

Flexing the slot regime: airport slot coordination in light of evolving market realities: a regulatory perspective

Houten, L.M. van

Citation

Houten, L. M. van. (2021, December 16). Flexing the slot regime: airport slot coordination in light of evolving market realities: a regulatory perspective. Retrieved from https://hdl.handle.net/1887/3247125

Version: Publisher's Version

License: License agreement concerning inclusion of doctoral thesis in the

Institutional Repository of the University of Leiden

Downloaded from: https://hdl.handle.net/1887/3247125

Note: To cite this publication please use the final published version (if applicable).

BIBLIOGRAPHY

1) TREATIES

- Agreement between the European Community and the Swiss Confederation on Air Transport (Luxembourg, 21 Jun. 1999), OJ L 114, *entered into force* 1 Jun. 2002
- Agreement on Air Transport between Canada and the European Community and its Member States (Brussels, 17 Dec. 2009 and Ottawa, 18 Dec. 2009), OJ L 207
- Air Services Agreement between the United Kingdom and the Republic of Singapore (21 Nov. 2007), Treaty Series No. 4 (2008), Cm 7362
- Air Services Agreement between the United States of America and the United Kingdom (Bermuda, 11 Feb. 1946), 60 Stat. 1499, T.I.A.S. No. 1507 ('Bermuda I Agreement')
- Air Services Agreement between the United States of America and the United Kingdom (Bermuda, 23 Jul. 1977), 28 Stat. 5367, U.K.T.S. 1977 No 76, T.I.A.S. 8641 ('Bermuda II Agreement')
- Air Transport Agreement between the European Union and the United States of America (30 Apr. 2007), 46 I.L.M. 470, entered into force 30 Mar. 2008 ('US-EU Air Transport Agreement')
- Charter of the United Nations (San Francisco, 26 Jun. 1945), 1 U.N.T.S. 16, entered into force 24 Oct. 1945 ('UN Charter')
- Chicago Convention on International Civil Aviation (Chicago, 7 Dec. 1944), 15 U.N.T.S. 295, 61 Stat. 1180, T.I.A.S. No. 1591, *entered into force* 4 April 1947 ('Chicago Convention')
- Convention relating to the Regulation of Aerial Navigation (Paris, 13 Oct. 1919), 11 L.N.T.S. 173, *entered into force* 31 May 1920 ('Paris Convention')
- European Convention for the Protection of Human Rights and Fundamental Freedoms (Rome, 4 Nov. 1950), as amended by Protocols No. 11 and 14, ETS 5
- Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part and the government of the State of Israel, of the other part (Luxembourg, 10 Jun. 2013), OJ L 208
- General Agreement on Tariffs and Trade (Geneva, 30 Oct. 1947), 55 U.N.T.S. 194, 61 Stat. A-11, entered into force 1 Jan. 1948 ('GATT')
- General Agreement on Trade in Services (Marrakesh, 15 Apr. 1994), Marrakesh Agreement Establishing the World Trade Organization, Annex 1B, 1869 U.N.T.S. 183, 33 I.L.M. 1167, Annex on Air Transport Services ('GATS')
- International Air Services Transit Agreement (Chicago, 7 Dec. 1944), 59 Stat. 1693, 84 U.N.T.S. 389, *entered into force* 30 Jan. 1945
- International Air Transport Agreement (Chicago, 7 Dec. 1944), 59 Stat. 1701, 171 U.N.T.S. 387, entered into force 8 Feb. 1945
- Paris Agreement to the United Nations Framework Convention on Climate Change (Paris, 12 Dec. 2015), T.I.A.S. No. 16-1104, *entered into force* 4 Nov. 2016
- Statute of the International Court of Justice (San Francisco, 26 Jun. 1945), 33 U.N.T.S. 993, *entered into force* 24 Oct. 1945
- Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (Brussels and London, 30 Dec. 2020), OJ L 444, *entered into force* 1 May 2021
- Treaty establishing the European Economic Community (Rome, 25 Mar. 1957), *entered into force* 1 January 1958 ('Treaty of Rome'), as amended by the Treaty on European Union (Maastricht, 7 Feb. 1992), 92/C 191/01 ('Maastricht Treaty'), as amended by the Treaty on the Functioning of the European Union, OJ C 326 ('Treaty of Lisbon')

Vienna Convention on the Law of Treaties (Vienna, 23 May 1969), 1155 U.N.T.S. 331, entered into force 27 Jan. 1980

2) EU LEGISLATION

Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty, OJ L 1

Council Regulation (EEC) No 95/93 on common rules for the allocation of slots at Community airports, OJ L 14/1, as amended ('Slot Regulation')

Council Regulation (EU) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings, OJ L 24 ('Merger Regulation')

Council Regulation (EC) No 1008/2008 of 24 September 2008 on common rules for the operation of air services in the Community, OJ L 293/3

Council Regulation (EU) 2021/250 of 16 February 2021 amending Council Regulation (EEC) No 95/93 as regards temporary relief from the slot utilization rules at Union airports due to the COVID-19 crisis, OJ L 58

3) LEGISLATION OF OTHER JURISDICTIONS

Dutch Aviation Act of 1992, as amended

Dutch Decree on Slot Allocation (Besluit slotallocatie) of 1997, as amended

German Decree to Regulate Airport Slot Coordination (FHKV) of 2005

Irish European Communities (Airport Slots) Regulations 2013, S.I. No. 460/2013

Italian Decree No 46-T of 5 July 1996

Italian Decree No 70-T of 13 October 1997

Mexican Airport Law (Ley de Aeropuertos) of 2000

Spanish Law 21/2003 of 7 July 2003, Aviation Safety, supplementing Royal Decree 15/2001

Sydney Airport Demand Management Act 1997, No. 173, 1997, Compilation No. 12

United Kingdom Airports Slot Allocation Regulations 2006, UK S.I. 2006/2665

United Kingdom Airports Slot Allocation (Alleviation of Usage Requirements) Regulations 2021, UK S.I. 2021/185

United States Airline Deregulation Act (24 Oct. 1978), P.L. 95-204, 92 Stat. 1705

United States Code of Federal Regulations, Title 14 Aeronautics and Space

United States Code of Federal Regulations, Title 49 Transportation

United States International Air Transportation Competition Act 1979, 94 Stat. 35, P.L. 96-192

4) JURISPRUDENCE

a. International Court of Justice

Judgment of 27 June 1986, Nicaragua v. United States of America, ICJ Reports 1986

b. Court of Justice of the EU

Case-C26/62, Van Gend en Loos [1963] ECLI:EU:C:1963:1

Case C-6/64, Costa v. ENEL [1964] ECLI:EU:C:1964:66

Case 50/76, Amsterdam Bulb BV v. Produktschap voor Siergewassen (Ornamental Plant Authority) [1977], ECLI:EU:C:1977:13

Case 111/76, Officier van Justitie v. Beert van den Hazel [1977], ECLI:EU:C:1977:83

Case C-27/76, United Brands v. Commission [1978] ECLI:EU:C:1978:22

Case-106/77, Simmenthal II [1978] ECLI:EU:C:1978:49

Case C-85/76, Hoffmann-La Roche v. Commission [1979] ECLI:EU:C:1979:36

Case 16/83, Karl Prantl [1984] ECLI:EU:C:1984:101

- Case 218/85, Association comité économique agricole regional fruits et legumes de Bretagne (CERAFEL) v. Albert Le Campion [1986] ECLI:EU:C:1986:440
- Case 255/86, Commission v. Belgium [1988] ECLI:EU:C:1988:63
- Case C-66/86 Ahmed Saeed Flugreisen and Others v. Zentrale zur Bekämpfung unlauteren Wettbewerbs, ECLI:EU:C:1989:140
- Case C-288/89, Mediawet [1991] ECLI:EU:C:1991:323
- Case C-76/90, Säger v. Dennemeyer [1991] ECLI:EU:C:1991:331
- Case C-179/90, Merci convenzionali porto di Genova SpA v. Siderurgica Gabrielli SpA [1991] ECLI:EU:C:1991:464
- Case C-18/93 Corsica Ferries Italia Srl v Corpo dei Piloti del Porto di Genova [1994] ECLI:EU:C:1994:195
- Case T-260/94, Air Inter v. Commission [1997] ECLI:EU:T:1997:89
- Case C-7/97, Oscar Bronner GmbH & Co. KG v. Mediaprint Zeitungs- und Zeitschriftenverlag GmbH & Co. KG and others [1998], ECLI:EU:C:1998:569
- Case C-292/97, Karlsson and Others [2000] ECLI:EU:C:2000:202
- Joined Cases C-466/98, C-467/98, C-468/98, C-469/98, C-471/98, C-472/98, C-475/98 and C-476/98, Commission v. United Kingdom, Denmark, Sweden, Finland, Belgium, Luxembourg, Austria, Germany [2002], inter alia, ECLI:EU:C:2002:624
- Case C-466/98, Joined opinion of Mr Advocate General Tizzano delivered on 31 January 2002 in *Commission v. United Kingdom* [2002] ECLI:EU:C:2002:63.
- Case T-158/00, ARD v. Commission [2003] ECLI:EU:T:2003:246
- Case T-61/99, Adriatica di Navigazione SpA v. Commission [2003] ECLI:EU:C:2003:335
- Case T-177/04, easyJet v. Commission [2006] ECLI:EU:T:2006:187
- Case C-133/09, József Uzonyi v. Mezőgazdasági és Vidékfejlesztési Hivatal Központi Szerve [2010] ECLI:EU:C:2010:563
- Case C-366/10, Air Transport Association of America and Others v. Secretary of State for Energy and Climate Change [2011] ECLI:EU:C:2011:864
- Case T-162/10, Niki Luftfahrt GmbH v. Commission, 13 May 2015, ECLI:EU:T:2015:283
- Case C-205/14, European Commission v. Portuguese Republic [2016] ECLI:EU:C:2016:393
- General Court of the European Union, Press Release No 188/21, Luxembourg, 20 Oct. 2021, Judgments in Cases T-240/18 and T-296/18 *Polskie Linie Lotnicze 'LOT' v. Commission*

