



LSIP

EUROCONTROL Report on the SES Legislation Implementation

Produced by EUROCONTROL upon the invitation
of the European Commission DG-TREN

Reporting period
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Abstract		
This report aims to provide a comprehensive overview of the factual situation of the actions undertaken to implement the SES legislation. It is based on the consolidation of information reported by the States in their respective State Annual reports and FUA reports, and contains appropriate conclusions and recommendations.		
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BACKGROUND

The Single European Sky (SES) initiative is based on Regulation (EC) N° 549/2004, the framework Regulation, plus three technical regulations on the provision of air navigation services, organisation and use of the airspace and the interoperability of the European air traffic management network. These Regulations were designed, primarily, to improve and reinforce safety and to restructure the airspace on the basis of air traffic patterns instead of national borders.

The European Commission, in its role as the guardian of the treaties, ensures that the legal provisions adopted by the Community institutions are applied by individuals, by the Member States and by other institutions.

For this purpose and in the particular context of the Single Sky regulations, Article 12.1 of Regulation (EC) N° 549/2004 stipulates that the supervision, monitoring, and methods of impact assessment shall be based on the submission of annual reports by Member States on the actions taken pursuant to the SES legislation. In addition, Commission Regulation (EC) N° 2150/2005 laying down common rules for the Flexible Use of Airspace (FUA) requires Member States to report annually on their application of FUA. Based on the information collected in these Annual Reports, the European Commission reports every three years to the European Parliament and the Council on the progress of implementation of the SES legislation.

For the purposes of this Report, the States that submitted reports include the Member States of the European Union¹, Norway², and Switzerland³ pursuant to their contractual commitment to implement the SES legislation. The states signatory to the European Common Aviation Area Agreement (ECAA), Albania, Bosnia and Herzegovina, Croatia, FYROM, Montenegro and Serbia⁴ also submitted reports. However, the information provided by them is used only in the factual overview and not included in the conclusions since the implementation of the legislation in their legal systems follows a schedule set forth in the Agreement and does not allow for valid comparisons.

Since information on SES implementation was also collected by EUROCONTROL, in 2007 Member States requested that the Agency and the European Commission link efforts and streamline overlapping reporting requirements. In response to this and with the participation of stakeholders selected by the EUROCONTROL Stakeholders Consultation Group, the European Commission and EUROCONTROL agreed on a common process to collect and analyse these reports.

In 2008, EUROCONTROL was officially mandated by the European Commission to collect and analyse the States' Annual SES Reports and the Annual reports on the application of FUA as part of the revised Local Convergence and Implementation Plan 2009-2013 process, using the specific reporting channels and templates of LCIP+. States had to submit their reports to EUROCONTROL by 31 January 2009.

¹ Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland.

² Agreement on the European Economic Area (OJ No L 1, 3.1.1994, p. 3; and EFTA States' official gazettes)

³ Agreement between the European Community and the Swiss Confederation on Air Transport, Amendment OJ L/285, 27.10.2006, p. 25

⁴ Multilateral Agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo on the establishment of a European Common Aviation Area. OJ No L 285, 16.10.2006, p. 3.

This reporting exercise exceptionally covered an 18 month period (1 July 2007 to 31 December 2008) allowing the SES reporting cycle to follow a calendar year from 2009 onwards. In order to lessen the reporting burden, information already available in EUROCONTROL was pre-filled in the templates, leaving States to verify it and update or amend it as appropriate.

Further to the successful collection of the States' reports, EUROCONTROL analysed and consolidated the reported information into this Report on the SES Legislation Implementation for the period July 2007 - December 2008⁵. The Report aims to provide a comprehensive overview of the factual situation of the actions undertaken to implement the SES legislation. It is based on the consolidation of information reported by the States in their respective State Annual reports and FUA reports, and contains appropriate conclusions and recommendations. Only where necessary for the sake of clarity, the reported information was complemented, but not altered in any way, on the basis of official publicly available EUROCONTROL documents/sources. Where in the course of consolidation and/or analysis it was discovered that a question posed in the Reporting Templates had not yielded the intended information, the collected data was also examined with due consideration of possible ambiguity in the respective question and/or the corresponding legislative text.

The conclusions drawn on the level of implementation of the SES legislation reflect the reported facts, are based solely on the impartial expert judgment of the specialists involved in the drafting of the Report and do not necessarily reflect the official views or policy of EUROCONTROL. They cannot be considered as either final or binding since the reported information may occasionally not consistently reflect the actual situation in the States due to any circumstances. EUROCONTROL makes no warranty, either implied or express, for the information contained in the Annual Reports, neither does it assume any liability or responsibility for the accuracy, completeness or usefulness of the information provided therein. The Report's recommendations to the European Commission are in response to the mandate received by EUROCONTROL and are only of advisory nature, thus not carrying or implying any obligation to be followed.

