Safe, Socially-responsible & Competitive
– For a 3-Dimensional EU Aviation Strategy –

Executive Summary

- Europe's aviation 'eco-system' will only prosper and generate jobs and growth if the EU promotes its <u>three central pillars</u>: Aviation Safety, Social Responsibility, and Competitiveness based on Fair Competition.

- Today, each pillar is under significant pressure and needs <u>coordinated efforts</u> to ensure the overall system has a long-term future. This requires political will.

- Hence, the Aviation Strategy must be more than a description of where we are, want to go, and what needs further study. Instead, <u>concrete detailed proposals</u> to tackle the existing problems and to strengthen all 3 pillars are required:

1) <u>Aviation Safety must be Non-Negotiable</u>:

- To achieve this, EASA must be equipped to properly oversee National Aviation Authorities (NAAs), promote cooperative safety oversight, and to intervene in case of 'failing NAAs' and 'failing operators'. It is crucial that the shift to performance-based safety regulation does not become a back-door for light-touch & self-regulation, and that 'creative' business models and atypical employment forms are restricted and cannot undermine safety. Also, pilot training must be strengthened; and safety be put first when integrating 'drones' into Europe's airspace.

2) <u>Social Dimension to become an Integral Part of aviation policy</u>:

- To reverse the trend towards 'casualisation' of work and to keep aviation attractive for young people, the EU must eradicate atypical employment forms that distort competition, can negatively impact safety and result in abusive practices. Pay-to-Fly schemes must be banned and be replaced by a mandatory Approved Cadetship for Pilots. Reg. 83/2014 & Reg. 465/2012 need to be revised to better define the air crews' "home base", and so should be Reg. 1008/2008 to better define "the Principal Place of Business" of an airline, based on substantial aviation activity. Finally, the EU must prevent social dumping, 'flags of convenience' and the replacement of EU crews with cheap labour imported from third countries.

3) <u>Competitiveness & Fair Competition with 3rd Countries</u>:

- To ensure EU carriers can compete on equal terms, 3rd country airlines' anti-competitive behaviour must be tackled. This includes careful checking of the merits of negotiations with Gulf countries and a robust negotiating mandate focussed on fair competition, while further traffic rights should be frozen. The EU Ownership & Control rules must not be relaxed (neither on a reciprocal basis) but must be further strengthened to ensure 'effective control' is in EU hands. Reg. 868/2004 should swiftly be revised to make it an effective tool. Any bilateral/multilateral liberalisation must foster fair competition & social rights, and an ILO/ICAO Convention to address social impacts of market opening is required.

The European Cockpit Association (ECA), representing over 38,000 pilots from national pilot associations in 37 European States, promotes a safe, competitive and socially responsible aviation sector, generating growth, connectivity and providing quality employment in Europe. It is those 3 dimensions that the Aviation Strategy and Package must strengthen[1]:

Aviation Safety + Social Responsibility + Competitiveness / Fair Competition

1. Safety Dimension: Aviation must not compromise on Safety

"My priority in aviation is passenger safety, which is non-negotiable."
Violeta Bulc, Dec. 2014

Aviation safety must indeed be 'non-negotiable'. For pilots – who are responsible for the safety of their passengers on board every day – this is obvious.

However, Europe's very good safety record is under pressure:

➤ Constant air traffic growth means that safety levels (e.g. in terms of whole hull losses per x number of flights) must constantly – and significantly – improve to maintain the same safety record as today.

➤ Competitive pressures on airlines have increased substantially, obliging them to cut costs drastically. As a result, the additional 'safety buffers' that most airlines had in place previously, have gradually been skimmed off. Today, many operators are therefore flying to the very limit of what is *legally* permitted. Hence, the limits set by EU safety regulations have become the *target*, rather than an outer boundary that should normally never be touched.

➤ Softer safety legislation: With many safety buffers having disappeared, whilst competitive pressures continue to increase, Europe's industry complains about 'excessive cost burdens' created by what they call 'over-regulation'. To reduce these costs, they push for less safety legislation, and for less binding 'light-touch' or 'soft' regulation. The Proportionality principle and the concept of Performance-based Regulation (PBR) are seen by many to serve and achieve mainly 2 objectives: less safety regulation and more (commercial) flexibility.