c. EUROPEAN COURT OF HUMAN RIGHTS

Marckx v. Belgium 6833/74 [1979] ECLI:CE:ECHR:1979:0613JUD000683374

The Traktorer v. Sweden 10873/84 [1989] ECLI:CE:ECHR:1989:0707JUD001087384

The Holy Monasteries v. Greece 13092/87 and 13984/88 [1994] ECLI:CE:ECHR:1994:1209JUD001309287

Pressos Compania Naviera S.A. and Others v. Belgium 17849/91 [1995] ECLI:CE:ECHR:1995:1120JUD001784991

Prince Hans-Adam II of Liechtenstein v. Germany 42527/98 [2001] ECLI:CE:ECHR:2001:0712JUD004252798

Hatton and others v. The United Kingdom 36022/97 [2003] ECLI:CE:ECHR:2003:0708JUD003602297

Pistorová v. the Czech Republic 73578/01 [2004] ECLI:CE:ECHR:2004:1026JUD007357801 Alatulkkila and Others v. Finland 33538/96 [2005] ECLI:CE:ECHR:2005:0728JUD003353896 J.A. Pye (Oxford) Ltd and J.A. Pye (Oxford) Land Ltd v. the United Kingdom 44302/02 [2007] ECLI:CE:ECHR:2007:0830JUD004430202

Zhigalev v. Russia 54891/00 [2006] ECLI:CE:ECHR:2006:0706JUD005489100

Anheuser-Busch Inc. v. Portugal 73049/01 [2007] ECLI:CE:ECHR:2007:0111JUD007304901

O'Sullivan McCarthy Mussel Development Ltd v. Ireland 44460/16 [2018] ECLI:CE:ECHR:2018:0607JUD004446016

d. NATIONAL COURTS

THE UNITED KINGDOM

- House of Lords, R v. London Boroughs Transport Committee ex parte Freight Transport Association Ltd and Others [1991] 3 All ER 916
- High Court of Justice, Queen's Bench Division, Regina v. Airport Coordination Ltd ex parte The States of Guernsey Transport Board [1999] All ER (D) 347
- Court of Appeal (Civil Division) on Appeal from the High Court of Justice, Queen's Bench Division, Administrative Court, *R (Monarch Airlines) v Airport Coordination Limited* [2017] EWCA Civ 1892
- Court of Appeal (Civil Division) on Appeal from the Queen's Bench Division, *R (Friends of the Earth) v. Secretary of State for Transport and Ors* [2020] EWCA Civ 214

THE UNITED STATES OF AMERICA

Court of Appeals, Northwest Airlines, Inc. v. Goldschmidt, 645 F.2d 1309 (8th Circuit 1981)

District Court for the Southern District of New York, US Airways Group Inc. v. British Airways PLC, 989 F. Supp. 482 (S.D.N.Y. 1997)

Court of Appeals, Laker Airways Inc. v. British Airways PLC, 182 F.3d 843 (11th Circuit 1999)

Court of Appeals for the district of Columbia Circuit, *Port Authority of N.Y. & N.J. v. Federal Aviation Administration*, No. 08-1329 (8 Dec. 2008)

Supreme Court, International News Service v. Associated Press, 248 U.S. 215 (1918)

THE NETHERLANDS

District Court of North Holland, 75565/KG ZA 01-349, Dutch Bird v. Transavia Airlines [2001] ECLI:NL:RBHAA:2001:AB2727

Council of State, KLM v. Airport Coordination Netherlands [2019] ECLI:NL:RVS:2019:1368

District Court of North Holland, C/15/321219/KG ZA 21-540, IATA, TUI Airlines Nederland, KLM and Transavia Airlines v. Airport Coordination Netherlands [2021] ECLI:NL:RBNHO:2021:9830

ITALY

Corte Costituzionale, Sentenza n. 18/2009, in tema di trasporto aereo nella Regione Lombardia LOMBARDIA, L.R. n. 29/2007, Norme in materia di trasporto aereo, coordinamento aeroportuale e concessioni di gestione aeroportuali

ICELAND

Judgment in Case E-18/14 Wow air ehf. V. The Icelandic Competition Authority, Isavia ohf. And Icelandair ehf. (Press release 18/2014)

MEXICO

Constitutional Dispute 301/2017. First Specialised Court A.R. 142/2018

CANADA

Court of Appeal for Ontario, Caratun v. Caratum (1992) 42 R.F.L. (3ed) 113 C.A.

5) UNITED NATIONS DOCUMENTS

a. International Civil Aviation Organization (ICAO): Assembly Resolutions

ICAO, Doc 9790: Assembly Resolutions in Force (as of 5 October 2001), Resolution A27-11: Airport and airspace congestion

- ICAO, Doc 9902: Assembly Resolutions in Force (as of 28 September 2007), Resolution A36-13: Consolidated statement of continuing ICAO policies and associated practices related specifically to air navigation, Appendix A
- ICAO, Resolution A40-18: Consolidated statement of continuing ICAO policies and practices related to environmental protection Climate change (2019)

b. International Civil Aviation Organization (ICAO): Other Materials

- ICAO, A40-WP/275, Agenda item 32: Progress report on airport slot allocation (2019)
- ICAO, Agenda Item 39: Economic Regulation of International Air Transport Policy, A39-WP/340 (2016)
- ICAO, ATConf/6-WP/4: Fair Competition in International Air Transport (2013)
- ICAO, Circular 283-AT/119: Regulatory Implications of the Allocation of Flight Departure and Arrival Slots at International Airports (2001)
- ICAO, 'Climate Change', available at https://www.icao.int/environmental-protection/pages/climate-change.aspx accessed 10 November 2021
- ICAO, Doc 9562: Airport Economics Manual, Fourth Edition (2020)
- ICAO, Doc 9626: Manual on the Regulation of International Air Transport, Third Edition (2018)
- ICAO, 'Forecast of Scheduled Passenger and Freight Traffic', available at https://www.icao.int/sustainability/pages/eap-fp-forecast-scheduled-passenger-traffic.aspx accessed 24 May 2021
- ICAO, 'Member States List', available at https://www.icao.int/MemberStates/Member%20States.English.pdf accessed 10 November 2021
- ICAO, 'Proceedings of the International Civil Aviation Conference', available at https://www.icao.int/ChicagoConference/Pages/proceed.aspx accessed 25 May 2021
- ICAO, Report of the Conference on the Economics of Airports and Air Navigation Services (CEANS) of 15 to 20 September 2008, ICAO Headquarters, Montréal, Canada (2008)
- ICAO, Report of the Economic Commission on Agenda Item 39 (2016)
- ICAO, 'Vision and Mission', available at https://www.icao.int/about-icao/Council/Pages/vision-and-mission.aspx accessed 10 November 2021
- ICAO, Worldwide Air Transport Conference (ATConf) Sixth Meeting, Montréal, 18 to 22 March 2013 (2013)

c. OTHER

United Nations Economic and Social Council, Decision adopted at the Conference of African Ministers Responsible for Civil Aviation, held in Yamoussoukro, Côte d'Ivoire, 13-14 Nov. 1999 ('Yamoussoukro Declaration')

United Nations General Assembly (Paris, 10 Dec. 1948). Universal Declaration of Human Rights

6) EU DOCUMENTS

a. COMMISSION COMPETITION ASSESSMENTS

- Case No COMP/JV.19 KLM/Alitalia. Regulation (EEC) No 4064/89 Merger Procedure, Article 6(1)(b) NON-OPPOSITION, 11 August 1999
- Case No COMP/JV.37 B Sky B/Kirch Pay TV. Regulation (EEC) No 4064/89 Merger Procedure, Article 6(1)(b) NON-OPPOSITION, 21 March 2000
- Case No COMP/M.2533 BP/E.ON. Regulation (EEC) No 4064/89 Merger Procedure, Article 8(2), 20 December 2001

