

**Minutes of the Seventh meeting Expert Group on the Social Dimension of the  
Single European Sky**

**Friday 01<sup>st</sup> February 2013**

The European Commission, Directorate E2

- CANSO
- ECA
- ATCEUC
- ETF
- IFAIMA
- IFATCA
- IFATSEA

**Welcome**

The meeting was chaired by the European Commission (EC); all participants were welcomed and then thanked for their constructive and positive response to M. Baldwin's letter.

The Chair observed that the June SSC would have no votes planned, so the Group meeting in advance of it would look to one of today's topics to be the focal point for their discussion.

**SESII+: briefing and Q and A session**

The E2 Directorate gave an oral presentation of SESII+, highlighting the current state of thinking:

- Road map was published on secretariat-general website and impact assessment on SESII+ is running to set the main options and objectives.
- Clean-up exercise, no policy changes:
  - Institutional: Eliminate overlaps between EC (economic regulation), ECTL (operational issues) and EASA (technical regulation and supervisory work);
  - Performance side: Governance structure for the performance scheme (target-setting goes too slow, no chance for learning-process based on the realization of previous targets) and independence of PRB;
  - Need for help for NSAs: expertise, funding, independence from the ANSPs;
  - Introduction of market mechanisms into SES: most practical organization on the condition of real and proper competition. Currently, ATM is for the most part a natural monopoly (15 years licenses, state-owned agencies ...). Auxiliary services can be open to market conditions (Data exchange, MET, CNS, AIS ...). Currently: how can they do this while being part of a larger ANSP that holds a natural monopoly = "Unbundling": functional or organizational;
  - Controversy can't be a reason to not look at possibilities in this field.
- Timing: very hard work being done on impact assessment, to be followed by a legal text and adaptation of the formal legal text by the Commissionaires sometime in the summer.
- EP Rapporteur nominated ideally before the summer break, but this decision is up to the parliament.

Members asked about the legal procedure for this package, if everything will be captured in one paper being handled by Council and Parliament, what will be included in the co-decision

process, and what in the amendments would be done in comitology. Is governance of ANSPs to include airspace users?:

- Co-decision, also bits and pieces will be handled in comitology;
- 2 readings;
- Will be a regulation.
- Parts being done in comitology will not be captured in this paper but by modifying of the implementing rules (e.g. Network Manager).
- Yes, also the proposals for the auxiliary services, addition to the performance scheme target-setting, addressing of the FABs, overlap with EASA and ECTL.
- The Commission stressed that we are not changing the overarching policy.

Members also stressed that they considered that the change represents real revolution which is unacceptable for the workers of ANSPs:

- The situation today, and the generally accepted end game shows a great gap. What was agreed is that part of the cost improvement is from traffic increase, but also a more efficient service provision is needed to attain the goals;
- Disagree with the revolutionary impact - market conditions already in regulations, but never implemented;
- That there has been a lot of effort made in efficiency and performance ... so the justifications are wrong and not fair for the controllers or ANSPs;
- it was clearly stated that there will be strong opposition to this package;
- They identified that there was little sharing of the analysis, that there was already a lot of pressure on the workers and the Commission desire was for yet more.
- SESII lacks the human factor (5<sup>th</sup> pillar).
- They went on to say that the Commission wants the "ryanairization" of the industry? What about security? 75% of delays are due to a lack of airport capacity. Why was there no speech raised against the airport industry?
- The Commission compares the EU with the US, but in the US there is only one provider so what market conditions are present there?
- Why add more fragmentation through unbundling?
- Five pillars are actually only one pillar - namely Performance.

The Commission responded by stating that privatization is not the goal. They do not say that the ATM industry is bad; but this shouldn't stop us of looking at where things can be made to work better, more efficiently. It doesn't necessarily mean lower wages and longer hours. Focus should be on giving more freedom to the industry to improve itself. Everybody has to perform and it has to be done in a smart way or everybody gets damaged.

