

## Coronavirus COVID-19: EUACA Communication on the requests received from some air carriers to consider their flight cancelations made for the rest of W19 season and the whole S20 season as Force Majeure to determine their slots historic rights:

The airport coordinators and schedules facilitators members of the European Airport Coordinators Association are receiving requests from several air carriers to consider their flight cancelations due to a sudden decrease of passengers bookings on various destinations as a consequence of the COVID-19 outbreak as a reason beyond their control for the determination of the historic precedence of the corresponding slot series.

Even if EUACA Members perfectly understand the adverse economic situation carriers of all kinds are presently facing which leads them either to cancel flights with a risk of losing their historic rights for valuable airport slots or flying aircraft with extremely low load factor (which makes no-sense from an economical or environmental point of view), the present provisions of EU Slot Regulation 95/93 **do not give** EUACA members the ability to make any decision concerning a possible waiver of the use-it-or-lose-it rule on their own initiative.

For this, and as it was the case in previous similar situations such as the aftermath of the terrorists attacks of September 11<sup>th</sup> and for the SARS outbreak or the economic downturn link to the Gulf War, **an amendment of the EU Slot Regulation is necessary and such a decision is of the sole initiative of the European Commission.**

Such an amendment which requires the European Council's and the European Parliament's approval, would need at least some weeks to be processed and would mainly cover the whole or part of the Summer 2020 season. Should the European Commission also include in its amendment proposal any waiver of the use-it-or-lose-it rule related to the end of the current Winter 2019/2020 season, EUACA coordinators would agree to anticipate its implementation and would consider all flight cancelations covered by the Commission's amendment proposal as operated to determine the carriers historic precedence for the current Winter in order not to compromise the preparation of the Winter 2020/2021 season scheduling process.

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