

Air transport fair competition rules – Council backs provisional deal

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The EU is providing its air transport sector with a mechanism to ensure **fair competition with non-EU airlines**, which should also help to maintain **high connectivity throughout the EU**. Today member states' ambassadors approved the provisional agreement reached with the European Parliament on this reform, which is considered essential for a sector characterised by growing global competition and which has until now lacked an effective tool for addressing unfair commercial practices.

The EU finally has a tool which works to ensure healthy competition between all airlines. This should also mean lower fares and better connections for all those travelling by plane.

Norbert Hofer, Minister for Transport, Innovation and Technology of Austria, Council Chair

Under the agreement, a single procedure to launch investigations and decide on any redressive measures will apply for both comprehensive EU agreements and bilateral air transport agreements that EU countries have concluded with non-EU countries.

The Commission will have powers to launch an investigation and take a decision on redressive measures if a practice that distorts competition has caused injury to an EU air carrier or poses a clear threat of injury. In the latter case, the redressive measures will not enter into force before the threat has developed into actual injury.

Any redressive measures – financial or operational – will be adopted by means of a Commission implementing act, but operational measures will be subject to a more stringent procedure.

Once formally adopted, the proposed regulation will replace the existing one, which has several shortcomings and which has never been used in practice. At international level, there is currently no framework under the World Trade Organisation (WTO) or the International Civil Aviation Organisation (ICAO) governing competition among air carriers.

Procedure and next steps

The agreement of 20 November was endorsed by the meeting of ambassadors in the Council's Permanent Representatives Committee. After the agreed text has undergone legal and linguistic finalisation, it must be formally adopted, first by the Parliament and then by the Council. Following adoption, the regulation will be published in the EU's Official Journal. It will enter into force twenty days after publication.

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