

Public consultation on the
"Aviation package for improving the competitiveness of the EU Aviation sector"
Report on the contributions received

1. Introduction

In the period between 19.03.2015 and 10.06.2015, the European Commission carried out a public consultation on the "Aviation package for improving the competitiveness of the EU Aviation sector".

Aviation is a key driver of economic growth, jobs and trade with a major impact on the EU's economy and the life and mobility of its citizens. As such, it plays a crucial role for delivering on the priorities of the Juncker Commission, in particular "Jobs, Growth and Investment", "A deeper and fairer Internal Market with a strengthened Industrial Base", "Global Actor" and "Energy Union". In the European Commission's 2015 Work Programme, an "Aviation Package" is foreseen to identify the challenges the EU's aviation sector is facing and measures that can bolster its competitiveness. The Package is expected to be adopted by the Commission by the end of 2015. This public consultation is an important element of the stakeholder consultation which aims to gather views and elements the European Commission shall assess for the development of the communication and upon that for actions to be considered.

This report summarises contributions from stakeholders to the online consultation. The opinions presented in this report do not reflect the European Commission's official position.

2. Respondents

The Commission received 233 full questionnaires, 41 position papers and 6 respondents had chosen not to provide full questionnaires and thus, their input was limited to general comments. Out of the 41 position papers 11 came from organisations that did not wish to fill in the questionnaire,¹

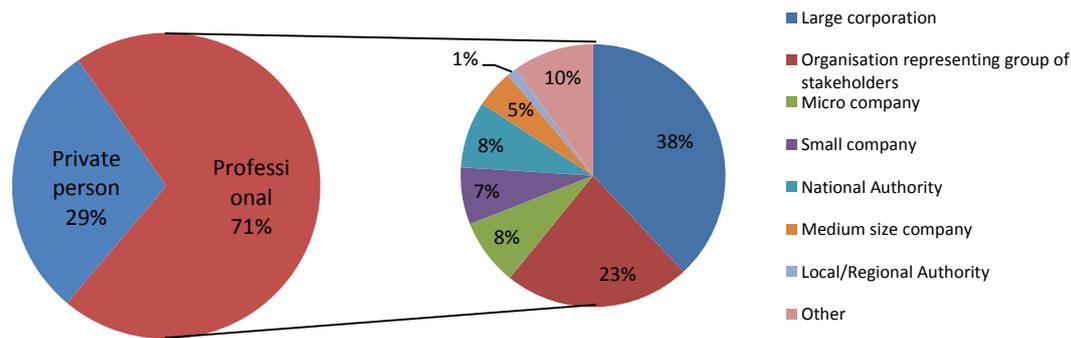
The respondents came from 21 Member States² and from 10 non-EU countries³ while three of them identified themselves as not being relevant which country they were from (umbrella organisations).

The questionnaire was set up to distinguish between respondents that are private persons and professionals because several subjects seemed to be more adequate to be limited to professionals who were expected to know the details of the regulatory framework of the questions. Large majority (71%, 161) of the respondents were professionals while the rest was private person (29%, 70).

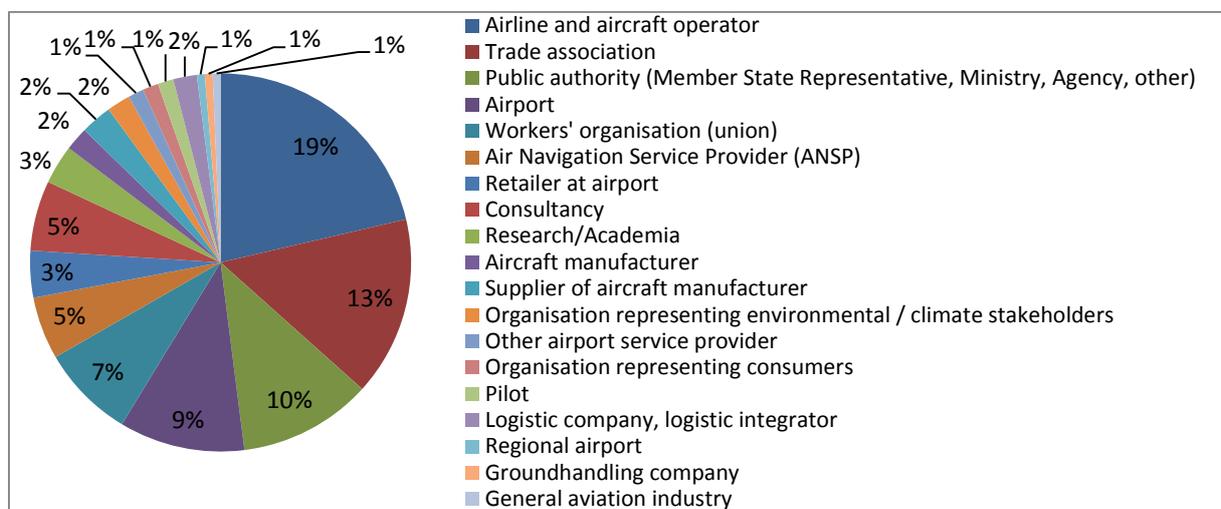
¹ These organisations are included in the statistics of this chapter, yet their responses are not quantified in this report however are assessed by the Commission on a qualitative basis.