- Case No COMP/M.2389 Shell/DEA. Regulation (EEC) No 4064/89 Merger Procedure, Article 8(2), 20 December 2001
- Case No COMP/M.2803 Telia/Sonera. Regulation (EEC) No 4064/89 Merger Procedure, Article 6(2) NON-OPPOSITION, 10 July 2002
- Case No COMP/M.2876 Newscorp/Telepiu. Regulation (EEC) No 4064/89 Merger Procedure, Article 8(2), 2 April 2003
- Case No COMP/M.3280 Air France/KLM. Regulation (EEC) No 4064/89 Merger Procedure, Article 6(2) NON-OPPOSITION, 11 February 2004
- Case No COMP/M.3770 Lufthansa/Swiss. Regulation (EC) No 139/2004 Merger Procedure, Article 6(2) NON-OPPOSITION, 4 July 2005
- Case No. COMP/M.3940 Lufthansa/Eurowings. Regulation (EC) No 139/2004 Merger Procedure, Article 6(2) NON-OPPOSITION, 22 December 2005
- Case No. COMP/M.5403 Lufthansa/BMI. Regulation (EC) No 139/2004 Merger Procedure, Article 6(1)(b) NON-OPPOSITION, 14 May 2009
- Case No COMP/M.5440 Lufthansa/Austrian Airlines. Regulation (EC) No 139/2004 Merger Procedure, Article 9(2), 28 August 2009
- Case No COMP/M.6607 US Airways/American Airlines. Regulation (EC) No 139/2004 Merger Procedure, Article 6(1)(b) in conjunction with Art 6(2), 5 May 2013
- Case COMP/AT.39595 Continental/United/Lufthansa/Air Canada. Antitrust Procedure, Council Regulation (EC) 1/2003, Article 9 Regulation (EC) 1/2003, 23 May 2013
- Case No COMP/M.7333 Alitalia/Etihad. Regulation (EC) No 139/2004 Merger Procedure, Article 6(1)(b) in conjunction with Article 6(2), 14 November 2014
- Case No M.7541 IAG/Aer Lingus. Regulation (EC) No 139/2004 Merger Procedure, Article 6(1)(b) in conjunction with Article 6(2), 14 July 2015
- Case M.6447 IAG/BMI. Regulation (EC) No 139/2004 Merger Procedure, Decision on the implementation of remedies Art. 6(1)(b) in conjunction with 6(2) Assessment of viability, 30 October 2017
- Case M.8672 easyJet/certain Air Berlin assets. Regulation (EC) No 139/2004 Merger Procedure, Article 6(1)(b) NON-OPPOSITION, 12 December 2017
- Case M.8633 Lufthansa/certain Air Berlin assets. Regulation (EC) No 139/2004 Merger Procedure, Article 6(1)(b) in conjunction with Article 6(2), 21 December 2017
- Case M.8869 Ryanair/Laudamotion. Regulation (EC) No 139/2004 Merger Procedure, Article 6(1)(b) NON-OPPOSITION, 12 July 2018
- Case M.3280 Air France/KLM. Regulation (EC) No 139/2004 Merger Procedure, Decision on the implementation of the commitments Waiver of the commitments, 6 February 2019
- Case M.9287 Connect Airways/Flybe. Regulation (EC) No 139/2004 Merger Procedure, Article 6(1)(b) in conjunction with Article 6(2), 5 July 2019
- State Aid SA.59913 France COVID-19 Recapitalisation of Air France and the Air France-KLM Holding, C(2021) 2488 final
- State Aid SA.57153 Germany COVID-19 Aid to Lufthansa, C(2020) 4372 final

b. COMMISSION DECISIONS

- Commission Decision of 11 June 1992 relating to a proceeding under Article 86 of the EEC Treaty (IV/34.174 Sealink/B&I Holyhead: Interim measures), OJ L 378
- Commission Decision of 28 May 1993 on a procedure relating to the application of Regulation (EEC) No 2408/92 (Case VII/AMA/I/93 Viva Air), OJ L 140
- Commission Decision of 27 April 1994 on a procedure relating to the application of Council Regulation (EEC) No 2408/92, (Case VII/AMA/II/93 TAT Paris (Orly) London), OJ L 12

- Commission Decision of 27 April 1994 on a procedure relating to the application of Council Regulation (EEC) No 2408/92, (Case VII/AMA/IV/93 TAT Paris (Orly) Marseille and Paris (Orly) Toulouse), OJ L 127
- Commission Decision of 14 March 1995 on a procedure relating to the application of Council Regulation (EEC) No 2408/92 (Case VII/AMA/9/94 French traffic distribution rules for the airport system of Paris), OJ L 162
- Commission Decision of 28 June 1995 relating to a proceeding pursuant to Article 90(3) of the Treaty, OJ L 216
- Commission Decision of 22 July 1998 on a procedure relating to the application of Council Regulation (EEC) No 2408/92 (Access to Karlstad Airport), L 233/25
- Commission Decision of 16 September 1998 on a procedure relating to the application of Council Regulation (EEC) No 2408/92 (Case VII/AMA/11/98 Italian traffic distribution rules for the airport system of Milan), OJ L 337
- Commission Decision of 10 February 1999 relating to a proceeding pursuant to Article 90 of the Treaty (Case No IV/35.703 Portuguese airports), OJ L 69
- Commission Decision of 26 July 2000 relating to a proceeding pursuant to Article 86(3) of the EC Treaty (AENA), OJ L 208
- Commission Decision of 21 December 2000 on a procedure relating to the application of Council Regulation (EEC) No 2408/92 (Case TREN/AMA/12/00 Italian traffic distribution rules for the airport system of Milan), OJ L 58
- Commission Decision of 12 February 2004 concerning advantages granted by the Walloon Region and Brussels South Charleroi Airport to the airline Ryanair, OJ L 137
- Commission Implementing Decision (EU) 2019/1585 of 24 September 2019 on the establishment of traffic distribution rules pursuant to Article 19 of Regulation (EC) No 1008/2008 for the airports Amsterdam Schiphol and Amsterdam Lelystad, OJ L 246

c. COMMISSION NOTICES

- Commission Notice on the Definition of Relevant Market for the Purposes of Community Competition Law, OJ C 372 (1997)
- Commission Notice concerning the alliance between Lufthansa, SAS and United Airlines (Cases COMP/D-2/36.201, 36.076, 36.078). Procedure under Article 85 (ex 89) EC, OJ C 181 (2002)
- Commission Notice concerning the Alliance between KLM Royal Dutch Airlines and Northwest Airlines, Inc. (Case COMP/D-2/36.111, 30 October 2002), OJ C 264 (2002)
- Commission Notice on remedies acceptable under Council Regulation (EC) No 139/2004 and under Commission Regulation (EC) No 802/2004, OJ C 267 (2008)
- Commission Notice Interpretative guidelines on Regulation (EC) No 1008/2008 Public Service Obligations (PSO), OJ C 194 (2017)

d. COMMISSION COMMUNICATIONS

- Communication from the Commission on an Aviation Strategy for Europe, COM(2015) 598 final
- Communication from the Commission on the application of Regulation (EEC) No 95/93 on common rules for the allocation of slots at Community airports, as amended, COM(2008) 0227 final
- Communication from the Commission on the application of Regulation (EC) 793/2004 on common rules for the allocation of slots at Community airports, COM(2007) 704 final
- Communication from the Commission on the EU's External Aviation Policy Addressing Future Challenges, COM(2012) 556 final
- Communication from the Commission Commission Work Programme 2021: A Union of vitality in a world of fragility, COM(2020) 690 final

