

ACI EUROPE Response ***To the Dutch Government's Balanced Approach Consultation***

Introduction & Executive Summary

ACI EUROPE is the European region of Airports Council International (ACI), the only worldwide professional association of airport operators. We advance the collective interest of Europe's airports. ACI EUROPE represents over 562 airports in 50 countries. Our members facilitate over 90% of commercial air traffic in Europe.

We welcome the opportunity to respond to the 'Stakeholder consultation on the Balanced Approach procedure for Schiphol' launched in March 2023 by the Dutch Ministry of Infrastructure and Water Management of the Netherlands.

This response has been developed with contributions from our member airports across Europe, who consider this a worrying precedent for the development of our sector and European connectivity

The International Civil Aviation Association (ICAO) has established a comprehensive approach to managing aircraft noise (the **"Balanced Approach"**) that requires the involvement of all stakeholders, including airport operators. The European Union has implemented these principles in Regulation (EU) No 598/2014¹ (the **"EU Balanced Approach Regulation"**) which provides the basis for the current consultation.

The Balanced Approach aims to facilitate the achievement of specific noise abatement objectives through the use of a basket of measures (namely the reduction of aircraft noise at source, land-use planning and management, noise abatement operational procedures and operating restrictions, all considered in a consistent way with a view to addressing noise issues in the most cost-effective way on an airport-by-airport basis) with a view to achieve the sustainable development of the airport and airport traffic management network capacity from a gate-to-gate perspective.

The outcome of the current Balanced Approach procedure should make clear whether the stated objective of the Dutch government to reduce capacity at Schiphol from 500.000 to 440.000 flight movements by November 2024 can be justified – or whether more cost effective alternative measures can be implemented to reach the same noise targets.

¹ Regulation (EU) No 598/2014 of the European Parliament and Council of 16 April 2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a Balanced Approach and repealing Directive 2002/30/EC

ACI EUROPE submits the following comments against that background:

- European airports are committed to sustainable development, which goes beyond a purely environmental focus to include wider social and economic aspects as well. Airports are a key interface between a wide range of aviation and non-aviation stakeholders – providing essential connectivity services to their communities. Engaging local communities on the issue of aircraft noise is critical to ensure their needs and preferences are taken into account. It is essential to conduct a comprehensive assessment of the social, economic and environmental impact of all available measures to address the noise problem – to balance all dimensions of the sustainable development of the local airport but also the wider aviation network.
- European airports strive to make the best possible use of the existing infrastructure, as airport capacity is one of the most pressing issues for European mobility. ACI EUROPE emphasizes that the Balanced Approach prescribes that operating restrictions shall not be applied as a first resort to achieve pre-defined noise targets, but only after consideration of all other measures and in the most cost efficient manner. We call upon the Dutch Government to duly respect the principles of the Balanced Approach and implement them in the right order.
- European airports are eager to see their capacity allocated with a view to ensure the best possible development of air connectivity to the benefit of the regions they serve (social and economic benefits). Operating restrictions resulting in airport capacity reduction will result in airlines being required to give-up historic slots. These slots will *not* be returned to the pool for reallocation to other airlines. This creates a worrying precedent for which no procedure exists under Regulation (EU) 95/93² (“**the EU Slot Regulation**”). Airports still have no say in the way their capacity is allocated and used. It is essential that the interest of airports and their regions in connectivity, competition and consumer choice are taken into account when designing slot return measures. Each airport should be considered in its local context. We therefore regret the fact that the European Commission recently decided to postpone the revision of the EU Slot Regulation, delaying much needed reforms.
- The proposed measures will also negatively impact competition and connectivity at other European airports, as a result of reduced air connectivity to the Netherlands and worldwide via Schiphol’s function as a major hub. This is especially the case for smaller and regional airports, serving communities who rely on Schiphol and other hubs for their connectivity.
- European airports need to be able to influence the environmental performance of aircraft through the modulation of charges – which can also relate to factors other than noise such as CO₂. However, a modulation of airport charges based on noise or CO₂ emissions of aircraft should not be mandated by governments or regulators, as it hampers the development of modulation options and undermines the responsibility of airports for their charges structures. Such a modulation must always remain a decision taken by the airport operator based on factors including its ability to implement the charges, the support of the local community or government, the support or views of airlines using the airport. This means a modulation of airport charges based on noise should be left at the discretion of the airport operator upon consultation with its airline user community and other stakeholders – as is already the case at Schiphol.

² Regulation 95/93/EEC on common rules for the allocation of slots at community airports

Sustainable airport development; balancing social, economic and environmental impacts

We recognize the Dutch government's aim to reduce the negative effects of aviation on people, the environment and nature. The current Balanced Approach seeks to identify measures to achieve noise objectives by November 2024. We urge the Dutch government not to apply a movement cap but to consider instead the development of future environmental standards. .

