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MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission
pursuant to Rule 110(2) of the Rules of Procedure
on the EU-US air transport agreement

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on behalf of the ECR Group

European Parliament resolution on the EU-US air transport agreement

The European Parliament,

- having regard to the text of the Protocol to amend the Air Transport Agreement between the European Community and its Member States, on the one hand, and the United States of America, on the other hand, initialled on 25 March 2010 (“the second stage Agreement”),
 - having regard to its resolution of 5 May 2010 on the launch of negotiations for Passenger Name Record (PNR) agreements with the United States, Australia and Canada¹,
 - having regard to its resolution of 13 January 2009 on cooperation in the regulation of civil aviation safety²,
 - having regard to its resolutions of 14 March and 11 October 2007 on the EC-US Air Transport Agreement³ (“the first stage Agreement”),
 - having regard to its resolution of 17 January 2006 on developing the agenda for the Community's external aviation policy⁴,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas the first stage Agreement, which entered into provisional application on 30 March 2008, contained a suspension clause that could be triggered if there was no second stage Agreement by November 2010,
- B. whereas the first stage agreement was only a first step in opening up the EU-US aviation markets, firmly committing both sides to further negotiations on continuing to open access to markets and to maximising benefits for consumers, airlines, labour and communities, and to addressing issues including the facilitation of investment so as to better reflect the realities of a global aviation industry, the strengthening of the transatlantic air transportation system and the establishment of a framework that will encourage other countries to open their own air services market,
- C. whereas negotiations launched in May 2008 led to a preliminary Agreement on 25 March 2010,
- D. whereas opening the EU-US aviation markets that, taken together, account for about 60% of world air traffic, would benefit consumers on both sides of the Atlantic, provide substantial economic benefits and create jobs,

¹ P7_TA(2010)0144.

² P6_TA(2009)0001.

³ P6_TA(2007)0071 and P6_TA(2007)0428.

⁴ OJ C 287 E, 24.11.2006, p. 84.

General principles

1. Notes the preliminary Agreement of 25 March 2010 which could both consolidate the advances in market access included in the first stage Agreement and offer enhanced regulatory cooperation;
2. Recalls that various aspects of aviation regulation, including noise restrictions and night flight limitations, should be determined at a local level, in full respect of the principle of subsidiarity, asks the European Commission to coordinate these issues at European level, taking into account the national legislation of Member States, in order to continue the negotiations with the US and also solve other issues related to these problems, such as cabotage;

Market opening

3. Regrets the absence of substantive progress in removing outdated regulatory constraints in the area of foreign investment and considers that this will maintain the current unbalanced restrictions on foreign ownership and control in the United States;
4. Recalls that the final goal of the EU/US Air transport agreement is the complete opening of the market without any restrictions from both sides;
5. Notes the limited access EU carriers will gain to US Government-financed traffic (the 'Fly America Programme') reminds that the EU national governments do not have similar provisions;

Regulatory convergence, safety and security

6. Encourages the Joint Committee to develop additional proposals for the mutual recognition of regulatory decisions in line with the principles of better regulation;
7. Attaches high priority to cooperation on the development of the European and US air traffic management systems ("SESAR" and "Next Gen") with a view to achieving interoperability and compatibility as well as contributing to reduced environmental impacts;
8. Welcomes cooperation between the EU and US authorities responsible for the field of aviation safety at all levels;
9. Regrets that no further steps have been taken on the issues of foreign repair stations;
10. Reiterates the importance of the European blacklist of substandard carriers and the US system for monitoring carrier standards and calls on both parties to share information in this respect;
11. Emphasises that the privacy of European and US citizens should be respected when personal passenger data is exchanged between the EU and the US, in accordance with the criteria called for by the European Parliament in its resolution of 5 May 2010; stresses in this connection the urgency of arriving at worldwide standards on data protection and privacy;

12. Stresses that the European Union is based on the rule of law and that all transfers of personal data from the EU and its Member States for security purposes should be based on international agreements with the status of legislative acts, in order to provide necessary safeguards for EU citizens, respect procedural guarantees and legal rights, and comply with data-protection legislation at national and European level;
13. Underlines the importance of legal certainty for EU and US citizens and airlines, as well as the need for harmonised standards for the latter;
14. Notes the importance of consultation and cooperation with respect to security measures but warns against excessive or uncoordinated measures that are not based on a proper risk assessment;
15. Renews its call on the Commission and the US to review the efficiency of the additional security measures adopted since 2001 so as to eliminate overlapping and weak links in the security chain;
16. Advocates the concept of 'one stop security', rather than checking passengers and luggage again at every transfer;

Environment

17. Welcomes the agreement to work together in the framework of the International Civil Aviation Organization to reduce aircraft noise and emissions along with the intention to enhance technical cooperation between the EU and US in the fields of climate science, research and technology development, fuel efficiency and reduction of emissions from air transport and the exchange of best practices on noise reduction, whilst acknowledging differences in local circumstances;

Social policy

18. Welcomes the agreement's recognition of the importance of the social dimension and the responsibility given to the Joint Committee to monitor the social effects of the Agreement and develop appropriate responses as necessary;

Operation of the Agreement

19. Calls on the Commission to ensure that the European Parliament and all relevant stakeholders are fully informed and consulted about the work of the Joint Committee;
20. Recalls that following the entry into force of the Lisbon Treaty, European Parliament consent is required before the conclusion of an international agreement in the field of ordinary procedure (article 218-6);
21. Welcomes the idea of regular meetings between Members of the European Parliament and the US Congress to discuss all relevant issues concerning EU-US aviation policy;
22. Asks the Commission to start the process of third stage negotiations with a view to include the following items:
 1. further liberalisation of traffic rights;

2. additional foreign investment opportunities;
3. effect of environmental measures and infrastructure constraints on the exercise of traffic rights.

23. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the US Congress.