² Germany (64); United Kingdom (30); Austria (16); France (16); Belgium including EU-wide associations (1/15); Spain (13); the Netherlands (10); Sweden (7); Greece and Italy (6); Czech Republic, Denmark, Ireland, Latvia, Poland and Portugal (4); Finland and Slovenia (3); Malta (2); Estonia and Romania (1)

³ Switzerland (5); Norway (4); United Arab Emirates (2); Iran, Cameroon, Saudi Arabia, Kingdom of Bahrain, Macedonia, USA and Serbia (1)



More than one third of the professional responses derived from large corporations and approximately one quarter of those is from organisations representing groups of stakeholders. We received 16 responses from regional or national authorities (9% combined).



There is a large variety of the stakeholders in terms of type of activity. The greatest number of respondents (32 responses) was airlines, followed by trade associations (out of their 23 responses 14 is closely linked to airports or airlines), public authorities (17), airports (16) and unions (12).

3. Assessment of the contributions

3.1. Responses of private persons

3.1.1. Questions on travel experience and attitude

The 70 responses of private persons represented 16 EU Member States and 3 non-EU countries, the vast majority from the Western European countries (63 responses). Germany over-represented the population by almost half of the replies⁴.

41 surveyed persons (59%) indicated that they had flown at least once in the last 12 months. 22 persons (30%) travelled by air more than 6 times a year (considered as frequent flyer). Approximately two third of these flights were taken by using mainly (21%) or exclusively (45%) EU air carriers.

Half of the respondents (35) replied that the air connections improved in the last 10 years and believed that it is attributed to the growing competition that more airports with commercial flights

⁴ However by analysing further in details, it seemed that 20+ of these respondents sent coordinated answers with replies being identic. Thus, the outcomes of chapter 3.1 should be handled with extra caution and in the view that the results are not representative and statistically insufficient to draw conclusions upon them.

appeared on the map and the penetration of low cost carriers. Nota bene, those but four of them who answered negatively complained about the noise level of Frankfurt airport and not the level of connections.

The vast majority of the replies said that local air transport connections were sufficient. Negative answers showed issues with lack of regional airports in rural areas and that unnecessary connections offered due the allegedly high level of subsidies given to airports. Half of the responses considered that air transport connections are relevant for the overall economic development (supports well the creation of job and growth) of the given region and mainly if the connections are available between the given region and the economic hotspots at double-daily level.

The below table shows how private persons answered on the perception of air connections.

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Strongly agree	No opinion
Air connections within EU are sufficient	3%	4%	11%	31%	49%	1%
Air connections within EU are reliable	3%	7%	11%	31%	44%	3%
Air connections within EU are of sufficient quality	3%	6%	16%	30%	43%	3%
Air connections extra-EU are sufficient	1%	17%	21%	19%	37%	4%
Air connections extra-EU are reliable	1%	11%	24%	23%	34%	6%
Air connections extra-EU are of sufficient quality	1%	11%	21%	21%	36%	9%

The subsequent table shows that respondents scored that the most important elements of travel for them were (i) the ease of access to the departure airport by public transportation (ii) the environmental footprint (iii) punctuality as well as the overall duration of a journey and (v) the departure time as well as the number of layovers. Factors such as loyalty programmes or aircraft type were less considered.

	Not at all important	Somewhat important	Neutral	Important	Very important	No opinion
Duration of journey (door-to-door)	7%	10%	10%	14%	39%	20%
Punctuality	6%	9%	23%	19%	39%	6%
Price	26%	10%	9%	20%	31%	4%
Proximity of the airport to home / final destination	29%	6%	10%	26%	23%	7%
Comfort / On-board services	19%	13%	14%	34%	13%	7%
Accessibility for persons with reduced mobility	13%	3%	13%	33%	20%	19%
Choice of destinations	6%	26%	10%	26%	26%	7%
Direct flight / Number of stopovers	10%	4%	9%	37%	36%	4%
Reasonable onward connections	20%	7%	11%	31%	21%	9%
Air carrier (reputation)	7%	4%	13%	21%	31%	23%
Air carrier (nationality)	24%	9%	17%	10%	13%	27%
Availability of innovative solutions / options	33%	13%	17%	21%	10%	6%
Airport facilities / services	30%	17%	13%	23%	10%	7%
Environmental footprint	13%	11%	14%	9%	50%	3%
Availability of flexible fares	29%	13%	17%	23%	10%	9%
Frequency of flights	30%	11%	7%	29%	14%	9%
Departure time	20%	6%	7%	26%	36%	6%
Access to airport from city centre	27%	6%	7%	24%	31%	4%
Availability of loyalty programmes, alliances	44%	9%	21%	14%	4%	7%
Access to the departure airport by public transport	3%	4%	10%	17%	61%	4%
Level of incidental expenses	27%	4%	16%	21%	20%	11%
Aircraft type	30%	11%	21%	19%	9%	10%

A different picture is drawn however if the three most important factors were asked. In this case the most important for customers were (1) price (2) environmental footprint (3) number of layovers (4) door-to-door duration of the journey and (5) access to the departure airport by public transport. If the above described effect of coordinated responses is deducted from the results, the 'environmental footprint' and 'access to the departure airport by public transport' do not qualify in the top 5 however.

