



Council of the
European Union

Brussels, 26 January 2022
(OR. en)

5449/22
ADD 1

LIMITE

AVIATION 10
DELACTION 10

'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Comité de représentants permanents (1re partie)
No. Cion doc.:	15170/21
Subject:	Commission Delegated Regulation (EU) .../... of 15 December 2021 amending Council Regulation (EEC) No 95/93 as regards the extension of measures for temporary relief from the slot utilisation rules due to the COVID-19 crisis

- Joint statement by Belgium, Denmark, Finland and Italy

Delegations will find attached joint statement by Belgium, Denmark, Finland and Italy on the "aviation slot relief rules in the context of the pandemic: the need for action", to be included in the minutes of the Permanent Representatives Committee.

Statement on the aviation slot relief rules in the context of the pandemic :the need for action

The Transport Ministers of **Belgium, Denmark, Finland and Italy** would like to draw the attention of the European Commission to the necessary update of the EU policy regarding the aviation slot relief rules given the worrying trends observed in the sector, in the context of the COVID-19 pandemic.

Indeed, the Lufthansa company has announced that it will perform in the coming months a large number of empty or almost empty flights given the obligation imposed by Regulation (EU) 2021/250 (amending Regulation (EEC) no 95/93) to have to fly a still high percentage of slots allocated at coordinated airports in order to be able to keep them. Lufthansa is unfortunately not the only company that is or will be obliged to do so. Any airline operating from coordinated airports is likely to need to do the same.

In July 2021, the Transport Ministers of Belgium, Greece and Malta already mentioned the fears of increasing the number of flights for no other reason than to maintain slots at certain airports. Today these fears are becoming realities.

As we have seen since the start of the COVID crisis, the different waves of the pandemic make any forecast of flights and passenger numbers uncertain. It is therefore essential, in these circumstances, to offer airlines as much flexibility as possible in the planning of their flights in order to allow them to rationalize their offer and ensure the highest possible economic and environmental efficiency for each flight.

Maintaining the rules now in force creates unsatisfactory situations where airlines have to fly empty and incur costs that are as great as they are unnecessary, in addition to the lack of sufficient financial return as passengers numbers are too low. The large-scale pollution created by these empty flights differs sharply with the EU's climate targets. We therefore risk jeopardizing the expected benefits from the recent legislative proposals of the "Fit for 55" Package which aim to reduce the environmental footprint of aviation, such as the "ReFuelEU Aviation" proposal.

It should also be noted that this situation generates unfair competition between airlines using coordinated airports and those using smaller airport platforms, or low-cost airports which are not themselves coordinated, and for which there is therefore no obligation of a minimum percentage of attendance. The application of Regulation (EU) 2021/250 is consequently unfavorable, in terms of competition, to coordinated airports compared to those that are not.

These competitive, economic and environmental biases must be considered at their proper level and require adequate, rapid and proportionate actions.

Given these exceptional circumstances, this is why we ask the European Commission to ensure, by means of Delegated Acts, that the mandatory usage threshold for slots is decreased again, and new exemption possibilities are introduced, at least for the winter 2021/2022 and summer 2022 seasons, and until an exit from this crisis linked to the coronavirus can be confirmed.