The Report is structured around a snapshot, executive summary, main body, and statistical annexes.

⁵ Note that this is not the only consolidation document made from the LCIP reports. At the same moment the "European Implementation Progress Report" (formerly known as "ECIP Status Report") has been produced by the ESSIP/LSSIP team in EUROCONTROL, addressing the progress made in the implementation of the ECIP 2009-2013 implementation objectives during the previous year. This report will be published on www.eurocontrol.int/essip.

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Snapshot of SES at the end of 2008

- ... **29** States
- ... **6** ECAA States
 - ... **16** million km² of controlled airspace
 - ... **9.8** million flights per year
 - ... **50** borders concerned by cross-border ATS provision
 - ... **4** Basic Regulations
 - ... **11** Implementing Rules
 - ... **1** Directive
 - ... **4** Community Specifications
 - ... **33** nominated NSAs
 - ... **3** Recognised Organisations
 - ... **212** certified ANSPs
 - ... **20** certified Training Providers
 - ... **112** designated ATSPs
 - ... **24** designated MET Providers
- ... **1** Common Charging Scheme
- ... **30** En-route Charging Zones
- ... **40** Terminal Charging Zones
 - ... **1** FAB established
 - ... **8** FAB initiatives
 - ... **302** EC Declarations of Systems
 - ... **160** EC Declarations of Constituents
 - ... **1** Notified Body
 - ... **24** Implementations of FUA concept
 - ... **12** Cross-border military areas

Executive Summary

Part I: SES Annual Reports

National Supervisory Authorities (NSAs)

All 29 States have nominated or established their NSA(s), which are at least functionally separated from the service provider. However, the Greek NSA is expected to be operational in 2009. Six NSAs have competence over military service provision to General Air Traffic (GAT); two of them are only supervising military providers. However, specifically for military providers which are not certified, supervision should ensure that service provision is carried out in maximum compliance with the Common Requirements.

Many NSAs reported problems due to a lack of financial and human resources. This issue should be tackled as a matter of urgency, especially in the context of the extended responsibilities foreseen in the second Single European Sky legislation package (SES II).

Cooperation between NSAs remains an area for improvement. Fragmentation at supervision level remains the predominant trend.

During this reporting period, only the Austrian NSA has made use of one of the three Recognised Organisations to perform part of its tasks.

Certification of Air Navigation Service Providers (ANSPs)

More than 212 ANSPs were reported as holding a valid certificate at 31 December 2008. 150 are certified for Air Traffic Services (ATS) / Aerodrome Flight Information Service (AFIS), 99 for Meteorological Services for Air Navigation (MET), 32 for Aeronautical Information Service (AIS) and 153 for Communication Navigation Surveillance (CNS).

The issuing of many new or renewed certificates demonstrates that the certification process has consolidated since its inception and is now well established.

There are on-going preparations for certification of multinational providers.

Three States (Greece, Luxembourg and Portugal) have nevertheless still not fully completed the initial certification process.

Only one State has certified military ANSPs. However, there are 12 States where the military provide ANS services to GAT; these services need to comply to the maximum extent with the Common Requirements.

Ongoing Compliance

Most NSAs have monitored the ongoing compliance of their certified service providers, although some NSAs did not check all their certified ANSPs as set forth in the Common Requirements.

Considering the number of requirements and, in some cases, the many providers to be overseen, advisory material and good practices should be promoted in order to ensure that compliance is adequately verified/confirmed while giving due consideration to the limited resources of the NSAs.

The two military NSAs reported having verified compliance with the Common Requirements proportionately with the specific nature of the respective military providers.

Designation

108 of the 150 certified ATS providers have been designated. The reasons for not having designated 41 ATS Providers (ATSPs) are known in the case of France and Norway, but would need to be clarified for Germany, Hungary, Portugal, Sweden and Switzerland.

Italy and Luxembourg have designated ATSPs which appear not to be certified. Greece has neither certified nor designated any ATSP.

24 out of the 99 certified MET providers have been designated in 24 States.

No State has designated an ATS or MET provider holding a certificate issued by the NSA of another State.

Only one State reported having received an offer for services from an ANSP certified in another State, which would indicate that neither the States nor the ANSPs have explored and availed themselves of the opportunities of the common market.

Cross-border Provision of ATS

50 State borders (or pairs of States) could be identified as being concerned with cross-border ATS provision, seven of which involve a State not bound (or not yet bound) by the SES legislation.

