

Action programme on the creation of the Single European Sky

COM(2001) 123 final/2

Provision of air navigation services in the Single European Sky Organisation and use of the airspace in the Single European Sky Interoperability of the European Air Traffic Management network

COM(2001) 564 final/2

UNICE opinion

THE PROBLEM

- Business is suffering more and more from delays in air traffic, leading to increasing costs for the European private sector. The uncertainty caused by the delays force business travellers to allow more time for the journey than otherwise would have been necessary and even plan overnight stays. This is the result of the worsening mismatch between the capacity of the airspace as well as airports and the growing demand for air travel and air transport. The fruits of the internal market cannot be fully reaped as long as internal air travel and air transport are impeded. Statistics show that one out of every four intra-European flights is delayed. The current functioning of air traffic management (ATM) is a key cause of the increased delays.
- Airspace is limited because large areas are reserved for military use and because aircraft have to follow pre-planned routes in a fixed route network, with traffic converging on the same routes. Furthermore, the European ATM system is dispersed and cooperation between single ATM centres is difficult because of incompatible systems, regulations and procedures. Air navigation service providers need to be enabled to improve their services, first of all by cooperating amongst themselves. This can only be effective, if the regulations are consistent throughout Europe, which is not the case at the moment. There is no European framework for coordination and harmonisation. Eurocontrol does not have the necessary instruments and the decision-making process within this body is very slow, because consensus is needed. The European Union however does have the requisite legal system, the decision-making process, the political control mechanism as well as the responsibilities, but is not involved to the extent that these assets can be effectively used.
- In January 2000 a High-Level Group, bringing together civilian and military representatives of the European Union Member States, Norway and Switzerland, was charged by the European Commission with preparing proposals for a genuine reform of ATM, strengthening the safety of air transport by a more coherent organisation of air traffic management at the level of the Community and releasing more capacity as a result of more efficient use and organisation of air space. The conclusions were

published in November 2000. The European Commission has developed new policy proposals, based on these conclusions, which were published in December 2001, more than a year later.

THE PROPOSED SOLUTIONS

- The objective is to create a 'single European sky', based on an airspace and ATM system, designed, managed and regulated in a harmonised way to ensure efficient utilisation of the sky at a European level. Realising a single market also implies dissolving frontiers in the sky.
- Effective ATM can only be realised in close cooperation between civil and military interests. Airspace is a common resource and should be designed and managed as such, without internal frontiers. The concept of Flexible Use of Airspace increases capacity for civil use of the airspace. In this concept the time period in which a particular sector is allocated to military needs is optimised (i.e. as short as possible), in order to have more capacity available for civil purposes during peak hours and in high-density civil traffic zones.
- Implementation of the single sky could be phased, starting with integration of management of the upper airspace. This upper airspace should be organised to ensure maximum efficiency and consistency with the lower airspace, which is devoted to approach and departure from airports and to flights over short distances or by general aviation. In a later phase the lower air space will also be restructured.
- A clear distinction is proposed between the public role of safety regulators and the service provider. New concepts, tools and procedures in ATM will be developed to increase capacity. This should be achieved by enhanced cooperation between R&D organisations and ATM industry, consolidation of technical and operational requirements and a European approach to validation of new systems.

UNICE POSITION

- UNICE strongly supports Community action leading to the establishment of a single European sky. The proposals in Com (2001) 564 and in Com (2001) 123 contain important measures to reach this goal. UNICE calls upon the European Council and the European Parliament to recognise the urgency of establishing adequate EU legislation. The single European sky is a crucial step towards the solution for the problem of flight delays in Europe, together with, amongst other things, the extension of airport capacity. The single European Sky will also contribute to increased cost-efficiency of ATM in Europe, lead to increased safety of air transport and improve the competitiveness of the transport sector in particular but also to European industry as a whole. Member states should be aware of the importance of this measure and contribute to a smooth decision-making process.
- The timetable for realising the Single Sky is ambitious but reflects the urgency of the problem. Precious time has been lost already. UNICE urges the Council and the Parliament to take decisions rapidly to reach the main goals by December 2004: increased capacity of the air space, harmonisation of ATM systems and lower costs of Air Navigation Services. The European economy needs the possibility of problem-free air transport, enabling business to be organised as efficiently as possible.
- It should be investigated whether and how some of the benefits of the project can be realised earlier than 2004. This could for instance be done through partial or local measures, provided they do not harm full-scale implementation at the stage originally scheduled.

- UNICE agrees that the objectives of the single European sky can best be achieved in close cooperation between civil and military interests. A pragmatic approach towards the institutional aspects of this cooperation is needed. It will take some time before effective use can be made of the instruments of the second pillar (Common Foreign and Security Policy). UNICE is aware of the significant institutional barriers that have to be overcome to realise the 'single sky' proposal'. Proposals could involve Member States ceding control of parts of the airspace, raising questions of sovereignty and security. At the same time of course there is the issue of how to accommodate the needs of military aircraft. Member States must be willing to compromise on this issue.
- Important categories of measures that should be elaborated urgently are:
 - restructuring of upper air space, laying the foundations for restructuring of lower air space at a later stage. The capacity management of the air space should be demand-oriented.
 - interoperability of Air Traffic Management at the European level, keeping in mind that standards should be interoperable at a global level, as air transport is a global activity
 - developing a framework for the provision of Air Navigation Services and the enforcement of safety measures. Regulation, provision of services and enforcement should be carried out in separate bodies. Performance standards and monitoring guidelines should be part of the framework. UNICE supports the Commission proposal to organise the provision of ancillary services, meteorological services and aeronautical information services under market conditions, and considers moreover that Air Navigation Services could also be organized on a private basis, which would increase the customer responsiveness of these services. As long as market forces are not allowed to play a role, economic and price regulation is vital. UNICE understands the need to engage in social dialogue to address the interests of all those affected by the proposals but discussions must be carried out with the firm objective of meeting 'single sky' objectives.
- Eurocontrol should be enabled to play an important role in the process contributing to the preparation of regulation and implementing the regulations decided by the EU, as it has an undisputed expertise in this context. Because of the institutional framework of this organisation, an efficient use of its expertise is not possible. An accession of the EU to Eurocontrol would bring a solution to this problem and would also avoid duplication of activities and is therefore most urgent.
- UNICE is willing to contribute to the implementation of the single European sky by participating in the Industry Consultation Body, representing the interests of the European private sector in improving European air travel and air transport.