Framework for the creation of the single European sky

2001/0060(COD) - 20/12/2007 - Follow-up document

Provisions set out in the Framework Regulation of the Single European Sky (SES) initiative, require the Commission to review the application of the Single Sky legislation and report periodically to the European Parliament and the Council on the implementation thereof. This Communication constitutes the Commission's first such report. In addition to summarising progress on implementation thus far, the Commission also sets out its views on the future development of the Single Sky. It also sets out recommendations made by the second High Level Group to look at a future European Aviation Regulatory Framework.

To recall, the legislative package setting up the Single Sky initiative is made up of four Regulations. They are:

i) The Framework Regulation: laying down the framework for the creation of the Single European sky;

ii) The Service Provisions' Regulation: laying down common requirements for the provision of air navigation services;

iii) The Airspace Regulation: on the organisation and use of airspace in the Single European sky; and

iv) The Interoperability Regulation: on the interoperability of the European Air Traffic Management network.

The need for a Community role in Air Traffic Management (ATM):

Currently, ATM in Europe, is characterised by a high degree of fragmentation, resulting in significant additional cost for airspace users and adds unnecessary flight lengths. It also prevents the ATM industry from developing the economics of scale it needs in order to expand. Radical action is therefore needed. The projected growth of air traffic demands a structural and technological modernisation of which the whole European ATM sector must be a part. The dynamics of this process, coupled with the continued growth in air traffic, will maintain ATM as a large and attractive employer.

An assessment of the Single European Sky (SES):

Since the adoption of the Single European Sky a number of achievements have been recorded. Some areas, however, are still in the process of being developed.

The achievements listed include:

- establishing a legal and institutional framework for the SES;
- separating air navigation services provision from regulation through the setting up of National Supervisory Authorities (NSAs);
- progress on safety issues;
- harmonising the licensing of controllers;
- subjecting air navigation service charges to full transparency;
-

adopting legislation on the flexible use of airspace to improve access to military airspace and airspace classification in the upper airspace;
- speeding up technological innovation through SESAR; and
- establishing an effective interoperability mechanism in order to adopt implementing rules and to develop Community specification concerning technical system and their operational use.

Those areas still in development include:

- setting up a peer review of the National Supervisory Authorities;
- setting up a Performance review of the Air Navigation Service Providers;
- reviewing the Common Charging Scheme Regulation;
- the establishment of a European Upper Flight Information Region (EUIR) (Airspace design); and
- the establishment of Functional Airspace Blocks (FAB).

Insufficient progress has been made in certain key areas including:

- the FAB approach, which is not producing the expected benefits in terms of flight efficiency and cost reduction;
- little progress has been noted in the overall efficiency of the design and use of the European route structure, resulting in no improvement to flight efficiency and the environmental impact.

A number of new challenges have also been identified including:

- **The environment:** The current single sky legislation makes virtually no mention of the impact that ATM may have on the environment.
- **Delays:** The number of delays in Europe is currently low and despite record traffic in recent years has remain low. However, the delay problem will resurface.
- **Economics:** Fuel costs have increased enormously meaning that economic inefficiency and flight inefficiency will become the major force for change in the coming years.

Based on the above analysis future attention will be given to introduce:

- a performance driven approach;
- improved management of scarce resources such as: runways, airspace and frequency spectrum. This is to be achieved by setting up a “European” architecture to these challenges and in a bit to gain further efficiencies;
- a performance drive approach to reduce fragmentation and increase system efficiency and to seek a political commitment from the Member States to the creation of FABs;
- to support SESAR; and
- to introduce a clear regulatory environment.

To conclude the report, the Commission notes that air transport is confronted with significant challenges. Surmounting these challenges will only be possible if industry, the Member States, the military, third countries and the social partners address them collectively. The Commission is committed to playing its full role in this process. On the basis of this review, and in line with the conclusions of the Performance Review Commission and the HLG, the Commission will come forward, in the second quarter of 2008 with concrete proposals for a second Single Sky package, the extension of EASA responsibilities and the SESAR Master Plan.