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## TEXTS ADOPTED

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### **P8\_TA(2015)0394**

#### **Future aviation package**

#### **European Parliament resolution of 11 November 2015 on aviation (2015/2933(RSP))**

*The European Parliament,*

- having regard to its resolution of 25 April 2007<sup>1</sup> on the establishment of a European common aviation area,
- having regard to Directive 2009/12/EC of 11 March 2009 on airport charges,
- having regard to its resolution of 7 June 2011 on international air agreements under the Treaty of Lisbon<sup>2</sup>,
- having regard to its resolution of 2 July 2013 on the EU's External Aviation Policy – Addressing future challenges<sup>3</sup>,
- having regard to its position adopted at first reading on 12 March 2014 on the proposal for a regulation of the European Parliament and of the Council on the implementation of the Single European Sky (recast)<sup>4</sup>,
- having regard to its position adopted at first reading on 12 March 2014 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services<sup>5</sup>,
- having regard to its resolution of 29 October 2015 on allocation by the World Radiocommunication Conference, to be held in Geneva from 2 to 27 November 2015 (WRC-15), of the necessary radio spectrum band to support the future development of a satellite-based technology to enable global flight tracking systems<sup>6</sup>,
- having regard to the Treaty on the Functioning of the European Union (TFEU) and in particular Articles 90, 100(2) and 218 thereof,

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<sup>1</sup> OJ C 74 E, 20.3.2008, p. 658.

<sup>2</sup> OJ C 380 E, 11.12.2012, p. 5.

<sup>3</sup> Texts adopted, P7\_TA(2013)0290.

<sup>4</sup> Texts adopted, P7\_TA(2014)0220.

<sup>5</sup> Texts adopted, P7\_TA(2014)0221.

<sup>6</sup> Texts adopted, P8\_TA(2015)0392.

- having regard to the Commission’s upcoming legislative ‘Aviation Package’,
- having regard to Rules 123(2) and 123(4) of its Rules of Procedure,
- A. whereas in 2012 the air transport economy in Europe directly supported 2,6 million jobs and contributed more than 2,4 % of EU GDP;
- B. whereas in 2014 the number of passengers travelling by air in the EU amounted to 849,4 million, an increase of 4,4 % compared with 2013 and of 16,9 % compared with 2009;
- C. whereas more than 20 000 job cuts have been implemented and scheduled by European airlines since 2012;
- D. whereas EU airlines are operating in a fast-changing, increasingly competitive environment on both internal and external markets;
- E. whereas the International Civil Aviation Organization (ICAO), the EU and its Member States must improve various legal and financial regulations, such as the intra-EU Emissions Trading Scheme (ETS), extended passenger rights, levies and national taxes, noise reduction at airports and restricting operating hours;
- F. whereas air transport plays a role in climate change, accounting for some 13 % of EU CO<sub>2</sub> transport emissions, as well as other emissions such as NO<sub>x</sub>;
- G. whereas the Commission intends to deliver an Aviation Package by the end of 2015 which seeks to identify and address the challenges facing the EU aviation sector;

***Improving the competitiveness of the aviation industry***

1. Considers that the Aviation Package should provide a much-needed boost for a more sustainable and competitive European aviation industry, strengthen European airlines, airports and the aeronautic industry, ensure a level playing field in the global market, and set out a long-term strategy for Europe’s aviation sector;
2. Calls on the Commission to take into account and include the fundamental points of Parliament’s positions at first reading on Single European Sky 2+ (SES2+) and the European Aviation Safety Agency (EASA) and from its resolution of 2 July 2013 on the EU’s External Aviation Policy when drafting the Aviation Package;
3. Emphasises that the aeronautics industry is a major contributor to EU growth and jobs and is closely linked to competitiveness in the EU aviation sector (e.g. positive export balance, cleaner technologies for European aircraft, SESAR deployment, SES, maintenance chain), generating a turnover of around EUR 100 billion per year and sustaining some 500 000 direct jobs; asks therefore for proactive policies aimed at supporting and developing the aeronautics industry;
4. Underlines the fact that innovation is a prerequisite for a competitive European aviation industry; recommends, therefore, that the Commission take into account and support innovation in the fields of air traffic management (automated air traffic control (ATC), free routing), remotely piloted aircraft systems (RPASs), alternative fuel solutions, aircraft and engine design (greater efficiency, less noise), airport security (touchless solutions, one-stop security) digitalisation, and multimodal solutions (computerised ground handling services); further recommends that it support global environmental solutions, such as a

global market-based measure to reduce CO<sub>2</sub> emissions from international aviation, and align regional schemes, such as the aviation emissions trading system (ETS), with the goal of merging them into a global scheme, airport greening and new business models (such as the International Air Transport Association (IATA)'s New Distribution Capability (NDC), self-connection or integrated ticketing);

