

**Question for written answer E-002568/2017  
to the Commission**  
Rule 130  
**Francesc Gambús (PPE)**

Subject: Freedom of establishment for air carriers

According to the document on available traffic rights, published on the Spanish Ministry of Public Works and Transport website<sup>1</sup>, a restriction is in place on the trans-Siberian air route with the effect that flight frequencies from and to Spain can only be established via Madrid airport. Taking into account the case-law of the Court of Justice of the European Union on 'open skies' agreements, and in the interest of the right of establishment for companies:

- Does the Commission consider that the restriction of a single route, from or to Madrid, is in line with the freedom of establishment for air carriers?
- Is the Commission aware of similar restrictions in other Member States?
- Does the Commission consider that these restrictions are in line with the EU principle of free competition?

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<sup>1</sup> [https://www.fomento.gob.es/NR/rdonlyres/559E13F7-AA6C-447D-BA07-80383E93FF89/141925/20170313\\_Distribucionfrecuencias.pdf](https://www.fomento.gob.es/NR/rdonlyres/559E13F7-AA6C-447D-BA07-80383E93FF89/141925/20170313_Distribucionfrecuencias.pdf)