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23. Notes the need for investment in research into GNSS-specific applications and services, with particular regard to the special requirements of disabled people, since such investment is of decisive importance for the proper development and use of GNSS services;
24. Calls on the Commission to encourage initiatives aimed at developing sector-specific service centres, in particular for the maritime sector;
25. Regrets that the shortage of funds allocated to research and innovation for applications based on EGNOS or Galileo is considerably delaying technological progress and the growth of industrial capacity, as well as environmentally effective implementation, in the European Union and therefore urges the Commission to introduce arrangements enabling small and medium-sized enterprises to gain access to funding more readily;
26. Instructs its President to forward this resolution to the Council and the Commission.

International air agreements under the Treaty of Lisbon

P7_TA(2011)0251

European Parliament resolution of 7 June 2011 on international air agreements under the Treaty of Lisbon (2010/2207(INI))

(2012/C 380 E/02)

The European Parliament,

- having regard to its decision of 20 October 2010 on the revision of the framework agreement on relations between the European Parliament and the European Commission ⁽¹⁾ (the Framework Agreement),
- having regard to its resolution of 17 June 2010 on the EU-US air agreement ⁽²⁾,
- 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 Canada ⁽³⁾,
- having regard to its resolution of 25 April 2007, concerning the establishment of a European Common Aviation Area ⁽⁴⁾,
- having regard to its resolution of 14 March 2007 on the conclusion of 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 ⁽⁵⁾,
- having regard to its resolution of 17 January 2006 on developing the agenda for the Community's external aviation policy ⁽⁶⁾,
- having regard to the Commission communication entitled 'Developing the agenda for the Community's external aviation policy' (COM(2005)0079),
- having regard to the Treaty on the Functioning of the European Union and in particular Article 218 thereof,
- having regard to Rule 48 of its Rules of Procedure,
- having regard to the report of the Committee on Transport and Tourism (A7-0079/2011),

⁽¹⁾ Texts adopted, P7_TA(2010)0366.

⁽²⁾ Texts adopted, P7_TA(2010)0239.

⁽³⁾ OJ C 81 E, 15.3.2011, p. 70.

⁽⁴⁾ OJ C 74 E, 20.3.2008, p. 506.

⁽⁵⁾ OJ C 301 E, 13.12.2007, p. 143.

⁽⁶⁾ OJ C 287 E, 24.11.2006, p. 84.

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- A. whereas, until the entry into force of the Treaty of Lisbon, Parliament was only consulted on the conclusion of international air agreements,
- B. whereas Parliament's consent is now required for agreements covering fields to which the ordinary legislative procedure applies,
- C. whereas, when the Commission is negotiating agreements between the Union and third countries or international organisations, Parliament shall 'be immediately and fully informed at all stages of the procedure' ⁽¹⁾,
- D. whereas the Framework Agreement should ensure that the Institutions' powers and prerogatives are exercised as effectively and transparently as possible;
- E. whereas, in that Framework Agreement, the Commission has committed itself to complying with the principle of the equal treatment of Parliament and the Council in respect of legislative and budgetary matters, in particular access to meetings and the forwarding of contributions or other information,

Introduction

1. Considers that comprehensive air agreements with neighbouring countries or significant global partners can deliver substantial benefits to passengers, freight operators and airlines, by means both of market access and of regulatory convergence to promote fair competition, including with regard to state subsidies and social and environmental standards;
2. Recognises that horizontal agreements, aligning existing bilateral agreements with Community law, are necessary to ensure legal certainty and provide additional benefits in terms of simplification and the assurance that all Union airlines will enjoy the same rights;
3. Points out that air safety standards are of fundamental importance for passengers, crew members and the aviation industry in general, and therefore supports the conclusion of air safety agreements with countries that have a significant aircraft manufacturing industry, given the cost savings and consistent high standards that can be achieved by minimising the duplication of assessments, tests and controls;
4. Regrets that the Council has yet to grant the Commission a mandate to negotiate a comprehensive air agreement with important trading partners such as the People's Republic of China and India; considers that this failure is becoming increasingly harmful to Union interests, particularly given the rapid growth of these economies;
5. Points out the absence of important countries, such as Japan and the Russian Federation, in the Commission's latest list of ongoing international air agreements;
6. Expresses its concerns about the ongoing issue of Siberian overflights; calls on the Commission to make all the necessary efforts, including pursuing this issue in the context of Russia's WTO accession negotiations, to avoid any distortion of competition between EU airlines;

