

Opinion of the Committee of the Regions Single European Sky II

(2009/C 120/10)

THE COMMITTEE OF THE REGIONS

- Highlights that air transport is of great importance for economic and social development, competitiveness and well-being both in the regions and Europe as a whole.
- Believes that it is important to take into account the national and/or regional operating context in setting Europe-wide performance targets since it is not appropriate to set the same kind of targets for airports with heavy traffic as for airports with little traffic. It is important to maintain the Aerodrome Flight Information Service (AFIS) rather than forcing all airports to use ATC, as this would be more expensive for smaller airports; National and/or regional authorities are best placed to take these aspects into account.
- Requests that the proposal to use air traffic charges to finance common projects be clarified with regard to the possible use of other funding and how the national or regional body benefiting from such a project will participate in the related decision-making.
- Recommends that, with due regard to the subsidiarity principle, the competences granted to EASA be limited to aerodromes that serve professional Instrument Flight Rules traffic.
- Believes that it is important that implementing rules for aerodromes be drawn up in relation to an aerodrome's level of complexity and the quality of its operations and traffic figures, paying special attention to aerodromes with little traffic and the number of staff working there.

Rapporteur: Mrs Lea Saukkonen (FI/EPP) Deputy member of Helsinki City Council

Reference document

Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system,

COM(2008) 388 final — 2008/0127 (COD)

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Single European Sky II: towards more sustainable and better performing aviation,

COM(2008) 389 final

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services and repealing Council Directive 06/23/EEC,

COM(2008) 390 final — 2008/0128 (COD)

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

Introduction

1. highlights the fact that air transport is of great importance for economic and social development, competitiveness and well-being both in the regions and Europe as a whole. Air transport ensures fast and flexible connections between Europe's regions and with the rest of the world;

2. is convinced that improving the performance of the European aviation system will not only bring significant economic benefits but also make for more flexible and safer movement, whilst taking better account of environmental protection considerations and climate change challenges;

3. stresses that it necessary to develop and improve the capacity and opportunities of national authorities to work together as a smoothly functioning whole within the same functional airspace block (FAB), whilst at the same time complying with the rules agreed with the EU;

4. reiterates its view that regional airports must be considered as an asset which is particularly important for the development of regional and local economies and that the social and economic importance of air transport will grow with the enlargement of the Union ⁽¹⁾;

5. draws the Commission's attention to the fact that Europe's airports differ widely from each other. There are large differences in terms of requirements for both traffic management and safety when airports in major European cities are compared with those in sparsely populated peripheral areas or island regions;

General comments

6. notes that the proposal for amending the Single European Sky legislative framework is part of a wider package which also

includes extending the remit of the European Aviation Safety Agency (EASA) to cover air traffic management, air navigation services and aerodromes;

7. points out that the package of Regulations seeks to enhance air transport in such a way that national boundaries or limitations would not prevent the most effective use of airspace or other activities;

8. notes that the proposal is based on a report by the High Level Group on the future of the European aviation regulatory framework and the Eurocontrol Performance Review Commission's report on *Evaluation of Functional Airspace Block Initiatives and their Contribution to Performance Improvement*;

9. points out that underlying the proposal is the Commission's assessment that the performance of Europe's current air traffic management system is being pushed to its limits. The main reason for this is the lack of a network approach, the continued absence of a completely deregulated market, the fact that air traffic controllers do not enjoy free movement on the labour market, and institutional arrangements for air traffic management;

10. acknowledges that the operation of the Single European Sky would be enhanced by regulating performance, a single safety framework, opening the door to new technologies and managing capacity on the ground;

11. acknowledges that, in accordance with the principle of the sustainable development of air transport, air traffic management and air navigation services need to be improved so as to meet the needs of airspace users with a view to creating the Single European Sky;

12. welcomes the replacement of overlapping regulatory structures by a Community framework covering all flight phases in the air transport network;

⁽¹⁾ CdR 76/2005 and CdR 63/2004.

