



2026/867

20.4.2026

COMMISSION DECISION (EU) 2026/867

of 27 March 2026

on the initiation of the detailed examination of certain performance targets included in the revised draft performance plan for the fourth reference period submitted by Slovakia pursuant to Regulation (EC) No 549/2004 of the European Parliament and of the Council

(notified under document C(2026) 2012)

(Only the Slovak text is authentic)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation) ⁽¹⁾, and in particular Article 11(3) point (c), second subparagraph thereof,

Having regard to Regulation (EU) 2024/2803 of the European Parliament and of the Council of 23 October 2024 on the implementation of the Single European Sky ⁽²⁾, and in particular Article 58(3) thereof,

Having regard to Commission Implementing Regulation (EU) 2019/317 of 11 February 2019 laying down a performance and charging scheme in the single European sky and repealing Implementing Regulations (EU) No 390/2013 and (EU) No 391/2013 ⁽³⁾, and in particular Article 15(1) and (3) thereof,

Whereas:

GENERAL CONSIDERATIONS

- (1) Pursuant to Article 11 of Regulation (EC) No 549/2004, Member States are to draw up plans, either at national level or at the level of functional airspace blocks ('FABs'), including performance targets, for each reference period of the performance and charging scheme for air navigation services and network functions. Those plans are to include local performance targets which are consistent with the Union-wide performance targets for the reference period concerned.
- (2) On 2 June 2024, the Commission adopted Union-wide performance targets for the fourth reference period ('RP4', 2025-2029). Those Union-wide performance targets were set out in Commission Implementing Decision (EU) 2024/1688 ⁽⁴⁾.
- (3) On 24 September 2024, Slovakia submitted to the Commission a draft performance plan for RP4. After the verification of completeness of that draft performance plan by the Commission, Slovakia submitted an updated draft performance plan on 15 November 2024 ('the draft performance plan').
- (4) The Commission found that the cost-efficiency performance targets proposed by Slovakia in the draft performance plan do not meet the assessment criteria laid down in point 1 of Annex IV of Implementing Regulation (EU) 2019/317 and thus are not consistent with Union-wide performance targets for RP4. The Commission notified Slovakia thereof on 16 May 2025 ⁽⁵⁾.

⁽¹⁾ OJ L 96, 31.3.2004, p. 1, ELI: <http://data.europa.eu/eli/reg/2004/549/oj>.

⁽²⁾ OJ L, 2024/2803, 11.11.2024, ELI: <http://data.europa.eu/eli/reg/2024/2803/oj>.

⁽³⁾ OJ L 56, 25.2.2019, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2019/317/oj.

⁽⁴⁾ Commission Implementing Decision (EU) 2024/1688 of 12 June 2024 setting Union-wide performance targets for the air traffic management network for the fourth reference period from 1 January 2025 to 31 December 2029 (OJ L, 2024/1688, 17.6.2024, ELI: http://data.europa.eu/eli/dec_impl/2024/1688/oj).

⁽⁵⁾ Commission Implementing Decision (EU) 2025/1040 of 16 May 2025 on the inconsistency of certain performance targets included in the draft national and functional airspace block performance plans submitted by Belgium, Denmark, Germany, Estonia, Ireland, Greece, France, Latvia, Luxembourg, the Netherlands and Slovakia pursuant to Regulation (EC) No 549/2004 of the European Parliament and of the Council with the Union-wide performance targets for the fourth reference period of the Single European Sky performance and charging scheme (OJ L, 2025/1040, 23.5.2025, ELI: http://data.europa.eu/eli/dec_impl/2025/1040/oj).

- (5) On 20 August 2025, Slovakia submitted a revised draft performance plan for RP4 for assessment by the Commission. Following the verification of completeness of that revised draft performance plan, Slovakia submitted an updated version of the revised draft performance plan (the 'revised draft performance plan') on 9 October 2025.
- (6) In accordance with Article 15(1) of Implementing Regulation (EU) 2019/317, the Commission has assessed the consistency of the local performance targets included in the revised draft performance plan of Slovakia on the basis of the assessment criteria laid down in point 1 of Annex IV to that Implementing Regulation, and taking account of local circumstances where relevant.
- (7) This Decision sets out the Commission's doubts about the consistency of the revised cost-efficiency performance targets of Slovakia included in the revised draft performance plan with the Union-wide targets for RP4.
- (8) The Performance Review Board ('PRB'), assisting the Commission in the implementation of the performance and charging schemes pursuant to Article 13(2) of Regulation (EU) 2024/2803, has submitted to the Commission its opinion on the performance targets included in the revised draft performance plan of Slovakia with regard to the consistency of those targets with the Union-wide performance targets. The findings set out in this Decision have been informed by the detailed technical assessment set out in the PRB opinion ⁽⁶⁾.

