



Council of the
European Union

Brussels, 22 December 2020
(OR. en, fr)

14340/20

**Interinstitutional File:
2020/0363 (COD)**

**VOTE 78
INF 234
PUBLIC 95
CODEC 1421**

NOTE

Subject:	– Voting result – REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on common rules ensuring basic air connectivity following the end of the transition period provided for in the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community – Adoption of the legislative act, and – Derogation from the 8-week period provided for in Article 4 of Protocol 1 to the TFEU on the role of national parliaments in the EU – Outcome of the written procedure completed on 22 December 2020
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The outcome of voting on the above mentioned legislative act can be found in Annex 1 to this note.

Reference document:

PE-CONS 66/20

date of adoption by Coreper 2 of the decision to use the Written Procedure

16.12.2020

The statements and/or explanations of vote are in Annex 2 to this note.



General Secretariat of the Council

Institution: Council of the European Union
 Session:
 Configuration:
 Item: 2020/0363 (COD) (Document: 66/20)
 Voting Rule: **qualified majority**
 Subject: REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on common rules ensuring basic air connectivity following the end of the transition period provided for in the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

Vote	Members	Population (%)
Yes	26	99,86%
No	0	0%
Abstain	1	0,14%
Not participating	0	
Total	27	

Sitting date: **22/12/2020**

Final result



Member State	Weighting	Vote	Member State	Weighting	Vote
BELGIQUE/BELGIË	2,56		LIETUVA	0,62	
БЪЛГАРИЯ	1,56		LUXEMBOURG	0,14	
Ceská republika	2,35		MAGYARORSZÁG	2,18	
DANMARK	1,30		MALTA	0,11	
DEUTSCHLAND	18,54		NEDERLAND	3,89	
EESTI	0,30		ÖSTERREICH	1,98	
ÉIRE/IRELAND	1,10		POLSKA	8,49	
ΕΛΛΑΔΑ	2,40		PORTUGAL	2,30	
ESPAÑA	10,49		ROMÂNIA	4,34	
FRANCE	14,98		SLOVENIJA	0,47	
HRVATSKA	0,91		SLOVENSKO	1,22	
ITALIA	13,65		SUOMI/FINLAND	1,23	
ΚΥΠΡΟΣ	0,20		SVERIGE	2,29	
LATVIJA	0,43				

* When acting on a proposal from the Commission or the High Representative, qualified majority is reached if at least 55 % of members vote in favour (15 MS) accounting for at least 65% of the population

For information: <http://www.consilium.europa.eu/public-vote>

Statement by Luxembourg

Le Luxembourg considère que les libertés de l'air permettant de relier un Etat membre à un pays tiers ne sont pas couvertes par le champ d'application du règlement sur la connectivité de base du transport aérien.

Notamment la 5ème liberté de l'air extra-UE (liberté d'embarquer et de débarquer du trafic à des points intermédiaires se situant hors UE) relève de la compétence des Etats membres et ne peut donc pas être suspendue ou supprimée par le règlement en question.

Le Luxembourg regrette que sa suggestion de clarification du texte du règlement sur la connectivité de base du transport aérien n'a pas été prise en compte mais considère par contre que l'interprétation du règlement ne se trouve pas pour autant modifiée.

Statement by the Commission

In respect of Article 2 and recital 8, the Commission recalls that the division of competences as between the Union and the Member States is exhaustively dealt with in the Treaties, both for usual and exceptional circumstances. In accordance with the jurisprudence of the Court of justice, the legislator has no power to alter that division. Against this background, the Commission considers that this Regulation, as such, does not prejudge the nature of the future relationship with the United Kingdom in the area of aviation following its expiry. The exercise of competence through the Regulation is temporary and strictly limited to its period of validity.

This is without prejudice to the legal position following from the current or any future authorisations to negotiate, with any third country.