



26 January 2011

## **Joint AEA-IATA position on the European Commission's proposal for a Regulation on the introduction of noise-related operating restrictions at Union airports within a balanced approach [COM(2011) 828]**

On 1 December 2011, the European Commission published its proposal for a Regulation on the introduction of noise-related operating restrictions at European airports.

AEA and IATA support the Commission's proposal insofar as it clarifies and harmonises the methodology to be followed prior to the introduction of noise mitigating measures.

Without undermining the decision-making power of local authorities, the proposal will require the adoption of new measures to be preceded by a comprehensive noise assessment and a transparent consultation of all stakeholders. Impacts on the economy and potential effects on the capacity of air transport in Europe will also have to be taken into account.

The possibility for the Commission to scrutinise decisions on new measures prior to their implementation and review whether competent authorities have followed the appropriate methodology will also further guarantee that the interests of all stakeholders have been duly taken into consideration.

The Commission's proposal therefore provides local authorities with a comprehensive and balanced method to improve the management of noise at European airports. However to achieve maximum environmental benefit most cost-effectively, AEA and IATA call for greater consistency with the international rules and policies adopted by the International Civil Aviation Organisation (ICAO).

### **Balanced approach**

In Resolution A33-7 and subsequent resolutions of ICAO's Assembly, EU Member States and their international partners unanimously endorsed a balanced approach to noise management.

The balanced approach is based on the core principle that solutions to noise problems need to be tailored to the specific characteristics of the airport concerned.

It requires equal consideration to be given to its four principal elements, namely noise reduction at source, land-use planning and management, noise abatement operational procedures, and not as a first resort operating restrictions.

Accordingly, EU legislation should refrain from singling out or privileging the adoption of specific measures, notably operating restrictions, as there is no one-size-fits-all solution to noise problems at airports.

### **Phase-out of “Chapter 3 aircraft”**

Technology has permitted major advances in reduction of aircraft noise at source: today’s aircraft are about 50% quieter than 20 years ago. The standards set by ICAO are among the key drivers for these continuous improvements.

Civil aircraft are certified in accordance with the standards defined in Volume I of Annex 16 to the Chicago Convention. All jet aircraft used for commercial air transport in Europe have been certified in accordance with Chapter 3 for aircraft types first certified before 2006 or Chapter 4 of Annex 16 for those certified in 2006 and after.

In addition to fostering technological improvements, the adoption of harmonised standards ensures that aircraft certificates issued in one country are recognised in all other countries.

Common standards also provide manufacturers and operators with the regulatory stability needed considering the economic life span of aircraft and the lead time between the design and entry into service of new aircraft and engine types.

For these reasons, ICAO’s Assembly urged all States not to introduce measures to phase-out aircraft which are certified in accordance with Chapter 3 or Chapter 4 of Annex 16 to the Chicago Convention<sup>1</sup>.

We therefore object to the Commission’s new definition of “marginally compliant aircraft”<sup>2</sup> which in fact authorises the withdrawal of aircraft certified in accordance with Chapter 3 but which do not meet the requirements of Chapter 4. The new definition would erode the necessary regulatory stability and lead to the premature withdrawal of aircraft from operations.

Furthermore, by seeking to impose different standards than those adopted internationally, the European Commission undermines the role of ICAO, further distances Europe from the multilateral approach that is critical in a global sector such as air transport, and risks additional tensions between the EU and its trade partners.

*For more information please contact:*

*Mr. Michel Adam  
Manager Environment and Consumers  
Association of European Airlines  
Tel: 32-2-639.8980  
E-mail: [Michel.adam@aea.be](mailto:Michel.adam@aea.be)*

*Ms Monique De Smet  
Regional Director, Europe  
IATA  
Tel: 32-2-626.1820  
E-mail : [DeSmetM@iata.org](mailto:DeSmetM@iata.org)*

---

<sup>1</sup> Assembly Resolution A33-7.

<sup>2</sup> In Article 2(4), the Commission proposes to change the definition of “marginally compliant aircraft” from Chapter 3 minus 5 EPNdB to Chapter 3 minus 10 EPNdB. This amounts to defining “marginally compliant aircraft” as all aircraft that do not meet the standards of Chapter 4.