➤ Weak National Aviation Authorities (NAAs): It is widely acknowledged that many NAAs currently lack the manpower and know-how to adequately oversee their or third country operators' safety performance. Other NAAs simply do not assert their authority vis-à-vis their operators, sometimes deliberately. As a result, already today, parts of the industry are subject to '*cosmetic'* safety oversight only, with 'paper' rather than practical compliance. Combined with growing air traffic, stiff competitive pressures and a trend towards 'soft' regulation this is a potentially dangerous mix.

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[1] This paper reflects and complements ECA's submission to the Commission's 2015 online consultation on the Aviation Package and Strategy.

The 'Aviation Strategy' needs to take these realities into account. If it fails to do so, Europe's aviation safety performance will decline. The industry won't be competitive and sustainable if it is not safe and underpinned by strong safety rules.

To ensure Safety becomes 'non-negotiable' ECA calls for the following:

A. Strong European Aviation Safety Agency: EASA must become solidly resourced, with the ability and authority to properly oversee the NAAs, promote cooperative safety oversight, intervene in case of 'failing NAAs' and 'failing operators', and the means to carry out in-depth safety data analysis to allow for targeted safety action. To achieve this, EASA's budget must increase significantly and be set on an independent footing. As safety is a public good, 2/3 of its budget should be publicly financed from the Community (rather than mainly by fees & charges paid by industry). The revision of EASA's Basic Regulation 216/2008 needs to reflect this.

B. Performance-based Regulation – no back door for light-touch safety legislation: A gradual move towards PBR can be an important step towards improving aviation safety, provided a number of key prerequisites are met (see ECA Position Paper, Jan. 2015). However, if these prerequisites are not fulfilled, PBR can lead to the creation of significant loopholes that may negatively affect flight safety. When revising the EASA Basic Regulation 216/2008, great care must therefore be taken that any move to PBR cannot and will not become a 'blank cheque' to 'get rid' of safety regulation. It must not create a situation where the industry is governed mainly by soft-law and *de facto* self-regulates itself, and is insufficiently overseen by the NAAs and EASA. Other sectors, such as finance, oil and nuclear industries, have demonstrated the substantial risks – and at times catastrophic consequences – associated with light-touch regulation.

C. Prevent new business & employment forms from undermining safety: EASA's Regulatory Advisory Group (RAG) recently acknowledged that complex new business and employment forms have the potential to negatively impact aviation safety. A recent study by the University of Ghent showed that 'atypical' aircrew employment forms (such as bogus self-employment, zero- hour contracts & abusive use of temporary agency workers, or pay-to-fly (P2F) schemes) can create a 'dependency' of the pilot towards the airline he/she flies for. This dependency, in turn, can reduce the pilot's ability to take independent safety decisions where these decisions may cause the airline or pilot to lose money. The negative safety impact of commercial pressures on aircrew is also demonstrated in the BEA accident investigation report (Aug.2015) on the Hermes Airlines/Air Méditerranée accident.

Given the increasing prevalence of such atypical employment, EASA's Basic Regulation 216/2008 must be amended as to mandate the Agency to specifically deal with the direct and indirect impacts of atypical employment forms on aviation safety. It must allow the Agency to take necessary measures – incl. regulatory ones – to limit/ban the use of such employment forms for safety critical personnel, like pilots and cabin crew (see also ECA comments on the RAG report on new business & employment models).

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D. <u>Strengthened pilot training – no further watering down</u>: Professional skills and adequate training for pilots are crucial to ensure that Europe's aviation sector continues to be safe and competitive, and attracts young people.

However, recent years have seen numerous accidents where insufficient pilot skills and training were at stake. At the same time, pilot training standards in Europe have continuously been watered down, mainly due to commercial pressures. They were lowered both at regulatory level (EASA: e.g. the Cruise Relief Co-Pilot concept; an ongoing industry push for Multi-crew Pilot Licenses (MPL); a partial weakening of CRM rules (CRM assessment methodology); reducing real flying in training, moving too many requirements into soft-law, etc.) and within the operators, many of which cut costs by skimming down their training programs to the legal minimum required. The result is that pilots' 'airmanship' skills, and their ability to manage complex automation, are under constant pressure.

The Aviation Strategy must therefore put particular emphasis on mandating the re-building of solid and relevant training programs, based on safety needs rather than the airlines' and flight schools' commercial considerations. The Strategy must also effectively address the entry barriers for young people to join the pilot profession. This should include rendering impossible abusive Pay-to-Fly schemes (see below, Chapter 2) – and limiting atypical employment forms (e.g. zero-hour contracts, (bogus) self-employment, etc.) which often make it impossible for young pilots to pay back the substantial debts they incurred to finance their training. It should also address the role flight schools play in attracting young people into expensive training courses, without properly screening them for their suitability regarding the prerequisites and demands of a career in aviation or informing them about career prospects (an estimated 16% of pilots in Europe have no flying job).

