorising the Commission to open negotiations.

The Memorandum of Cooperation was signed on behalf of the Union on 4 May 2011 and has been provisionally applied from that date, subject to its possible conclusion at a later date.

The Memorandum of Cooperation should be concluded on behalf of the Union.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 100(2), in conjunction with Article 218(6)(a), Article 218(7) and the first subparagraph of Article 218(8) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: by this draft Decision, it is proposed that the Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation be approved on behalf of the Union.

The Memorandum contains provisions as regards procedural arrangements for the participation of the Union in the Joint Committee established by the Memorandum of Cooperation, the resolution of disputes, the adoption of additional Annexes, as well as the amendment of Annexes to the Memorandum.

For further details of the main points of this Memorandum, please refer to the previous initial legislative document dated 10/03/2011.