3.1.2. Questions on consumer protection

The answers to the questionnaire revealed that most of the consumers do not or only partially read the terms and conditions of the air ticket. Those who read at least partially considered mainly that the information on the contract terms and conditions are insufficient, intransparent and not easy to understand. The few comments received mentioned some reasons for that: long text, no information on complaint handling, written in English not in local language.

As for how to improve consumer protection there were 51 answers received. The below table shows the distribution of answers:

	Not at all important	Somewhat important	Neutral	Important	Very important	No opinion
Reimbursable elements of the ticket should be identified at the time of purchase of the ticket	2%	2%	12%	51%	27%	6%
Reimbursable elements should be reimbursed at no admin cost to passenger	2%	2%	12%	43%	33%	8%
Reimbursable elements should be reimbursed at reasonable level of admin cost to passenger	12%	4%	18%	24%	31%	12%
Fuel surcharge shall be forbidden to be collected	20%	4%	12%	29%	29%	6%
Fuel surcharge and costs related to airport facilities and security should be reimbursable	6%	6%	37%	14%	29%	8%
Fuel surcharge should reflect cost	6%	4%	27%	24%	29%	10%
Airline customer service should be accessible through non-surcharged phone number	0%	2%	29%	14%	43%	12%
Optional price supplements should be displayed during booking process	2%	4%	6%	45%	37%	6%
Terms and conditions of carriage available in the language(s) of the country of purchase	4%	2%	8%	43%	37%	6%

When a ranking of the above elements was asked, the following rank of importance was depicted: (1) Optional price supplements should be displayed during booking process (2) Terms and conditions of carriage available in the language(s) of the country of purchase (3) Fuel surcharge shall be forbidden to be collected (4) Reimbursable elements should be reimbursed at no admin cost to passenger and (5) Reimbursable elements of the ticket should be identified at the time of purchase of the ticket.

3.1.3. Question on environment

The respondents of the questionnaire seemed to be environment cautious. Half of them had the perception that the environmental performance of aviation has in the last 10 years improved. Around two thirds of them considered that information made available on the carbon footprint of a flight is not sufficient and 59% of them would be ready to pay for the environmental footprint of the journey.

Ranking of the preferred options on how reduce the carbon footprint of aviation suggested to focus on (1) improved aircraft design (2) fuel taxation in aviation (3) and ATM solutions.

3.1.4. Questions on competitiveness, security and innovation

Private persons had no decisional opinion on most of the questions but the one on expectation on maintained connections in case of a bankruptcy, see table below.

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Strongly agree	No opinion
Mergers and acquisitions in aviation are unavoidable	10%	14%	26%	27%	16%	7%
Mergers and acquisitions in aviation are positive for the European economy	14%	20%	34%	13%	9%	10%
I expect that in case of an eventual bankruptcy of a national airline, connections will be maintained by other airlines	3%	7%	13%	33%	37%	7%
If a national airline exists in my country, I prefer to fly by that	14%	9%	43%	19%	9%	7%

The answers regarding aviation security did not provide clear evidence on which areas of aviation security provide less-than-satisfactory balance, except that some passengers were annoyed by the no-liquid policy of the EU and possible long queues at checkpoints, especially if in transit.

Respondents supported flow automatisation at airports and encouraged airports to develop smartphones applications for better consumer experience. In that way more digitalisation is desired.

3.2. Responses of professionals

The five most important areas – based on cumulated responses of 'important' and 'very important' perception of an area – indicated to improve the competitiveness of the EU aviation industry in (1) air traffic management (2) infrastructure including airports (3) regulatory harmonisation (4) market access and (5) digital innovation.

The below table clearly shows that respondents believe that all areas could be improved and therefore the strategy shall focus on all these areas. It is also evident from the below table that high level of safety and security are cornerstones of European aviation.

	Not at all important	Somewhat important	Neutral	Important	Very important
Infrastructure	2	3	7	48	91
Air traffic management	0	3	7	44	93
Regulatory harmonisation	1	4	10	45	89
Market access	2	5	9	38	91
Innovation (digitalisation)	2	6	13	56	67
Airport capacity	2	9	13	54	70
Safety	1	7	17	28	92
Taxation	3	2	18	45	66
Innovation (manufacturing)	2	9	19	54	62
Security	1	9	19	33	83
Access to financing	2	9	21	48	59

Elements not explicitly listed, but mentioned by respondents were the improvements in airline efficiency, innovative employment and service models, transparent pricing policies and accessibility of airports.

3.2.1. Connectivity

The public consultation showed very evidently that connectivity matters for all kinds of stakeholders. 97% of the respondents answered that connectivity is somewhat or completely relevant for the overall economic development.

3.2.2. External dimension of EU-aviation

The overwhelming majority of respondents agreed that EU carriers face challenges when competing with non-EU carriers, important issues being cost advantages of non-EU carriers versus EU carriers (including lower labour cost) or a more favourable tax regime.