Criteria for assessing an agreement

7. Emphasises that, in each negotiation, a judgment must be made about the benefits of an early agreement as compared with delaying in search of a more ambitious outcome;

⁽¹⁾ Treaty on the Functioning of the European Union, Article 218, paragraph 10.

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8. Points out that, when assessing comprehensive agreements that are presented for consent, Parliament will seek to apply a consistent set of standards; notes, in particular, that in carrying out that assessment Parliament will focus on the extent to which: restrictions on market access and investment opportunities are relaxed in a balanced manner; incentives are provided to maintain and enhance social and environmental standards; adequate safeguards are provided for data protection and privacy; mutual recognition of safety and security standards are included; and a high level of passenger rights is ensured;
9. Considers that worldwide standards for data protection and privacy are urgently required, and that the criteria set out by Parliament in its resolution of 5 May 2010 provide an appropriate model for such an agreement; points out that the Union should play a pioneering role in the development of such worldwide standards;
10. Draws attention to the growing importance of the aviation sector's contribution to global warming, and considers that agreements should include a commitment to work together, in the framework of the International Civil Aviation Organisation, to reduce aircraft emissions, together with an objective of enhancing technical cooperation in the fields of climate science (CO₂ and other climate-relevant emissions into the atmosphere), research and technology development and fuel efficiency;
11. Emphasises that various aspects of aviation regulation, including noise restrictions and night flight limitations, should be determined at local level, in full compliance with the principles of fair competition and subsidiarity; asks the Commission to coordinate these issues at the European level, taking into account the national legislation of Member States and the 'balanced approach' principle, as defined by the International Civil Aviation Organisation;
12. Calls on the Commission to use air agreements to promote compliance with relevant international legislation on social rights, in particular the labour standards enshrined in the fundamental conventions of the International Labour Organization (ILO 1930-1999), the OECD Guidelines for Multinational Enterprises (1976, revised 2000) and the 1980 Rome Convention on the Law Applicable to Contractual Obligations;
13. Notes that, in the case of safety agreements, criteria include: full mutual recognition of certification practices and procedures; exchange of safety data; joint inspections; increased regulatory cooperation; and technical level consultations so as to resolve issues before they trigger the dispute settlement mechanism;

Procedure

14. Stresses that, in order to be able to take 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;
15. Recalls that the 2005 Framework Agreement already committed the Commission to provide early and clear information to Parliament during the preparation, conduct and conclusion of international negotiations; notes that the revised Framework Agreement of October 2010 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;
16. Expects the Commission to provide its responsible committee with information about the intention to propose negotiations with a view to concluding and amending international air agreements, and with the draft negotiating directives, draft negotiating texts and the document to be initialled, together with other relevant documents and information; expects Parliament's role in relation to any further amendments of an international air agreement to be explicitly stipulated in the agreement;

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17. 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;

18. Recognises that, when Parliament receives sensitive information about ongoing negotiations, it has an obligation to ensure that confidentiality is maintained;

19. Notes that Parliament's Rules of Procedure allow plenary '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 90(4));

20. Recognises that air agreements often give a substantial role to a joint committee, particularly with regard to regulatory convergence; accepts that, in many cases, this a more flexible and effective means of decision-making than seeking to include such points in the agreement itself; underlines, nevertheless, the importance of Parliament receiving full and timely information about the work of the various joint committees;

21. Calls on the Commission, with a view to maintaining the flow of information, to submit reports to Parliament regularly, and no less frequently than every three years, analysing the strengths and weaknesses of existing agreements; points out that this would enable Parliament to assess future agreements more effectively;

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22. Instructs its President to forward this resolution to the Council and the Commission.
