



EUROPEAN COMMISSION

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Member of the Commission

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Dear members of the Europeans for Fair Competition coalition,

I take good note of your letter and of your concerns regarding the announced decision by the Dutch Government to reduce the maximum number of movements at Schiphol Airport to 440 000 per year.

The European Commission shares your view on the importance of the aviation sector for employment, the economy and overall connectivity in Europe. As highlighted in your letter, Schiphol airport plays an important role for employment in the aviation sector in the Netherlands.

In line with the European Green Deal, the Commission is committed to the reduction of the environmental impacts of the transport sector, including aviation, with concrete proposals included in the Sustainable and Smart Mobility Strategy, the Fit for 55 legislative package and the Zero Pollution Action Plan.

Certainly, any decision regarding the management of the number of movements at a given airport should certainly strike a balance between both economic and environmental considerations, while respecting the relevant national, European and international legislation.

The decision announced by the Dutch Government to reduce the maximum number of flights at Schiphol has been justified on different grounds, namely the reduction of the number of citizens exposed to harmful levels of noise.

Any introduction of operating restrictions at major European airports, such as Schiphol, would have to comply with the Environmental Noise Directive 2002/49/EC, which provides methodologies to derive an objective assessment of the health effects of noise, in line with the Environmental Noise Guidelines established by the World Health Organisation. This Directive obliges Member States to draw up action plans “designed to manage, within their territories, noise issues and effects, including noise reduction if necessary” (Article 8 of the Directive). Furthermore, concerning air transport more specifically, Regulation (EU) 598/2014 establishes specific rules and procedures with regard to the introduction of noise-related operating restrictions within a Balanced Approach.

The current action plan for Schiphol airport covers the period 2018-2023 and identifies a number of noise problems at the airport. The Dutch authorities may, in their own right, following that action plan, define a noise abatement objective and identify measures to achieve such an objective, based on a thorough assessment of potential impacts. These may include operating restrictions, although this should only be done after consideration of all other measures of the Balanced Approach. Furthermore, any measures or combination of measures taken in accordance with Regulation (EU) 598/2014 for a given

airport must be non-discriminatory, and no more restrictive than is necessary in order to achieve the environmental noise abatement objectives set for that airport.

With that in mind, Regulation (EU) 598/2014 establishes a minimum period for notifying the Commission before introducing any such restrictions and a minimum period for consulting relevant stakeholders. The Commission has not yet been formally notified of the introduction of operating restrictions at Schiphol airport under the Regulation, although the public announcement was made.

The Regulation (Article 5.2e) also states that it shall be ensured that “the stakeholders are consulted in a transparent way on the intended actions”. The list of interested parties (Article 6.2d of the Regulation) contains, among others, “representatives of those aircraft operators which may be affected by noise-related actions”. We understand from our contacts with the Dutch authorities that these consultations will start shortly.

Please rest assured that, in its role as guardian of the Union Treaties, the Commission will work with the Dutch authorities to ensure that any measure taken is compatible with EU law and that it respects all conditions and criteria laid down in the relevant national, European and international legislation.

Any reduction of capacity at Schiphol airport would also have an impact on airport slot allocation. The Commission will therefore also closely monitor whether the principles of transparency and non-discrimination in Council Regulation (EEC) 95/93 on allocation of slots at EU airports are being observed throughout the process.

Yours faithfully,



Adina Vălean