A majority of respondents are of the opinion that state subsidies for non-EU carriers are an important competitive disadvantage of EU carriers. Some respondents, however, strongly argue against the existence of such support. The same response pattern can be identified when it comes to the question of unfair commercial practices of non-EU carriers.

More neutral opinions were expressed with regard to the question of possible discrimination of EU carriers by non-EU States or non-EU service providers. The overall response is also rather balanced when it comes to the comparison of the attractiveness of products and services of EU / non-EU carriers, the question of potential overcapacity in the markets or the potential issue of a geographic advantage of non-EU carriers over EU carriers.

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Strongly agree	No opinion	Total
EU carriers do not face challenges when competing with non-EU carriers	71	25	12	13	2	38	161
Non-EU carriers have cost advantage vs. EU carriers (including lower labour cost)	3	9	12	36	60	41	161
Non-EU carriers receive uncontrolled state subsidies	10	7	19	32	36	57	161
Non-EU carriers enjoy a more favourable tax regime than EU carriers	1	7	18	34	40	61	161
There is a discrimination by non-EU States or non-EU service providers	9	10	26	29	12	75	161
Non-EU carriers offer more attractive products and services than EU carriers	10	18	39	31	12	51	161
There is overcapacity on the route served	10	21	28	25	12	65	161
Non-EU carriers have a larger global network than EU carriers	15	37	33	13	7	56	161
Unfair commercial practices are used by non-EU carriers	10	11	21	27	26	66	161
Non-EU carriers have a geographic advantage	11	27	40	24	7	52	161
Non-EU carriers are managed more efficiently than EU carriers	23	32	27	12	6	61	161

When asked to rank the challenges / obstacles EU carriers face on extra-EU markets, the issues that were most mentioned, were cost advantages of non-EU carriers, more favourable tax regimes and the issue of potential subsidies.

When it comes to the main areas for future work to improve the framework conditions of the EU's aviation sector in international competition, three areas were particularly highlighted: fair competition, regulatory harmonisation and taxation.

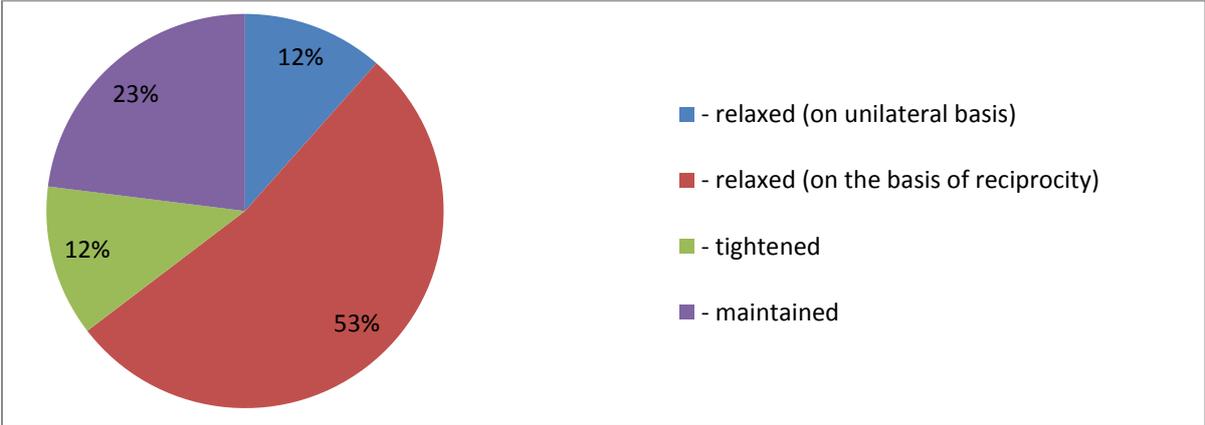
Most respondents expressed the view that these issues should best be addressed at international level (ICAO) or at EU-level, e.g. through the negotiation of comprehensive air transport agreements.

Asked to name interesting countries/regions for possible future comprehensive air transport agreements, most respondents, across industry sectors and from diverse stakeholder groups, named the Gulf States or the United Arab Emirates and Qatar. China, Turkey, ASEAN, Mexico and Russia

were mentioned often – the latter however conditional on a resolution of the issue of Siberian overflight payments. Japan and India, and to a lesser extent African States or South Korea, were mentioned also as potential candidates. Low cost airlines emphasised EU neighbourhood countries.

3.2.3. Ownership and control

The majority, 45% of the respondents were of the opinion that some kind of liberalisation would be beneficial to the European competitiveness in aviation while 30% did not have opinion on the matter. 9% of all responses supported the idea of restriction of current ownership and control rules including some airports, airlines and 5 workers' associations. The below chart shows the distribution of answers in case the responses of "no-opinion" are excluded.



Those who voted for more relaxation of the current rules preferred it on the basis if reciprocity. This very opinion was shared among several European legacy carriers and regional carriers but also by 9 Civil Aviation Authorities, 9 trade associations and a good number of large airports. The reasons for reciprocal opening of the market were mainly that liberalisation of ownership and control would allow all EU-based airlines, irrespective of the nationality of their owners, to operate under the same regulatory framework, thereby preserving jobs in the EU. In terms of intra-EU investments, there is a call for an evolution of EU competition policy to favour consolidation, while safeguarding the traffic rights of individual airlines.