The Balanced Approach Regulation aims “to achieve the sustainable development of the airport and air traffic management network capacity from a gate-to-gate perspective” (article 1(2)b).

The issue of sustainable development occupies a central place for our members in response to the expectations of the communities and regions of Europe. The sustainability efforts of airports have primarily been focused on minimizing the environmental impact of their operations:

- European airports are committed to reaching Net Zero CO₂ emissions well before 2050 (the ICAO long-term aspirational goal); 132 airports (facilitating 16% of air traffic) aim for 2030, while 273 airports (facilitating 71% of air traffic) aim for 2050.³ Schiphol has committed to reaching Net Zero by 2030.
- European airports have been leading the way on decarbonization since 2009, with the establishment of the Airport Carbon Accreditation Program. This has now become the global standard for airport carbon management at more than 500 airports worldwide, of which 280 in Europe.⁴ Schiphol has been CO₂ neutral since 2012 and achieved the highest level of Airport Carbon Accreditation in 2022.

To reaffirm ACI EUROPE's leadership role, our Sustainability Strategy for Airports (2019) seeks to balance the social, economic and environmental impact of sustainability – these pillars of sustainability continue to be recognized by ICAO.⁵ The focus on areas with significant potential for airports to be ambitious and implement voluntary measures beyond regulatory requirements.

ACI EUROPE recognizes the impact noise exposure around airports may have on the health and well-being of residents. Airports are deeply embedded in the region they are located in and as such have strong ties with the local communities in their vicinity. They must be a responsible neighbor by minimizing the negative impact of their operations, while maximizing the positive contribution to their communities. Our strategy therefore includes recommended voluntary actions and initiatives airports may take to address noise management. These are set out in **Annex 1**. Schiphol has implemented extensive noise mitigation measures for the last decades as per this Annex.⁶

The detailed prescriptions in the annex to the Balanced Approach Regulation require the assessment of any direct, indirect or catalytic employment and economic effects. The socio-economic contribution of airports in the broadest possible way as documented by ACI EUROPE is set out in **Annex 2**. This includes airports' catalytic impact: a 10% increase in a country's air connectivity relates to 0.5% increase in GDP per capita.⁷

These dimensions must be assessed in a comprehensive manner in view of the objective to achieve sustainable development. As each airport is unique and operates within a specific local context, the impact of noise issues and the most suitable mitigation measures will be different for each and every airport.

³ [Airports committed to Net Zero \(aci-europe.org\)](https://aci-europe.org)

⁴ www.airportcarbonaccreditation.org

⁵ ICAO 2022 Environmental Report 2022, 'Innovation for a Green Transition', www.icao.int

⁶ See for an overview: [Schiphol | Reducing noise nuisance](#)

⁷ 'Economic impact of European airports – a Critical Catalyst to Economic Growth', InterVISTAS (2015)

The need to respect Balanced Approach principles means operating restrictions should not be applied as a first resort – but only after consideration of all other measures and in the most cost-efficient manner

ACI EUROPE reiterates the need to respect the fundamental principles of the Balanced Approach. The Dutch government has so far not complied with these principles by pre-determining the outcome of the assessment and announcing the reduction of airport capacity at Schiphol from 500,000 to 440.000 flight movements (June 2022). Doing so without following the necessary steps would clearly be at odds with the principles underpinning the Balanced Approach. We are welcoming the careful preparation of the current Balanced Approach procedure, in order to assess all possible measures with feedback from stakeholders.

The EU Balanced Approach Regulation reiterates that “*noise-related operating restrictions should only be introduced when other Balanced Approach measures are not sufficient to attain the specific noise abatement objectives*” (recital 9). But that must always be based on the results of a cost-effectiveness analysis.

According to the same EU Balanced Approach Regulation, “*the general rules on noise management stipulate that Member States must follow a combination of the foreseeable effect of a reduction of aircraft noise at source, land-use planning and management, noise abatement operational procedures and do not apply operating restrictions as a first resort, but only after consideration of the other measures of the Balanced Approach*” (Article 5(3)d).

To that effect, the EU Balanced Regulation contains procedural safeguards:

- any combination of measures shall not be more restrictive than necessary to achieve the noise objective;
- operating restrictions must always be non-discriminatory, and shall not be arbitrary (article 5(6));
- the rules on the noise assessment require a similar assessment of measures before operating restrictions are introduced (article 6);
- technical cooperation must be established between stakeholders (airports, airlines, ANSPs) to examine measures to mitigate noise (article 6);
- the rules on the introduction of operating restrictions provide that the European Commission may notify comments to the Member States, which will need to be assessed (article 8).

We believe these fundamental requirements must be respected to safeguard a sustainable airport development. This also means sufficient time must be allocated to follow the Balanced Approach procedure.

