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**COMMISSION DECISION**

**of 5.3.2025**

**on the process for the introduction of operating restrictions at Schiphol Airport in accordance with Regulation (EU) 598/2014 of the European Parliament and of the Council**

{SWD(2025) 59 final}

Only the Dutch text is authentic

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## on the process for the introduction of operating restrictions at Schiphol Airport in accordance with Regulation (EU) 598/2014 of the European Parliament and of the Council

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 598/2014 of the European Parliament and of the Council of 16 April 2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a Balanced Approach and repealing Directive 2002/30/EC<sup>1</sup>, and in particular Article 8(3) thereof,

Whereas:

- (1) By letter of 4 September 2024<sup>2</sup>, the Netherlands notified, pursuant to Article 8(1) of Regulation (EU) No 598/2014 (the “Regulation”), the Commission of its intention to introduce noise-related operating restrictions at Schiphol Airport (the “Notification”).
- (2) By letter of 27 September 2024<sup>3</sup> the Commission services requested further specification on the notified movement cap range and other clarifications from the Dutch authorities to allow them to review the process for the introduction of the operating restrictions at Schiphol Airport and assess the compatibility of the measures envisaged with the Regulation.
- (3) By letter of 6 December 2024,<sup>4</sup> the Dutch authorities provided additional elements to complement the Notification indicating the precise annual movement cap, which is set at 478,000, and submitting further information on the baseline scenario, contribution of proposed measures to the noise abatement objective and the underlying assumptions. The Notification was deemed complete as of the date of the receipt of the additional information from the Dutch authorities.
- (4) The Regulation lays down the rules and procedures to be followed by a Member State before introducing noise-related operating restrictions at Union airports.
- (5) The process for the introduction of operating restrictions at Schiphol Airport notified by the Netherlands on 4 September 2024 and complemented on 6 December 2024 have been reviewed by the Commission in line with Article 8(3) Regulation (EU) 598/2014.

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<sup>1</sup> OJ L 173, 12.6.2014, p. 65.

<sup>2</sup> Registered under Ares(2024)6274926, Ares(2024)6274959, and Ares(2024)6275032.

<sup>3</sup> Ares(2024)6858995

<sup>4</sup> Ares(2025)87541

- (6) This Decision concerns only findings of the Commission insofar as certain elements in the introduction of noise-related operating restrictions did not fully follow the process set out in the Regulation. The Commission services have carried out a review process in line with Article 8(3) of the Regulation whose results are reflected in a staff working document that is made public at the same time of notifying this Decision to the Dutch authorities.
- (7) The Notification included as an Annex the Noise Action Plan 2024-2029 for Schiphol Airport which includes the most up-to-date strategic noise map dating from 2021 to identify the noise situation at Schiphol Airport. In assessing the noise situation, the Netherlands states it used a methodology in accordance with the European Civil Aviation Conference Report Doc 29 in line with Annex I of the Regulation.
- (8) In terms of the identification of the noise situation, the Dutch authorities took as a starting point the Usage Forecast for Schiphol for 2023 and projected what it would be in November 2024, assuming that 500,000 yearly commercial flight movements would operate to or from Schiphol Airport, out of which 32,000 are at night.
- (9) The calculations show the following noise situation:
- the number of houses within the 58 dB(A)  $L_{den}$  contour would be 7,081;
  - the number of highly annoyed people within the 48 dB(A)  $L_{den}$  contour would be 113,862;
  - the number of houses within the 48 dB(A)  $L_{night}$  contour would be 5,685;
  - and the number of severely sleep disturbed people within the 40 dB(A)  $L_{night}$  contour would be 24,365.
- (10) The Netherlands have defined a noise abatement objective and have registered it as part of their Noise Action Plan 2024-2029.
- (11) The noise abatement objective consists of the following sub-objectives:
- (a) reducing by 20% the number of houses within the 58 dB(A)  $L_{den}$  contour;
  - (b) reducing by 20% the number of highly annoyed people within the 48 dB(A)  $L_{den}$  contour;
  - (c) reducing by 15% the number of houses within the 48 dB(A)  $L_{night}$  contour; and
  - (d) reducing by 15% the number of severely sleep disturbed people within the 40 dB(A)  $L_{night}$ .
- (12) The Notification specified that the noise abatement sub-objectives a) and b) were to be achieved in two phases:
- 15 % as first step, by 1 November 2025, and
  - the remaining 5 % in a subsequent phase, which was not defined in terms of timeframe.
- (13) The sub-objectives c) and d) are also to be achieved by 1 November 2025.
- (14) This Decision concerns only the first step, i.e. the reduction of 15% of the number of affected people and houses in the specified noise contours and is without prejudice to the future Commission's assessment of the process for introduction of the remaining reduction of 5%, insofar as it would require new operating restrictions and a new notification.

