Introduction
CERMI welcomes the *draft EU Guidelines on State aid to airports and airlines* and the Commission’s proposal of considering aid of a social character compatible with the internal market within the meaning of Article 107(2)(a) of the TFEU. However, CERMI believes that there is a clear (both business and political) case to further mainstream accessibility requirements across the guidelines. Our proposals below go in that direction.

Background
15% of the European population (more than 80 million citizens) is disabled. In many cases their free circulation rights (central to the achievement of a real single and internal market) are limited because of the lack of accessibility of public transport. Although thanks to recent EU legislation¹ some progress has been made, airports and airlines are not an exception and further EU action is needed.

CERMI regularly receives information and complaints from our members regarding discrimination experienced when travelling – or trying to travel – by air. Often this is due to the lack of accessibility of the airport infrastructures, the air carriers and the air transport chain as a whole.

Policy context
In its European Disability Strategy 2010-2020² the European Commission has set the promotion of accessibility as one of its main priorities, including accessibility of “public services” and of “transport”.

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² COM(2010) 636 final, 15.11.2010
To this effect, a proposal for a European Accessibility Act is foreseen in the coming weeks/months. Equally, other EU legal instruments are trying to mainstream accessibility as a horizontal requirement. Notably that is the case of the draft Structural Funds regulations, which incorporate accessibility as an *ex ante* conditionality for the disbursement of EU funds\(^3\). In other words, EU funds should not be spent on projects that are not accessible or that create new barriers for people with disabilities.

**Economic, political and business case**

In the current context of scarcity of public resources, it would be difficult to justify that taxpayers money goes to support airports/airlines which somehow exclude 15% of the European population. As the draft guidelines expressly state, public aid should be focused on promoting the “common European interest” and “avoiding waste of public resources”\(^4\).

In addition, we strongly believe that there is a business case for the promotion of accessibility in the air transport sector. Recent data and examples show that those transport infrastructure managers and carriers that take accessibility seriously increase their market share\(^5\). Accessibility does not only benefit disabled people but also other groups such as, pregnant women, children or the elderly (which is not negligible given the ageing of the European population).

Ultimately, promoting accessibility of EU aviation infrastructure will also contribute to strengthen the EU’s position as global aviation hub, as well as European competitiveness.

**Our proposal**

We believe that the new EU state aid rules should take a similar approach as the Structural Funds and make public aid to airports and airlines subject to the beneficiaries complying with accessibility requirements. This would be a very powerful tool to further promote accessibility in air transport, thus meeting one of EU’s goals.

\(^3\) COM(2011) 615 final/2  
\(^4\) See recital 8  
\(^5\) In Spain, since 2008, thanks to the accessibility promotion programme, ATENDO, supported both by RENFE and ADIF, the number of travellers have increased by 5%. ATENDO supported almost 2 million people.
Suggested amendments

Amendment 1
Recital 83 should be redrafted as follows:

83. An aid measure will not be considered compatible if: a) other less distortive policy instruments or aid instruments allow the same objective to be reached; b) or if the beneficiary does not ensure the accessibility of its infrastructure and services to people with disabilities and other groups with reduced mobility, such as the elderly.

Amendment 2
Add bullet point f) to recital 113 as follows:

113 f) Accessibility: Start-up aid will not be considered compatible if the airline does not comply with accessibility requirements in relation to people with disabilities and other groups with reduced mobility, such as the elderly.

About CERMI

The Spanish Committee of Representatives of Persons with Disabilities (CERMI) is the Spanish umbrella organisation representing the interests of more than 3.8 million women and men with disabilities in Spain. The mission of CERMI is to guarantee equal opportunities of women and men with disabilities and to protect their human rights, ensuring they are fully included in society. CERMI is a founding member of the European Disability Forum and has been actively and constructively contributing to EU policy-making for more than two decades. www.cermi.es