5. Calls on the Commission to start, within its competences, to remove EU and national burdens from European airlines in order to strengthen competitiveness in the European air transport sector;
6. Highlights the loss of competitiveness of EU airlines and airports vis-à-vis subsidised third-country carriers and airports; requests, in this context, a proactive policy to ensure a level playing field on ownership, and strongly encourages Member States to improve their national infrastructure to allow their airlines to compete on more favourable terms;
7. Deplores the fact that Regulation (EC) No 868/2004 on protection against unfair pricing practices in the air transport sector has proved to be inadequate and ineffective in terms of scope; asks the Commission to issue an analysis of the causes of its non-implementation by November 2015 at the latest; calls on the Commission to revise Regulation (EC) No 868/2004 in order to safeguard fair competition in EU external aviation relations and reinforce the competitive position of the EU aviation industry, prevent unfair competition more effectively, ensure reciprocity and eliminate unfair practices, including subsidies and state aid awarded to airlines from certain third countries that distort the market; stresses that the aim should be to improve the political strategy at European level in order to quickly resolve this conflict, based mainly on the application of a transparent 'fair competition' clause; calls also on the Commission to address the concept of 'effective control' of airlines;
8. Notes that European airports are facing significant competitive pressures – from both airlines and competing airports; urges the Commission therefore to take these developments into consideration in implementing the Airport Charges Directive and to provide benefits to all stakeholders and passengers;
9. Calls for greater efforts to be made within the Council to approve the slots regulation proposal in order to improve the performance of airports and allow for the smooth functioning of air transport in Europe, in the context of traffic being expected to double by 2030;
10. Highlights the importance of small and regional airports within the Union for regional connectivity; calls on the Commission, together with the Member States, to present a long-term EU strategic plan to address the challenges and opportunities for regional airports within the EU context, including state-aid rules for transport infrastructure, as their role in ensuring cohesion among EU regions should be promoted and become one of the pillars of the EU's growth and jobs strategy;

### ***International dimension***

11. Emphasises that the negotiation of comprehensive aviation agreements with the EU's major trading partners should be a strategic goal and that such negotiations should be launched or accelerated; urges the Commission to seek comprehensive mandates from the Member States as soon as possible, giving priority to the Gulf Cooperation Council countries, in order to ensure a level playing field for European airlines and airports, ensure

reciprocity and include an effective fair competition clause; insists that, in order to make these comprehensive aviation agreements effective in practice, a safeguard clause must be included that defines an offence and the legal consequences of its violation;

12. Notes that the air transport sector is not regulated on a worldwide basis as it is not a WTO subject; stresses the importance of globally agreed rules within the International Civil Aviation Organization (ICAO) in order to reduce aviation emissions and the climate impact; recognises that the ICAO is committed to the development of a global market-based mechanism;
13. Calls on the Commission and the Member States to accelerate the implementation of the Single European Sky through the adoption of the SES2+ package, as the existing fragmentation of European airspace is a major burden on European air carriers;
14. Expects that the Aviation Package will address and ensure the full integration of airports in the European transport network; recalls the need for the Aviation Package to be consistent with current and future legislation on passenger rights, while urging the Council to come forward with its position, as both passengers and air carriers are longing for clarity on the rules;