Communication from the Commission – Guidelines on State aid to airports and airlines (2014), OJ C 99

e. Commission Staff Working Documents

- Commission Staff Working Document accompanying the Sustainable and Smart Mobility Strategy putting European transport on track for the future, SWD(2020) 331 final
- Commission Staff Working Document Evaluation of the Directive 2009/12/EC of 11 March 2009 on airport charges, SWD(2019) 291 final
- Commission Staff Working Document Evaluation of the Regulation (EC) No 1008/2008 on common rules for the operation of air services in the Community, SWD(2019) 295 final
- Commission Staff Working Document Slot relief measures in light of the COVID-19 pandemic, SWD(2020) 341 final

f. OTHER EU DOCUMENTS

- European Commission, "Better Airports" Package Launched' (1 December 2011), available at https://ec.europa.eu/commission/presscorner/detail/en/IP_11_1484 accessed 11 November 2021
- European Commission, 'Commission resolves question of traffic distribution at Orly Airport' (Press release, 14 March 1995), available at https://ec.europa.eu/commission/presscorner/detail/en/IP_95_237 accessed 11 November 2021
- European Commission, Explanatory Memorandum to the Proposal for a Regulation of the European Parliament and of the Council on common rules for the allocation of slots at European Union Airports, COM(2001) 0335 final
- European Commission, Explanatory Memorandum to the Proposal for a Regulation of the European Parliament and of the Council on rules for the allocation of slots at European Union Airports, COM(2011) 0827 final
- European Commission, 'List of Public Service Obligations', available at https://ec.europa.eu/transport/sites/default/files/pso_inventory_table.pdf accessed 26 July 2021
- European Commission, Proposal for a Council Decision on the signature of the Agreement on Air Transport between the European Union and its Member States, of the one part, and the Federative Republic of Brazil, of the other part, COM(2011) 253 final
- European Commission, Report pursuant to Article 10a(5) of Regulation (EU) 2020/459 amending Council Regulation (EEC) No 95/93 on common rules for the allocation of slots at Community airports', COM/2020/558 final
- European Commission, 'State aid: Commission approves award of slots at Paris-Orly airport to Vueling in context of Air France's recapitalisation' (20 September 2021), available at https://ec.europa.eu/commission/presscorner/detail/en/ip_21_4805 accessed 12 November 2021
- European Commission, 'State aid: Commission approves €6 billion German measure to recapitalize Lufthansa' (Press release, 25 June 2020), available at https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1179 accessed 10 November 2021
- European Commission, 'State aid: Commission approves award of slots at Paris-Orly airport to Vueling in context of Air France's recapitalisation' (Press release, 20 September 2021), available at https://ec.europa.eu/commission/presscorner/detail/en/ip_21_4805 accessed 12 November 2021
- European Commission, 'State aid: Commission approves up to €4 billion French measure to recapitalize Air France' (Press release, 6 April 2021), available at

- https://ec.europa.eu/commission/presscorner/detail/en/ip_21_1581 accessed 10 November 2021
- European Parliament, Legislative Resolution of 12 December 2012 on the Proposal for a Regulation on Common Rules for the Allocation of Slots at EU Airports (Recast), 2011/0391(COD)

European Parliament, Legislative Train 02.2020: Allocation of Slots at EU Airports (2020) European Parliamentary Research Service, Airports in the EU: Challenges Ahead (2016)

BOOKS

- Abeyratne R, Convention on International Civil Aviation: A Commentary (Springer 2013)
- Bass T, 'The role of market forces in the allocation of airport slots' in Keith Boyfield, David Starkie, Tom Bass et al. (eds), *A market in airport slots* (The Institute of Economic Affairs 2003)
- Bauer J, 'Do Airlines Use Slots Efficiently?', in Achim I. Czerny, Peter Forsyth, Hans-Martin Niemeier et al. (eds), Airport Slots: International Experiences and Options for Reform (Routledge 2008)
- Beijing Arbitration Commission, *Commercial Dispute Resolution in China: An Annual Review and Preview* (Wolters Kluwer Hong Kong 2019)
- Borenstein S and Rose N L, 'How Airline Markets Work... or Do They? Regulatory Reform in the Airline Industry' in Nancy Rose (ed), *Economic Regulation and Its Reform: What Have We Learned?* (University of Chicago Press 2014)
- Boyfield K, 'Who owns airport slots? A market solution to a deepening dilemma' in Keith Boyfield, David Starkie, Tom Bass et al. (eds), *A market in airport slots* (The Institute of Economic Affairs 2003)
- Boyfield K, Starkie D, Bass T et al., *A market in airport slots* (The Institute of Economic Affairs 2003)
- Colangelo M, Creating Property Rights: Law and Regulation of Secondary Trading in the European Union (Brill 2012)
- Crawford J, Brownlie's Principles of Public International Law (Oxford University Press 2019)
- Czerny A I, Forsyth P, Niemeier H M et al., *Airport Slots: International Experiences and Options* for Reform (Routledge 2008)
- Dettling-Ott R, 'Sovereignty in the Context of European Law and Policy' in Pablo Mendes de Leon and Niall Buissing (eds), *Behind and Beyond the Chicago Convention: The Evolution of Aerial Sovereignty* (Wolters Kluwer 2019)
- Emerich Y, Conceptualising Property Law: Integrating Common Law and Civil Law Traditions (Edward Elgar Publishing 2018)
- Feintuck M, 'Regulatory Rationales Beyond the Economic: In Search of the Public Interest' in Robert Baldwin, Martin Cave and Martin Lodge (eds), *The Oxford Handbook of Regulation* (Oxford University Press 2010)
- Fitzgerald P P, A Level Playing Field for "Open Skies": The Need for Consistent Aviation Regulation (Eleven International Publishing 2016)
- Forsyth P, 'Airport Slots: Perspectives and Policies' in Achim I. Czerny, Peter Forsyth, Hans-Martin Niemeier et al. (eds), Airport Slots: International Experiences and Options for Reform (Routledge 2008)
- Forsyth P and Niemeier H M, 'Prices and Regulation in Slot Constrained Airports' in Achim I. Czerny, Peter Forsyth, Hans-Martin Niemeier et al. (eds), *Airport Slots: International Experiences and Options for Reform* (Routledge 2008)
- Forsyth P and Niemeier H M, 'Setting the Slot Limits at Congested Airports' in Achim I. Czerny, Peter Forsyth, Hans-Martin Niemeier et al. (eds), *Airport Slots: International Experiences and Options for Reform* (Routledge 2008)

- García-Arboleda J I, 'Bilateralism and Equality of Opportunity under Scheduled Services: Are Air Services Agreements the Sole and Absolute Source for Traffic Rights?' in Pablo Mendes de Leon and Niall Buissing (eds), *Behind and Beyond the Chicago Convention:*The Evolution of Aerial Sovereignty (Wolters Kluwer 2019)
- Gillen D and Morrison W G, 'Slots and Competition Policy: Theory and International Practice' in Achim I. Czerny, Peter Forsyth, Hans-Martin Niemeier et al. (eds), *Airport Slots: International Experiences and Options for Reform* (Routledge 2008)
- Gregory M, Dirty Tricks: British Airways' Secret War Against Virgin Atlantic (Virgin Publishing 2000)
- Haanappel P, *The Law and Policy of Air Space and Outer Space: A Comparative Approach* (Kluwer Law International 2003)
- Haanappel P, 'Aerial Sovereignty: From Paris 1919, Through Chicago 1944, to Today' in Pablo Mendes de Leon and Niall Buissing (eds), *Behind and Beyond the Chicago Convention:*The Evolution of Aerial Sovereignty (Wolters Kluwer 2019)
- Havel B and Sanchez G, *The Principles and Practice of International Aviation Law* (Cambridge University Press 2014)
- Hobe S, 'Sovereignty as a Basic Concept of International Law and a Core Principle of Air Law' in Pablo Mendes de Leon and Niall Buissing (eds), *Behind and Beyond the Chicago Convention: The Evolution of Aerial Sovereignty* (Wolters Kluwer 2019)
- Huang J, Aviation Safety and ICAO (Kluwer Law International 2009)
- Huang J and Vaugeois M, 'The Impact of Sovereignty on the Administration of International Civil Aviation Through International and Regional Organizations: The Role of ICAO' in Pablo Mendes de Leon and Niall Buissing (eds), *Behind and Beyond the Chicago Convention: The Evolution of Aerial Sovereignty* (Wolters Kluwer 2019)
- Mattei U, Basic Principles of Property Law: A Comparative Legal and Economic Introduction (Praeger 2000)
- McManners P, Fly and Be Damned: What Now for Aviation and Climate Change? (Zed Books 2012)
- Menaz B and Matthews B, 'Economic Perspectives on the Problem of Slot Allocation' in Achim I. Czerny, Peter Forsyth, Hans-Martin Niemeier et al. (eds), *Airport Slots: International Experiences and Options for Reform* (Routledge 2008)
- Mendes de Leon P M J, Introduction to Air Law (Wolters Kluwer 2017)
- Mendes de Leon P M J, Cabotage in Air Transport Regulation (Martinus Nijhoff 1992)
- Mendes de Leon P M J and Buissing N, Behind and Beyond the Chicago Convention: The Evolution of Aerial Sovereignty (Wolters Kluwer 2019)
- Milde M, International Air Law and ICAO (3rd edn, Eleven International Publishing 2016)
- Milligan J, European Union Competition Law in the Airline Industry (Wolters Kluwer 2017)
- Odoni A, 'Airports' in Peter Belobaba, Amedeo Odoni and Cynthia Barnhart (eds), *The Global Airline Industry* (John Wiley & Sons 2009)
- Starkie D, Aviation Markets: Studies in Competition and Regulatory Reform (Routledge 2008)
- Starkie D, Slot Trading at United States Airports (City Publications 1992)
- Starkie D, 'The Dilemma of Slot Concentration at Network Hubs' in Achim I. Czerny, Peter Forsyth, Hans-Martin Niemeier et al. (eds), *Airport Slots: International Experiences and Options for Reform* (Routledge 2008)
- Starkie D, 'The economics of secondary markets for airport slots' in Keith Boyfield, David Starkie, Tom Bass et al. (eds), *A market in airport slots* (The Institute of Economic Affairs 2003)
- Truxal S, Competition and Regulation in the Airline Industry: Puppets in Chaos (Routledge 2012)
- Truxal S, Economic and Environmental Regulation of International Aviation: From International to Global Governance (Routledge 2017)