Those who wished relaxation of current rules on unilateral basis expressed that it would open competition, reduce prices, be more favourable for consumers and would increase the financing possibilities of those airlines.

Those who opted for tightening the current rules argued for maintaining jobs in Europe; most representatively it were 7 cockpit or workers' association who was in favour of this very option.

3.2.4. Computer Reservation Systems (CRS)

17 respondents answered affirmatively that the CRS Code of Conduct Regulation (80/2009) is still appropriate today and 30 found that some level of change is needed. Besides, the vast majority (114 respondents) had no opinion whatsoever.

Several responses questioned whether the foundation of the Code of Conduct was still valid since it refers to ownership of airlines as parent companies in CRS while today the situation has evolved and airlines are no longer majority owners of CRS companies. Yet, many contributors – including several airlines selling their product through CRS – acknowledged that the neutrality to display booking

information that the Regulation requests is still valid and this way highlighted that no amendment of the Regulation is necessary. Besides, it was made evident that the largest "new" sector in airline ticket distribution to emerge over the internet is that of the online travel agents who typically obtain their inventory and flights from a GDS. Therefore the Regulation is still relevant and required. This view was also shared by the CRSs themselves, while travel agents consider that a revision of the CRS Code of Conduct would be needed and that should focus on ensuring an effective full content of the carriers, encouraging airlines to make the full fares and inventory content available in all CRSs, and supervise the costs related to the use of them.

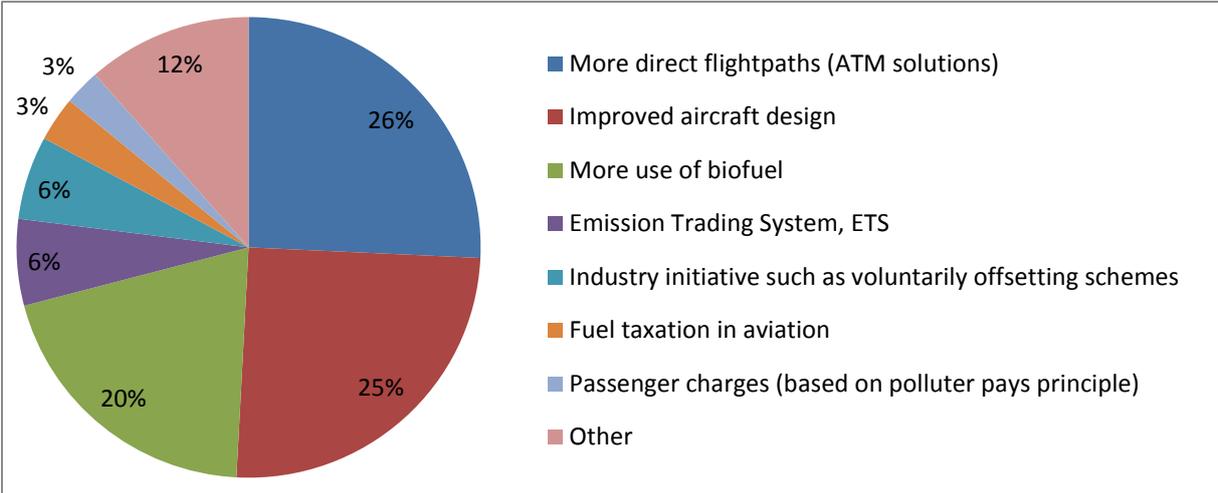
3.2.5. Insolvency

On third of the responses considered that there was a need for some kind of insolvency protection of airlines in form of continuing operation under special conditions. Another third rejected the idea while 36% had no opinion.

Those who supported insolvency protection suggested mainly some kind of bankruptcy protection to allow restructuring of insolvent airlines due to the volatility and seasonality of the aviation sector (European version of Chapter 11 rules of the US), others, at much smaller extent however, recommended special regime for social and taxation contributions.

3.2.6. Environment

The public consultation revealed that there is a marked preference for reducing aviation's carbon footprint by reinforcing measures implemented by the sector itself leading to net reductions in emissions. It is notably suggested that measures driven by innovation such as biofuels, aircraft design and above all more ATM solutions to increase flight efficiency (including SES implementation and SESAR), are the way forward. This approach was shown to be preferable when compared with alternatives such as passenger charges or fuel taxation, for example.



3.2.7. Social matters

App. 40% of contributors had no opinion on social issues. Those that had opinion, supported ideas to complementary measures on social issues, yet no clear dominance could be assumed.

