Basic information

2012/2005(INI) INI - Own-initiative procedure	Procedure completed
Implementation of the Single European Sky legislation **Subject** 3.20.01 Air transport and air freight 8.50.01 Implementation of EU law	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	FOSTER Jacqueline (ECR)	12/01/2012
	Shadow rapporteur MARINESCU Marian-Jean (PPE) DANELLIS Spyros (S&D) MEISSNER Gesine (ALDE) LICHTENBERGER Eva (Verts/ALE) KOHLÍČEK Jaromír (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	KIRILOV Evgeni (S&D)	06/03/2012
EMPL Employment and Social Affairs	The committee decided not to give an opinion.	
IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
JURI Legal Affairs	The committee decided not to give an opinion.	

European Commission

Commission DG	Commissioner
Mobility and Transport	KALLAS Siim

Key events

Date	Event	Reference	Summary
14/11/2011	Non-legislative basic document published	COM(2011)0731	Summary
19/01/2012	Committee referral announced in Parliament		
10/07/2012	Vote in committee		
24/07/2012	Committee report tabled for plenary	A7-0254/2012	Summary
22/10/2012	Debate in Parliament		
23/10/2012	Decision by Parliament	T7-0370/2012	Summary
23/10/2012	Results of vote in Parliament		
23/10/2012	End of procedure in Parliament		

Technical information

Procedure reference	2012/2005(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/7/08576

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE483.494	25/04/2012	
Amendments tabled in committee		PE491.198	08/06/2012	
Committee opinion	AFET	PE486.143	25/06/2012	
Committee report tabled for plenary, single reading		A7-0254/2012	24/07/2012	Summary
Text adopted by Parliament, single reading		T7-0370/2012	23/10/2012	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2011)0731	14/11/2011	Summary

Commission response to text adopted in plenary	SP(2013)71	01/03/2013	

Implementation of the Single European Sky legislation

2012/2005(INI) - 23/10/2012 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on the Implementation of the Single European Sky Legislation.

Timeframe: Parliament notes that 2012 is expected to be a pivotal year for the implementation of the SES. The critical phase of deployment is on the horizon and must be tackled in a timely, synchronised and coordinated manner. Members consider that it is necessary to build significantly on the progress made so far, **laying down binding timeframes for the implementation of the SES** but also taking account of business considerations. They underline the need to push ahead with the implementation of the SES legislation, as well as with the performance scheme for air navigation services and network functions in particular.

Noting that Europe's airspace is among the busiest in the world, with over 750 million passengers using EU airports, and this figure is expected to double by 2030, Parliament warns that the increase in air traffic means that Europe's airspace is **fast approaching its maximum capacity and that this problem needs to be urgently addressed.** It also notes that maintaining Europe's consistently high levels of safety and operational conditions is becoming more and more of a challenge, and urges Member States and the Commission to clarify the role of the relevant European bodies.

Members highlight the fact that in the Commission's latest communication on the subject it was estimated that there could be a cumulative impact on EU GDP of EUR 419 billion during the period 2013-2030 in the EU-27, with 328 000jobs being created directly or indirectly and a net saving in CO2 emissions of some 50 million tonnes, if there is a full and timely deployment of the Single European Sky Air Traffic Management Research (SESAR) technology.

The timely introduction of SESAR will bring practical benefits for passengers, resulting in flight times being shortened by approximately 10% (or nine minutes), 50% fewer flight cancellations and delays, and a possible reduction in air fares. However, should the deployment of SESAR be delayed by ten years the overall impact would be catastrophic, since there would be a loss of around EUR 268 billion as a result of a reduced cumulative impact on EU GDP, with some 190 000 fewer jobs being created and some 55 million tonnes less saved in CO_2 emissions.

Parliament asks the Commission to report back:

- on the progress made towards the implementation of the performance scheme by all Air Navigation Service Providers (ANSPs) by December 2012;
- on the progress made with regard to the implementation of the SES legislation by March 2013, including an evaluation of the consequences of the delays in implementing the Functional Airspace Blocks (FAB)s and reiterating that the proper functioning of the SES can only be assured if the various implementation dates are strictly honoured by all concerned.

Political input: Parliament reminds Member States that the latter have publicly committed themselves to achieving the goal of a Single European Sky, and insists that they must remain proactive and involved in the implementation of this legislation. It calls on Member States to **submit national performance plans in line with EU performance targets**, and to adopt the revised performance targets proposed by the Commission, and it calls on the Commission to **initiate appropriate action** in case of failure to meet the deadlines for the implementation of this legislation.

Members regret the fact that despite its considerable social and environmental benefits the SES project is not sufficiently known or understood by the public, and invite the Commission, Member States and stakeholders to increase their public communication efforts.