- Ulrich C, 'How the Present (IATA) Slot Allocation Works' in Achim I. Czerny, Peter Forsyth, Hans-Martin Niemeier et al. (eds), *Airport Slots: International Experiences and Options for Reform* (Routledge 2008)
- Van Houten L and Burghouwt G, 'The fight for airport slots: the case of Amsterdam Airport Schiphol' in Rosario Macario and Eddy van de Voorde (eds), *The Air Transport Industry Book (forthcoming)* (Elsevier 2022)
- Varsamos S, Airport Competition Regulation in Europe (Kluwer Law International 2016)
- Von den Steinen E, 'Formal Ownership and Leasing Rules for Slots' in Achim I. Czerny, Peter Forsyth, Hans-Martin Niemeier et al. (eds), *Airport Slots: International Experiences and Options for Reform* (Routledge 2008)
- Von den Steinen E, National Interest and International Aviation (Kluwer Law International 2006)
- Wassenbergh H A, *Post-War International Civil Aviation Policy and the Law of the Air* (Martinus Nijhoff 1962)
- Weber L, International Civil Aviation Organization (Wolters Kluwer 2012)

ARTICLES

- Abeyratne R, 'Management of airport congestion through slot allocation', 6 Journal of Air Transport Management 1 (2000), pp 29-41
- Alchian A A and Demsetz H, 'The Property Right Paradigm', 33 The Journal of Economic History 1 (1973), pp 16-27
- Balfour J, 'Air Transport A Community Success Story?', 31 Common Market Law Review 5 (1994), pp 1025-1053
- Brecke K, 'Airport Slot Allocation: Quo Vadis, EU?', 36 Air and Space Law 3 (2011), pp 183-200
- Brenner M A, 'Need for Continued Economic Regulation of Air Transport', 41 Journal of Air Law and Commerce (1975), pp 793-813
- Brown A, 'A Theory of Legitimate Expectations', 25 Journal of Political Philosophy 4 (2017), pp 435-460
- Button K, 'Studying the empirical implications of the liberalization of airport markets', 21 Competition and Regulation in Network Industries 3 (2020), pp 1-21
- Condorelli D, 'Efficient and Equitable Airport Slot Allocation', 1 Rivista di Politica Economica 2 (2007), pp 81-104
- Cross E D, 'Pre-emption of Member State law in the European Economic Community: a framework for analysis', 29 Common Market Law Review 3 (1992), pp 447-472
- Czerny A, Fu X, Lei Z et al., 'Post pandemic aviation market recovery: Experience and lessons from China', 90 Journal of Air Transport Management C (2021), pp 1-10
- Dempsey P S, 'Airport Landing Slots: Barriers to Entry and Impediments to Competition', 26 Air and Space Law 1 (2001), pp 20-48
- Dempsey P S, 'Compliance & Enforcement in International Law: Achieving Global Uniformity in Aviation Safety', 30 North Carolina Journal of International Law 1 (2004), pp 1-74
- Dempsey P S, 'Market failure and regulatory failure as catalysts for political change: The choice between imperfect regulation and imperfect competition', 46 Washington and Lee Law Review 1 (1989), pp 2-40
- Dempsey P S, 'The Role of the International Civil Aviation Organization on Deregulation, Discrimination and Dispute Resolution', 52 Journal of Air Law and Commerce 3 (1987), pp 529-583
- Demsetz H, 'Toward a Theory of Property Rights', 57 The American Economic Review 2 (1967), pp 347-359

- De Wit J, 'Unlevel playing field? Ah yes, you mean protectionism', 41 Journal of Air Transport Management (2014), pp 22-29
- De Wit J and Burghouwt G, 'Slot Allocation and Use at Hub Airports, Perspectives for Secondary Trading', 8 European Journal of Transport and Infrastructure Research 2 (2008), pp 147-164
- Diamond, B R, 'The Bermuda Agreement Revisited: A Look at the Past, Present and Future of Bilateral Air Transport Agreements', 41 Journal of Air Law and Commerce (1975), pp 419-496
- Fu X, Lei Z, Wang K and Yan J, 'Low cost carrier competition and route entry in an emerging but regulated aviation market The case of China', 79 Transportation Research Part A Policy and Practice 4 (2015), pp 3-16
- Fukui H, 'Effect of slot trading on route-level competition: Evidence from experience in the UK', 69 Transportation Research Part A: Policy and Practice (2014), pp 124-141
- García-Arboleda J I, 'Airport Slot Regulation in Latin America: Between Building the Fortress and Protecting the Newcomers', 12 Aviation Law and Policy (2013), pp 573-614
- Gelhausen M, Berster P and Wilken D, 'Do airport capacity constraints have a serious impact on the future development of air traffic?', 28 Journal of Air Transport Management (2013), pp 3-13
- Gillen D and Starkie D, 'EU Slot Policy at Congested Hubs, and Incentives to Add Capacity', 50 Journal of Transport Economics and Policy 2 (2016), pp 151-163
- Giuranno M, 'Pooling sovereignty under the subsidiarity principle', 26 European Journal of Political Economy 1 (2010), pp 125-136
- Goetz A R and Dempsey P S, 'Airline Deregulation Ten Years After: Something Foul in the Air', 54 Journal of Air Law and Commerce 4 (1989), pp 927-963
- Graham B and Guyer C, 'Environmental sustainability, airport capacity and European air transport liberalization: Irreconcilable goals?', 7 Journal of Transport Geography 3 (1999), pp 165-180
- Greene D L and Wegener M, 'Sustainable Transport', 5 Journal of Transport Geography 3 (1997), pp 177-190
- Gudmundsson S, Paleari S and Redondi R, 'Spillover Effects of the Development Constraints in London Heathrow Airport', 35 Journal of Transport Geography (2014), pp 64-74
- Guiomard C, 'Airport slots: Can regulation be coordinated with competition? Evidence from Dublin airport', 114 Transportation Research Part A: Policy and Practice (2018), pp 127-138
- Haanappel P, 'Airport Slots and Market Access: Some Basic Notions and Solutions', 19 Air and Space Law 4-5 (1994), pp 198-206
- Haanappel P, 'The Transformation of Sovereignty in the Air', 20 Air and Space Law 6 (1995), pp 311-317
- Hardaway R and Dempsey P S, 'Airlines, Airports and Antitrust: A Proposed Strategy for Enhanced Competition', 58 Journal of Air Law and Commerce 2 (1993), pp 455-507
- Hou M, Wang K and Yang H, 'Hub airport slot Re-allocation and subsidy policy to speed up air traffic recovery amid COVID-19 pandemic case on the Chinese airline market', 93 Journal of Air Transport Management C (2021), pp 1-13
- Hughes-Gerber L, 'A Third Runway for Heathrow? To Build or Not to Build?: A Brief Review of the Supreme Court's Recent Judgment', 46 Air and Space Law 2 (2021), pp 309-314
- Kociubínski J, 'Regulatory Challenges of Airport Slot Allocation in the European Union', 3 Wroclaw Review of Law, Administration & Economics 1 (2014), pp 28-47
- Levine M, 'Airport Congestion: When Theory Meets Reality', 26 Yale Journal on Regulation 1 (2008), pp 37-88
- Lumbroso A, 'Aviation liberalization: What headwinds do we still face?', 74 Journal of Air Transport Management (2019), pp 22-29