Members asked if the EC considered closing some dead-end streets in SESII (e.g. FABs) before going over to SESII+?

They also opined that FABs may be an approach, but there could be others.

The Chairman drew the discussion to a close and suggested that as the next SSC would have no 'key topic', i.e. nothing going to vote, perhaps this issue was apposite for discussion at the next meeting of this group in May; the members generally agreed with that suggestion.

He went on to suggest that we will know more by then about the content of the SESII+ proposal and the Group could consider generating a view on it for inclusion into the consultation process.

## **Intro to SESAR Deployment Guidance Material**

The E2 Directorate briefed the Group on this important topic. They had introduced the draft IR to SSC last December. Discussion paper out now has been developed during several bi- and multi-laterals and seminars, so the Commission considers this proposal not as the end, but the continuation of a long story.

At its introduction to SSC, the Commission received around 200 comments; the draft has been amended and updated to reflect those inputs. This revised draft was sent out to the members of the SSC on 1<sup>st</sup> February 2013.

This draft will be discussed at the ad-hoc SSC on Tuesday 5<sup>th</sup> February. There will be a further workshop for SSC members on February 19<sup>th</sup> to discuss the latest draft. Adoption by the EC should be managed in April and in parallel consultation is being carried out with the ICB to issue a position paper by 15<sup>th</sup> February 2013.

### *Pilot Common Project (PCP)*

The Commission reminded Members that the SJU was assigned to come forward with a proposal by April 2013. With this proposal the Commission shall go through with its own consultation process. By the end of this year we expect it to be adopted as a Commission's implementing regulation. Concurrently, work is also being done by IDSG until the full governance is established. We expect the IDSG to cease work by 2015.

2014 will be a crucial year as we expect to finalise the full governance plot, the pilot common project, the deployment manager and the selection of the implementation project.

Members observed that it was difficult to get the model in vision based on the text. Does deployment manager cover one Common Project (CP) or all CPs at the same time? How does this work?

The Commission responded by pointing out that Deployment Manager (DM) shall be responsible for the management level, within the framework set by the CPs. The scope is clearly the CPs and to perform this task it has to translate the Pilot CP, and the following CPs, into a deployment program. This program will be the working reference for the DM.

The Group asked what legal entity the DM might become, and what relations it might hold with stakeholder partners?

The Commission stated that there was no need for an established legal entity. There is little need or call for too much constraint. The call for a DM will include more ground for its legal form. (Commission) Inter-service consultation is being done to see what the best legal approach is. This proposal sets more the boundaries of the box without getting too involved in the contents of the box.

The Commission went on to add that the anticipation is that in a CP, through the definition of the geographical scope, we will be able to identify the ground stakeholders required and have concrete contacts with them. This is not the case for airspace users because those there today may not be there tomorrow. The need therefore will be to establish a group of interested parties that can live and evolve with the project(s) and err towards global approval. This is recognized as a risk in the governance model.

The Chairman reminded all that pro-activity is very important; Users and ANSPs have to prepare themselves for this. He went on to ask how the group wished to contribute to this proposal. He offered himself as the Commission focal point for their position on this matter.

CANSO stated that it is already involved in the ICB work on this matter.

The Chairman recognized this, and that others were equally likely to be involved in various fora, but that it was (very) important that a proposal from this group is seen as a paper from the 5<sup>th</sup> pillar, and would in that sense gain higher visibility and generate greater impact.

Ideally, we would bundle all comments from each member into one paper. One of the Members offered his services to accept individual member's inputs and draw them into an Expert Group paper. The Deadline for submission to that coordinator would be Friday February 8<sup>th</sup>, and to the Commission would be Friday 15<sup>th</sup>.

The Chairman reminded those present that if there was disagreement on the final version, do not hesitate to make yourself clear on this and consider individual inputs. A single voice is always better, but any voice is better than no voice at all.

### **Next meeting**

Friday May 17<sup>th</sup> 2013 – 1030-1300 at Rue de Mot Rm 6/004.