

ORAL QUESTION H-0598/01
for Question Time at the part-session in September 2001
pursuant to Rule 43 of the Rules of Procedure
by Pedro Aparicio Sánchez
to the Commission

Subject: Requirement for Spanish nationality for Iberia pilots

Article 39 of the Treaty prohibits discrimination against Community workers on grounds of nationality. Despite this fact, the Spanish Government prevents Iberia from employing pilots who do not hold Spanish nationality. It justifies this restriction by claiming that some of the duties performed by pilots (authorisation to perform marriage for persons on board whose lives are in danger, registration of births, safekeeping of diplomatic bags, etc.) give them the status of an 'authority', an interpretation which, in my opinion, is not only archaic, but also incompatible with Community law.

In the Commission's opinion, does the requirement for Spanish nationality for Iberia pilots constitute a breach of the EC Treaty? Do other Member States impose this legal constraint? If the answer to the first question is affirmative, does the Commission intend to oblige the governments concerned to rectify the situation?

Tabled: 27.06.2001
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