- Lykotrafiti A, 'Liberalisation of international civil aviation charting the legal flightpath', 43 Transport Policy (2015), pp 85-95
- Madas M A and Zografos K G, 'Airport slot allocation: A time for change?', 17 Transport Policy (2010), pp 274-285
- Madas M A and Zografos K G, 'Airport slot allocation: From instruments to strategies', 12 Journal of Air Transport Management 2 (2006), pp 53-62
- Maertens S, 'A metric to assess the competitive position of airlines and airline groups in the intra-European air transport market', 72 Research in Transportation Economics (2017), pp 65-73
- Mendes de Leon P M J, 'A Multifunctional Approach Towards Slot Allocation', 62 Air and Space Law 4 (2013), pp 553-578
- Mendes de Leon P M J, 'Before and After the Tenth Anniversary of the Open Skies Agreement Netherlands-US of 1992', 28 Air and Space Law 4/5 (2002), pp 280-314
- Milde M, 'The Chicago Convention Are Major Amendments Necessary or Desirable 50 Years Later', 19 Annals of Air and Space Law (1994), pp 401-452
- Munari F, 'Lifting the Veil: COVID-19 and the Need to Reconsider Airline Regulation', 5 European Papers 1 (2020), pp 533-559
- Noto C, 'Airport slots, secondary trading, and congestion pricing at an airport with a dominant network airline', 79 Research in Transportation Economics (2020), pp 1-14
- Portuese A, 'The principle of subsidiarity as a principle of economic efficiency', 17 Columbia Journal of European Law 2 (2012), pp 231-262
- Redondi R, 'Traffic Distribution Rules in the Milan Airport System: Effects and Policy Implications', 47 Journal of Transport Economics and Policy 3 (2013), pp 493-499
- Ribeiro N, Jacquillat A, Antunes A et al., 'An optimization approach for airport slot allocation under IATA guidelines', 112 Transportation Research Part B: Methodological (2018), pp 132-156
- Ribeiro N, Jacquillat A, Antunes A et al., 'Improving slot allocation at Level 3 airports', 127 Transportation Research Part A: Policy and Practice (2019), pp 32-54
- Riker W H, 'A Political Theory of the Origin of Property Rights: Airport Slots', 35 Political Science 4 (2008), pp 951-969
- Sentance A, 'Airport slot auctions: Desirable or feasible?', 11 Utilities Policy 1 (2003), pp 53-57
- Sheng D, Li Z and Fu X, 'Modeling the effects of airline slot hoarding behavior under the grandfather rights with use-it-or-lose-it rule', 122 Transportation Research Part E: Logistics and Transportation Review C (2019), pp 48-61
- Suau P, Voltes-Dorta A and Cugueró-Escofet N, 'An early assessment of the impact of COVID-19 on air transport: Just another crisis or the end of aviation as we know it?', 86 Journal of Transport Geography (2020), pp 1-8
- Sun X, Wandelt S, Zheng C et al., 'COVID-19 pandemic and air transportation: Successfully navigating the paper hurricane', 94 Journal of Air Transport Management (2021), pp 1-13
- Valdes V and Gillen D, 'The consumer welfare effects of slot concentration and reallocation: A study of Mexico City International Airport', 114 Transportation Research Part A: Policy and Practice (2018), pp 256-269
- Wassenbergh H A, 'International Air Transport: Regulatory Approaches in the Nineties', 17 Air and Space Law (1992), pp 68-77
- Zografos K, Salouras Y and Madas M, 'Dealing with the efficient allocation of scarce resources at congested airports', 21 Transportation Research Part C: Emerging Technologies 1 (2012), pp 244-256

REPORTS AND POLICY BRIEFS

- Air Canada, '2020 Annual Report' (2021)
- Air Transport Action Group, 'The economic & social benefits of air transport' (2005)
- Airport Coordination Limited (ACL), 'ACL response to Sections 3.46 to 3.65 of the consultation document of Aviation 2050: The future of UK aviation' (2019)
- Airport Coordination Limited International, 'Airport Coordination Ltd Submission to the Sydney Airport Demand Management Discussion Paper' (December 2020)
- Airport Coordination Limited (ACL) International, 'Guidance on One for One Slot Exchanges' (January 2020)
- Airport Coordination Netherlands (ACNL), 'Advice reduction night flights Schiphol' (January 2021)
- Airports Council International (ACI) Europe, 'Airport Slot Allocation' (January 2020)
- Airports Council International (ACI) Europe, 'Working Paper "OFF THE GROUND" Handling of Airline Slots in case of Bankruptcy/Insolvency' (June 2020)
- Airports Council International (ACI) World, 'Demand Management at Sydney Airport' (December 2020)
- Australian Government, Department of Infrastructure and Transport, 'Sydney Airport Slot Management Administration Manual, Version 1.1' (July 2013)
- Australian Government, 'Economic Regulation of Airports: Productivity Commission Inquiry Report' (June 2019)
- Australian Government, 'Sydney Airport Demand Management: Discussion Paper' (December 2020)
- Behrens C, Van Spijker V and Zuidberg J, 'Secundaire slothandel op Schiphol (*in Dutch*)' (SEO Amsterdam Economics 2018)
- Boonekamp T, Burghouwt G, Suau-Sanchez P et al., 'The impact of airport capacity constraints on air fares' (SEO Amsterdam Economics 2017)
- Burghouwt G and De Wit W, 'On the mechanisms that can potentially influence connectivity outcomes in the UK' (SEO Amsterdam Economics 2015)
- Burghouwt G, Mendes de Leon P M J and De Wit J, 'EU Air Transport Liberalisation Process, Impacts and Future Considerations' (International Transport Forum 2015)
- Cottier T and Oesch M, 'Direct and Indirect Discrimination in WTO Law and EU Law', Working Paper No 2011/16 (April 2011)
- Directorate General of Human Rights and Legal Affairs (Council of Europe), 'The right to property under the European Convention on Human Rights: A guide to the implementation of the European Convention on Human Rights and its protocols' (June 2007)
- DotEcon Ltd., 'Alternative allocation mechanisms for slots created by new airport capacity' (September 2006)
- DotEcon Ltd., 'Auctioning Airport Slots: A Report for HM Treasury and the Department of the Environment' (January 2001)
- Egeland J and Smale P, 'Capacity building through Efficient Use of Existing Airport Infrastructure' (International Transport Forum 2017)
- EGIS and SEO Amsterdam Economics, 'Study on the economic developments of the EU Air Transport Market: Final Report' (July 2020)
- Eurocontrol, 'European Aviation in 2014 Challenges of Growth' (2018)
- Eurocontrol, 'What COVID-19 did to European Aviation in 2020, and Outlook 2021', Aviation Intelligence Unit, Think Paper #8 (January 2021)
- European Commission and United States Department of Transportation, 'Transatlantic Airline Alliances: Competitive Issues and Regulatory Approaches' (November 2010)
- European Competition Authorities, 'Progress Report of the Air Traffic Working Group on Slot Trading' (June 2005)

- European Competition Authorities, 'Report of the ECA Air Traffic Working Group: Mergers and alliances in civil aviation' (2004)
- Finger M, Montero-Pascual J J and Serafimova T, 'Navigating towards a more efficient airport slots allocation regime in Europe' (Florence School of Regulation 2019)
- Fu X and Oum T H, 'Dominant Carrier Performance and International Liberalisation: The case of North East Asia' (International Transport Forum 2015)
- Haylan A and Butcher L, 'Briefing Paper: Airport Slots, CBP488' (UK House of Commons Library 2017)
- International Transport Forum, 'Expanding Airport Capacity: Competition, Connectivity and Welfare' (International Transport Forum 2015)
- Intervistas, 'The Economic Impact of Air Service Liberalization: Updating the Landmark 2006 Study to Reflect the New Realities of Commercial Passenger Aviation' (June 2015)
- Matthews B and Menaz B, 'Airport Capacity: The Problem of Slot Allocation' (November 2003) Ministry of Infrastructure and Water Management, 'Luchtvaartnota 2020-2050 (in Dutch)' (November 2020)
- Mott MacDonald, 'ACI Slot Policy Brief: Interim Technical Report. Enhancing the efficiency of the allocation and use of airport slots' (2019)
- Mott MacDonald, 'Study on the Impact of the Introduction of Secondary Slot Trading at Community Airports' (November 2006)
- National Center of Excellence for Aviation Operations Research (NEXTOR), 'NEXTOR Congestion Management Project Interim Report: The Passenger Bill of Rights Game' (April 2005)
- NERA Economic Consulting, 'Study to assess the effects of different slot allocation schemes: A Report for the European Commission, DG TREN' (January 2004)
- Odoni A, 'A review of certain aspects of the slot allocation process at Level 3 airports under Regulation 95/93' (January 2020)
- Office of Fair Trading (OFT) and Civil Aviation Authority (CAA), 'Competition issues associated with the trading of airport slots, OFT832' (2005)
- Organisation for Economic Cooperation and Development (OECD), 'A Competition Policy Assessment of the Domestic Airline Sector in Mexico and Recommendations to Improve Competition' (April 2010)
- Organisation for Economic Cooperation and Development (OECD), 'OECD Peer Reviews of Competition Law and Policy: MEXICO' (February 2020)
- PricewaterhouseCoopers, 'Study of certain aspects of Council Regulation 95/93 on common rules for the allocation of slots at Community airports' (May 2000)
- PA Consulting, 'Improving slot compliance: addressing slot scarcity at Schiphol Airport' (August 2019)
- Ros A J, 'A Competition Policy Assessment of the Domestic Airline Sector in Mexico and Recommendations to Improve Competition' (April 2010)
- Steer Davies Gleave, 'Impact assessment of revisions to Regulation 95/93' (March 2011)
- Tretheway M and Andriulaitis R, 'What do we mean by a level playing field in international aviation?' (OECD 2015)
- UK Competition and Markets Authority, 'Advice for the Department for Transport on competition impacts of airport slot allocation' (December 2018)
- UK Competition and Markets Authority, 'Aviation 2050: Response from the Competition and Markets Authority' (June 2019)
- Vande Walle S, 'Remedies in EU Merger Control An Essential Guide' (May 2021)