13. welcomes the proposal to improve the performance of the airspace management system by taking into account safety aspects, which is in the interests of all airspace users;
14. welcomes the fact that environmental considerations are taken into account in developing the air transport system so that the benefits of air transport to regional economies can be reconciled in a balanced manner with environmental protection needs;
15. welcomes the amendment of the definition of functional airspace block so that there is greater emphasis on service performance, which will make it easier to implement the objectives of the Regulation in an appropriate way, taking into account the needs of different regions;
16. endorses the Air Traffic Management (ATM) Master Plan, which would be the document governing development in this field and also provide the framework in which the operations of regional airports could be developed as part of the air traffic service network;
17. believes that it is important to introduce the regulation of performance. This would include Community-wide performance indicators, periodic review of air navigation services and network functions and procedures for data collection from all relevant parties;
18. stresses the importance of the drawing up and approval of national or regional performance plans when setting binding performance targets. Only general targets should be set at Community-wide level, which would then be specified in detail at national or regional level;
19. considers the requirement that the review body acts independently to be the right approach;
20. endorses the requirement that a Member State cannot refuse to designate an air traffic service provider on the grounds that national legislation lays down requirements relating to the national ownership or place of operation of such a provider;
21. feels that the establishment of functional air airspace blocks by 2012 will be a challenge but is nonetheless feasible. It will, however, require close cooperation between Member States, national supervisory authorities, service providers and airports;
22. believes that a detailed breakdown of service providers' financial information and the prohibiting of cross-subsidy between area control services and airport air navigation services make for more transparent charging systems;
23. thinks that the estimation of charges in future years is a part of the longer-term planning of the activities of air navigation services. The proposal that charges be set for several years ahead could help airspace users plan their activities, if they have an idea of what their costs will be in the years to come;
24. draws attention to the proposal that the Commission issue a report no later than four years after the entry into force of the Regulation and, if necessary, present a proposal for the application of market principles to various air navigation services, such as communication, navigation, surveillance, meteorology and aeronautical information. Cost-effective operations are a normal part of business activity, but it must be recognised that in areas where there is little traffic it is not possible to provide air navigation services profitably and/or in a way which promotes competition;
25. endorses the proposal to abandon the definition which limits the functional airspace block only to the upper airspace. The new proposal will facilitate the implementation the Single European Sky and the smooth operation of air traffic services;
26. acknowledges the proposal whereby the Community and the Member States shall request the International Civil Aviation Organization (ICAO) to establish and recognise a Single European Flight Information Region (EFIR), but does not believe that this is an urgent matter as no evidence has been presented of the concrete advantages to be gained from its establishment;
27. thinks that it is important to find appropriate solutions in assessing the organisation of network management and the supporting functions and how the expertise of Eurocontrol can be used in considering the reorganisation of functions;
28. considers that the proposal for consistency between flight plans and airport slots and the necessary coordination with adjacent regions is important from the point of view of the smooth and efficient operation of air traffic;
29. believes that it is necessary to ensure a high level of air safety in Europe and welcomes the extension of EASA's remit. A set of harmonised standards drawn up by a single agency and as uniformly applicable as possible throughout the Community would help to promote air safety and at the same time reduce the problems for air carriers and aviation resulting from varying application of standards;
30. feels that the scope of application of the proposal for the extension of EASA's remit is too wide and could place unreasonable demands on small regional airports, in particular, and thus hamper their activities;
31. believes that EASA's remit should focus on safety matters, so that agency's mission remains clear;
32. thinks that it is essential to promote civil-military cooperation at all levels in order to ensure that the European air transport network functions as effectively as possible and achieves its performance targets.

II. CONCLUSIONS AND RECOMMENDATIONS

33. believes that it is important to take into account the national and/or regional operating context in setting Europe-wide performance targets since it is not appropriate to set the same kind of targets for airports with heavy traffic as for airports with little traffic. It is important to maintain the Aerodrome Flight Information Service (AFIS) rather than forcing all airports to use ATC, as this would be more expensive for smaller airports; National and/or regional authorities are best placed to take these aspects into account;

34. considers that it is important that the collection of information to estimate the performance level is carried out in connection with existing reporting practices;

35. believes that it is important, in order to ensure transparency, that the service-by-service presentation of earnings and costs by service providers can be done in accordance with their own accounting practices, to the extent that they already exist;

36. requests that the proposal to use air traffic charges to finance common projects be clarified with regard to the possible use of other funding and how the national or regional body benefiting from such a project will participate in the related decision-making;

37. thinks that there is a need to clarify the planned changes in the charging system with regard to how charges will be set for several years ahead and how service providers operating on a commercial basis can forecast changes in wage and operating costs during a contract period as a part of their risk management. This kind of analysis is best done at national and/or regional level;

38. recommends that network management and related activities, which are important for operations in this sector, be described in more detail, instead of the rather cursory reference currently made to them in the proposal. This would make it easier to assess their impact and also how, insofar as concerns the reform of administrative structures, airspace users and air navigation service providers can participate in an appropriate manner in decision-making on these matters;

39. recommends that, with due regard to the subsidiarity principle, the competences granted to EASA be limited to aerodromes that serve professional Instrument Flight Rules traffic;

40. believes that it is important that implementing rules for aerodromes be drawn up in relation to an aerodrome's level of complexity and the quality of its operations and traffic figures, paying special attention to aerodromes with little traffic and the number of staff working there;

41. with regard to the proposal to extend EASA's remit, thinks that it is important from the point of view of achieving good regulation:

— to check that air navigation service functions comply with ICAO specifications;

— to see to it that there is no duplication in the proposal for amending the Regulation on EASA's remit and the Regulations on the Single European Sky and no duplication in procedures, for example with regard to licences;

— to see to it that there are adequate transitional provisions or other arrangements ensuring the continuation, after the entry into force of the new Regulation, of the validity of licences issued on the basis of Directive 2006/23/EC of the European Parliament and of the Council on a Community air traffic controller licence, which it is proposed to repeal;

— to give a more precise definition of the aerodrome equipment falling within the scope of the Regulation by limiting it to air safety equipment;

— to specify that the requirement for the aerodrome operator which states 'Data relevant to the aerodrome and the available services must be established and kept up to date' is limited to data which are essential for aviators;

— to revise the requirement for the aerodrome operator to demonstrate that procedures exist to provide aircraft with fuel so that it does not impose supervisory tasks on the aerodrome operator which fall within the remit of the authorities.

Brussels, 12 February 2009.

The President
of the Committee of the Regions
Luc VAN DEN BRANDE