Main issues identified were the followings:

- Atypical contracts: Pilots unions advocate that atypical employment forms can have an impact on aviation safety and result in unacceptable and abusive practices and to "clarify and possibly improve current EU social legislation applying to airlines pilots and cabin crew" and called for a "better regulation of atypical employment". Further, full-time open-ended contracts would be desired as default form of engagement assumed by any applicable legislation unless concrete criteria are met that prove an alternative method of employment legitimately exists. Union called for better regulation of temporary agencies and training must be paid by the employer.
- Definition of home base: Pilots and cabin crew unions call for an improvement of the definition, to make it "correspond with the usual and real workplace of the crew member, guarantee stability and determine both social security and labour law applicable."
- Definition of the principal place of business: Pilots and cabin crew unions recognise the freedom of carriers to establish in one or several Member States, but "the definition of principal place of business must not be arbitrarily chosen, but an assessment of the real location where the material resources and personnel of the Community air carrier are concentrated in a Member State, including substantial aviation activities".
- Pilots and cabin crew unions warned of "social dumping" and called for while several airlines and authorities did not agree on that point expressing completely different opinion, some questioning the existence of such notion and practice at all.
- Cabin crews unions recommend the possibility for European workers associations (national unions and/or European associations) to negotiate collective labour agreements cross-national-wide.
- Recalled by many airlines, "there is a need for a level playing field in terms of social standards. Wages, statutory labour and social standards are an important part of the business. To ensure this in the future, all companies and their employees stationed in the EU must be subject to the same rules and they must be enforced. However it must be mentioned that not all airlines and authorities shared the idea calling for an approach that "any new regulation should not seek to use social issues to raise entry barriers within the market and stifle innovation, for example by introducing protectionist rules which reduce the supply of labour or attaching unreasonable conditions to the ability to switch supplier."

3.2.8. Intermodality

We received 98 responses on how best to promote intermodality, which means that over 60% of the respondents found that there were things to do in this area.

Most of the suggestions concentrated on harmonisation between rail and air transport. Several answered that facilitation of easy interchange at airports onto surface modes are key to success and multimodal search engine and booking systems would be much welcome (yet many suggested that the market should lead and no regulatory intervention is necessary) at least as a first step and this way the access to schedule, fares and inventories should be ensured.

Several respondents highlighted that fair competition between different modes of transport was needed to increase connectivity: aviation enjoys tax exemptions on fuel, passenger rights are not harmonised which can cause obstacles to growing competition and lack of clarity for the passengers. Several opinions supported the development of a platform to exchange best practices between modes rather than regulatory measures and this way EU should be to facilitate intermodality by soft measures at EU level such as by the work of the European Observatory on airport capacity. Some also

highlighted that there is an imbalance between Member States, several being well connected with real possibilities for intermodal travel and others, border areas of the Union have no solution for efficient multimodal travel at the moment.

3.2.9. Public Service Obligations

The majority (53%) of the respondents had no opinion or were not sure whether public service obligations (PSO) are fit for purpose, indicating that for many respondents the PSOs were not relevant or known. However, it is to be noted that almost half (46 %) of those who expressed their opinion on PSO acknowledged that the current mechanism is fit for purpose while 34 % would like to see PSO mechanism further expanded with only 20 % of replies stating that the PSO mechanism should be further restricted.

The three most popular actions or initiatives for those wanting to facilitate the introduction of PSO under current regime were (i) facilitation of application of air carriers for PSOs (ii) wider publicity for PSOs and tenders and (iii) clarification of rules and procedures. These together made up 40 % of the options chosen as a reply to this question.

Out of the options provided, the three most popular ways to restrict the use of the existing PSO mechanism were (i) introducing stricter conditions and control mechanisms to ensure that PSOs are established only when necessary (ii) limiting the PSOs to islands and (iii) allowing PSOs only if the market remains open (in total these three represent 44% of the replies for this question). It can be noted that 11 % of replies were in favour of abolishing the whole PSO system.

3.2.10. Airports

3.2.10.1. Groundhandling services at airports and airport charges

83 respondents provided views on which areas the Commission should act when it comes to groundhandling services and airport charges. For the most part, responses covered points already addressed to some extent in the two current pieces of legislation mentioned in the question, that is to say groundhandling services at EU airports and issues linked to the Airport Charges Directive.

The need to do more to provide more choice and better value among groundhandling providers was mentioned 14 times, chiefly among airlines or their representative associations. Many of these responses, including those of three Member States/national regulators specifically expressed disappointment at the Commission's withdrawal of its 2011 groundhandling proposal which targeted many of the issues raised in these responses. Five respondents highlighted the need for a framework to encourage investment in human capital in groundhandling and the quality improvements that this would bring, two of these mentioned specifically concerns over the rights of staff affected by the transfers of activity among groundhandling agents. Most of the airports and their associations cited the importance of allowing airports to control better GH operators active at airport platforms, including the imposition of quality standards/incentive mechanisms by the airport operator. The need to allow integrators the right to self-handle for all GH services was cited by the two express carriers/associations.

Regarding airport charges, the responses were polarised between those of airlines and others. The need for a stronger EU framework to regulate the monopolistic behaviour of airports was cited 19 times. However, even among the airlines there were differences about the best approach to achieve this. The majority of the airlines supported a general strengthening of the Directive, including for some, a widening of its scope to smaller airports, and 10 responses called for the use of the single till system of airport financing at all airports. Five responses went further, by calling for an EU-wide

performance scheme for airports, including aspects such as quality standards and KPIs. Four responses, including two budget airline respondents and one regulator argued that instead of widening the current scope of the Directive, the EU should seek to ensure that the framework focuses on the airports whose market power is not adequately addressed by the current Directive. No airport mentioned the need to revise the Directive.

