

# The European Aviation Club & Airneth

Hotel Bristol Stephanie, Brussels

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## Conference on Competition, Concentration and Consolidation in the airline industry.

*Brussels 8<sup>th</sup> December 2011*

### Conference dinner - 19.30 - 22.00

With guest speaker **Mr. Paul Riemens**, Chairman of CANSO and CEO Air traffic Control the Netherlands (LVNL)

Drinks will be served at 19.30 hours and dinner starts at 20.00 hours at "the **Cercle de Lorraine**", House de Merode, Poelaertplein, B - 1000 Brussels. (opposite the Palace of Justice)

If you are tempted, you can register for the dinner without having to attend the conference.

*Brussels 9<sup>th</sup> December 2011*

**09.00:** Welcome coffee or tea, with mini croissants and Danish pastries, yoghurts and a fresh basket of fruit

### **09.40: Introduction and welcome by**

The Chairman of the EAC: **Prof. Rigas Doganis** and  
The Director of Airneth: **Dr. Guillaume Burghouwt**

### **10.00 – 11.30 Session 1:**

### **The Commission's Merger Policy after the Aegean/Olympic Decision.**

**Aim:** To re-assess the Commission's policy on airline mergers and analyze the effectiveness of remedies typically accepted in these cases.

Have remedies accepted in earlier merger approvals had the desired effect?

eg. AF/KLM, LH/SN, LH/Austrian or LH/Swiss.

Are there alternative remedy solutions?

Does the Commission's approach need to be rethought?

**Speakers' Panel :**

Chairman: **Prof. Rigas Doganis**, non-executive Director easyJet

- **Dr. Guillaume Burghouwt** , Director Airneth (Amsterdam)
- **Mr. Antonis Simigdalas**, CEO Airline Division, Marfin Investment Group Holdings S.A.; former CEO of Olympic Air and of Aegean Airlines (Athens)
- **Mr. Paul McGeown**, Partner, Wilson Sonsini (Brussels)
- **Mr. Chris Gadsden**, Regulatory Affairs Manager, EasyJet (United Kingdom)

11.30 - 11.45: coffee break

**11.45- 13.15 Session 2:****The Impact of Global Alliances on the Competitive Environment**

**Aim:** To assess whether Global alliances are creating oligopolies.

Are alliances a form of concentration rather than real consolidation?

Do the consumer benefits outweigh the risks?

Should regulators take a closer look at the impact of global alliances as the latter tighten up their internal co-operation?

**Speakers' Panel:**

Chairman: **Dr. Peter van Fenema** – Adjunct Professor, McGill University, Institute of Air and Space Law, Montreal

- **Mr. Horst Findeisen**, Vice President Business Development, Star Alliance (Frankfurt)
- **Mr. Philippe Ruttle**, Partner, Clyde & Co (London)
- **Mr. Hubert Horan**, Independent Aviation Consultant (Phoenix, Arizona)
- **Prof. Dr. Pablo Mendes de Leon**, Director, Institute of Air and Space Law, (Leiden )

13.15 - 14.15 lunch

**14.15 - 15.45 Session 3:****The Commission's Cargo Cartel Decision**

**Aim:** To discuss the multiple jeopardy which airlines face in view of the concurrent application of the competition laws of a number of different jurisdictions

To assess the implications of the Commission's cargo cartel decision on airlines.

What legal/economic issues does it raise for airlines and what lessons can be learned?

Are the levels of fines imposed proportionate to the harm caused?

**Speakers' Panel:**

Chairman: **Mr. John Balfour**, Consultant, Clyde & Co

- **Mr. Gavin Bushell**, Partner, Baker & McKenzie (Brussels)
- **Mr. Bill Bishop**, Vice President, Charles River Associates, CRA (London)

15.45 - 16.00 Break

**16.00 - 17.30 Session 4:**

## Securing a level playing field with Third Country Airlines

**Aim:** To assess if competition is distorted by subsidies to third country airlines.  
If so what form do they take and how can their existence be proved.  
Is EU Regulation 868/2004 the answer?  
Does the issue of subsidizing call for further Regulation or should the solution be formulated under Bilateral Agreements.  
Are countervailing (or redressive) measures in the form of duties, undertakings, restrictions of landing rights, etc. justified and what will their long term effect be?

### Speakers' Panel :

Chairman: **Prof. Mia Wouters**, University of Ghent, LVP Law

- **Mr. Klaus Geil**, European Commission, DG MOVE, Senior Policy Officer, Internal market, air transport agreements & multilateral relations (Brussels)
- **Mr. Ulrich Schulte-Strathaus**, Secretary General, AEA (Brussels)
- **Mr. Jim Callahan**, General Counsel & Company Secretary, Etihad Airways (Abu Dhabi)

7.30 : close of the conference by the chairmen

Followed by a reception to thank the participants