#### ***Social agenda in the aviation sector***

15. Underlines the fact that certain working conditions in the aviation sector may impact flight safety; recommends that DG MOVE and DG EMPL work together and that the Aviation Package includes social provisions and provides the necessary safeguards, as discussed during the high-level conference ‘A social agenda for transport’ held on 4 June 2015 by the Commission;
16. Requests the enhancement and harmonisation of the safety chain by attracting and retaining a skilled, highly trained workforce;
17. Stresses that the aviation industry is recognised as a growing sector that has attracted and provided highly skilled and motivated professionals, and that in order to continue this trend, current EU regulatory provisions on employment and working conditions, standards and practices, including collective bargaining practices, should be maintained;
18. Recommends pinning down the concept of ‘principal place of business’ so that the operating licence is granted by a state if the volume of air transport therein is substantial and also, in the context of the coordination of social security systems and labour law, alignment of the definition of ‘Home Base’ as per Regulation (EU) No 83/2014 and Regulation (EU) No 465/2012; highlights the need to shorten the transitional period and clarify the situation of aircrew that have multiple home bases;
19. Notes the challenges in implementing the Directive on Temporary Agency Work (2008/104/EC) and recommends that the Commission study its current application in the sector and decide on this basis how to tackle those challenges;
20. Is concerned about the increase in socially problematic business practices such as ‘flags of convenience’ and the use of atypical forms of employment such as bogus self-employment, pay-to-fly schemes and zero-hours contracts, which may have potential safety implications, takes the view that social standards need be upheld in all aviation activities;

## *Ensuring a high level of safety in EU airspace*

21. Calls for the full implementation of the SESAR programme, which requires close cooperation among, and a financial commitment from, the Commission, air navigation service providers, air carriers and airports; calls therefore for a total system approach in all aviation domains covering all phases of the flight, starting on the ground, with a stronger role for the EASA within the SES-SESAR environment of a EU-EASA system governing safety, security, environment and performance; calls on the Commission to ensure the completion of the original Connecting Europe Facility (CEF) budget, which was affected by the establishment of the European Fund for Strategic Investments (EFSI);
22. Welcomes the intention to increase the EASA's responsibilities and therefore expects the amended Basic Regulation (EC) No 216/2008 to ensure the establishment of a comprehensive Safety Management System and to entrust the EASA with the safety aspects of EU security measures and of commercial space transport and remotely piloted aircraft; calls on the Commission to grant the EASA the status of single aviation authority in Europe, in accordance with the wide range of responsibilities to be assigned by the legislator;
23. Calls on the Commission to maintain a strong representation across all eight seats representing the EU Member States in the ICAO Council, to strengthen, as soon as possible, the EASA's role on the international scene and to ensure its official recognition within the ICAO, in order to establish a single EU voice that will ensure a higher level of safety for EU citizens worldwide, while safeguarding the competitiveness and exports of the EU aviation industry;
24. Calls on the Commission to lift the regulatory barriers to satellite-based air traffic surveillance in order to enable life-saving services for EU citizens, and asks the International Telecommunication Union to make the necessary spectrum allocation, as the ICAO has identified satellite ADS-B as the one technology that can assist flight tracking, also for air traffic management (ATM) purposes, outside of the most densely populated areas, where other forms of terrestrial ATM surveillance technologies are limited; stresses that when implementing ADS-B the needs of all airspace users must be considered and inter-operability between alternative technologies must be ensured in order to avoid safety and security breaches; emphasises that it could help governments, air navigation service providers (ANSPs) and airlines in Europe and around the world to increase air traffic management efficiency and capacity, thus reducing aviation emissions, and significantly enhance aviation safety, all while providing European airspace with another layer of surveillance that could augment the current one;
25. Calls on the Commission to take measures with a view to improving medical assessment of pilots and the security, entry and exit procedures relating to cockpit doors, following the risk assessment in the EASA Task Force Report;
26. Calls for a 'risk-based security' approach for passenger and freight transport instead of the current reaction-based measures, and for a fair and balanced approach to the sensitive issue of aviation security which meets the needs and expectations of Member States on the one hand and limits passenger dissatisfaction at airports on the other, and which strengthens the Aviation Security Service (AVSEC) and Stakeholder Advisory Group on Aviation Security (SAGAS) system; urges the Commission, therefore, in light of successful experiences in other regions, to undertake a feasibility study on the implementation of a pre-check and 'Global Entry' system in Europe;

27. Calls on the budgetary authorities to maintain a competitive budget for the EASA, taking into account those new responsibilities, in order to have flexible and effective tools available for EU manufacturers and airlines to compete worldwide, while noting that the industry provides 70 % of the EASA's budget;

28. Notes that a number of aviation legislative files are pending in the Council, and therefore asks the Commission to seek a solution for unblocking the current situation;

29. Calls on the Commission to address the aforementioned issues in its Aviation Legislative Package to be delivered by the end of 2015;

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