
Global airline community challenges legality of mandatory flight reductions at Schiphol Airport

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The International Air Transport Association (IATA) and airlines are mounting a legal challenge to the Dutch government's sudden decision to reduce Schiphol airport's capacity.

Schiphol Airport is already restricted to 500,000 flights annually. The government's decree would renege on that agreement, reducing Schiphol connectivity to 460,000 flights from November 2023.

IATA and the global airline community believe that this political decision by the Dutch government contravenes EU Regulation 598/2014 on noise-related operating restrictions at EU airports. It also disregards the Chicago Convention, a binding international agreement to which the Netherlands is a signatory. Annex 16 of the Convention contains provisions for The Balanced Approach to Aircraft Noise Management which states are obligated to follow when taking measures to managing the noise impacts of aviation.

Key requirements of EU Regulation 598/2014 and the Balanced Approach are:

- Consultation with affected parties
- The use of flight reductions only as a last resort
- Balancing the needs and concerns of local residents, the environment and the local economy for aviation's economic and social benefits.

The decision to cut capacity at Schiphol fails to meet these requirements because:

- No meaningful consultation was undertaken with industry
- Flight reductions are being imposed as a first resort, rather than as a last resort
- The need to restore the economic damage to the aviation industry of the Netherlands is not being addressed. Pre-pandemic, aviation supported some 330,000 jobs and \$30 billion of economic activity in the Netherlands.

“The Netherlands is handicapping its economy by destroying connectivity. And it is doing it in contravention of EU law and its international obligations. The job-destroying hostile approach to aviation that the Dutch government has chosen is a totally

disproportionate response to managing noise. The government has even refused to engage in meaningful consultations and made flight reductions the goal, rather than working with industry to meet noise and emissions reduction goals while restoring employment and revitalizing the post-pandemic economy. The dangerous precedent that this illegal approach creates left no choice but to challenge them in court,” said Willie Walsh, IATA’s Director General.

The airline industry continually deploys quieter aircraft, reducing noise levels by 50% in the last decade. The investment in new fleet also plays a significant role in meeting the aviation industry’s commitment to reduce its CO2 emissions to net zero by 2050, as set out in a Resolution at the IATA AGM in 2021. The industry’s robust plan for reducing CO2 includes the uptake of Sustainable Aviation Fuels, of which airlines operating in and to the Netherlands have been among the leading users.

(IATA)