

To:  
for the kind attention of

**EU COMMISSIONER FOR COMPETITION**

**Mrs. Margrethe Vestager**

Email: [Margrethe.VESTAGER@ec.europa.eu](mailto:Margrethe.VESTAGER@ec.europa.eu)

And:  
for knowledge of

**HEAD OF UNIT E3**

**Mr. Flavio Laina**

**Subject: ITA Airways Slots at Milan Linate**

Dear President Vestager,

Thank you for your answer dated 27 July 2023, signed by Mr. Flavio Laina, Head of Unit E3, to the letter I have submitted on behalf of the Trade Union "CUB Trasporti", by which I have raised doubts as to the legality of the slot transfer from Alitalia to ITA.

Still, I would like to point out that what Mr. Flavio Laina stated does not correspond to the truth, as:

a) The Italian airport coordinator (Assoclearance) has stated that it had never explicitly authorized the transfer of slots from Alitalia to ITA (see attachment 1), for it assumes that this transfer has been authorized directly by the European decision of 10 September 2021;

b) Article 39 of the clarification document to EU regulation 95/93 provided by ACNL (see attachment 2), states exactly the contrary of what Mr. Flavio Laina replied to me through his letter, and that is: *"In the event of bankruptcy, aircraft leases and employment contracts may have been terminated. If the acquiring air carrier leases the same aircraft again and offers the former staff an employment contract, ACNL equates this with an acquisition of assets. In ACNL's opinion, the acquisition of other aircraft or other personnel does not qualify as a takeover within the meaning of Article 8a of the Slot Regulation."*

Furthermore, it is crystal clear that the case of the slots transfer from Air Berlin to Lufthansa is not at all comparable with the issue we are discussing, which concerns the slots transfer from Alitalia to ITA.

In view of the aforementioned facts, awaiting for your kind reply, I do reaffirm my concerns over the illegitimacy of the slot transfer as ruled by the EU Slot Regulation.

Best regards,

For CUB Trasporti

National Secretary

Antonio Amoroso (mobile 3939103997)



Rome, August 3th 2023

**C.U.B. TRASPORTI – Confederazione Unitaria di Base**

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