The European Commission should clarify how to proceed in the case where cross-border services are provided by an ATSP from a non-SES State. This also has implications on FABs.

Little progress seems to have been made in respect of arrangements between States/NSAs for the supervision of cross-border ATS provision, giving the impression that these issues were put as a second priority after the certification and designation processes.

Air Traffic Controller (ATCO) Licensing

The implementation is still in its early stages. Most States have only recently finalised the transposition of Directive 23/2006/EC in their national legislation and one third of States has not yet finalised this transposition. This process should be expedited and the transposition details should be communicated to the European Commission accordingly.

20 States have certified (national) training providers.

Air Navigation Charging

All provisions relating to en-route charges are fully applicable since 1 January 2008 and are largely implemented. Efforts should nevertheless be carried out by the States for the effective application of enforcement measures for the recovery of charges.

The provision relating to terminal charges was only partially applicable at the end of this reporting cycle. Significant progress has taken place with regards to the transparency of costs incurred for the provision of terminal navigation services. The States are now in the process of defining their Terminal Charging Zones and related Unit Rates for full application in 2010.

Only few States have made use of incentive schemes so far.

Airspace

Nearly all States have implemented Class C airspace above Flight Level (FL) 195 and allow access of Visual Flight Rules (VFR) flights in that airspace.

The reports confirm that the introduction of an artificial division level between upper and lower airspace is not useful as it does not reflect operational needs. This requirement is revoked in SES II.

With respect to the establishment of Functional Airspace Blocks (FABs), it will not be possible for States to declare full achievement of Regulation (EC) N° 551/2004 (the airspace Regulation) until they actually conclude the required mutual FAB agreements between all the States involved.

FABs

One FAB (UK-Ireland) is reported as implemented and eight FAB projects as ongoing. All 29 States with the exception for Latvia are part of a FAB initiative. Some FABs involve non-SES States.

Most of the States have planned the implementation of the FABs for a later date than the forthcoming deadline in SES II, which is a risk that should be considered and mitigated.

The process for inter-FAB coordination is still in its infancy.

Interoperability

The NSAs have altogether received 302 EC declarations of verifications of systems and 160 EC declarations of conformity or suitability for use of constituents. The granularity of identified systems in the declarations differs strongly from one State to another, while it is in general consistent for constituents.

In 13 States, the NSAs reported not receiving any EC declaration.

Since the entry into force of Regulation (EC) N° 552/2004, only one organisation in Europe has been appointed as Notified Body.

The implementation of the four implementing rules for interoperability published before July 2008 seems to be progressing well:

Regulation (EC) N° 1032/2006 (Coordination and Transfer (COTR)): good level of implementation;

Regulation (EC) N° 633/2007 (Flight message transfer protocol (FMTP)): seven States reported already compliant. Most ANSPs use the EUROCONTROL FMTP specification as the means of compliance;

Regulation (EC) N° 1033/2006 (Initial Flight Plan (IFPL)): there is good preparatory work in the perspective of the applicability date of this Regulation on 1 January 2009. The EUROCONTROL specification for IFPL is used by most States as the means of compliance. All States not already compliant have plans to achieve it during 2009.

Regulation (EC) N° 1265/2007 (Air-Ground voice channel spacing (AGVCS)): very good level of implementation.

Consultation of Stakeholders

All States reported having established consultation mechanisms for the appropriate involvement of stakeholders in the implementation of SES. These mechanisms are formalised in most cases.

Part II: Annual Reports on the Application of the Flexible Use of Airspace (FUA)

National Organisations and Responsibilities at the Three Levels of FUA

Strategic Airspace Management - Level 1:

While overall implementation of FUA at ASM Level 1 appears positive, the role of the persons or organisations responsible for execution of the tasks under Strategic ASM seems to be misunderstood in many cases. Many States did not establish any mechanisms to assess their national airspace structures and route networks with the aim of planning for FUA structures and procedures.

So far, more than half of the States have not notified the European Commission as required by Article 4.1 of Regulation (EC) N° 2150/2005.

Pre-Tactical Airspace Management - Level 2:

Overall, the reports provided evidence of good progress of implementation of FUA Level 2. The implementation of an Airspace Management Cell (AMC) is necessary wherever any kind of civil - military interaction exists (e.g. interaction with air defence activity); otherwise, the States should at least establish a focal point for that function. Once in place, the AMC should be a joint civil - military entity regardless of whether there is civil-military integrated ATS provision.

Tactical Airspace Management - Level 3:

The reported information evidences good overall results of implementation of the required actions. 25 States reported to release airspace reservations as soon as activities cease, which should be considered as a satisfactory level of implementation.