REASONS FOR INITIATING A DETAILED EXAMINATION

- (9) The revised draft performance plan sets out revised cost-efficiency performance targets for RP4 for the *en route* charging zone of Slovakia, together with an updated baseline value for the determined unit cost ('DUC') for the year 2024.
- (10) The revised cost-efficiency performance targets and baseline values are shown in the table below in comparison to the corresponding numbers initially presented in the draft performance plan submitted in November 2024.

En route charging zone of Slovakia	2019 baseline value	2024 baseline value	2025	2026	2027	2028	2029
<i>Initial cost-efficiency targets (draft performance plan submitted in 2024), expressed as determined en route unit cost (in real terms in 2022 prices)</i>	56,20 EUR	60,11 EUR	62,58 EUR	61,85 EUR	61,12 EUR	59,71 EUR	58,34 EUR
Revised cost-efficiency targets (revised draft performance plan), expressed as determined unit cost (in real terms in 2022 prices)	56,20 EUR	56,19 EUR	58,29 EUR	57,83 EUR	57,49 EUR	57,26 EUR	56,34 EUR
Difference	0 %	- 6,5 %	- 6,8 %	- 6,5 %	- 5,9 %	- 4,1 %	- 3,4 %

⁽⁶⁾ PRB Opinion No 1-2026 on the assessment of the revised draft performance plans for the fourth reference period (RP4), 28 January 2026.

- (11) The Commission notes that the cost-efficiency performance targets of Slovakia were revised downwards for each year of RP4, which constitutes an improvement in comparison with the draft performance plan submitted in 2024. That improvement, translates into a lower annual DUC.
- (12) The revised determined costs for the charging zone in EUR in real terms in 2022 prices ('EUR 2022'), which are lower than in the initial draft performance plan in respect of each year of RP4, are shown in the table below:

En route charging zone of Slovakia	2025	2026	2027	2028	2029
<i>Initial determined costs in real terms in 2022 prices (draft performance plan submitted in November 2024)</i>	80 M EUR	83 M EUR	86 M EUR	88 M EUR	89 M EUR
Revised determined costs in real terms in 2022 prices (revised draft performance plan)	76 M EUR	79 M EUR	80 M EUR	82 M EUR	83 M EUR
Difference	- 5,4 %	- 5,9 %	- 6,7 %	- 6,4 %	- 7,4 %

- (13) In comparison with the draft performance plan, the revised traffic forecast for the charging zone, presented in the table below, resulted in a higher number of forecasted service units for the years 2025 and 2026 and in a lower number of forecasted service units for the years 2027, 2028 and 2029. For these last three years of RP4, the downgrade of the service unit forecast thus partially cancelled the positive effect of the reduction of the determined costs referred to in recital 12. The revised traffic forecast used in the revised draft performance plan is in line with the Eurocontrol STATFOR base forecast of February 2025.

En route charging zone of Slovakia	2025	2026	2027	2028	2029
<i>Initial traffic forecast (contained in the draft performance plan submitted in November 2024), expressed in thousands of en route service units</i>	1 283	1 349	1 410	1 475	1 534
Updated traffic forecast (contained in the revised draft performance plan), expressed in thousands of en route service units	1 303	1 358	1 398	1 439	1 471
Difference	+ 1,6 %	+ 0,7 %	- 0,9 %	- 2,4 %	- 4,1 %

- (14) The Commission has assessed the consistency of the revised cost-efficiency targets for the en route charging zone of Slovakia based on the criteria laid down in points 1.4(a), (b) and (c) of Annex IV to Implementing Regulation (EU) 2019/317.
- (15) Concerning the criterion laid down in point 1.4(a) of Annex IV to Implementing Regulation (EU) 2019/317, the Commission observes that the *en route* DUC trend at charging zone level of +0,0 % over RP4 underperforms the Union-wide trend of -1,2 % over the same period.
- (16) Concerning the criterion laid down in point 1.4(b) of Annex IV to Implementing Regulation (EU) 2019/317, the Commission observes that the long-term *en route* DUC trend at charging zone level over the third reference period ('RP3') and RP4 of +0,3 % underperforms the long-term Union-wide trend of -1,0 % over the same period.

