

Air transport: Joint Undertaking to develop the new generation European air traffic management system SESAR

2005/0235(CNS) - 14/11/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Erna **HENNICOT-SCHOEPGES** (EPP-ED, LU) making several amendments to the Commission's proposal on the Joint Undertaking for the European air traffic management system (SESAR). It clarified the timetable and three separate phases in terms of time period and content. Further proposed amendments deal with issues like safeguards for financial participation by the private sector, potential conflicts of interest, the Statutes of the Joint Undertaking and their review, the procedure for the accession of new members and voting rights on the administrative board. Parliament also added amendments on the role of the European Parliament.

The principal amendments were as follows:

- a new paragraph was added to Article 1 with the aim of clearly defining the three phases of SESAR (a "definition phase", a "development phase" and a "deployment phase") in terms of time-scale and of what should be achieved. Each phase should lay down the main elements of its content and for the deployment phase the legal provisions should be stated in a separate proposal.

- the development phase will start on 1 January 2008, once the Council has endorsed the ATM Master Plan, and end on 31 December 2013. The deployment phase will start on 1 January 2014 and end on 31 December 2020 and will comprise large-scale production and implementation of the new air traffic management infrastructure;

- Parliament introduced a review clause, which it deemed necessary judging from the experience of the GALILEO Joint Undertaking. The scope, governance, funding and duration of the Joint Undertaking will be reviewed by the Council, in accordance with the development of the project and the ATM Master Plan. A new clause stated that, if the Commission considers it necessary or if either the European Parliament or the Council requests, under the comitology procedure, the revision of the Regulation or of the statutes of the Joint Undertaking, the Commission shall submit the appropriate legal proposal in accordance with the procedure laid down by the Treaty.

- whereas the Commission had proposed that the seat of the Joint Undertaking should be located in Brussels, MEPs said that the decision on the seat should be taken by the European Council, in accordance with the principles underlying the decision on the seat of Agencies as set out in Council Regulation No 58 /2003;

- Parliament deleted the provision stating that the Joint Undertaking shall be recognised as an international organisation;

- a new Article 5a was introduced stipulating that the accession of new members to the Joint Undertaking, including members from non-EU countries, should be subject to the approval of Parliament and the Council;

- Parliament and the Council should be kept fully informed of the results and working methods of the Joint Undertaking;

- Parliament should have observer status on the Administrative Board. It also proposed a better balance of representation and weighting of votes within the Board, linked to the financial contribution of each representative;
- the report introduced a number of legal provisions adopted by Parliament with regard to the proposed regulation on the term of office of the Executive Director of the European GNSS Supervisory Authority (see CNS/2005/0084): the term of office should be five years, renewable for a maximum period of three years;
- the Executive Director will be appointed from a list of at least three candidates proposed by the Commission and Eurocontrol, based on the result of the public recruitment competition and after hearing the opinion of the representative appointed by the European Parliament. The Administrative Board will take its decision by a majority of three-quarters of its members.
- Parliament introduced a new provision in the Annex with a view to clarifying the concept of conflict of interest.
- the Annex also contains a new provision on the criteria that the Administrative Board must take into account in proposing whether to authorise negotiations on accession with a public or private undertaking or body, given the agreement referred to in the third indent of Article 1 (2) of the Annex;
- the Commission should report to the European Parliament and the Council every three years on the application of the Regulation and, if appropriate, should propose amendments to it.