Other issues were mentioned by a small number of respondents: obligation of airlines to make a representative available at airports they operate, environmental charges to be used more widely, need to regulate infrastructure pre-financing more closely, ensure that no return on capex is possible for airports before the infrastructure enters service. One individual called for an EU approach to calculate the permissible cost of capital for airports. One airline group mentioned the need for airports to do more to ensure linked-up surface connectivity for flight schedules, one ANSP called for competition to be facilitated for terminal area navigation services. One large trade association highlighted the need to ensure that airport concessions did not contravene airport users' rights for consultation and the recourse to an independent authority under the Directive. Airport accessibility concerns for reduced mobility passengers were raised also mentioned by two respondents.

3.2.10.2. Greening airports

To the question 'Should the EU help to make the concept of 'green airports' a reality?' there has been an affirmative answer given by 52% of the respondents with 12% answering negatively and 36% had no opinion. The ideas how greening airport should be made a reality, the respondents braced the following actions and suggestions:

At present economic regulation puts strong pressure on airports to minimise investments to keep costs low for airlines. In the context of future-focused investments in environmentally friendly projects which are likely to be more expensive and have a longer payback period than standard design, this makes it more challenging for airports to secure approval for such investments. Thus, there should be explicit provisions with the economic regulatory framework to incentivise airports to make such investments. Landside access is critical to efficient operations at the airport and projects that support sustainable modes of public transport should be supported and where appropriate, funded by the EU. This will have multiple benefits of improving both efficiency of access and environmental performance as well as meeting challenging targets for carbon efficiency in transport.

Besides, ideas highlighted the support of use of electric vehicles by airports, application of elevated parking fees to discourage use of private cars, establishment enhanced fleet of public transport commuting between airport and city centre, optimised connectivity solutions, combined bus-rail-air ticket, improved land use regulation around airports, airport investments measured by environmental benefits, too and setting up a best practice bank.

3.2.10.3. Performance of airports

Whether the EU should do more to address operational performance of airports, the public consultation showed that the provision of quality, efficient and competitive airport services would greatly help ensure the competitiveness of the entire EU aviation sector.

First of all, asked if the EU should be doing more to address operational performance of airports considering congestion at airports, weather events and progress with implementing the SES, almost half of the respondents (49%) considered this as an important aspect to be addressed at EU level;

others (24%) considered that the EU should not intervene; the remaining respondents (27%) had no opinion.

For those willing to address airport operational performance at EU level (25 replies in total), 26% would like to see the EU benchmarking airport performance, 11% would favour a regulatory approach in this field and 34% would prefer industry-led initiatives. For some of the respondents, all suggested options were equally relevant. Two respondents asked for performance objectives for airports while one respondent proposed guidelines/best practice information sharing with relevant airport peer-groups as opposed to benchmarking all airports. Those who specified 'other' (29%) considered that the provision of adequate capacity is critical to enabling efficient operations.

Also important were consistent regulation and restrictions in the field of security/greater equivalence of EU security rules with those of other regions, improved ground movements during all weather conditions combined with development of all-weather operations related procedures, improved air traffic control planning tools, implementation of RNAV/RNP/A-CDM/SWIM and roll out of CDO/CCO⁵.

For some, any regulation of airport performance would be a national rather than an EU competence. For others, competitive airport and air navigation charges together with an efficient air traffic control will promote a network of efficient and high quality airports.

Eurocontrol believed that the key to improving airport performance is their full integration into the overall aviation network.

Secondly, asked if the performance-based approach⁶ under the Single European Sky policy in the field of air traffic management should be extended to cover other elements of the air transport value chain, 31% of the respondents answered that it should be done so while 25% was against (with 44% of those with no opinion). Out of this 31%, a very large majority of respondents argued that the SES performance-based approach should be extended to cover the setting of airport charges to ensure that airports do not abuse their dominant position, or, more generally, where monopolistic structures or structures with high market power on the side of the supplier exist. For some of them, the setting of performance targets should cover not only the charges but also the levels of service to ensure that airports have the right incentives. For others, the SES performance-based approach should be extended to cover all the stakeholders who are relevant for the achievement of the SES targets meaning in addition to the ANSPs, the Network Manager, the airlines (especially for public information to passengers, punctuality, treatment of luggage and of claims) and the airports. For some, any move to performance-based approach on safety issues should be taken with cautious. Other areas mentioned were: ground handling and ground operations (like check-in and transit through terminal), ground equipment, security and environment (CO₂ and noise).

Third, asked whether more should be done at EU level to ensure that EU airports provide efficient and quality services to people and businesses, 49% of the respondents answered affirmatively 9% opposed it and 42% had no opinion / was not sure.