E. <u>Safety first – Integrating 'Drones' safely into Europe's airspace</u>: The integration of Remotely Piloted Aircraft Systems (RPAS, 'drones') into non-segregated airspace must be done only after a careful and comprehensive safety-risk assessment. The proposed EASA concept of operations for RPAS and the related A-NPA underestimate the safety risks for the so-called "Open Category" drones (in particular for low-level operations by small drones). This must be corrected to avoid accidents that will harm the RPAS sector's development and its acceptance by the general public.

Weight alone is not a suitable criterion to help assess the risks and damages, as relative kinetic energy between two colliding objects is crucial too. More research has to be done on the possible consequences of collisions with manned aviation, incl. the influence of materials, impact-friendly materials design, fragility/frangibility and the resulting requirements for the future 'low risk' drone.

Finally, the intended use of Performance-based Regulation – an untested concept – for this quickly growing, but largely unknown aviation segment, may be adequate to provide for flexibility, but should be applied in a very careful manner to avoid the creation of new safety loopholes. (See also ECA RPAS position paper, April 2015; RPAS position paper, July 2015; ECA Drone web-section).

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2. Social Dimension: To become an integral part of Aviation Policy

"The aviation strategy […] will consider how to address new business models and new types of job in the aviation sector and how to avoid forum-shopping for lower social standards […]."
Violeta Bulc, June 2015

So far, Europe's regulatory regime for aviation has largely disregarded the social dimension of Air Transport. This must be corrected – and urgently so.

As demonstrated at the Commission conference on the Social Dimension of Transport (June 2015), a continued exclusion of social aspects is neither sustainable in the short-term, nor would it foster long-term competitiveness and quality employment in Europe – both of which are key objectives of the Juncker Commission.

Social standards are under pressure from various sides:

➢ Liberalisation – but no new Jobs: The liberalisation of the EU aviation market had many benefits in terms of additional routes, a wider offer and lower ticket prices. However, as a DG MOVE study (2012) showed, this liberalisation did *not* result in growing aviation employment in Europe (1998-2010) – and this despite the arrival of Low Cost Carriers. Instead, liberalisation lead to higher productivity, and this to the detriment of employment quality and working conditions, with outsourcing, temporary work contracts, job insecurity, and deteriorating terms and conditions having become wide-spread in aviation.

➢ Atypical employment forms are spreading: The recent University of Ghent study on 'atypical' aircrew employment forms revealed that today more than 1 in 6 pilots in Europe are "atypical" employees, i.e. are not anymore directly employed by their airline, but are working through a temporary work agency, as (bogus) self-employed, and/or on a zero-hours contract with no minimum pay or sick-leave guaranteed, and abusive Pay-to-Fly (P2F) schemes are spreading rapidly. Young pilots are the most affected, with 40% of 20-30 year-old-pilots flying without any direct employment link to the airline they fly for. With 70% of all self-employed pilots working for a low cost airline, jobs in the Low-Cost Carrier sector are most affected. Yet, self-employment is often used to disguise what is in reality regular employment – thereby creating an unfair competitive advantage for those airlines that use it, and a disadvantage for those who employ their staff properly.

➢ Difficult access to the pilot profession: With a massive pilot surplus on the European market (ca. 16% jobless pilots), and high cost barriers to enter the profession (€70.000-120.000 euro for pilot training), the entry to the profession is under strain. Only few European airlines still hire new aircrew in larger numbers and many are actually reducing their staff levels, whilst flight schools continue to attract large numbers of young people that are misinformed about the economic realities of the profession. This creates an (over)supply of highly skilled – but also highly indebted – young pilots eager to find a job – and eager to fly for whatever it takes. Certain flight schools and airlines exploit this by charging exorbitant fees for the in-house 'type-rating' training courses they provide on their regular revenue-earning flights, so-called Pay-to-Fly schemes (P2F). Such schemes distort competition, as these airlines fill one seat in their cockpits at almost zero-cost,

whilst their competitors pay a regular salary. With a cost of €30.000-50.000, P2F schemes result in even higher debts for people at the beginning of their career and make them subject to an economic dependence from their 'employer' that can limit their ability to take independent safety decisions. As Violeta Bulc put it: "*How can Nicolas, 20, living in Toulouse and dreaming to become a pilot afford to pay for his flight hours if he is subject to the so called pay-to-fly scheme?*"

