

Implementation of the Single European Sky

2013/0186(COD) - 06/02/2014 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report by Marian-Jean MARINESCU (EPP, RO) on the proposal for a regulation of the European Parliament and Council on the implementation of the Single European Sky (recast).

The parliamentary committee recommended that the position of the European Parliament adopted at first reading under the ordinary legislative procedure modify the Commission proposal as follows.

Purpose of the regulation: this regulation should lay down rules for the creation and proper functioning of the Single European Sky in order to ensure current air traffic safety standards, to contribute to the sustainable development of the air transport system, and in particular, **reducing climate impact**.

The Single European Sky shall comprise a coherent network **at the pan-European level** and, subject to specific arrangements with the neighbouring countries, **in third-countries**, an integrated operating airspace, network management and air traffic management for the benefit of all airspace users.

National aviation authorities: these shall be **legally distinct and independent**, in particular in organisational, hierarchical and decision-making terms – and with their annual budget - from any company, organisation, public or private entity or personnel falling within the scope of authority activity as provided for in Regulation (EC) No 216/2008 or having an interest in the activities of such entities.

Staff of the national aviation authorities shall be recruited under **clear and transparent rules** and criteria which guarantee their independence.

They shall **not be seconded** from air navigation service providers (ANSPs) or companies under the control of ANSPs.

Persons who have been in charge of **strategic decisions for more than six months** shall have no professional position or responsibility with any of the air navigation service providers after their term in the national aviation authority, for a period of at least **12 months** for staff in managerial positions (at least **six months** for staff in non-managerial positions).

Definitions: the Members added important definitions, namely that of a “local performance target” and “industrial partnership” which, according to the proposal, will now be a “driving force” within newly-structured functional airspace blocks (FABs).

The definition of the “human factor” was also introduced, meaning the social, cultural and staffing conditions in the air traffic management (ATM) sector

The human factor must be monitored and brought into the core of the Single European Sky framework.

Cooperation between national aviation authorities: The Commission and the European Aviation Agency (EAA) shall facilitate active cooperation of these authorities to enable them to exchange their best practices and to develop common solutions, including stronger cooperation at the regional level, and placing at their disposal **a platform for these exchanges**.

This cooperation should take place in a network that convenes at regular intervals (at least once a year).

The purpose and tasks of the network was spelled out in more detail: it must, among others, provide opinions to the Commission and the EAA on rule-making and certification and provide recommendations designed to facilitate the provision of cross-border services.

Certification of air navigation service providers: the issue of certificates shall confer on air navigation service providers the possibility of offering their services to **any Member State**, and if appropriate, **neighbouring third countries**, within a functional airspace block, subject to mutual agreement between the relevant parties.

Provision of support services: “support services” means communication, navigation and surveillance (CNS), meteorological services (MET) and aeronautical information services (AIS) as well as other services and activities, which are linked to, and support the provision of, air navigation services.

According to the report, there should be **no statutory impediments** to providers of support services that would prevent their ability to compete within the Union on the basis of equitable, non-discriminatory and transparent conditions for the purpose of providing these services.

Members proposed that air navigation service providers, when drawing up their business plans, should call for offers from different support services providers, with a view to choosing the financially and qualitatively most beneficial provider.

Binding selection criteria for the entity procuring those services shall be, in particular, cost and energy efficiency, overall service quality, interoperability and safety of services, as well as transparency of the procurement process.

System and performance criteria: Members proposed that a “performance review body” (PRB) be established as a European economic regulator under the supervision of the Commission, with effect from 1 July 2015. The PRB shall be functionally and legally separate from any service provider, whether at national or pan-European level.

The compliance of the local performance plans and local targets with the Union-wide performance targets shall be assessed by the Commission in cooperation with the PRB.

In addition to the introduction of sanctions, an appropriate **compensation mechanism** must also be established in order to address the problem stemming from the lack of synchronisation in SESAR deployment and lost investment resulting thereof.

The Commission may propose **financial mechanisms** to improve the synchronisation of air-based and ground-based capital expenditure related to the deployment of SESAR technologies.

Implementation of the ATM Master Plan: implementation of the ATM Master Plan shall be coordinated by the Commission. The Network Manager, the PRB and the Deployment Manager shall contribute to the implementation of the ATM Master Plan in accordance with the provisions of this regulation.

The Commission shall adopt, by implementing acts, measures establishing the governance of implementation of the ATM Master Plan, including defining and selecting the body responsible at management level (Deployment Manager).

Industrial partnerships: Members stipulated that industrial partnerships should be separate from FABs, which are a state initiative. What is more, industrial partnerships need not overlap with FABs in terms of the Member States concerned and therefore should be classed as a separate type of cooperation.