⁵ RNAV: area navigation; RNP: required navigation performance; A-CDM: Airport Collaborative Decision Making; SWIM: System Wide Information Management; CDO/CCO: Continuous Descent/Climb Operation

⁶ Development and implementation of a performance scheme involving the setting of performance targets, monitoring of the performance levels and of the effectiveness of actions implemented to achieve targets

For those willing to see more done at EU level, asked to concentrate on a better implementation of the current groundhandling and airport charges directives (prominently number one request), automation/digitalisation of services, more competition among airports to allow regional airports to grow, regulation only if market power / EU-wide performance scheme where market fails, intermodal solutions, use available capacity without excessive environmental restrictions and better apply the balanced approach. Others, at less extent wished more restrictions on night flights, charges based on noise and air pollution, consideration of health of citizens and respite for residents, minimum KPIs for every airport above 10,000 passengers, cap on security fees, more competition for providing air navigation services at larger airports, slots at larger airports for non-scheduled users, jointly and iteratively agreed Service level agreements (SLA) including pre-determined recourse agreement and that the EU to ensure SLAs are implemented at airports.

3.2.10.4. Airport security

Almost 80% of submissions indicated that security was important for improving the competitiveness of the EU aviation industry. Proposals forthcoming from the consultation point in the direction of a more sustainable aviation security regime that is risk-based, thus directing security resources to areas where they are most required to address threats evaluated as relevant to civil aviation, thus facilitating greater expedience for passengers and air transport operators in other areas. From the consultation responses, it can be seen that the global nature and routing of many air transport movements is underlined and this points in the direction of international co-operation to establish mutual recognition arrangements that facilitate onward passage of air travellers and cargo through airport hubs by not requiring further security controls on transfer.

3.2.10.5. Airport capacity

60% of the respondents consider that the EU should intensify efforts in order to identify and implement measures to mitigate the effects of a capacity crunch. Regarding the actions to be taken, approximately one third of the respondents considered that it would be important to better identify the airport capacity hotspots and another third found important to benchmark the progress made in addressing airport capacity hotspots, and 1/3 propose other solutions such as:

- A better use of existing capacity could be achieved through a variety of measures including the following: a better balance between economic and environmental factors, a revised slot allocation system, the use of non-congested airports, the use of operational improvements, the implementation of the balanced approach when it comes to noise and the analysis of the environmental operating restrictions.
- Respondents also considered that new cost efficient infrastructure may be needed based on market demand. On this, the EU could set targets at EU level, encourage national planning strategies encompassing all modes, promulgate best practices in airport master plan and provide access to financing. The Airport Observatory should be retained and provided with enhanced resources. A good surface access and effective inter-modality also appear as important. For a few respondents encouraging modal shift for short to medium journeys would free up airport capacity.

3.2.11. Innovation

Remotely Piloted Aircraft Systems (RPAS), Single European Sky ATM Research (SESAR) and Clean Sky technologies, interconnectivity (benefiting from new ICT tools) and advanced security screening are ubiquitous key words found across the public consultation both from particulars and institutions. The public consultation answers insisted also on the key role that a reinforced European Aviation Safety Agency (EASA) will play in this sense together with a performance based approach to regulation.

One third of the responses on the question whether the performance-based approach applied in the field of air traffic management under the Single European Sky policy be extended to other elements of the air transport industry value chain responded affirmatively while 43% of the them had no opinion or was not sure. Those who were in favour of such extension highlighted the following areas to focus on: economic regulation of airports including airport charges, safety regulation including the revision of the EASA Base Regulation 216/2008 as well as airport security and groundhandling.

Being a performance-risk based regulatory framework is a main catalyst for new and original ideas to satisfy new and original market needs there was a need highlighted for industrial partnerships, including and coordinating research entities with standardization and regulatory bodies, manufacturing and service industries.

As for the question what technological developments and advance innovative concepts will transform the aviation section in the next 10 years, there was a long list of expectation received from the survey. Based on this, most innovations are expected in the fields of air traffic management (automated ATC, free routing), drones, alternative fuel solutions, aircraft and engine design (more efficiency, less noise), airport security (touchless solutions, one stop security) digitalisation including multimodal solutions (big data, customised services, automated groundhandling services) environmental solutions such as ETS-like solution, airport greening (green taxiing) and new business models (IATA's New Distribution Capability (NDC), self-connection, integrated ticketing).

As for digitalisation of services at airports and by airlines, there has been 72 answer received from stakeholders. It is expected that the innovations shall reduce time in the airport and support the passenger flow with enhanced consumer experience yet no exposure to lowered security measures. Importantly, privacy should be assured as well as multimodal transport innovation is expected. One contributor mentioned improved solutions for persons with reduced mobility or other disparities.

3.2.12. Contract terms – consumer protection

Out of the 161 responses only 40 had an opinion on the question whether the current rules under the Directive 93/13 on unfair contract terms are sufficiently well applied in the air transport sector. 17 responses agreed that it is well applied while 23 disagreed with it. Those who believed that a more effective enforcement is needed opted mainly for either Commission guidelines (6) or a centralised mechanism at EU level that should ensure equal enforcement of consumer legislation and a level playing field (6). One aviation authority said that particular issues exist on airline contract terms that are difficult to navigate and can be very restrictive, significant fees exist for changing names, dates etc. and that full-service airlines tend to use IATA standard terms which are old fashioned and very much favour the airline rather than the consumer. One budget airline said that enforcement measures need to be extended in order to include malpractices in fare display information by online travel agents.