



Plenary sitting

B8-1337/2016

7.12.2016

MOTION FOR A RESOLUTION

further to Question for Oral Answer B8-1807/2016

pursuant to Rule 128(5) of the Rules of Procedure

on international aviation agreements
(2016/2961(RSP))

Michael Cramer

on behalf of the Committee on Transport and Tourism

**European Parliament resolution on international aviation agreements
(2016/2961(RSP))**

The European Parliament,

- having regard to the Council decisions of 8 March 2016 authorising the Commission to open negotiations on aviation safety agreements with Japan and China,
- having regard to the Council decisions of 7 June 2016 authorising the Commission to open negotiations on EU-level air services agreements with the Association of Southeast Asian Nations (ASEAN), Turkey, Qatar and the United Arab Emirates,
- having regard to the Commission communication of 27 September 2012 entitled ‘The EU’s External Aviation Policy – Addressing Future Challenges’ (COM(2012)0556),
- having regard to the Commission communication of 7 December 2015 entitled ‘An Aviation Strategy for Europe’ (COM(2015)0598),
- having regard to its resolution of 11 November 2015 on aviation¹,
- having regard to the Framework Agreement on relations between the European Parliament and the European Commission² (‘the Framework Agreement’), in particular points 23 to 29, Annex 2, and Annex 3 thereof,
- having regard to the case law of the Court of Justice, in particular the judgments of 24 June 2014 in the Mauritius case (C-658/11) and of 14 June 2016 in the Tanzania case (C-263/14),
- having regard to the Interinstitutional Agreement of 12 March 2014 between the European Parliament and the Council concerning the forwarding to and handling by the European Parliament of classified information held by the Council on matters other than those in the area of the common foreign and security policy³,
- having regard to the decision of the Bureau of the European Parliament of 15 April 2013 concerning the rules governing the treatment of confidential information by the European Parliament,
- having regard to the practical arrangements for providing information on international aviation negotiations, including access to confidential information, as agreed between the Chair of its Committee on Transport and Tourism and the Commissioner for Transport in the form of an exchange of letters on 19 January 2016 and 18 March 2016,
- having regard to the Treaty on the Functioning of the European Union (TFEU), in

¹ Texts adopted, P8_TA(2015)0394.

² OJ L 304, 20.11.2010, p. 47.

³ OJ C 95, 1.4.2014, p. 1.

particular Article 218 thereof,

- having regard to the question to the Commission on international aviation agreements (O-000128/2016 – B8-1807/2016),
 - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas the Commission proposed in the Aviation Strategy for Europe to open negotiations on civil aviation safety with Japan and China, and on EU-level air services agreements with China, Turkey, Mexico, six member states of the Gulf Cooperation Council, Armenia, and the ASEAN;
 - B. whereas the Council authorised the Commission to open negotiations on aviation safety agreements with Japan and China and on EU-level air services agreements with the ASEAN, Turkey, Qatar and the United Arab Emirates;
 - C. whereas Parliament's consent is required for concluding international agreements covering fields to which the ordinary legislative procedure applies;
 - D. whereas, when the Commission is negotiating agreements between the Union and third countries or international organisations, Parliament is to 'be immediately and fully informed at all stages of the procedure'¹;
 - E. whereas the Framework Agreement should ensure that the institutions' powers and prerogatives are exercised as effectively and transparently as possible;
 - F. whereas, in that Framework Agreement, the Commission has committed itself to complying with the principle of equal treatment of Parliament and the Council in respect of legislative and budgetary matters, in particular as regards access to meetings and the forwarding of contributions or other information;
1. Stresses that, in order to be able to make its decision on whether or not to grant consent at the end of the negotiations, Parliament needs to follow the process from the beginning; considers that it is also in the interests of the other institutions that any concerns of sufficient importance to call into question Parliament's readiness to grant consent be identified and addressed at an early stage;
 2. Recalls that the Framework Agreement states, in particular, that Parliament should receive from the outset, regularly, and where necessary on a confidential basis, full details of the procedure in progress at all stages of the negotiations;
 3. Expects the Commission to provide Parliament's committee responsible with information about its intention to propose negotiations with a view to concluding and amending international air agreements; expects the Commission to reach arrangements with the Council and with negotiating partners in order to provide Members of the European Parliament with access to all relevant documents, including the negotiating directives and consolidated texts, in parallel and on an equal footing with the Council;

¹ Article 218(10) of the TFEU.

4. Points out that, pursuant to Article 24 of the Framework Agreement, the information mentioned above must be forwarded to Parliament in such a way that, if necessary, it can deliver an opinion; strongly urges the Commission to report back to Parliament on how its opinions are taken into account;
5. Recalls that, according to Article 218(10) of the TFEU, the Council and the Commission are obliged to inform Parliament immediately and fully at all stages of the procedure;
6. Recognises that, when Parliament receives sensitive information about ongoing negotiations, it has an obligation to ensure that full confidentiality is maintained;
7. Notes that its Rules of Procedure allow Parliament ‘on the basis of a report from the committee responsible [...] [to] adopt recommendations and require them to be taken into account before the conclusion of the international agreement under consideration’ (Rule 108(4));
8. Instructs its President to forward this resolution to the Council and the Commission.