

SUSTAINABILITY

- **Extension of taxonomy to aviation activities: when is it coming? Will there be a public consultation? Are you satisfied with the SFP work?**

The public consultation of the draft criteria for the Taxonomy 2nd Delegated Act took place in Autumn 2021. The Platform has received wide feedback from the aviation community and is working on its incorporation. The final report is expected in February 2022. The aviation criteria focus on aircraft manufacturing, air operators, and ground handling. It is expected that the DA will be adopted by the Commission by summer 2022. At this stage, we are not in a position to judge the final outcome of the Platforms work.

- **French short-haul ban and min ticket prices discussions (cf. EU1008): what are your views on the arguments used by DG CLIM and EVP Timmermans' CAB and the approach taken by the supporters.**

The Commission supports measures aimed at promoting increased use of low-carbon modes of transport, while ensuring the proper functioning of the internal market. Any measure restricting the internal market must be proportionate to the aim pursued and ensure proper connectivity. It must have a real environmental impact without going beyond what is necessary, without being discriminatory; and without causing distortions of competition. No green washing. We have defended this line to anyone who has approached us and are fully aligned on this within COM.

On minimum pricing, we are aware of early reflections in a few MS to consider a minimum price. In view of the existing internal market rules, we are monitoring the situation.

- **Also, where do things stand on the possible formal inquiry (cfr Les Echos). There were also rumours that France could withdraw its notification (temporarily?) to avoid the decision.**

The envisaged scheme by France raises a number of questions which require further examination. We are looking closely into the matter. We have initiated a dialogue with the French authorities to ensure that the envisaged scheme is compatible with existing internal market rules.

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- **What is your assessment of the December '21 TTE and where things are headed on FF55?**

Ministers largely supported the objectives of the ReFuelEU Aviation proposal. They presented their views on how such objectives would be achieved by using different types of fuels and by using different levels of uptake of fuels in the coming years. FR Presidency is very ambitious and aim for package deal on the entire package. If this is not possible, I hope that at least the core transport files including ReFuelEU Aviation will reach a General Approach during the FR Presidency for trilogies in the second half of this year.

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EU261

- **Do you expect the Czech Presidency to bring this back to the table? Are you planning to put more pressure on MS? How can industry support? And what is the outlook for the reform if the Czechs do not take it up?**

This is too early to say. We have told the French Presidency that we stand by our 2013 proposal and would like to see it move forward in Council, but it is not one of their priorities. Support from industry for our proposal is appreciated; you have followed the discussions in Council. We still believe that the proposal is fit for purpose, even in a post-crisis setting and there have been valuable contributions from stakeholders. So, yes, keep lobbying the MS to bring this back to the table. As to the outlook for revising 261 if the Czechs do not take it up we have decided to move forward with modernising the passenger rights across the modes (see the answer to the next question)

- **There are several parallel passenger rights initiatives now: EU261 reform, PTD reform, and the new horizontal initiative on “better protection for passengers”. How do all of these fit together? We heard that both Commissioners Reynders and Valean agreed that the 261 and PTD reforms should proceed in parallel. EU261 remains critical for us and we would be concerned if new obligations for airlines are being considered while EU261 is still on hold.**

The PTD reform does indeed cover issues which we know from the discussions around Regulation 261, such as reimbursement in case of cancellations because of extraordinary circumstances, the voucher issue, or insolvency protection. This is all handled by our colleagues in JUST. In MOVE we have decided to look into improving passenger rights across all modes and to see whether rules should be harmonised across modes, notably as regards enforcement of the rules. Since we have just adopted new rules for rail and we have the 2013 air proposal still pending, we do concentrate on the other two modes, bus&coach and waterborne. Therefore, regarding our new initiative, which you mentioned (“Better protection for

passengers") air and rail passenger rights are part only insofar as it concerns aspects that are not yet covered (i.e. for air mainly insolvencies/liquidity crises- as foreseen under the SSMS and also recommended by the ECA in its report of June 2021 on the protection of air passenger rights in the context of COVID-19).

Is it still realistic to expect EC proposals on e.g. the ACD and Reg. 1008 by the end of 2022, given the ongoing COVID study? And how does DG MOVE plan to use the findings of that study to inform future policy?

The Action Plan of the Strategy foresees proposals for the revision of the Air Services Regulation in 2021-2022. Preparatory work is well underway. However given the substantial refocusing of the revision in light of the Strategy and the pandemic, and in line with the Better Regulation requirements, we will carry out a new Impact assessment support study (although drawing on the earlier study wherever relevant) with a view to collect views of stakeholders. This would be done through new public and targeted consultations in the course of this year.

On slots, we hope for the EC's support to ensure a more consistent application of force majeure (justified non-use of slots) provisions, given the spread of Omicron. Unfortunately, we are seeing a patchwork of different approaches at the moment.

It is for slot coordinators to apply JNUS. However, MOVE has been liaising with slot coordinators, airlines and airports to ensure uniformity of the application of JNUS.

here is a call between MOVE/EUACA/airlines/airports on 13 January to discuss and better coordinate. There is absolutely no reason why any discrepancy should exist, especially in relation to intra-EU flights. We are hoping that EUACA will issue further updated guidance on JNUS. If there are discrepancies on specific routes, airlines are encourage to urgently bring this to the attention of slot coordinators.

COVID/Security

- **What is the EC strategy regarding the shift towards COVID becoming endemic (see recent ES announcement)? Can we support efforts in that respect?**

There is no official COM position yet, let alone strategy, but yes, personally I think we should fully support these efforts. Take the example of the PCR (or antigen) tests required even to vaccinated passengers by some Member States right before the Christmas break. This would be incompatible with an approach where COVID is considered endemic.

Although I am less optimistic here, I think we should also push for removing quickly the other requirements and complications that have popped up because of COVID, such as PLFs. They are temporary tools to enable and enhance contact tracing capabilities, but if COVID becomes endemic, then also contact tracing needs to evolve. Until then, we continue working to make PLFs more similar and digital so as to minimise complexity and inconvenience for travellers and transport operators.

- **Aviation Security Strategy: can we expect it to be published in 2022?**

Yes, the work on the Aviation Security Strategy has been slowed down by the pandemic and the impossibility to meet physically, but we are confident that the work

will come to fruition this year. The team has been reinforced with an experienced aviation official coming from the aviation Directorate, [REDACTED], whom you may know, who will provide additional support to this task. The current objective is to finalise the work of all work streams before the summer and to have a strategic discussion with Member States (format to be decided) in the second half of the year.

BACKGROUND: MOVE A5 launched in 2020 a discussion on a new “AVSEC strategy”, the purpose of which was to reflect on a strategic vision for the future of aviation security. While delayed by COVID19 pandemic priorities, the work resumed in earnest in 2021. This includes input from various work streams in the areas of risk based security, security culture and holistic approach, innovation, and aviation security standards. At this stage, we are drafting, for each of the work streams, a concept paper that structures the ideas that emerged from the discussions. We will be circulating them to the participants for review. We may also need to organise some additional meetings. We intend to conclude preparatory discussions on the Aviation Security Strategy in the second half of this year. The outcome of this process will give clarity about the regulatory work that can be developed until the end of the current Commission.