

ORAL QUESTION WITH DEBATE O-0007/07

pursuant to Rule 108 of the Rules of Procedure

by Martine Roure, Saïd El Khadraoui, Edith Mastenbroek and Willi Piecyk, on behalf of the PSE Group

to the Commission

Subject: EU restrictions on liquids that passengers can carry on aircraft

The Council has adopted Commission Regulation (EC) No 1448/2006¹ on aviation security containing a secret annex with restrictive measures on liquids that passengers are allowed to carry on aircraft in their hand luggage.

Can the Commission explain and illustrate:

1. How can the secrecy of the annex comply with the democratic principle of publicity of the laws? What sanctions are applied in the event of refusal to follow or breach of the rules? How is it intended to avoid arbitrariness in the practical implementation of a secret rule and its exceptions?
2. Does this text provide for the right for information and the right of appeal of the passenger? How can airline passengers contest decisions and sanctions taken on the basis of the new hand luggage rules, on the spot or at a later stage, and look for legal remedy?
3. What is the justification for the measures? Did the Commission carry out an evaluation of information and evidence presented by the United Kingdom's secret services upon requesting these restrictions? Has specialised expertise been gathered before the decision? Are the measures based on proper risk assessment and will they yield an appropriate reduction of security risks? Will they be evaluated after implementation?
4. Have these measures been subject to an impact assessment on fundamental rights? Have they been deemed compatible with citizens' rights and the free movement of persons and goods? On what grounds are these measures to be considered proportionate and necessary in a democratic society, in compliance with the European Convention of Human Rights? Have these measures been subject to an impact assessment on consumer rights and the practical impact on airport operations and passenger flows? Was there any prior assessment of the extra costs consumers and airports will face after the implementation of the new rules?
5. The aviation security implementing rules are developed by the Aviation Security Regulatory Committee, established in Regulation (EC) No 2320/2002². This committee only gets external advice from the Stakeholder Advisory Group on Aviation Security (SAGAS), an informal body of aviation industry stakeholders. Would the Commission agree that this body needs to be formalised, as requested by Parliament during the first reading of the ongoing revision of Regulation (EC) No 2320/2002? Would the Commission accept the idea that the committee also needs to systematically take into account appropriate expertise on civil rights and consumer interests?

Tabled: 05.02.2007

Forwarded: 07.02.2007

Deadline for reply: 14.02.2007

¹ OJ L 271, 30.9.2006, p. 31.

² OJ L 355, 30.12.2002, p. 1.