WEBSITES AND BLOGS

Airport Coordination Limited (ACL), 'Dublin Airport (DUB)', available at https://www.acl-uk.org/airport-info-details/?aid=7 accessed 27 July 2021

- Airport Coordination Limited (ACL), 'London Gatwick Airport (LGW)', available at https://www.acl-uk.org/airport-info-details/?aid=9 accessed 27 July 2021
- Airport Coordination Limited (ACL), 'London Heathrow Airport (LHR)', available at https://www.acl-uk.org/airport-info-details/?aid=1 accessed 27 July 2021
- Airport Coordination Limited (ACL), 'Warsaw Chopin Airport (WAW)', available at https://www.acl-uk.org/airport-info-details/?aid=7 accessed 27 July 2021
- Airport Coordination Netherlands (ACNL), 'Additional Allocation Criteria Destination Lists' (2021), available at https://slotcoordination.nl/slot-allocation/additional-allocation-criteria/?preview=true%20 accessed 14 August 2021
- Airport Coordination Netherlands (ACNL), 'Allocation Process', available at https://slotcoordination.nl/slot-allocation/allocation-process accessed 27 July 2021
- Airport Coordination Netherlands (ACNL), 'Local Rules', available at https://slotcoordination.nl/slot-allocation/local-rules accessed 27 July 2021
- Airport Coordination Netherlands (ACNL), 'New organizational structure ACNL and introduction slotfee' (1 April 2020), available at https://slotcoordination.nl/new-organisational-structure-acnl-and-introduction-slotfee accessed 10 November 2021
- Airports Council International (ACI) World, 'About ACI', available at https://aci.aero/about-aci accessed 10 November 2021
- Airports Council International (ACI) World, 'Overview', available at https://aci.aero/about-aci/overview accessed 11 November 2021
- Asquith J, 'The Spread Of Flight Shame In Europe Is Greta Thunberg The Reason Why?' (Forbes, 13 January 2020), available at https://www.forbes.com/sites/jamesasquith/2020/01/13/the-spread-of-flight-shame-in-europe-is-greta-thunberg-the-reason-why/#45a47d0e69bd accessed 10 November 2021
- Boeing, 'Commercial Market Outlook 2020-2039', available at https://www.boeing.com/commercial/market/commercial-market-outlook/ accessed 22 June 2021
- Civil Aviation Administration of China (CAAC), 'Methods for Management of Civil Aviation Slots to Be Implemented on April 1' (1 March 2018), available at http://www.caac.gov.cn/en/XWZX/201803/t20180301_55433.html accessed 12 November 2021
- Eurocontrol, 'What is a slot?' (23 December 2016), available at https://www.eurocontrol.int/article/what-is-a-slot accessed 10 November 2021
- European Airport Coordinators Association (EUACA), 'EU Slot Guidelines', available at https://www.euaca.org/FPage.aspx?id=79 accessed 27 July 2021
- Eurostat, 'Air passenger transport in the EU' (6 December 2019), available at https://ec.europa.eu/eurostat/documents/2995521/10265946/7-06122019-AP-EN.PDF/8f2c9d16-c1c4-0e1f-7a66-47ce411faef7 accessed 10 November 2021
- Federal Aviation Administration (FAA), 'Slot Administration', available at https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/perf_analysis/slot_administration accessed 6 January 2021
- Federal Aviation Administration (FAA), 'Slot Administration Schedule Facilitation', available at "https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/perf_analysis/slot_administration/slot_administration_schedule_facilitation>"https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/perf_analysis/slot_administration/slot_administration_schedule_facilitation">https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/perf_analysis/slot_administration/slot_administration_schedule_facilitation>"https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/perf_analysis/slot_administration/slot_administration_schedule_facilitation>"https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/perf_analysis/slot_administration/slot_administration_schedule_facilitation>"https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/perf_analysis/slot_administration/slot_administration_schedule_facilitation>"https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/perf_analysis/slot_administration_schedule_facilitation>"https://www.faa.gov/about/office_org/headquarters_offices/ato/service_units/systemops/perf_analysis/slot_administration_schedule_facilitation>"https://www.faa.gov/about/office_org/headquarters_offices/ato/service_gator_administration_facilitation">https://www.faa.gov/about/office_org/headquarters_offices/ato/service_gator_administration_facilitation_fac
- Federal Aviation Administration (FAA), 'Slot Administration Slot Allocation Process', available at https://www.faa.gov/about/office org/headquarters offices/ato/service units/syst

accessed 6 January 2021

- emops/perf_analysis/slot_administration/slot_allocation_process> accessed 7 January 2021
- Federal Aviation Administration (FAA), 'Slot Administration U.S. Level 3 Airports', available at
- Georgiadis P, 'BA owner offers landing slots as collateral to secure \$1.8bn funding' (Financial Times, 23 March 2021), available at https://www.ft.com/content/e32c78b6-1c68-4e0d-9fa9-bd71c1813b05 accessed 10 November 2021
- International Air Transport Association (IATA), 'Fact sheet' (October 2021), available at https://www.iata.org/en/iata-repository/pressroom/fact-sheets/fact-sheet---iata/ accessed 10 November 2021
- Jin J, 'The Aviation Law Review: China' (18 August 2021), available at https://thelawreviews.co.uk/title/the-aviation-law-review-3/china accessed 12 November 202
- Kulisch E, 'Aviation groups reach compromise on airport slot relief (Freightwaves, 29 November 2020), available at https://www.freightwaves.com/news/aviation-groups-reach-compromise-on-airport-slot-relief accessed 10 November 2021
- Minarro Y B, 'What Is A Landing Slot And How Much Is One Worth?' (IBA.aero, 2 December 2019), available at https://www.iba.aero/insight/what-is-a-landing-slot-and-how-much-is-one-worth-december-2019 accessed 12 November 2021
- NRC Handelsblad, 'Boodschap is dat chantage loont (*in Dutch*)' (NRC Handelsblad, 2 November 2017), available at https://www.nrc.nl/nieuws/2017/11/02/boodschap-is-dat-chantage-loont-13815483-a1579681 accessed 10 November 2021
- Oesch M, 'Commercial Treaties' (Max Planck Encyclopedia of Public International Law 2014)
- Reuters, 'China reforming slot-assignment process at some major airports' (7 December 2015), available at https://www.reuters.com/article/china-airlines-slots-idUSL3N13W1P720151207 accessed 12 November 2021
- Routes News, 'China gambles on slot auctions' (24 September 2016), available at https://www.routesonline.com/news/29/breaking-news/268813/china-gambleson-slot-auctions accessed 12 November 2021
- Watson Farley & Williams, 'EU Merger Control and Airlines: The Evolving Approach to Market Definition' (8 January 2020), available at https://www.wfw.com/articles/eu-merger-control-and-airlines-the-evolving-approach-to-market-definition accessed 15 August 2021
- World Trade Organization (WTO), 'Who we are', available at https://www.wto.org/english/thewto_e/whatis_e/who_we_are_e.htm accessed 5 February 2021
- World Wide Airport Coordinators Group (WWACG), 'How is the WWACG organized?', available at http://www.wwacg.org/FPage.aspx?id=6 accessed 11 November 2021
- World Wide Airport Coordinators Group (WWACG), 'The officially registered purpose of the WWACG', available at http://www.wwacg.org/FPage.aspx?id=22 accessed 11 November 2021
- World Wide Airport Coordinators Group (WWACG), 'WWACG Members & Associate Members across the world', available at http://www.wwacg.org/FMapSearch.aspx accessed 11 November 2021

PRESS RELEASES

- Comisión Federal de Competencia Económica (COFECE), 'COFECE Filed a Constitutional Dispute against the Decree to Reform the Regulations of the Airports Law and the General Principles to Allocate Take-off and Landing Slots at Saturated Airports' (22 November 2017), available at https://www.cofece.mx/wp-content/uploads/2018/02/COFECE-054-2017.pdf accessed 12 November 2021
- Comisión Federal de Competencia Económica (COFECE), 'COFECE responds to IATA's comments on corrective measures imposed on Mexico City's International Airport to promote competition' (21 July 2017), available at https://www.cofece.mx/wp-content/uploads/2018/02/COFECE-037-2017.pdf accessed 12 November 2021
- International Air Transport Association (IATA), 'IATA Urges Mexico to Embrace Global Standards for Slot Management' (20 July 2017), available at https://www.iata.org/en/pressroom/pr/2017-07-20-02 accessed 12 November 2021
- International Air Transport Association (IATA), 'IATA Legal Challenge to Urgently Halt Dutch Slot Rule' (15 October 2021), available at https://www.iata.org/en/pressroom/2021-releases/2021-10-15-01 accessed 11 November 2021
- International Air Transport Association (IATA), 'Industry Collaboration Brings New Era for Airport Slot Allocation' (3 June 2019), available at https://www.iata.org/en/pressroom/pr/2019-06-03-03/ accessed 10 November 2021

