

**Question for written answer E-002024/2023
to the Commission**

Rule 138

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Subject: Transfer of airport slots from Alitalia to ITA: failure to reallocate staff and denial of access to documents

Alitalia-SAI's and Alitalia CityLiner's business has been passed on to ITA without their staff being transferred to Newco, which was formed on 15 October 2021.

This transfer of activities, including the slots previously assigned to Alitalia, was effected pursuant to Legislative Decree No 73/2021, in accordance with the Commission's decision in case SA.58173 (2021/N).

CUB Trasporti believes that the Commission's decision in case SA.58173 (2021/N) recognises that, for the transfer of these slots to be legitimate, this transfer of business should have been dealt with together with the five cases provided for by Regulation (EEC) No 95/93, amended by Regulation (EC) No 793/2004, which governs such transfers¹.

The decision in case SA.58173 (2021/N) cannot therefore authorise the purchase and sale of slots, as this is expressly prohibited by EU law.

The failure to transfer staff to ITA has made thousands of workers, who should have been moved to business units at ITA, out of work.

In light of the above, can the Commission say:

- (1) What view does it take of the note from CUB Trasporti²?
- (2) What view does it take of the refusal by ENAC and Assoclearance to grant access to documents?
- (3) What view does it take of the possible repercussions on the European air transport market, also in view of the paper by Airport Coordination Netherlands entitled 'Policy Rule - Slot Mobility' of Airport Coordination Netherlands³?

Supporter⁴

Submitted: 26.6.2023

¹ See note 92 to point 194: 'See Article 8a(1)(b)(iii) of Council Regulation (EEC) No 95/93 of 18 January 1993 on common rules for the allocation of slots at Community airports, OJ L 14, 21.1.1993, p. 1.'

² Please see the annex

³ <https://slotcoordination.nl/wp-content/uploads/2021/06/210603-ACNL-Policy-Rule-Slot-Mobility-version-1.0.pdf>

⁴ This question is supported by a Member other than the authors: Rosa D'Amato (Verts/ALE)