**DRAFT RECOMMENDATION**

on the draft Council decision on the conclusion of the Agreement on civil aviation safety between the European Union and the Government of the People's Republic of China


Committee on Transport and Tourism

Rapporteur: Tomasz Piotr Poręba
Symbols for procedures

* Consultation procedure
*** Consent procedure
***I Ordinary legislative procedure (first reading)
***II Ordinary legislative procedure (second reading)
***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)
## CONTENTS

<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION</td>
</tr>
<tr>
<td>EXPLANATORY STATEMENT</td>
</tr>
</tbody>
</table>
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION


(Consent)

The European Parliament,

– having regard to the draft Council decision (14185/2019),
– having regard to the draft Agreement on Civil Aviation Safety between the European Union and the Government of the People's Republic of China (09702/2018),
– having regard to the request for consent submitted by the Council in accordance with Articles 100(2) and Article 218(6), second subparagraph, point (a)(v), and Article 218(7) of the Treaty on the Functioning of the European Union (C9-0191/2019),
– having regard to Rule 105(1) and (4) and Rule 114(7) of its Rules of Procedure,
– having regard to the recommendation of the Committee on Transport and Tourism (A9-0000/2020),

1. Gives its consent to conclusion of the agreement;

2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the People’s Republic of China.
EXPLANATORY STATEMENT

Objective of the Agreement

The Agreement aims at enabling enhanced cooperation in the area of certification and monitoring of aeronautical products, parts and appliances and the production oversight and environmental certification. This would enhance civil aviation safety and facilitate trade and investment in aeronautical products.

The Agreement reflects the structure of the existing Bilateral Aviation Safety Agreements ("BASAs") between the Union and third countries (USA, Canada and Brazil).

Main provisions of the agreement

As in the case of the existing BASAs, the Agreement is based on mutual trust of each other’s system and on the comparison of regulatory differences. It entails obligations and methods to cooperate between the authorities and technical agents so that the latter can issue their own certificate on the aeronautical product, part or appliance without duplicating all the assessments done by the other authority.

The Agreement stipulates that each party shall accept findings of compliance as results of specified procedures of the other Party's Competent Authority.

The Agreement also provides for a system of continual cooperation and consultation that is put in place by means of enhanced cooperation in the framework of audits, inspections, timely notifications and consultations.

The Agreement establishes the Joint Committee that is able to adopt amendments to the Annexes to the Agreement. The Council proposed to authorise the Commission to approve such proposed amendments on behalf of the Union as far as such amendments are consistent with relevant Union legal acts and subject to the conditions further specified in Council’s decision on the conclusion of the Agreement.

Procedure

The Council granted an authorisation to the Commission to open negotiations on 7 March 2016.

The Agreement was signed on 20 May 2019, subject to its conclusion later.

In order to conclude the Agreement, on behalf of the Union, the Council needs the consent of the European Parliament as required by Article 218 TFEU. The Council submitted a request for Parliament’s approval on 10 December 2019.

In accordance with Rules 105 and 114(5), (7) and (8) of Parliament’s Rules of procedure, the committee responsible shall submit a recommendation for the approval or rejection of the proposed act. Parliament shall then take a decision by means of a single vote. Amendments in committee shall be admissible only if their aim is to reverse the recommendation proposed by the rapporteur.

Rapporteur’s position
The Agreement will support the European Union's aeronautical sector by facilitating trade in aircraft and related products, due to shorter and simpler, hence less costly, product-approval procedures and facilitated acceptance of certification findings. Furthermore, the Agreement will provide a framework for aviation safety cooperation with China, enhancing the level of civil aviation safety and environmental compatibility.

In the light of the above remarks, the Rapporteur proposes that Parliament gives its consent to the conclusion of the Agreement. As it cannot enter into force until it has been concluded, it would also be highly desirable that, once Parliament has taken its decision, Council does not delay in finalising the procedures.