Implications for competition & connectivity beyond the Netherlands must be considered

The EU Balanced Approach Regulation is part of a broader *acquis* governing the Single Aviation Market – which aims to facilitate airports & airlines to provide connectivity under competitive conditions (cf. the Air Services Regulation 1008/2008). In particular, these policies aim to facilitate competition and encourage new market entries – also at congested airports (cf. the Slot Regulation 95/93). This explains why implications for connectivity and competition beyond the Netherlands must also be taken into account.

ACI EUROPE recalls the objective of the EU Balanced Approach Regulation is “*to achieve the sustainable development of the airport and air traffic management network capacity from a gate-to-gate perspective*” (article 1(2)b).

More specifically, it requires “*an overview of the possible environmental and competitive effects of measures on other airports, operators and other interested parties*” (Annex 1 – para. 3.2) and provides the following safeguards:

- the possibility of distorting competition or hampering the overall efficiency of the EU aviation network must be considered (recital 6);
- noise-related operating restrictions should only be introduced when other Balanced Approach measures are not sufficient to attain the specific noise abatement objectives (recital 9);
- unwanted consequences for aviation safety, airport capacity and competition should be avoided (recital 17).

In particular, the relevant information should look at (b) the general criteria applied when distributing and managing traffic in each airport, to the extent that these have an environmental or noise impact (article 6(4)).

The levers to distribute and manage traffic in each airport are slots and airport charges – with direct implications for competition and connectivity. That is why governments should refrain from mandating environmental and noise measures based on airport charges.

Regarding slots, European airports are eager to see their capacity allocated with a view to ensure the best possible development of air connectivity to the benefit of the regions they serve (social and economic benefits).

Operating restrictions resulting in airport capacity reduction will result in airlines being required to give-up historic slots. These slots will *not* be returned to the pool for reallocation to other airlines. This creates a worrying precedent that is not foreseen and for which no procedure exists under the EU Slot Regulation. In fact, the EU Slot Regulation calls upon governments to “*avoid situations where, owing to a lack of available slots, the benefits of liberalization are unevenly spread and competition is distorted*”.

This will also be impactful for other European airports, as a result of reduced air connectivity to the Netherlands and worldwide via Schiphol’s function as a major hub. Airports still have no say in the way their capacity is allocated and used. It is essential that the interest of airports and their regions in connectivity, competition and consumer choice are taken into account when designing slot return measures.

More specifically, on airport charges, European airports need to be able to influence the environmental performance of aircraft through the modulation of charges – which can also relate to factors other than noise such as CO₂. However, a modulation of airport charges based on noise or CO₂ emissions of aircraft should not become mandated by governments or regulators, as it hampers the development of modulation options and undermines the responsibility of airports for their charges structures. Such a modulation is a decision which must be taken by an airport based on factors including its ability to implement the charges, the support of the local community or government, the support or views of airlines and airport users. This means a modulation of airport charges based on noise should always be left at the discretion of the airport operator upon consultation with its airline user community and other stakeholders – as is currently the case at Schiphol.

ACI EUROPE calls on governments not to mandate measures relating to airport charges as a tool to achieve environmental or noise objectives. Airports should retain the ability to take voluntary measures upon consultation with its airline user community and other stakeholders – within the limits of the EU aviation acquis.

ANNEX 1

ACI EUROPE: Sustainability Strategy on noise (p. 30)

Recommended Actions		Indicative KPIs
Launch	<ul style="list-style-type: none"> Implement noise monitoring. Establish and assess noise footprint. Define mechanism to receive and address noise complaints. 	Number of people exposed to excessive noise levels as per relevant regulation. % change in the number of people exposed. % change in the number of people complaining about noise. % ICAO Chapter 14 aircraft serving the airport.
Development	<ul style="list-style-type: none"> Engage (in a structured way) with local communities on noise issues. Set mitigation targets and identify the most relevant and effective mitigation options. 	
Maturity	<ul style="list-style-type: none"> Implement agreed mitigation measures and track progress. Publicly report on progress in a transparent manner. 	
Leadership	<ul style="list-style-type: none"> Reach mitigation targets. Identify best practices potentially applicable to other airports. 	

Enablers	Indicative Initiatives
Innovation	<ul style="list-style-type: none"> Implement noise-related modulation of airport charges to promote use of quieter aircraft. Provide for noise respite (predictable relief from noise). Diversify format and channels of communication on noise. Explore new building design and landscaping for noise abatement. Contribute to the development and implementation of new operational measures.
Partnerships	<ul style="list-style-type: none"> Engage airlines and ANSPs in noise mitigation efforts. Ensure regularity and transparency in engagement with local communities. Allow for communities' contribution to decision-making on noise mitigation. Engage with local authorities to avoid land use incompatible with airport operations. Cooperate with research community to enhance understanding of all factors influencing the perception of noise and its health impacts.

ANNEX 2

ACI EUROPE: Economic Impact of Airports model

