



Council of the
European Union

Brussels, 19 May 2020
(OR. en)

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AVIATION 61
RELEX 302
ASIE 29

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION amending the Council Decision of 7 June 2016 authorising the Commission to open negotiations on a comprehensive air transport agreement between the European Union and its Member States and the Association of Southeast Asian Nations (ASEAN) Member States as regards matters falling within the exclusive Union competence

COUNCIL DECISION

of ...

amending the Council Decision of 7 June 2016

authorising the Commission to open negotiations on a comprehensive air transport agreement

between the European Union and its Member States

and the Association of Southeast Asian Nations (ASEAN) Member States

as regards matters falling within the exclusive Union competence

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 100(2) and 218(3) thereof,

Having regard to the recommendation from the Commission,

Whereas:

- (1) The Council Decision of 7 June 2016 authorising the Commission to open negotiations on a comprehensive air transport agreement between the European Union and its Member States and the Association of Southeast Asian Nations (ASEAN) Member States as regards matters falling within the exclusive Union competence ("the Decision"), will expire on 7 June 2020.
- (2) Immediately after the adoption of the Decision, the Commission contacted each of the ASEAN Member States with a view to commencing negotiations.
- (3) Eight rounds of negotiations have been held since November 2016.
- (4) Under the circumstances, it is unlikely that negotiations can be successfully concluded before the expiry of the authorisation conferred by the Decision.
- (5) It is therefore necessary to amend the Decision in order to extend that authorisation so as to allow the Commission to continue to conduct negotiations within a framework conducive to a successful conclusion, in the interests of the Union.

- (6) In order to respond best to the interests of the Union in external aviation policy and considering the current state of the negotiations in question, the extension of the said authorisation should be limited to a further period of one year. Such time-limited extension should not restrict the power of the Union negotiator to negotiate with the ASEAN Member States. If the negotiations are not concluded by the end of that further period, it should be possible for the Council, on the basis of a recommendation from the Commission, to decide to extend that authorisation further,

HAS ADOPTED THIS DECISION:

Article 1

Article 3a of the Council Decision of 7 June 2016 authorising the Commission to open negotiations on a comprehensive air transport agreement between the European Union and its Member States and the Association of Southeast Asian Nations (ASEAN) Member States as regards matters falling within the exclusive Union competence is replaced by the following:

"Article 3a

This Decision shall expire on 7 June 2021. The Commission may present a recommendation to the Council to extend the period of validity of this Decision. After carrying out an assessment which takes into account relevant factors including, inter alia, the progress of the negotiations and the position of the ASEAN Member States, the Council may decide to further extend the period of validity of this Decision."

Article 2

This Decision is addressed to the Commission.

Done at Brussels,

For the Council

The President
