



EU and Ukraine sign a Common Aviation Area Agreement

12 October 2021

1. Overview

The goal of Europe's Aviation Strategy¹ is to ensure the best possible connectivity for passengers and businesses, whilst maintaining high standards for safety, fair competition, the environment and social issues.

In 2006, the Commission received a mandate from the Council to negotiate a 'Common Aviation Area' Agreement with Ukraine. The negotiations were concluded in 2013, but due to the dispute between Spain and the UK over the airport of Gibraltar, it was not possible for the EU to sign the agreement earlier. The agreement signed today will, for the first time, put in place a single set of rules for air transport services between the EU and Ukraine.

2. What are the benefits of the EU-Ukraine aviation agreement?

The new agreement will replace the EU Member States' bilateral aviation agreements with Ukraine and create a Common Aviation Area.

Ukraine will progressively align its aviation legislation with EU rules in areas such as safety, security, air traffic management, economic regulation and the environment. The Agreement will also gradually enhance market access to the benefit of consumers, provide new business opportunities for European companies and ensure fair and transparent market conditions, based on a clear regulatory framework. It will provide more connections and better prices for passengers. Global connectivity is a driver of trade and tourism and directly contributes to economic growth and job creation.

3. I am an EU citizen – what is in it for me?

The EU-Ukraine aviation agreement will improve connectivity, provide more options in terms of direct routes and operators and offer more competitive prices for passengers.

It ensures the highest standards for passenger safety and security, consumer protection, fair competition, the environment and air transport workers' rights.

4. How will Ukraine integrate into the European Common Aviation Area?

The integration of Ukraine into the European Common Aviation Area requires the effective and full implementation of virtually all EU aviation rules and standards in areas such as aviation safety, security, air traffic management, the environment, economic regulation and consumer protection, to be carried out progressively through two transitional periods.

During the first transitional period, Ukraine will implement the fundamental aviation-related legislation, while the remaining legal acts will have to be implemented by the end of the second transitional period.

Compliance by Ukraine with the relevant EU requirements and standards will be monitored by the European Commission through technical assessments, as well as compliance inspections by the European Aviation Safety Agency (EASA) for aviation safety.

5. What possibilities does the Agreement offer in terms of market access?

Following the signature of the aviation agreement, both Parties will immediately be able to exercise full, so-called 'third and fourth freedom traffic rights'. This means that EU and Ukrainian airlines will be able to provide an unlimited number of direct services between any point in the EU and any point in Ukraine and vice versa.

Once Ukraine has complied with all the relevant EU requirements and standards, Ukrainian carriers will also be able to operate flights between the EU Member States under the condition that the operation also serves a point in Ukraine, i.e. so-called 'fifth freedom traffic rights' (for example, Kyiv-Copenhagen-Brussels). Such rights will also be granted to EU carriers, which will be able to operate flights to Ukraine and continue to any country beyond (for example, Brussels-Kyiv-Tbilisi). In addition, from the same period, EU carriers will be allowed to operate services within the Ukrainian territory, i.e. cabotage.

6. What kind of commercial opportunities will be provided in addition to traffic rights?

The Agreement provides a series of business-related prospects aimed at facilitating airline operation, such as code share arrangements, pricing freedom, access to ground handling services, leasing, intermodal transportation, as well as the right for night stops in both Parties' airports.

Moreover, the Joint Committee that is established by the Agreement to ensure the overall monitoring of the application and functioning of its provisions, is entrusted to deal with any particular "doing business" issue.

7. Does the Agreement contain provisions on environmental protection and social matters?

The Parties have agreed to cooperate in these areas. Additionally, Ukraine has agreed to implement certain aviation-specific EU environmental and social standards and measures.

8. Will Ukraine need to comply with future EU aviation legislation?

The agreement provides that the Joint Committee will regularly update the list of EU legislation that needs to be complied with.

9. Will the Agreement guarantee fair competition between Ukrainian and EU airlines?

Guaranteeing fair competition in air transport markets is one of the key objectives of the EU when negotiating air transport agreements. There can be no open aviation markets without a level playing field.

The Agreement contains strong safeguards in this respect to ensure fair competitive practices by air carriers. Notably, subsidisation and support of airlines is subject to strict criteria based on the EU's competition policy rules. Detailed dispute settlement procedures are also foreseen, in case disagreement between the Parties should arise.

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ⁱ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015DC0598&from=EN>