

Opinion of the European Economic and Social Committee on the 'Proposal for a Regulation of the European Parliament and of the Council on the information of air transport passengers on the identity of the operating carrier and on communication of safety information by Member States'

(COM(2005) 48 *final* — 08/2005 (COD))

(2006/C 24/04)

On 30 March 2005 the Council decided to consult the European Economic and Social Committee, under Article 80 (2) of the Treaty establishing the European Community, on the abovementioned proposal.

The Section for Transport, Energy, Infrastructure and the Information Society, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 1 September 2005. The rapporteur was Mr McDonogh.

At its 420th plenary session, held on 28 and 29 September 2005 (meeting of 28 September), the European Economic and Social Committee adopted the following opinion by 161 votes with 5 abstentions.

1. Background

1.1 Safety oversight is regulated worldwide in the framework of the 1944 Chicago Convention on International Civil Aviation and is based on standards developed by the International Civil Aviation Organisation created by that Convention. In essence, air carriers are supervised, concerning in particular their compliance with safety requirements, by their home country.

1.2 Outside the EU, safety levels depend on the effectiveness of oversight procedures applicable in third countries. In order to ensure a high level of aviation safety of all aircraft flying into, out or within the Community, the European Parliament and the Council adopted recently Directive 2004/36/EC ⁽¹⁾ on the safety of third country aircraft using Community airports, which provides for a harmonised system of inspections of foreign aircraft when they use European airports. Besides, this Directive provides for the exchange of information between the Member States and the possibility to extend to the whole Community measures taken by one Member State against a third country aircraft or operator not complying with international safety standards.

1.3 In summary, the 'SAFA' Directive obliges Member States to put in place a mechanism to collect information enabling them to identify potentially unsafe operators.

1.4 The accident in Sharm-el Sheikh and those accidents which occurred in 2005 indicate that stringent rules are needed.

1.5 To make ramp inspections obligatory and to oblige Member States to participate in a wider exchange of information and apply common measures decided on the results of these checks. The Commission should provide a European list of airlines with safety problems.

1.6 To carry out random checks in the simulator of the flight crew, flying into European airspace to see that they are competent flying in congested air spaces.

1.7 Passengers must have access to the name of the operator at the time of booking from an airline website or travel agent and to be informed before travel if there is a change, e.g. wet leased third party aircraft. They should be entitled to a full refund if not satisfied.

1.8 The passenger should have access to the type, model and age of the aircraft, if desired. Also the country of registration.

1.9 Adequate rest periods for crew between flights should be insisted upon.

1.10 Adequate command of English or other European language depending on the destination, among the cabin crew to enable them to deal with passengers or emergencies should be mandatory.

1.11 Aircrafts barred from an EU country for safety reasons should also be barred from all.

⁽¹⁾ OJ L 143, 30.4.2004, p. 76 – EESC opinion: OJ C 241, 7.10.2002, p. 33.

2. Conclusions

The Committee agrees with most of the Commission document, but it does not go far enough. In the future, with the increase in air traffic movements, and more crowded skies, air

safety will become a greater problem in the years to come. Therefore the period for revision of the regulation can be shorter than five years. There is also a need to tighten up safety on EU airlines, i.e. the amount of hand luggage allowed to carry on board. Also the proficiency of English of the Air Traffic Controllers, and a proper definition of crew rest periods, etc.

Brussels, 28 September 2005

The President
of the European Economic and Social Committee
Anne-Marie SIGMUND

Opinion of the European Economic and Social Committee on the 'Proposal for a Council Directive on Community measures for the control of Avian Influenza' and the 'Proposal for a Council Decision amending Council Decision 90/424 EEC on expenditure in the veterinary field'

(COM(2005) 171 final — 2005/0062 + 0063 CNS)

(2006/C 24/05)

On 14 June 2005 the Council decided to consult the European Economic and Social Committee, under Article 37 of the Treaty establishing the European Community, on the abovementioned proposals.

The Section for Agriculture, Rural Development and the Environment, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 7 September 2005. The rapporteur was Mr Donnelly.

At its 420th plenary session, held on 28 and 29 September 2005 (meeting of 28 September), the European Economic and Social Committee adopted the following opinion by 160 votes to one with 5 abstentions.

1. Introduction

1.1 Avian Influenza (AI) is a highly contagious viral disease of poultry, which can also spread to other animals and occasionally to humans. In recent months China has implemented a major vaccination programme after migrating wild geese were found killed by the virus in the western Qinghai province.

1.2 During recent outbreaks of the highly pathogenic form of the disease which occurred in several parts of the world, including some EU Member States, more than 200 million poultry have died or have been killed and destroyed with the aim to control the disease. This mass killing and destruction of animals has raised major ethical, animal welfare, economic, social and environmental concerns particularly among EU citizens.

1.3 The Influenza virus' ability to rapidly mutate and adapt poses a particular threat to animal and human health. Although current knowledge indicates that the health risks posed by the so-called Low Pathogenic AI (LPAI) viruses are inferior to the ones posed by the Highly Pathogenic AI (HPAI) viruses, the

latter originate from a mutation of certain LPAI viruses, namely those of types H5 and H7, and can cause a disease in poultry with a very high mortality rate. Data available indicates that HPAI viruses of types H5 and H7 have been responsible for the vast majority of the cases of AI reported in humans and all cases of human deaths due to AI viruses. Although there is evidence regarding the transmission to humans of LPAI virus of type H9 arising from pigs and poultry, the actual threat to human health remains unclear.

1.4 Uncontrolled Avian Influenza outbreaks have the potential to lead to the emergence of a virus fully adapted to humans and ultimately leading to an Influenza pandemic with devastating health and socio-economic consequences for the world.

2. Gist of Commission proposal

2.1 The first proposal sets out to repeal Directive 92/40/EEC on Avian Influenza and to replace it by a new Directive updating existing provisions.