

EXPLANATORY MEMORANDUM ON THE COMMON AVIATION AREA AGREEMENT BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES AND THE REPUBLIC OF MOLDOVA -

Title of treaty

Common Aviation Agreement between the European Union and its Member States and the Republic of Moldova

Command Paper Number.....9691.....

Subject matter

The purpose of the Agreement is to provide a framework that expands the Common Aviation Area to Moldova. This is part of the European Union neighbourhood policy to replace the network of bilateral agreements through the establishment of a Common European Area between the EU and neighbouring countries.

The Agreement covers not only access to the air transport markets of the Contracting Parties but extensive alignment of Moldovan aviation legislation with European Union legislation and regulations on aviation safety, security and air traffic management, as well as on economic regulation, competition laws, environment and consumer protection. The Agreement provides phased opening of market access between Moldovan and the EU, providing substantial opportunities for consumers and industry for both sides. The bilateral air services agreements between Member States and Moldova will in almost all respects be superseded by this Agreement.

The Agreement takes the form of a number of articles, which are essentially a new bilateral air services agreement between the EU and Moldova, and a number of annexes that include a list of applicable European legislation and scope of the Agreement.

Ministerial responsibility

The Secretary of State for Transport has responsibility for the policy of the Agreement and for implementing its provisions. The Secretary of State for Foreign and Commonwealth Affairs has overall responsibility for policy relating to the UK's relations with the European Union and Moldova.

Exiting the European Union

On 23 June 2016, the EU referendum took place and the people of the United Kingdom voted to leave the European Union. The Government respected the result and triggered Article 50 of the Treaty of the European Union on 29 March 2017 to begin the process of exit. Until we leave the EU, the UK remains a full member of the European Union and all the rights and obligations of EU membership remain in force. During this period, the Government will also continue to negotiate, implement and apply EU legislation.

After our departure in March 2019 the UK will no longer be able to ratify EU third country agreements. However, the draft Withdrawal Agreement includes provision that during the Implementation Period, the UK will be treated as if it were an EU Member State for the purposes of international agreement, with the effect that the UK would be bound by agreements which enter into force during the Implementation Period.

After the Implementation Period, the treaty will need to be replicated bilaterally to ensure continuity of effect.

Policy considerations

(i) General

The Agreement expands the Common Aviation Area to Moldova. This allows airlines of the EU and Moldova to operate routes between and within the EU and Moldova

(ii) Financial

There are no significant financial implications

(iii) Reservations and Declarations

None.

Implementation

No new legislation is required. The Agreement was signed by the Council on 26 June 2012 and has been applied provisionally since then pending its entry into force.

Consultations

The European Commission's Special Committee and Industry Consultative Forum consulted European aviation interests, including airlines, airports, and their associates.



Baroness Sugg
Minister of State for Transport

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