



Joint CANSO-ETF statement for the second SES package

28.02.2008

1. Social Partners are committed to SES and FABs

- The Social Partners share the view that the enhancement of ATM can be best achieved through the bottom up approach and through ongoing dialogue with all aviation stakeholders. Such an approach, which primarily aims at building trust, will add operational value and make ATM more efficient and cost effective, and increasingly sustainable for the environment. It requires satisfactory regulation.
- A successful bottom-up approach will only be achieved where all stakeholders in all different phases of FAB development play their full appropriate roles.

2. Safety

- Safety remains the paramount objective of the ATM industry.
- The level of safety can be assessed as good in Europe but overall safety can be improved by:
 - Effective and efficient reporting systems for safety occurrences/incidents, consistent with the just culture principles. There is a need for strong political commitment to boost this process. The legal implications of reporting should be better understood.
 - Enforcement of compliance with the existing regulatory requirements and thereby improving a “level playing field”.
 - Focussing on technical and financial support to regions that have less developed safety management systems and safety cultures.

3. Full involvement of staff is key to success

- ANSPs know best how to work with their staff to achieve change. ATM personnel are key experts whose opinion is an integral element of FAB development.
- Social partners recognise that the establishment of a long-term, reliable and stable relationship will enable consultation to take place in an atmosphere of trust. It is in this spirit that social partners have worked together to elaborate guiding principles for consultation. Based on the agreements signed by European ATM social partners, future SES regulation should reflect these principles.

4. Fragmentation will be reduced through cooperation

- Fragmentation can be reduced through cooperation and convergence. Social partners believe that the complex interrelated problems and issues can be solved in a pragmatic and cost effective way, and that benefits will come progressively taking into account the life cycle of the investments. Cost benefit analyses, including social costs, have to be conducted in order to determine the best form of cooperation in each FAB or regional cooperation. EU funding can accelerate this process.
- Cooperation and Social Dialogue can lead to a successful outcome.
- The decision-making process should be based on a consensus that is possible with the achievement of a win-win situation.

5. FABs

- ANSPs support an active implementation strategy with the nomination of an 'Aviation System Coordinator'. This will improve State commitment to the establishment of FABs.
ANSPs need consistent guidelines and interpretation from the various States in the FAB project. It could include measures that are already possible in the present framework but that have not been really put into practice today, such as: promoting exchange of views between States, putting into place peer review, agreeing on annual reports, performance indicators, convergence criteria, etc.
- There is a need for close State cooperation to have a common interpretation/understanding on sovereignty, and liability. Further EC initiatives to address these issues under the form of templates, framework agreements, or common understanding would be helpful.
- Civil-military cooperation is a fundamental point for operational improvements. ANSPs suggest that the European Commission take initiatives for an increased common understanding between civil and military partners.
- Up to now the Performance Review Commission has studied the cost of fragmentation but not the desired level of de-fragmentation, nor the cost of de-fragmentation.
De-fragmentation will contain a cost for restructuring (including social aspects and de-commissioning) which today is not known but could be substantial.

6. EASA

- CANSO and ETF support the extension of the EASA competences into ATM and airports. CANSO and ETF fully recognise that EASA should be the EU safety regulator. However, the EC has to provide this Agency with the adequate resources to fulfil these roles.
- The EC should also secure a process to avoid any duplication with Eurocontrol.

- The extension of EASA competence to ATM has to be accompanied by appropriate measures necessary to build an effective consultation mechanism within this body. In particular, the ATM Social Partners' role should be recognised.
- Transition needs to be smooth and effective, including the adequate resources and funding necessary for the application of a consistent approach across geographical Europe. Non EU States and military representatives should be included appropriately in the process.
- The right balance has to be found between European and national/regional levels taking into account that the FABs will create a new managerial level for the ANSPs, and also for NSAs and States.
- EASA's role should include:
 - Rule preparation
 - Certification and operational approval for pan-European systems
 - Auditing of member states compliance with safety requirements
 - Oversight/inspection of systems and organisations, only when required from a Pan-European perspective.
 - Support to implementation by member states.

7. The role of ATM industry in sustainable development

- Air Transport as a whole should, with the help of the EC, define an environmental policy able to contribute to sustainable development.
- In this framework, all the sectors of Air Transport should participate in a consistent approach, each being assigned a particular role.
- ATM can play a role in flight efficiency enhancement through a series of ongoing European actions, such as; improved flight and capacity planning processes; Flexible Use of Airspace; increased civil-military cooperation with creation of cross-border military zones; and for example SESAR through its technological approach which could be oriented to environmental friendly solutions.

8. Performance based framework

- CANSO and ETF support a performance-based framework. Performance has to cover inter alia safety, capacity, cost effectiveness and flight efficiency. All the criteria need to be balanced and the trade-offs need to be identified.
- Performance based management can be described as:
 - Empowered management, with well trained, qualified, experienced staff, and an incentive based performance system (not based on penalties but positive incentives).
 - Customer relations with a mature, transparent relationship and shared goals and objectives, preferably by self regulation rather than new regulation.
 - A performance reporting system with agreed methodologies for the indicators and harmonized data collection.

- The SESAR Master Plan will improve the implementation of a performance based framework. It will also optimize the consultation and decision-making process because of the important number of standards that will be required along with the very strict timescales.

9. Economic regulation

The economic regulation should be designed to secure a consistent economic framework to Air Navigation Service provision whatever the existing charging regime applied throughout Europe. It must take into consideration the requirements of Airspace Users and ANSPs. It must permit to retain and recruit high level of professional and motivated staff.

9.1 The system has to guarantee long term viability

- In the ATM sector, capacity requires a long lead time for investments, the maintenance/consistency of those investments as well as the availability of human resources.
- The future technology changes that SESAR and the interoperability of the systems will bring will have to be considered with the appropriate human investment. The human factor is also a key element to satisfy the required performance of the European ATM system.

9.2 Objectives are interrelated

ATM objectives have to consider at the same time: safety, capacity and flight efficiency, environment and cost effectiveness.

9.4 Target setting

Target setting should remain at the level of national authorities (NSAs). However, with the developments of FABs and regional cooperation the target setting could be done at regional/FAB level, on the following basis:

- Consultation should be strengthened and should involve airlines, general/business aviation and military.
- After the consultation, the national (regional/FAB) authorities can make decisions, taking into consideration the societal demands such as environmental objectives.
- Target setting could also be based on service level agreements between service providers and the airlines/airspace users. State authorities would have to agree with the outcome of the service level agreements taking into consideration political objectives and accountability.
- Target setting at EU level can be agreed provided that there is a process that permits linking European targets with national target setting. This could be a difficult point since local situations are very different in terms of traffic, delays, congestion area, and investment cycles.
- Performance metrics should be agreed preferable at a global level.

- The Performance Review body is to be established at EU level as an EU agency and should be totally independent.

10. Future of Eurocontrol

The SES II package will cover the new institutional framework. It is therefore essential that the European Commission confirms if they support the recommendations of the High Level Group concerning EURCONTROL, and, more precisely:

- the need to redefine the functions of Eurocontrol into 4 categories (support to regulation, cooperative network design pan-European functions, and regional ATS provision)
- the strengthening of industry governance over Cooperative Network Design and Pan-European functions of the Agency; in the short to medium term by the adaptation of the Air Navigation Services Board, and in the medium to long term by an institutional separation between regulation and service provision.