

EU/Russia and EU/China relations in the field of air transport

European Parliament resolution on relations with the Russian Federation and China in the field of air transport (2005/2085(INI))

The European Parliament,

- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Transport and Tourism (A6-0375/2005),

China

1. Welcomes the Commission's general response to the process of growth, modernisation and liberalisation currently underway in Chinese commercial aviation;
2. Acknowledges the desirability of a comprehensive aviation agreement between the European Union and China; considers, however, that prior to the conclusion of a comprehensive agreement, a horizontal agreement should be reached so that China's current bilateral air service agreements with various Member States can be brought into line with the Court of Justice's 'open skies' judgment¹;
3. Accepts that the negotiation of such an agreement would strengthen the EU's position and would be more beneficial to stakeholders and consumers than a series of revised bilateral agreements essentially concerned with traffic rights;
4. Calls on the Council without delaying the negotiating mandate to extend the Commission's negotiating mandate to cover the provision of the necessary airport and safety infrastructures and air traffic control over Chinese airspace, which unfortunately are inadequate at present and pose an obstacle to the development of aviation relations;
5. Acknowledges the excellent work the Commission is carrying out with its Chinese partners, but regrets that it has not had access to the terms of the negotiating mandate the Commission now seeks from the Council in respect of China; insists that it be better integrated in the process of negotiating the agreement and hopes that this issue will be resolved, as this will benefit all parties;
6. Insists that the provisions of a balanced conclusion to negotiations with China on air cargo should be implemented without delay and if necessary before completion of negotiations on passenger traffic.

Russia

7. Welcomes the Commission's approach to the challenges and opportunities which the

¹ Judgment of 5 November 2002, Case C-476/98 *Commission of the European Communities v Federal Republic of Germany* [2002] ECR I-9855.

growth and consolidation in the Russian civil aviation sector represent for the European Union;

8. Supports the Commission's proposal that there should be a comprehensive aviation agreement, that being the best way of meeting this challenge and consolidating the Union's negotiating position with respect to Russia; considers, however, that, in line with the Conclusions of the Transport, Telecommunications and Energy Council of 27 and 28 June 2005 on external relations in the field of aviation, the acceptance of Community clauses should be a starting point for Community negotiations aimed at reaching a comprehensive agreement;
9. Acknowledges the excellent work the Commission is carrying out with its Russian partners, but regrets that it has not had access to the terms of the negotiating mandate the Commission now seeks from the Council in respect of Russia; insists that it be better integrated in the process of negotiating the agreement and hopes that this issue will be resolved, as this will benefit all parties;
10. Notes that the charges imposed by Russia for flights over its territory are in violation of international law and have not, in the main, been used for the promised improvement of air traffic control management but rather to subsidise Russia's own airline, in breach of competition law;
11. Nevertheless insists to the Commission and Council that no comprehensive agreement should be concluded without the immediate and complete abolition of Russian overflight charges ;
12. Further insists that no modified charging scheme should be agreed to replace the current overflight charging regime.
13. Calls on the Commission not to conclude an agreement on the Russian Federation's accession to the World Trade Organisation while Russia continues to charge for Siberian overflights.
14. In this context asks the Commission to evaluate all arguments related to modernisation, capital investment and technical requirements in the links between the European Union's and Russia's aviation industries and their differences over overflight charging.

China and Russia

15. Emphasises that negotiations can only be successfully concluded with both China and Russia if stakeholders are able to advise the Commission and are fully apprised of the progress of negotiations and the positions adopted therein;
16. Insists that no mandate should be granted which does not inexorably link increased access to both China's and Russia's markets to the creation of a 'level playing field' through the convergence of operating standards in the areas of air traffic control and management, staff training and operating standards and aviation security and safety; insists that the principle of reciprocity be applied;

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