

Single European Sky: provision of air navigation services

2001/0235(COD) - 27/08/2003 - Commission opinion on Parliament's position at 2nd reading

The European Parliament adopted at second reading 16 amendments to the Common Position of the Council. The Commission can accept 6 amendments in full (which it believes constitutes a genuine improvement and useful clarifications in the text. Concerning the amendments accepted by the Commission, these aim to: - support the concept of a flexible definition of route charges to allow the constitution of financial reserves. These would relieve airspace users and service providers from unexpected rises in the charges as a consequence of sudden downturn in air traffic; - reinstate the text of the Commission's proposal concerning mandatory information from Member States to the Commission on the modalities for the civil-military co-operation in air traffic control. The Commission believes that this provision is consistent with the scope of the legislative package since addressing arrangements imposed on air navigation services to respond to military requirements; - add new text, which clarifies the nature and scope of conditions attached to certificates. - specify the period within which Member States should designate one or more service providers to operate in respect of functional airspace blocks. As far as the amendments accepted in principle, subject to redrafting are concerned, these aim to: - reintroduce in the text the social dimension, in particular the need for a legislative action to improve the availability of controllers and to harmonise procedures for licensing of controllers; - establish a maximum and minimum period of validity of certificates respectively of ten and five years. The Commission prefers that this period is fixed by Member States within the conditions to be attached to certificates (annex II). However, it supports the idea that these periods should be harmonised across the Community; - add new text to clarify the scope of common requirements. Though acceptable in principle, these additions would highlight specific aspects of common requirements. They need therefore redrafting to ensure that there is no unbalance in the identification of various areas where common requirements should be developed; - reinstate the text of the Commission's proposal concerning economic regulation, in particular financial incentives. The Commission does not see major contradictions between the Common Position and the proposed text, except for the right given to Member States to decide on the application of such incentives. With regard to the amendments rejected by the Commission, these are as follows: - introducing the principles of commercial value of operational data. The application of this principle should be decided on a case by case basis. Some operational data are in fact provided free of charge, in accordance with ICAO provisions. The Commission cannot therefore accept this amendment; - limiting the cross-subsidies between air navigation services to exceptional cases. Cross-subsidies primarily concerns the definition of the cost-bases and specific rules are already provided for in Article 14.2(d) of the Common Position; - deletes the transitional period for the entry into force of the certification scheme. However this transitional period is needed. It depends on the availability of common requirements and it allows service providers to adapt to such requirements.