Question for written answer E-003084/2026
to the Commission
Rule 144
Sophia Kircher (PPE)

Subject: Seizure of private aircraft with non-EU registrations

There have been reports since 2021 that the Italian customs administration and the Guardia di Finanza have been seizing private aircraft registered in non-EU countries that are permanently based in the European Union. The Italian authorities are basing these seizures on national customs legislation (Article 36(4), Presidential Decree No 43/1973), which states that transferring an aircraft's registration to a non-EU country causes it to lose its EU goods status, resulting in a new import duty obligation once the six-month temporary importation period has elapsed. On the grounds of smuggling, which is categorised as a continuing offence, these aircraft are being seized after being hangared in the EU for decades without complaint.

A proof of customs clearance dating from the time of import offers no protection. This practice bases the loss of status purely on national registration status, even when the aircraft never physically leaves the customs territory of the EU. This can create friction with the Union Customs Code as laid down in Regulation (EU) No 952/2013, as well as with the primacy of EU law.

1. Does the Commission share the view that EU goods which have been duly released for free circulation should only lose this status if they are actually removed from the customs territory, and not because their registration has merely been transferred to a non-EU country while they remain within the customs territory?

2. Is the Commission aware of this practice, and if so, what is its position on the matter?

3. Is the Commission planning to consider measures to address this?

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