Absence of information exchange on aircraft position in two States (Greece and Cyprus) is a critical safety issue.

Cooperation between Member States at the Three Levels of FUA

Strategic Airspace Management - Level 1:

The majority of States do not coordinate their airspace policy with neighbours. However, all cases of cross-border air traffic (civil or military) do require policy coordination.

Establishment of Cross Border Areas (CBAs) and sharing of Temporary Segregated Areas (TSA) / Temporary Reserved Areas (TRA) show a relatively encouraging trend. The reported information evidences the existence of a significant area for improvement in the sharing of TSAs/TRAs.

Pre-Tactical Airspace Management - Level 2:

The low number of joint or multinational AMCs should be considered as normal under the underlying circumstances, as the requirement for such an AMC applies only in cases where there are established CBAs. However, the reports provide evidence of an encouraging trend, since a number of States that have responded negatively also stated their plans to address this issue, in particular through the FAB initiatives.

Tactical Airspace Management - Level 3:

The low level of implementation should be considered as normal (*see previous paragraph*). A number of States plan to address this issue through the FAB initiatives.

Safety Assessment

The reports would indicate a generally positive situation. However, there should be no exception in applying the safety management processes whenever there is a change within the application of the FUA concept.

Performance Assessment

The reported information relating to safety performance assessment should be considered as encouraging. However, no exceptions should be made and/or allowed in establishing effective processes for the evaluation of the functioning of agreements, procedures and supporting systems from a safety standpoint.

Regarding airspace capacity and efficiency, the overall reported information indicates a rather low level of implementation.

Compliance Monitoring

Based on the reported data and the very limited details provided, the situation appears to be rather inconsistent and therefore not quite encouraging. However, the majority of States reporting non-compliance on basis of their self-monitoring indicated that they have plans to achieve compliance in the next reporting cycle.

The overall reported level of implementation of inspections, surveys and safety audits for the purpose of compliance monitoring is very low.

Problems encountered in the implementation of the FUA Regulation and need for changes

The majority of the problems reported are related to the national regulatory framework and not to the FUA Regulation applicability. Clarification of some terminology, e.g. differences between inspections, surveys and safety audits is needed.

Part III: ECAA States

The ECAA States are currently in the first transitional period for the implementation of the SES legislation, covering separation of regulation from service provision, establishment of an NSA and reconfiguration of the airspace into FABs.

Good progress has been made in these areas. All States but one have nominated an NSA, which is at least functionally separated from the service provider, and are in the process of allocating tasks to the NSA in accordance with Regulation (EC) N° 552/2004. Three of the six States are already part of a FAB initiative.

Nonetheless, as EUROCONTROL Member States, the ECAA States have also reported progress in the implementation of other elements of the SES legislation which, however, are not covered in this first transitional period of the ECAA agreement (e.g. 8.33 KHz, Communication and Transfer, Class C airspace above FL 195 and FUA).

1. National Supervisory Authorities

All 29 States have nominated or established their NSA(s), which are at least functionally separated from the service providers. However, the Greek NSA is expected to be operational in 2009.

Many NSAs reported problems due to a lack of financial and human resources. This issue should be tackled as a matter of urgency, especially in the context of the extended responsibilities foreseen in the SES II package.

Cooperation between NSAs continues to be an area for improvement.

During this reporting period, only the Austrian NSA has made use of one of the three Recognised Organisations to perform part of its tasks.

Consolidation

Establishment of the NSAs

- ◆ 28 out of 29 States reported having established NSAs according to Article 4 of Regulation (EC) N° 549/2004 (the full list can be seen in Annex 2). The establishment of an NSA in Greece is expected to be fully operational in 2009.
- ◆ Four States have reported establishing more than one NSA:
 - Denmark: two NSAs - SLV for civil ANS and TACDEN for military ANS except for MET services, which are covered by SLV;
 - Latvia: two NSAs - the Aviation Department within the MoT deals exclusively with the economic oversight of the ANSP and has access to the ANSPs' accounts, while the Latvian CAA assumes all the other NSA responsibilities;
 - Romania: two NSAs - the MoT-DGCA only for security matters, and the Romanian CAA for the rest of the NSA tasks;
 - Spain: three NSAs - one covering civil matters (except MET services), one for military matters (except MET services), and one for MET services (both civil and military).
- ◆ With the exception of Denmark and Spain, which have specific NSAs for military matters, four other States have allocated competencies to their NSAs over military issues: Belgium, France, Italy and Switzerland;
- ◆ France reports having delegated the oversight of the military ANSP to DIRCAM which, however, is reported neither as an NSA nor as a Recognised Organisation.