SPEECHES AND PRESENTATIONS

- Smith C, 'Killing the Golden Goose: Assessing the Benefits and Pitfalls of Airport Slot Auctions, and the Consequences for Hub Development in Europe. Presentation for the 11th Global Airport Development conference, 25 November, Prague' (2004)
- Van Miert K, 'Competition policy in the air transport sector. Speech by Commissioner Karel Van Miert at the Royal Aeronautical Society, 9 March, London' (1998)
- Steer Davies Gleave, 'DG Move Workshop on a fact-finding study on the allocation of slots at European airports' (2020), available at https://www.eraa.org/steer-presents-main-findings-slot-study accessed 10 November 2021

OTHER

- Airport Coordination Limited (ACL), 'Local Rule 3 Administration of the Heathrow Air Transport Movement Cap' (April 2016), available at https://www.acl-uk.org/wp-content/uploads/2016/09/Airportinfolink_LHR_localrule3.pdf accessed 27 July 2021
- Airport Coordination Netherlands (ACNL), 'Policy Rule Additional Allocation Criteria' (5 July 2021), available at https://slotcoordination.nl/wp-content/uploads/2021/07/210705-ACNL-Policy-Rule-Additional-Allocation-Criteria-v1.0.pdf accessed 14 August 2021
- Airport Coordination Germany (FLUKO), 'Guideline for the allocation of scarce slots at coordinated German airports' (2011)
- Airports Council International (ACI) World, 'Terms of Reference of the Expert Group on Slots' (January 2020), available at https://aci.aero/wp-content/uploads/2021/09/EGS-ToR.pdf accessed 11 November 2021
- Airports Council International (ACI) World, International Air Transport Association (IATA) and World Wide Airport Coordinators Group (WWACG), 'Airport slot alleviation measures

- for Northern Winter 2021 WASB Recommendation' (May 2021), available at https://www.iata.org/contentassets/4820c05b19f148e2855db91f2a579369/wasb-northern-winter-2021-slot-relief.pdf accessed 12 November 2021
- Airports Council International (ACI) World, International Air Transport Association (IATA) and World Wide Airport Coordinators Group (WWACG), 'Worldwide Airport Slot Guidelines (WASG) Edition 1' (2020), available at https://www.iata.org/contentassets/4ede2aabfcc14a55919e468054d714fe/wasg-edition-1-english-version.pdf accessed 12 November 2021
- Ball M O, Ausubel L M, Berardino F et al., 'Market-Based Alternatives for Managing Congestion at New York's LaGuardia Airport', Proceedings of AirNeth Annual Conference, The Hague (April 2017)
- Commission for Aviation Regulation, 'Decision on Updating the Slot Sanctions Scheme Implementation Guidelines', Commission Paper 12/2017 (3 October 2017)
- Complaint of Kalitta Air, LLC against the Kingdom of the Netherlands, Amsterdam Airport Schiphol and *Stichting* Airport Coordination Netherlands of 29 January 2019 under 49 U.S. Code § 41310
- Debevoise & Plimpton LLP, 'Re-awakening American' (Airline Economics, May/June 2014), available at https://www.debevoise.com/media/files/insights/publications/2014/05/reawakening-american/airline-economics-mayjune-2014 debevoise.pdf > accessed 10 November 2021
- Decision No 07/96 (XI CMC Fortaleza, 17/96) ('Fortaleza Agreement')
- Federal Aviation Administration (FAA), 'Congestion Management Rule for LaGuardia Airport, 71 Federal Register 62217', Docket No. FAA-2006-25709 Notice No. 06-13 (2006)
- Federal Aviation Administration (FAA), 'Congestion Management Rule for LaGuardia Airport, 74 Federal Register 52132', Docket No. FAA-2006-25709 Amendment No. 93-92 (2006)
- Federal Aviation Administration (FAA), 'High Density Airports; Notice of Lottery of Slot Exemptions at LaGuardia Airport, 65 Federal Register 69126', Docket No. FAA-2000-8278 (2000)
- Federal Aviation Administration (FAA), 'Notice of Alternative Policy Options for Managing Capacity at LaGuardia Airport and Proposed Extension of the Lottery Allocation, 66 Federal Register 31731', Dockets No. FAA-2001-9852 and No. FAA-2001-9854 (2001)
- Federal Aviation Administration (FAA), 'Operating Limitations at John F. Kennedy International Airport', 85 Federal Register 58258, Docket No. FAA-2006-25755
- Federal Aviation Administration (FAA), 'Operating Limitations at New York Laguardia Airport', 85 Federal Register 58255, Docket No. FAA-2006-25755
- Grant D, 'Regulation of Air Transport Economic Rationale and Impact' (UK Essays 2017), available at https://www.ukessays.com/essays/economics/regulation-air-transport-economic-rationale-2023.php?vref=1 accessed 19 February 2021
- House of Commons Canada, 'Restructuring Canada's Airline Industry: Fostering Competition and Protecting the Public Interest' (1999), available at https://www.ourcommons.ca/DocumentViewer/en/36-2/TRAN/report-1 accessed 11 November 2021
- Intergovernmental Panel on Climate Change (IPCC), 'Climate Change 2021: The Physical Science Basis. Summary for Policymakers', available at https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_SPM_final.pdf accessed 10 November 2021
- International Air Transport Association (IATA), 'Annex 12.7 Contact list for Level 2 and Level 3 Airports' (21 October 2021), available at https://www.iata.org/contentassets/4ede2aabfcc14a55919e468054d714fe/wasg-annex-12.7.xlsx accessed 12 November 2021

- International Air Transport Association (IATA), 'Slot Policy Working Group (SPWG) Terms of Reference', available at https://www.iata.org/contentassets/c1d7626d7175462ab0fc527c9e2937ce/spwg-tor-2019.pdf accessed 6 January 2021
- International Air Transport Association (IATA), 'Worldwide Slot Guidelines (WSG) Edition 1' (2011), available at https://www.cohor.org/wp-content/uploads/2013/04/Worldwide-Slot-Guidelines-1st-Edition.pdf accessed 12 November 2021
- International Air Transport Association (IATA), 'Worldwide Slot Guidelines (WSG) Edition 10' (2019), available at https://www.iata.org/contentassets/4ede2aabfcc14a55919e468054d714fe/wsg-edition-10-english-version.pdf accessed 12 November 2021
- International Air Transport Association (IATA), 'Annex 12.1 Overview of Amendments to WSG Edition 10', available at https://www.iata.org/contentassets/4ede2aabfcc14a55919e468054d714fe/wasg-annex-12.1.pdf accessed 11 November 2021
- Italian Civil Aviation Authority (ENAC), 'Assegnazione di bande orarie sugli aeroporti coordination nazionali (in Italian)', available at https://www.enac.gov.it/sites/default/files/allegati/2018-Lug/EAL-18 firmato%20.pdf> accessed 12 November 2021
- London Gatwick, 'Making the best use of existing capacity in the short and medium term' (16 May 2013), available at https://www.gatwickairport.com/globalassets/publicationfiles/business_and_community/all_public_publications/transforming_gatwick/gatwick_airport-short_and_medium_term_options_paper-16 may 13.pdf> accessed 25 August 2020
- Organisation for Economic Cooperation and Development (OECD), 'Latin American Competition Forum, Session IV: Competition Issues in the Air Transport Sector', Background Note, 13-14 September 2011, Bogotá (Colombia)
- Sanchez G S, 'An overview of the airport slot challenge in the US and EU, Panel Paper for the 2009 Annual Meeting of the American Bar Association Forum on Air & Space Law Chicago, Illinois' (DePaul University College of Law 2009)
- United States Department of Justice, 'Comments on congestion and delay reduction at Chicago O'Hare International Airport', Docket No. FAA-2005-20704 (2005)
- United States General Accounting Office, 'Airline Competition: Barriers to Entry Continue in Some Domestic Markets. Statement of John H. Anderson, Jr.' (1998)
- United States General Accounting Office, 'International Aviation: Competition Issues in the U.S.-U.K. Market. Statement of John H. Anderson, Jr.' (OECD Journal: Competition Law and Policy 1997)
- Worldwide Airport Slot Board (WASB), 'Terms of Reference I.1' (March 2020), available at https://www.iata.org/contentassets/c1d7626d7175462ab0fc527c9e2937ce/wasb-tor-2020.pdf accessed 10 November 2021
- Ye Z, Li Y, Bai J and Zheng X, 'Performance Comparing and Analysis for Slot Allocation Model' (2019)