

**Question for written answer E-014964/2015  
to the Commission**  
Rule 130  
**Ramon Tremosa i Balcells (ALDE)**

Subject: Aviation Package - comprehensive EU agreement that will combine market opening with safeguards to guarantee open and fair competition - Regulations (EC) Nos 868/2004 and 1008/2008

As Commissioner Bulc knows, Gulf carriers are increasingly lobbying certain Member States with a view to preventing the Commission from receiving a mandate from the Council to negotiate a comprehensive aviation agreement that includes a binding fair competition clause<sup>1</sup>.

With the Aviation Package, the Commission has a real opportunity to review and improve the effectiveness of Regulations (EC) Nos 868/2004 and 1008/2008, in particular Article 4 of the latter.

Regarding the arguments put forward by Gulf carriers and their threats not to buy any more Airbus aeroplanes, a *Financial Times* article<sup>2</sup> states the following:

‘Certainly the capacity of the state-controlled Gulf carriers to absorb more aircraft soon is limited. “In 2013 the largest orders in aircraft history were placed,” says Sir Tim Clark, president of Emirates. “Even we have to manage our funds.”’

1. Does the Commission also envisage tackling unfair competition from non-EU airlines through the possibility of suspending, or at least limiting, air traffic rights?
2. Will the comprehensive agreement combine elements of market opening with certain safeguards in order to guarantee open and fair competition?
3. Regarding Regulation (EC) No 1008/2008, and in particular Article 4(f) thereof, how does the Commission monitor the correct application of the ‘effective control’ rule? Which criteria and elements are checked in order to guarantee that control of the airline remains in the hands of Member States?

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<sup>1</sup> <http://uk.reuters.com/article/2015/11/15/uk-eu-aviation-emirates-idUKKCN0T40SB20151115>

<sup>2</sup> <http://www.ft.com/intl/cms/s/0/df977eee-8806-11e5-9f8c-a8d619fa707c.html?ftcamp=crm/email/20151111/nbe/AsiaMorningHeadlines/product#axzz3rGRCbSg6>