Mr. Antonio Tajani
Vice-President
European Commission
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Rue de la Loi, 200
1049 Brussels

14 September 2009

Joint ACI EUROPE/AEA Submission to the European Commission
on the European Commission's Proposal to replace the current restrictions of the carriage of Liquids, Aerosols and Gels

Dear Mr Vice-President,

ACI EUROPE, which represents over 400 airports in 46 European countries and AEA, the member airlines of which transport 400 million passengers within Europe and internationally, fully support the goal of the European Commission to work towards the removal of the current ban on the transportation of liquids, aerosols and gels by the travelling public throughout the European Union. We appreciate the European Commission's intensive work on this issue, a process which has started in the early days of 2007.

Both our organizations take the view that **the ultimate goal** of adapting, or indeed, removing the current regime of LAGs transportation should be, **while ensuring a secure travel, the facilitation of the passenger travelling experience**.

For as long as **a serious terrorist threat** articulated around the use of liquid explosives as a means of mass destruction **continues to exist**, adequate means will still have to be used in order to counter this threat.

It is therefore, essential, to carefully consider this threat and best address it from a security point of view. In order to suitably address this issue, we should acknowledge that we are dependent upon new, viable technology. This **new technology** which could be acceptable for our operations **should be able to detect liquid explosives together with the whole range of other explosive and conventional threat items** located inside the cabin bag of a passenger, **while offering maximum ease for air transport operations**. That technology should be adaptable, easy to understand and use by the screening personnel in our airports. It should facilitate the life of the travelling public and not complicate it even more by adding significant time spent in queuing at the security lanes.

We fully understand that the above requirements are very illustrative of **the complexities required of the new technology**. Currently, the different technological solutions available on the market have yet to be certified at an acceptable level within the EU and, most importantly, **tested in conjunction** in order to better evaluate their joint potential in detecting the aforementioned threats and requirements within a reasonable period of time from an airport operational point of view. We understand that to date no machines have been tested against the wider range of threats and that they have been prepared by manufacturers to pass the Liquid Explosives tests only. The joint tests should also be targeted at the **identification and resolution of problematic areas such as high false alarm levels**. These alarms considerably slow down the overall screening process and, if not resolved, have a very high disruptive potential on airport operations.[1] The **two processes** identified above, namely the certification and further laboratory/operational testing of the relevant equipment, are extremely time consuming.

Another elaborate, yet essential process, for the successful implementation of any proposed change to the current transportation regime of LAGs, is the need for **close international cooperation**, **articulated around the ICAO**, with the relevant international partners of the European Union. Such an approach is essential not only for properly addressing the current global terrorist threat but also for ensuring regulatory

[1] Typically, in cases where an alarm is impossible to « resolve » (*i.e., understand and eliminate its existing cause)*, our airports have to close down the terminal or the relevant part thereof and require the intervention of the specialized bomb squad team.

coherence and consistency with a view to avoiding confusion and promote a good understanding of the rules by the travelling public.

The **time factor** has to be, therefore, carefully considered and factored in any proposal tabled by the European Commission.

Finally, when the technology has been properly certified, tested and identified for further practical use, the industry will need **significant public financing** (be it European or national) in order to be able to support such an **important investment required by more than 400 European airports**.

On the facilitation side, it should be kept in mind that it is of paramount importance that any proposed solution is **very respectful of the passenger** and that we provide a better rather than a worse travel experience to the public. With this point in mind, our organizations have carefully examined the current proposal made by the European Commission and focused on the amendment of the LAGs regulation for all transfer passengers from 3rd countries. Such a partial solution **is not practicable** for a number of important reasons.

First, transfer passengers currently account for a large proportion of the travelling public in our hub airports. That proportion may rise as high as 71% and is consistently above 30% in our hubs based on 2008 yearly data. Moreover, we have noted a growth in the proportion of transfer passengers during the current economic crisis. Secondly, in the large majority of our hub airports, the transfer passengers are screened at the same security check points as the originating passengers and use, therefore, the same security lanes. The process required to identify passengers from third countries from the total throughput would be complex and would negatively impact, among others, on minimum connecting times. To separate these passengers would require important infrastructure changes, at a significant cost for airports. Moreover, the combination of high percentages of transfer passengers and the commonality of the use of screening points will lead to a significant negative impact on the operations (in terms of processing time, confiscation levels and confusion).

Thirdly it will be, in our view, very difficult to communicate to the travelling public this **partial change in the regulation** (*i.e.*, that if you are a transfer passenger in the EU you may travel with LAGs sealed in STEBs but if you either transfer outside the EU – in the US for instance – or if you are an originating passenger in an EU airport your liquids will still be confiscated).

While **we consider the Commission's approach to start lifting the liquids ban for transfer passengers not practicable**, we are looking forward to working with the Commission and other Stakeholders to identify the appropriate solution to lift the current ban on liquids and jointly defining a reasonable time frame to address the liquid threat in a way which facilitates travel for all passengers travelling within Europe.

Our organizations remain, therefore, strongly committed to closely work together with the European Commission in order to find a workable and sustainable solution targeted at improving the passenger experience and taking into account the operational and financial constraints faced by the European aviation industry.

Yours sincerely,





Olivier Jankovec
Director General
ACI EUROPE

Ulrich Schulte-Strathaus,
Secretary General
AEA