- (15) In defining the noise situation and the baseline against which the achievement of the noise abatement objective is measured, the Dutch authorities decided that certain measures, which reduce noise, would be included in the baseline scenario and thus are not considered to contribute to achieving the noise abatement objective.
- (16) These are the measures that the aviation sector had already announced or are assumed to take regardless of any requirements imposed by the Dutch authorities. They are referred to as “autonomous developments” in the Notification. Such measures include the autonomous fleet renewal and certain noise abatement operational procedures. The autonomous fleet renewal is based on an assumption by the Dutch authorities regarding airlines’ “business as usual” fleet renewal. According to the Dutch authorities, the assumptions are based on industry trends. However, the Notification does not include any further substantiation of how the industry trends were derived and how the specific situation and particularities of the Schiphol Airport were taken into account when refining the assumptions. With regard to the operational procedures, those include an increased use of Continuous Descent Approach (CDA) procedures, increased use of reduced flap operations, a 95% adherence to Noise Abatement Departure Procedure (NADP-2) take-off procedures and measures included in the “Minder Hinder Schiphol” Program which were scheduled to be implemented before November 2024, identified in Annex B of the To70 report which was included in the public consultation of March 2023.
- (17) To achieve the noise abatement objective by November 2025, the Dutch authorities have concluded that the following measures are necessary:
- use of quieter aircraft during the night by KLM Royal Dutch Airlines;
  - additional fleet renewal based on airlines’ schedules, above autonomous fleet renewal;
  - incentivising the use of quieter aircraft through airport charges setting;
  - excluding aircraft with a margin of -13EPNdB or above from Schiphol Airport during the night;
  - limiting aircraft movements to 27,000 annually during the night period; and
  - limiting total annual aircraft movements to 478,000.
- (18) The Dutch authorities concluded that the annual cap of aircraft movements would have to be set at 478,000 to achieve as a minimum a 15% reduction in all sub-objectives of the noise abatement objective. In the sub-objectives b), c) and d) the combination of measures would exceed the noise reduction set by the noise abatement objective, especially during the night.
- (19) It should be noted that the annual cap only covers scheduled and non-scheduled commercial services. General and business aviation operations are disregarded for the purpose of the annual cap at Schiphol airport.
- (20) Subsequently to the Notification, and pursuant to Article 8(3) of the Regulation, the Commission reviewed the process for the introduction of the noise-related operating restrictions.
- (21) The Commission identified certain elements in the Notification that did not fully follow the process for the introduction of noise related operating restrictions set out in the Regulation.

- (22) Pursuant to Article 5(3)(a) of the Regulation, Member States are to ensure that when noise related action is taken, the foreseeable effect of a reduction of aircraft noise at source is considered as an available measure. Fleet renewal is to be considered as such a measure as airlines switch older aircraft for newer ones which emit less noise.
- (23) The Notification states that the noise abatement objective is to be measured against the baseline, which includes the effect of autonomous developments as described in Recital (16) over time. The Netherlands argues that this allows to determine the effects and the contribution to the noise abatement objective of the new measures proposed by the Dutch authorities in isolation to any measures the sector is taking on its own initiative. In other words, the Netherlands intends to achieve the noise abatement objective *in addition* to any noise reduction stemming from the autonomous industry developments.
- (24) The Notification states that the autonomous developments are insufficient to achieve the noise abatement objective because they would be neutralised by traffic growth. However, the Commission notes that due to the proposed annual movement cap of 478,000, there will not be any further increase in the air traffic and therefore the autonomous industry developments can contribute to the reduction of the noise at the airport beyond November 2025. For these reasons, and without prejudice to the Noise Directive<sup>5</sup>, the Dutch authorities should consider the impact of a combination between the movement cap implemented as of November 2025 and the autonomous industry developments in their analysis of the foreseeable effects of reduced aircraft noise at source.
- (25) Furthermore, the Commission notes that the Dutch authorities did not provide reasoning with regard to the methodology and assumptions behind the split of fleet renewal into the autonomous fleet renewal part of the baseline as explained in Recital (8), and additional fleet renewal that is considered as a measure contributing to achieving the noise objective. The Commission notes that the reasoning and methodology behind the split is necessary to enable the Netherlands to determine cost-effectiveness and foreseeable effect of a reduction of aircraft noise at source.
- (26) Pursuant to Article 5(3)(c) of the Regulation, in view of determining the most cost-efficient measure or combination of measures, Member States are to ensure that the effect on noise abatement objective of operational noise abatement procedures is considered. Noise abatement operational procedures include Continuous Descent Operations (CDOs), Continuous Climb Operations (CCOs), Noise Abatement Departure Procedures (NADPs) and Performance Based Navigation (PBN) operations in terminal areas around airports.
- (27) Regarding NADP procedures specifically, the Netherlands claims that between 1 January 2023 and 28 July 2024, more than 95% of flights already followed the NADP-2 procedure. Regarding operations that do not yet use this procedure, the Netherlands claims that it is not legally enforceable, and some pilots apply a different procedure as required by the airline they fly for. Regarding PBN procedures, these allow aircraft to fly very precise lateral flight paths and improved climb and descent profiles, thus contributing to noise reduction. Commission Implementing Regulation (EU)