Recalling that **4 December 2012 is the deadline for completion of implementation of Functional Airspace Blocks (FABs),** but that the latest reports indicate that the situation is far from complying with this provision of the SES legislation, Parliament remains **extremely concerned that the creation of FABs across Europe is not only behind schedule but also lacks substance.** It calls on the Commission to thoroughly monitor developments and, if necessary, take legal action, including sanctions, vis-à-vis Member States violating their obligations under the SES legislation. Members stress that without FABs the SES cannot be completed. The Commission is asked to:

- propose a strategy to accelerate the implementation of the FABs which includes the full implementation of centralised models (e.g. Network Manager, SESAR Joint Undertaking, Deployment Manager);
- make greater use of its cautioning methods, and, should these not succeed, take out infringement proceedings against those Member States which have not yet signed the agreements for establishing their FABs.

Members feel that the most effective and efficient way of creating the SES is by means of a top-down approach, and therefore ask the Commission to propose measures to eliminate the consequences of the delay in the implementation of FABs, and to switch from the bottom-up to the top-down approach swiftly, in order to ensure that the objectives of the SES II legislative package are achieved.

Member States are asked to:

- ensure that the issue of lack of resources, especially with regard to the National Supervisory Authority, is addressed swiftly at national political level;

- provide the necessary funding as soon as possible for the completion of the SES.

SESAR Deployment Strategy: Members acknowledge that **there has been substantial financial investment by both industry and the EU in research and development for the SESAR technology**, and believes it is now time to put in place the measures necessary to reap the benefits of that investment with the implementation of the SES legislation. Despite the requisite major investment, a number of important and tangible benefits stem from harmonisation, including flight optimisation, fuel efficiency, noise reduction, less air pollution and a reduced impact on climate change, as well as the flexible and safe use of a less fragmented sky. Members highlight the efficiency that greater civil-military coordination would achieve, since using joint infrastructure would result in cost-cutting; emphasises that enhanced interoperability between Member States and the realisation of FABs would also produce benefits in terms of cross border operations. Furthermore, technologies have already been developed by the manufacturers and are currently available, which makes the successful implementation of SESAR an achievable goal.

Members stress that **the military community is a key actor in the SES context** and should be fully involved at all levels and at a very early stage. They urge Member States to speed up their efforts to achieve coordination on the military side.

The Commission is asked to:

- prepare a legislative proposal on the future role of the SESAR Joint Undertaking in good time, as it has a vital part to play in ensuring the success of the SES;

- rapidly to set up the governance, incentive and financial mechanisms, including public funding, that are needed to ensure the timely and effective deployment of SESAR technologies, involving the relevant authorities and stakeholders and paying particular attention to the implementation of innovative financial instruments.

Parliament wants to strengthen the EDA's role in building political awareness, networking, assisting with the deployment phase of SESAR and supporting Member States in financial and operational risk analysis.

Lastly, Members acknowledge that the business case for investment in SESAR technologies is stronger in larger and more congested hubs than in smaller regional airports or airports serving seasonal routes. They maintain, however, that the performance of the overall network would be improved by a wider spread of SESAR capabilities, aided by public funding.

Implementation of the Single European Sky legislation

2012/2005(INI) - 14/11/2011 - Non-legislative basic document

PURPOSE: presentation of a report from the Commission on implementation of the Single Sky legislation: time to deliver.

BACKGROUND: following the launch of the Single European Sky (SES) initiative in 2000, Regulation (EC) No 549/2004 brought Air Traffic Management (ATM) under EU competence with the aim of reducing the fragmentation of the European airspace and increasing its capacity. There is now an evolving institutional framework, safety and interoperability standards and rules on airspace and air traffic flow management as well as improved cost transparency.

But while the first legislative framework was necessary, it was not sufficient, and accordingly, a second package of legislation (SES II) was adopted in November 2009 with the objective of accelerating the establishment of a truly single SES from 2012 onwards. It is based on five pillars: performance, safety, technology, airports and the human factor. The second package has received strong and vocal support not only from the airlines and airports but also even from the air navigation service providers (ANSPs). The support of the whole ATM community was reaffirmed at the Council of Ministers of 4 May 2010 and this strong political support confirms the urgency of the need for reform of the ATM sector and in particular the high level of priority to be given to the full and timely implementation and delivery of SES.

CONTENT: this report provides an overview of the state of play of the application of the SES legislation and of key actions taken or still to be taken since the approval of the second package in November 2009.