➢ Regulatory 'Forum Shopping', Flags of Convenience & Social Dumping: Recent years have witnessed a trend among (certain) airlines to arbitrarily relocate their business (i.e. their operating license and Air Operator Certificate) to 'flags of convenience' countries, such as Ireland, Latvia or Estonia. The aim is to avoid tax and social security contributions for their employees, to avoid labour law and union rights, and/or to benefit from lax safety oversight by the authorities that offer their 'flag'. In some cases, such 'shopping' for the most convenient and least constraining 'regulatory forum' can, for example, allow to hire third country aircrew based in one Asian country and being hired through a temporary work agency in another Asian country, but flying on EU aircraft both on international and EU-internal routes. Labour costs for such 'imported' 3rd country aircrew are significantly lower than for crew hired in Europe on local contracts. Other examples are airlines that base their pilots in one EU country but oblige them to make social security payments in another country with lower social security and tax rates. These practices of 'regulatory forum shopping' and Social Dumping have been analysed in detail by the Danish Civil Aviation Authority and resulted in 2 reports (2014 / 2015), including concrete recommendations to the EU Institutions.

To reverse the trend towards 'casualisation' of work, and to keep the sector attractive for young people, ECA calls for the following actions:

F. Eradicate atypical employment forms that distort competition, can negatively impact aviation safety and result in unacceptable and abusive practices. Full-time open-ended contracts must remain the usual form of employment in aviation, such as for pilots and cabin crew. Other forms of aircrew employment can be permitted, but only under strict conditions to cope with seasonal variations in operations and, in any case, a significant (minimum) percentage of direct employment must be guaranteed to ensure organisational stability and a sound safety culture.

G. 'Cadet' programme for the access to the profession: It has been described above how the current access to the pilot profession is abused in many ways (e.g. exploiting inexperienced pilots through P2F schemes, type ratings being charged at rates substantially greater than cost, or casualised or 'zero-hour' contracts).

There is however a robust solution to some of these problems. Firstly, and simply, Pay-to-Fly must be banned. A pilot in line-training should not be forced to pay for performing commercial operations on revenue-earning flights (see ECA Position Paper on P2F & P2F Video). In practice this can be achieved through a mandatory Approved Cadetship for Pilots (AppCP), as a straight ban would likely drive the practice towards loopholes or outside the EU. In contrast, a mandatory cadetship cannot be easily sidestepped, and would have tangible benefits for flight safety.

How might this work? A fresh pilot out of the school requires a period of training into the profession, in the same way as other skilled professions such as lawyers or doctors. EU regulations say nothing about this period. This period of integration

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into the profession should be recognized and made compulsory through an Approved Cadetship Programme (AppCP).

Airlines wishing to train their own pilots should present to the authorities a cadetship program for their approval. Any direct or indirect payment from the cadet would be excluded, and a fair pay structure (reflecting the benefit of the cadetship) would be given to the cadet. The airline will benefit from having a desirable and structured gateway for new pilots and train them according to their standards. Airlines will not be obliged to train cadets but they will only be able to hire pilots that have completed a cadetship programme.

An Approved Cadet Programme that is properly prepared by all concerned stakeholders in a company will ensure the transfer of knowledge between experienced and young pilots, thereby promoting a safe and resilient staffing of the airline. Authorities and Social Partners (approval for such schemes would be conducted jointly by Social Partner organisations as well as meeting regulatory requirements) will ensure the quality of each cadet programme.

H. Better define the aircrews' "Home Base" (Regulations 83/2014 and 465/2012): Today's 'home base' definition must be improved to correspond to the *usual and actual workplace* of the crewmember, guarantee stability and determine both social security and labour law applicable. The real, in-practice home-base / workplace must be notified to the competent national authority in order to ensure proper oversight and enforcement. A home base must be assessed and notified for every crewmember, whose main activity is to/from one or more Member States, regardless of his/her nationality (including non-EU crewmembers). It must not be a paper choice, unrelated to what aircrew actually do.

I. Better define an airline's "Principal Place of Business" (Reg. 1008/2008): the PPB should be a reality on the ground related to substantial aviation business of an airline and the country issuing its Air Operator's Certificate (AOC). The determination of PPB must not be arbitrarily chosen, but an assessment of the real location where the material resources and personnel of the Community air carrier are concentrated in a Member State, including *substantial aviation activities*. Virtual airlines and 'letter box companies' must be avoided.