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<sup>5</sup> Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise.

2018/1048<sup>6</sup> on PBN requires that providers of air traffic management/air navigation services ensure a smooth and safe transition to the provision of their services using performance-based navigation services and publish PBN procedures. LVNL has published several PBN procedures including procedures with the Radius to Fix (RF) feature that allows aircraft to navigate more accurately between the residential areas enabling to reduce the spread in flown tracks in between built-up areas.

- (28) As described in Recital (16), some operational procedures are included in the baseline. Due to the annual movement cap, the effect of these autonomous developments will no longer be neutralised by traffic growth and therefore they can contribute to the reduction of the noise at the airport beyond November 2025. However, the Dutch authorities rejected to consider further use of operational noise abatement measures; first, those going beyond the ones as set out in the Minder Hinder Schiphol Program and second those which, while included in that Program, have not been implemented by the November 2024 planned date. The Commission notes that the Dutch authorities thus did not fully examine the effect of these measures pursuant to Article 5(3)(c) of the Regulation.
- (29) Article 5(6) of the Regulation provides that operating restrictions are to be non-discriminatory.
- (30) With regard to non-discrimination, the Commission notes that the measures are targeted at commercial aviation only. The Dutch authorities explained that in the baseline scenario the noise emitted by general and business aviation is included. A 2.5% mark-up in noise is applied to account for those types of services, which is not negligible in light of the noise objective included in the Notification. The Commission notes that these types of operations thus contribute to the overall noise problem around Schiphol Airport. The Dutch authorities included the noise they produced in the baseline scenario to which they apply the noise reduction plans. However, the Notification does not include any noise mitigating measures applicable to general and business aviation. Therefore, while both commercial aviation and general and business aviation contribute to the noise problem, the entire burden of reducing noise from all operations at Schiphol Airport is borne by commercial aviation only. This approach is discriminatory to the detriment of commercial aviation. The inclusion of general and business aviation in noise mitigating measures could have reduced the need for operating restrictions.
- (31) Finally, the Commission notes that Article 6(3) of the Regulation requires the competent authorities to follow up and monitor the implementation of the operating restrictions and take action as appropriate.

HAS ADOPTED THIS DECISION:

#### *Article 1*

1. On the basis of its review whether the Netherlands has followed the process under Regulation (EU) 598/2014, the Commission finds that the process has been respected, to the exception of the following elements:

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<sup>6</sup> Commission Implementing Regulation (EU) 2018/1048 of 18 July 2018 laying down airspace usage requirements and operating procedures concerning performance-based navigation, OJ L 189, 26.7.2018, p. 3.

- (a) the Netherlands excluded general and business aviation from the operating measures while including noise from those operations in the noise situation in breach of Article 5(6) of the Regulation;
  - (b) the Netherlands has only partly considered the foreseeable effects of measures reducing aircraft noise at source through autonomous fleet renewal as required by Article 5(3)(a) of the Regulation.
  - (c) the Netherlands has only partly considered the noise abatement operational procedures as required by Article 5(3)(c) of the Regulation.
2. The Netherlands shall examine this Decision and inform the Commission of its intentions before introducing those operating restrictions at Schiphol Airport.

*Article 2*

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 5.3.2025

*For the Commission  
Apostolos TZITZIKOSTAS  
Member of the Commission*