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INFORMATION NOTE

From: General Secretariat of the Council

To: Council

Subject: **Any other business**

The Social Agenda in Aviation

– Information from the Luxembourg delegation

Delegations will find, attached, an information note prepared by the Luxembourg delegations (supported by Belgium, Denmark, France, Germany and the Netherlands) on the above-mentioned subject for consideration under "Any other business" at the meeting of the Council (Transport, Telecommunications and Energy) on 3 December 2018.

**Declaration by Belgium, Denmark, France, Germany, Luxembourg and The Netherlands
The Social Agenda in Aviation – Towards Socially Responsible Connectivity**

The European Aviation Strategy presented by the Commission in December 2015 states in its chapter ‘Reinforcing the social agenda and creating high quality jobs in aviation’ that “*new business and employment models have emerged, such as the multiplication of operational bases, the recruitment of air crews through agencies, new atypical forms of employment or pay-to-fly schemes for flight crew*”. It also calls for “*a better understanding of these new trends and ensure fair working conditions in the sector.*”

It is essential that these practices, together with bogus self-employment and atypical forms of crew employment do not result in social dumping or rule shopping, unfair practices and an unlevelled playing field.

Today, more than ever before, Europe’s aviation sector depends on its ability to attract, train and keep highly skilled aviation professionals. As such, sustainable growth, competitiveness and connectivity are not only compatible with fair working conditions but are largely dependent on them.

The ministers signing this declaration share the common goal of fostering a socially responsible connectivity in the EU internal aviation market, where social rights are safeguarded, safety is further enhanced and competition is grounded on fair conditions.

Legal certainty and effective enforcement of European and national rules are the pillars of a socially responsible connectivity. No competitive advantage should be obtained by depriving aviation workers of their national and European social rights and protections. It must be clear, at all times, which rules and protections apply, especially for transnationally highly mobile workers. It must be ensured that the labour law of the country where the crews have their operational home base applies, and that European rules – including on posting of workers – are fully respected.

As Ministers of transport we therefore call upon the Commission to take stock of the existing measures and their implementation, as well to outline, by the end of 2018, concrete and effective measures to tackle the major unresolved issues. These measures should be developed and implemented within an ambitious timeline – including guidelines on the applicable law of the operational home base –, to ensure healthy and fair competition and to prevent social dumping in Europe’s aviation market.

For Belgium:

François Bellot, Ministre de la Mobilité

For Denmark :

Ole Birk Olesen, Minister for Transport, Building, and Housing

For France:

Elisabeth Borne, Ministre des Transports

For Germany:

Andreas Scheuer, Bundesminister für Verkehr und digitale Infrastruktur

For Luxembourg:

François Bausch, Ministre du Développement durable et des Infrastructures

For The Netherlands:

Cora Van Nieuwenhuizen, Minister for Infrastructure and Watermanagement