J. Prevent social dumping, 'flags of convenience' and the replacement of EU crews with cheap labour imported from 3rd countries to perform work on board of EU carriers. Work permits should be required to operate on board of flights of EU AOC carriers. The principle of Community preference should apply to all flights of EU AOC holders touching the EU. The experience of the maritime sector, where European-owned ships are manned by employees from countries with very low labour standards, must be avoided. For this it is also crucial that the revision of the EASA Basic Regulation does not allow third-country aircrew to operate EU-registered aircraft, unless they fully comply with EU/EASA licensing requirements (a previous Commission proposal did allow such 'import' of aircrew – something that must be avoided this time). Wet-leasing from outside the EU would be an obvious way to circumvent European standards, both regulatory and social, as well as driving valuable and contributive EU economic activity away; and as such it must be blocked.

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3. Competition Dimension: Fair Competition with 3rd Countries

"Emirates would have major concerns regarding such an agreement if there are complicated conditions attached to a mandate." […] If power is handed over to the European Commission on the wrong terms, it will undermine the bilateral relationships that govern Emirates' operations and put at risk connectivity, trade corridors and tourism growth in [country X] and Europe more widely."

Emirates Airline letter to an EU State, 01/09/2015

While EU aviation is a strong driver for Europe's economy, tourism and regional cohesion, and provides significant direct and indirect employment throughout Europe, its airlines will only be able to fulfill their economic and employment role, if they can compete internationally on a level playing field.

However, this level playing field is under threat from unfair competition stemming from certain third countries:

➢ Airlines from Asia and the Persian Gulf, often heavily 'sponsored' or subsidized by their governments and with access to cheap state-of-the-art airport infrastructure and fuel, are harming the competitiveness of Europe's aviation. They will continue to do so, if not contained. Their massive capacity dumping, at a scale well beyond market growth, has the potential to threaten the survival of Europe's aviation industry, with significant negative repercussions for jobs, growth and economic activity, tax and social security income and connectivity (see ECA position).

➢ Anti-competitive strategies: The Gulf's success is based on the combination of at least two anti-competitive strategies: one consists in dumping capacity on the market, 'inundating' it and pushing out EU competitors, subsequently absorbing capacity to eventually be able to set prices and control the market ('sponge effect' - push-inundate-absorb). The other involves acquiring equity in EU airlines to circumvent the EU rules on market access ('Trojan Horse' strategy) and to expand their network both within Europe and beyond (e.g. notably towards the US).

➢ Weak social protections: In addition, due to weak social legislation in the Persian Gulf countries, the Gulf carriers benefit from the competitive advantage of a precarious workforce that cannot count on the respect of the basic standards set by the International Labour Organisation (ILO).

➢ No Dialogue: Recent developments at ICAO's Air Transport Regulatory Panel (ATRP) and the EU-Gulf Cooperation Council reveal the Persian Gulf countries' unwillingness to engage in meaningful discussions on fair competition and social matters. This risks becoming a major hurdle for any meaningful negotiations on a comprehensive Air Services Agreement with the EU.

To ensure that EU carriers can compete on equal and fair terms on an international level playing field, ECA calls for the following actions:

K. Consider the adequate moment & content for a negotiating mandate:

Under the current circumstances, it is premature for the EU to consider entering into negotiations with some or all of the Gulf countries to conclude a

comprehensive air transport agreement. However, in case such a comprehensive agreement is considered, a level playing field must be guaranteed. The mandate would have to condition the adoption of an agreement to obtaining strong and specific chapters on transparency, state aid, environment, human rights and labour protections (incl. a Social Clause that is stronger than the Art. 17(bis) of the EU-US Agreement, and which must be *enforceable*). The agreement would also have to contain specific provisions to guarantee the European international connectivity and control over this strategic industry. Specific provisions allowing labour matters to be discussed and swiftly solved are a must in an agreement with countries that do not comply with core ILO Conventions. Furthermore, the agreement would have to include a mechanism for automatically withdrawing traffic rights (including historic ones negotiated on a bilateral basis) in case the Gulf countries do not comply with their obligations under the agreement. Equally a 'Sun-rise' Clause would have to be included that allow additional market access to the EU only if and once certain obligations are demonstrated to be complied with.