- (17) Concerning the criterion laid down in point 1.4(c) of Annex IV to Implementing Regulation (EU) 2019/317, the Commission observes that the baseline value for the DUC of EUR 56,19 of Slovakia in EUR 2022 is 61,0 % higher than the average baseline value of EUR 34,89 in EUR 2022 of the relevant comparator group.
- (18) Furthermore, the Commission has examined whether the deviations referred to in recitals 15 to 17 may be deemed necessary and proportionate under point 1.4(d) of Annex IV to Implementing Regulation (EU) 2019/317. Accordingly, the Commission has assessed whether the observed deviations from the Union-wide DUC trend and from the long-term Union-wide DUC trend referred to in recitals 15 and 16 are exclusively due to additional determined costs related to measures necessary to achieve the performance targets in the key performance area of capacity or to restructuring costs within the meaning of Article 2(18) of Implementing Regulation (EU) 2019/317.
- (19) The PRB has calculated the estimated differences between the determined costs for RP4 set by Slovakia in the revised draft performance plan and the determined costs that would be required to meet the Union-wide DUC trend for RP4 and the long-term Union-wide DUC trend for RP3 and RP4 combined. Based on the PRB findings, the total determined costs for RP4 proposed by Slovakia fall short by approximately EUR 22,7 M in EUR 2022 of the level required to meet the Union-wide DUC trend, which represents an average annual gap of EUR 4,5 M in EUR 2022. A more significant difference amounting over the whole RP4 to approximately EUR 35,3 M in EUR 2022 is observed against the level required to meet the long-term Union-wide DUC trend, which corresponds to an annual average gap of EUR 7,1 M in EUR 2022.
- (20) In respect of the criterion set out in point 1.4(d)(i) of Annex IV to Implementing Regulation (EU) 2019/317, the Commission notes that Slovakia refers in the revised draft performance plan to additional determined costs incurred over RP4 by the *en route* air navigation service provider 'LPS SR' in relation to measures needed for the achievement of the local capacity targets ('capacity measures').
- (21) The Commission observes that Slovakia has presented and quantified three capacity measures in respect of LPS SR in the revised draft performance plan, for a total amount over RP4 of EUR 19,9 M in EUR 2022. The Commission notes that the capacity measures reported by Slovakia aim at increasing the number of air traffic controllers ('ATCOs') in operations at the area controller centre and improving the use of ATCO resources, and are broken down as follows:
- Training of new ATCOs by LPS SR ('Measure 1');
 - Employment costs of additional ATCOs by LPS SR ('Measure 2');
 - Incentivisation of ATCOs to take up specialised roles by LPS SR ('Measure 3');
- (22) Measures 1 and 2 include the training and employment over RP4 of new ATCOs by LPS SR. The number of ATCOs working on the *en route* sectors at the Bratislava area control centre ('ACC') is planned to increase from 69 full-time equivalents ('FTEs') in 2024 to 93 FTEs in 2029, thus showing a significant increase of 24 FTEs over RP4. Slovakia explains that, through Measures 1 and 2, LPS SR will reach an adequate ATCO staffing level to accommodate traffic demand and increase the resilience of its operations. As a result, LPS SR expects to considerably reduce the recourse to overtime by ATCOs, which has been extensively applied over the last years in response to ATCO staff shortages.
- (23) Measure 1 represents a total cost of approximately EUR 5,0 M in nominal terms over RP4, and covers the training of 30 new ATCOs for the Bratislava ACC. Those training costs comprise the procurement by LPS SR of the initial phases of ATCO training from an external training organisation. For Measure 2, the total costs over RP4 reported by Slovakia amount to EUR 15,3 M in nominal terms, and cover the staff costs for the employment of additional ATCOs at the Bratislava ACC.
- (24) Measure 3 aims to incentivise ATCOs to take on additional responsibilities in specialised roles such as executive supervisors and on-the-job training ('OJT') instructors.

- (25) According to the information provided in the revised draft performance plan, executive supervisors within LPS SR are currently, due to staff shortages, in many cases responsible for numerous simultaneous functions, including those of OJT instructors and air traffic flow management officers. According to LPS SR, this renders the executive supervisor roles within the company very demanding. Furthermore, despite their level of responsibilities, executive supervisors within LPS SR receive an additional financial compensation of less than 10 % of their basic ATCO remuneration.
- (26) Slovakia also reports that LPS SR has a shortage of OJT instructors, which has led to a high workload for the staff members concerned. Around half of the current OJT instructors are ATCOs in executive supervisor roles who have therefore limited availability for delivering OJT training.
- (27) Under Measure 3, Slovakia has therefore reported additional staff costs by LPS SR for the purpose of increasing the remuneration of ATCOs in executive supervisor and OJT instructor roles. The costs presented under Measure 3 amount to a total of EUR 4,5 M in nominal terms over RP4.
- (28) Overall, the three capacity measures invoked by Slovakia to justify a deviation from Union-wide cost-efficiency trends are significant both in terms of magnitude and financial impact, when considering their proportional share of the total determined costs for the charging zone for RP4. Having regard to the PRB opinion, the Commission considers that a more detailed analysis of those capacity measures is necessary to assess their scope, costs, and proportionality in view of the achievement of the capacity targets.
- (29) Without prejudice to the outcome of the further analysis referred to in recital 28, it is nonetheless clear that the additional costs reported by Slovakia for the capacity measures referred to in recitals 20 to 27 only partially justify the observed average annual gaps over RP4 from the Union-wide DUC trend and from the Union-wide long term DUC trend, as quantified in monetary terms in recital 19. Those deviations can hence not be exclusively attributed to the additional determined costs of the presented capacity measures, regardless of whether those measures are in their entirety considered necessary and proportionate in view of achieving the local capacity targets.
- (30) Therefore, the criterion set out in point 1.4(d)(i) of Annex IV to Implementing Regulation (EU) 2019/317 is not fulfilled in respect of Slovakia.
- (31) In respect of the criterion set out in point 1.4(d)(ii) of Annex IV to Implementing Regulation (EU) 2019/317, it suffices to mention that Slovakia has not presented in the revised draft performance plan any restructuring measures which would justify a deviation from the Union-wide DUC trend or from the Union-wide long-term DUC trend. Therefore, the criterion set out in point 1.4(d)(ii) is not fulfilled in respect of Slovakia.

