



THE SENATE
OF THE PARLIAMENT OF THE CZECH REPUBLIC

10TH TERM

384th

RESOLUTION OF THE SENATE

Delivered on the 21st session held on 6th April 2016

on the Proposal for a Regulation of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and repealing Regulation (EC) No. 216/2008 of the European Parliament and of the Council /Senate Print no. N 062/10/

on the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions An Aviation Strategy for Europe /Senate Print no. K 063/10/

The Senate

I.

1. Welcomes

the published Aviation Strategy for Europe which could ensure effective development and competitiveness of the air transport sector in the EU;

2. Is of the opinion

that ensuring safe and reliable air transport services for the general public, which would be at the same time environmentally friendly, is the only way for the development of this transport sector;

II.

1. Is, however, not convinced

that the EU greenhouse gas emission trading scheme (EU ETS) can efficiently serve as a tool for reduction of environmental impacts of air transport and thus is of the opinion that attention should be paid particularly to the other tools and technologies which could reduce these impacts;

2. Supports

- a) the inclusion of fair competition clauses and measures to address unfair practices of third countries and third country operators in the comprehensive air transport agreements with selected third countries;
- b) the strengthening of air passengers' protection in the EU through increasing carrier's baggage liability, extension of passengers' right to be rerouted on a different flight, establishment of a uniform time threshold for delay, the expiration of which entitles the passenger to adequate care, and the obligation to timely and adequately inform passengers about the flight irregularities in accord with the resolution of the Senate No. 324 of 12 September 2013 (9th legislative term) on the proposal for a Regulation of the

European Parliament and of the Council amending Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights and Regulation (EC) No 2027/97 on air carrier liability in respect of the carriage of passengers and their baggage by air;

- c) in general, initiatives that enhance a safe, swift and efficient air traffic flow over Europe; however, when tackling the limits to growth it is necessary to avoid any unreasonable transfer of the responsibility for air traffic management to central European institutions, increase in the administrative burden for national regulatory authorities and establishment of new institutions that could, on the contrary, hinder efficient airspace operation over Europe, as the Senate has already stated in its resolution No. 375 of 27 November 2013 (9th legislative term) on the Single European Sky 2+;

3. Realizes

that the great pressure to reduce operating costs exists in the aviation sector which often forces air carriers to restructure their activities and outsource some of these activities; however outsourcing of activities may lead to a deterioration of working conditions in the aviation sector and, consequently, impact also on flight safety;

4. Is therefore of the opinion

that it will be important to thoroughly analyse new business and employment models in the EU aviation sector and take measures to ensure fair working conditions based on the results of this analysis, if need be;

5. Is also of the opinion

that airlines should reduce the use of fuel surcharges, which have been introduced as a result of high oil prices, and return to the transparent pricing policy because recently the price of oil has substantially decreased and therefore there is no reason to use these surcharges to such extent anymore;

6. Supports

in general, proposal for a Regulation of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and repealing Regulation of the European Parliament and of the Council (EC) No. 216/2008;

7. Believes, however,

in accord with the position of the Government, that the proposed Emergency oversight mechanism (Article 55) should be omitted in its current wording as it circumvents the infringement procedure of the Treaty on the Functioning of the European Union and does not respect the division of powers between the EU institutions;

8. Does not agree

with the proposed scope and extent of delegated acts which significantly exceed the mandate given in Article 290 of the Treaty on the Functioning of the EU, because they also cover the essential elements of the proposed Regulation; therefore these provisions should be adopted under the ordinary legislative procedure and become directly incorporated in the Regulation;

9. Also takes a reserved stand

on the proposed composition of the Executive Board of the European Aviation Safety Agency (Article 90), particularly on the limited number of members representing Member States which could threaten the neutrality of this body;

10. Welcomes

the extension of the scope of the Regulation to include unmanned aircraft (drones) because considers it desirable to unify the rules on the use of unmanned aircraft at EU level, with regard to the aspects related to privacy and protection of personal data and especially because of the security risks potentially posed by unmanned aircrafts;

11. Emphasizes

in connection with the recurrent terrorist attacks the need to reappraise current security measures at airports and reconsider possible introduction of security checks before entering the airport terminals;

III.

1. Requests

the Government to inform the Senate about the way this Resolution has been taken into account, as well as about the progress of negotiations and initiatives following-up on these documents;

2. Authorises

the President of the Senate to forward this Resolution to the European Commission.

Milan Štěch
sign manual
President of the Senate

Leopold Sulovský
sign manual
Senate Verifier