L. <u>Freeze traffic rights during negotiations</u>: During the Commission's negotiations with the Persian Gulf countries, all EU Member States must refrain from providing any further market access to their countries on a bilateral basis, to ensure that the Commission's negotiating position if not undermined by a parallel market opening.

M. <u>Tighten oversight on foreign Ownership & Control</u>: the EU's current Ownership and Control (O&C) rules must not be relaxed (not even on a reciprocal basis) but instead should be strengthened in future. In the meantime, the oversight (by EU and national authorities) of the effective control that a foreign investor exerts on the EU carrier must be stepped up. It is for example an open secret that whilst O&C provisions exist in EU aviation and are checked at the beginning, nobody is continuously monitoring either ownership or control, let alone looking at whether the rules are complied with. The oversight and related assessment should carefully analyse any *effective* control that is de facto exercised by for example holding a substantial amount of an EU carrier's debt.

O&C provisions are now more important than ever to prevent the 'hollowing out' and 'off-shoring' of a valuable and economically contributive EU aviation industry. In practice, meaningfully having such rules needs a number of pre-requisites:

   a. Any entity investing in or providing financing to an EU carrier needs to fully adhere to international transparency, accounting, and anti-corruption standards (including the 2003 UN convention against corruption and OECD Guidelines for Multinational enterprises Article VI). Additionally, to ensure a level playing field, market access to the EU single market in Aviation should be contingent on meeting the same standards.

   b. The EU should maintain a public and transparent register of Beneficial Ownership, and a register of Practical Control, for all EU carriers. This would require initial and periodic auditing to examine the beneficial ownership of shell or front entities that may purchase stakes in EU carriers, the owners of an EU carrier's debt deemed significant enough to exert influence over the activities of that carrier, as well as the relationships, other positions and links of a carrier's Board Directors.

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   c. Carriers not meeting O&C provisions should lose any EU and/or EU Member State traffic rights, have a procedure started for removal of their AOC subject to fair treatment of existing passengers, but also face remedial action to return them to compliance with O&C provisions and ensure their continued viability.[2]

N. <u>Revise & strengthen Reg. 868/2004</u>: The Commissioners should swiftly agree on a proposal for a strengthening of Regulation 868/2004 on the protection against subsidies and unfair pricing practices by 3rd countries, to ensure this becomes an effective tool to deter unfair competitive practices and to remedy any economic injury caused to the European air carriers. Intra-Commission disagreements about competences should not be a reason for delaying such a proposal.

O. <u>Bilateral & multilateral liberalisation must foster fair competition & social rights</u>: The EU's efforts to promote high safety standards and regulatory convergence through controlled, reciprocal and carefully evaluated opening of the market must never be compromised – neither in bilateral, nor in multilateral agreements. The recent negotiations on an ICAO-sponsored Multilateral Air Services Agreement (in the ATRP context) demonstrated that the economic and social impact on the EU industry and employees must be assessed before any such agreements can be undertaken. In any negotiations, the EU must seek convergence in the areas of safety and social aspects, including strong Social and Fair Competition provisions.

P. <u>Combined ILO/ICAO Convention to address social impacts of market opening</u>:

With the opening of the markets, aviation risks running the same fate as the maritime industry where the lack of international laws concerning seamen led to the generalisation of 'Flags of Convenience' and social dumping. It took the maritime industry more than 60 years to agree on minimum standards to try to stop such social dumping, but the damage done – in terms of moving industry and jobs out of Europe – had been irreversible.

The EU is a pioneer in aviation liberalisation and, as a socially responsible actor, it must consider addressing the social impact of opening markets. It is obvious where aviation will go if measures are not taken. The EU cannot address this problem globally. Therefore, Europe should promote a combined ICAO/ILO international Convention that addresses the main concerns of mobile workers: applicable labour and social security laws, jurisdiction and minimum labour rights.

The process of negotiating such an agreement will take long. Therefore, it is urgent to start it. If Europe waits 60 years as the maritime sector did, it will be too late.

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Final, 12/11/2015

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[2] Such measures *may* include some combination of: compulsory issue of new equity to EU investors; transfer, cancellation, or invalidation of debt agreements with non-EU financiers; default or revaluation of corporate bonds in the beneficial ownership of non-EU entities; compulsory transfer of ownership of existing equity to EU governmental financial institutions; compulsory completion calls on derivative or future-priced ownership instruments; Board restructuring to remove proxy influence from outside the EU. In all cases remedial measures taken should be on a 'most recent transaction or action initiated, first' basis.