CONCLUSIONS

- (32) In conclusion, the Commission notes that Slovakia has not adequately addressed, in the revised draft performance plan, the recommendations set out in Article 3 of Implementing Decision (EU) 2025/1040 with regard to the cost-efficiency performance targets for its *en route* charging zone.
- (33) In particular, the Commission notes that the revised cost-efficiency performance targets proposed by Slovakia are consistent neither with the RP4 Union-wide DUC trend, nor with the long-term Union-wide DUC trend. The Commission also observes that the determined costs for the charging zone have not been reduced to a sufficient extent in view of ensuring their consistency with the Union-wide performance targets.
- (34) Finally, the Commission did not find, based on the elements and justifications provided in the revised draft performance plan, that the deviations from the Union-wide DUC trends could be exclusively attributed to additional costs incurred for capacity measures. Further information and analysis would be required in order to examine other operational and economic considerations raised by Slovakia to justify the deviations observed in recitals 15, 16 and 17 in respect of the assessment criteria set out in points 1.4 (a) to (c) of Annex IV of Implementing Regulation (EU) 2019/317.
- (35) On the grounds of the findings set out in recitals 14 to 34, the Commission therefore considers, at this stage of the assessment of the revised draft performance plan, that doubts remain as to the consistency of the cost-efficiency performance targets of Slovakia.

- (36) The Commission has therefore decided to initiate the detailed examination set out in Article 15(3) of Implementing Regulation (EU) 2019/317 in respect of the cost-efficiency performance targets for Slovakia's *en route* charging zone,

HAS ADOPTED THIS DECISION:

Article 1

The following cost-efficiency performance targets proposed for Slovakia's *en route* charging zone, included in the revised draft RP4 performance plan, give rise to doubts in respect of their consistency with the Union-wide performance targets:

<i>En route</i> charging zone of Slovakia	2019 baseline value	2024 baseline value	2025	2026	2027	2028	2029
Revised cost-efficiency performance targets, expressed as determined unit cost (in real terms in 2022 prices)	56,20 EUR	56,19 EUR	58,29 EUR	57,83 EUR	57,49 EUR	57,26 EUR	56,34 EUR

Article 2

1. The detailed examination procedure set out in Article 15(3) of Implementing Regulation (EU) 2019/317 is hereby initiated with regard to the cost-efficiency performance targets referred to in Article 1.
2. In order to support the further assessment of the performance targets referred to in Article 1, Slovakia shall provide, upon request by the Commission, relevant additional data and information with regard to the elements set out in the Annex to this Decision.

Article 3

This Decision is addressed to the Slovak Republic.

Done at Brussels, 27 March 2026.

For the Commission
Apostolos TZITZIKOSTAS
Member of the Commission

ANNEX

NON-EXHAUSTIVE LIST OF ELEMENTS FOR FURTHER ANALYSIS IN RESPECT OF THE COST-EFFICIENCY PERFORMANCE TARGETS FOR THE EN ROUTE CHARGING ZONE OF SLOVAKIA

- (1) Determined costs for the fourth reference period ('RP4') with a focus on the upcoming calendar years 2027, 2028 and 2029, including the detailed assumptions and parameters underlying those determined costs for each entity in the scope of the charging zone
 - (2) Adjustments applied to the determined unit cost baseline values for the years 2019 and 2024
 - (3) Latest available actual costs recorded for the year 2025 for each entity in the scope of the charging zone
 - (4) Traffic assumptions used in the revised draft performance plan and latest available information on the forecasted traffic evolution over RP4 for the charging zone
 - (5) Measures invoked by Slovakia to justify the observed deviations from the Union-wide cost-efficiency trends on the grounds of additional costs for the achievement of capacity performance targets, and incentive schemes associated with those capacity targets
 - (6) Local circumstances possibly justifying a deviation from the assessment criteria set out in points 1.4 (a) to (c) of Annex IV to Implementing Regulation (EU) 2019/317
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