(1) Implementation of the First Package: considering the volume of implementing measures, it should be stressed that Member States and the stakeholders have done significant work. In particular:

- all Member States have now established a National Supervisory Authority (NSA);

- the vast majority of the ANSPs have been certified and duly designated;

- a transparent charging system has been implemented;

- oversight of the airspace management and air traffic flow management takes place at national level; and

- the Single Sky Committee and the Industry Consultation Body play full and important roles at EU level.

Nevertheless **more is required to achieve full and timely compliance** with SES legislation. For example, 60 recommendations were given by Eurocontrol relating to concrete actions that Member States should take either to improve their level of compliance or their checks on the level of compliance by ANSPs. In particular:

- the **lack of resources for NSAs is a major issue of concern** that must be addressed at national political level swiftly. The proper functioning of the SES can only be assured if the NSAs have the right resources for effective oversight in all areas including safety, interoperability and

performance (a new area of competence where NSAs act as national regulator). Possible solutions to these problems are well known and include cooperation, delegation and/or outsourcing;

· **insufficient steps** have been taken at Member State and NSA level to ensure **proper supervision of cross-border air navigation service provision**. The framework for the provision and supervision of cross-border services is not yet properly established in a number of Member States. Numerous cross-border arrangements seem to be known only at operational level but not yet formalised at institutional level. Member States must ensure that the legal basis for the cross-border provision of ANS in their sovereign territory is correctly established and enforced, and;

· Regulation (EC) No 552/2004 (the Interoperability Regulation) has been poorly observed. Seven years after the adoption of the basic regulation, approximately a third of the NSAs have not properly verified the capability of the ANSPs to conduct conformity assessment activities – which are the corner stone of the implementation of interoperable ATM systems. Similarly, around a third of the NSAs are not exercising the required oversight to ensure the compliance of the ANSPs with the implementing rules and are not sufficiently active in verifying the timelines of the ANSPs' implementation plans against the required deadlines;

· although progress has been made by Member States in the implementation of Flexible Use of Airspace, more needs to be done to improve its effectiveness, especially in relation to its performance monitoring.

The Commission has insisted on full compliance with EU law keeping in mind that the implementation of the SES first package is required for the successful implementation of the SES second package. Where non-compliance is confirmed and not rectified in due time, the Commission will consider all options at its disposal, including the opening of infringement procedures.

(2) Implementation of the Second Package: the basic SES II architecture (both the rule-making programme and organisational aspects) has been set up according to the initial time schedule. The regulations and subsequent main implementing measures directly related to SES II have all been adopted. The time for implementation has come. The successful delivery of the SES relies on the timely implementation of its different components. Priority should be given to actions that will make the biggest contribution to performance:

- in particular the performance scheme (starting early in 2012);
- the FABs (to be operational by end 2012),
- the network functions (already in place) and
- the deployment of the SESAR programme (to start in 2014).

2012 is a pivotal year for implementation of the SES. A table providing an overview of the state of play of key priorities in the second package of SES is attached.

If the level of progress achieved so far in the implementation of the first package falls short of initial expectations, the simultaneous implementation of key measures of the second package will start in 2012 and should deliver significant benefits swiftly. Member States are invited to confirm their commitments and to take action across the board to make this process a success. In particular, the Union needs to establish an integrated European air traffic management system, a true network with a single governance structure and a stronger regulatory and oversight capability. Additional measures may well need to be developed, such as the extension of the performance scheme to airports in accordance with a true gate-to-gate approach and the management of investments to ensure the contribution of SESAR deployment to the performance of the SES as a network. Impact assessment will be carried out where appropriate.

Implementation of the Single European Sky legislation

2012/2005(INI) - 24/07/2012 - Committee report tabled for plenary, single reading

The Committee on Transport and Tourism adopted the own-initiative report by Jacqueline FOSTER (ECR, UK) on the Implementation of the Single European Sky Legislation.

Timeframe: the report notes that 2012 is expected to be a pivotal year for the implementation of the SES. Whilst recognising the constraints that exist with regard to the implementation of the SES legislation, Members consider that it is necessary to build significantly on the progress made so far, **laying down binding timeframes for the implementation of the SES** but also taking account of business considerations. They underline the need to push ahead with the implementation of the SES legislation, as well as with the **performance scheme for air navigation services and network functions** in particular.

Noting that Europe’s airspace is among the busiest in the world, with over 750 million passengers using EU airports, and this figure is expected to double by 2030, the committee warns that the increase in air traffic means that Europe’s airspace is **fast approaching its maximum capacity and that this problem needs to be urgently addressed**. It also notes that maintaining Europe’s consistently high levels of safety and operational conditions is becoming more and more of a challenge, and urges Member States and the Commission to clarify the role of the relevant European bodies.

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