Separation of NSAs from the ANSPs

- ◆ All NSAs are reported to be at least functionally separated from the ANSPs, as required by Article 4.2 of Regulation (EC) N° 549/2004: 21 NSAs are reported as institutionally separated from the ANSPs, three are reported as organisationally/structurally separated and five are functionally separated;
- ◆ The Romanian CAA (NSA for all matters except for security) is organisationally separated from the ROMATSA (main Romanian ANSP) and functionally separated from the main AIS provider;
- ◆ IVW, the Dutch NSA, is organisationally separated from LVNL and MUAC; and functionally separated from KNMI (certified MET service provider);
- ◆ The situation in Germany and Slovenia appears unclear from their respective reports.

Relationship with CAA/DGCA

The States reported the following situation with regard to the relationship between their NSAs and CAA/DGCAs (State regulator):

- The nominated NSA is the Ministry of Transports. The CAA, which carries out the tasks of the NSA, is a department/division of the MoT: two States (Austria and Slovenia);
- The main NSA is the CAA/DGCA: 18 States (Bulgaria, Czech Republic, Denmark, Estonia, Finland, Hungary, Italy, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Sweden, Switzerland and UK);
- NSA is reported as a department/division of the CAA/DGCA: five States (Belgium, Cyprus, France, Germany and Ireland). In all cases the NSAs are reported as functionally separated from the rest of the respective organisations;
- NSA is reported as organisationally or institutionally separated from the CAA/DGCA: two States (Latvia and Spain);
- Others: Malta - The CAA (DCAM) is the nominated NSA but the tasks are actually carried out by one section of DCAM whose head of section reports directly to the DG of DCAM.

Note: For the purpose of the following sub-section, only the NSAs with competencies over civil ATS have been considered.

Areas of Responsibility (aside from certification and on-going oversight of ANS provision):

- ◆ ATCO Licensing: All States but one have already nominated their respective NSAs to assume the tasks assigned to such an authority under Directive 2006/23/EC. The only exception is Portugal, where ATCO Licensing is temporarily under the responsibility of the ANSP until the Law transposing the directive is published (at the time of the report it was with the Parliament, nearing completion of the approval process). Once the Law is published, responsibility will be transferred to the NSA.
- ◆ Engineering & Technical Staff: All States reported having designated their respective NSAs to assume the responsibilities as per Article 8 of Regulation (EC) N° 2096/2005.
- ◆ Access of ANSPs' accounts: 25 States reported having designated their respective NSAs to access the ANSPs' accounts as required by Article 12.4 of Regulation (EC) N° 550/2004. Four States (France, Luxembourg, Netherlands and Portugal) have appointed their Ministries of Finance (or bodies within it) to carry out this task. In the case of Finland, both the NSA and the Audit Office of Finland have access to the ANSPs' accounts.
- ◆ Economic oversight: 26 States reported relying on their respective NSAs to perform economic oversight of the ANSPs. Germany reported that this function was not carried out during the reporting period, while France reported that this will be addressed in 2010. The situation in Norway is unclear according to the respective report.
- ◆ Interoperability:
 - 23 States reported having specifically defined and allocated tasks and responsibilities in accordance with Regulation (EC) N° 552/2004. The remaining six States have reported plans to do this in 2009. In one case, Malta reported that this specific NSA responsibility is performed by the ANSP;

- Among the 23 States that reported having defined and allocated tasks and responsibilities, three States reported not having developed process descriptions defining the supervision of compliance (France, Greece and Norway). France and Norway reported this is a work in progress, while Greece reported awaiting that its NSA becomes fully operational;
- One State (Denmark) reported having developed process descriptions defining the supervision of compliance, however without yet defining and allocating tasks and responsibilities within the NSA;
- Only nine States reported having defined templates for the EC declarations. Among those that have not yet defined templates, four States do not see a need for this, while the remaining ones stated plans for 2009.

Recognised Organisations

- ◆ Currently the NSAs have granted recognition to three organisations in Europe as per Article 3 of Regulation (EC) N°550/2004:

Name of the Company:	State
<i>TÜV NORD CERT and partners</i>	Germany
<i>APAC</i>	Austria
<i>Quality Austria</i>	Austria

Only Quality Austria's services have been used by an NSA (Austria) during this reporting cycle.

Notifications to the European Commission

- ◆ The level of reported notifications to the European Commission of the designated authorities to carry out the tasks listed above does not reach half of the States. This occurs not just in cases when notification can be considered implicit but also in cases when notification was explicitly required by the respective legal text (e.g. by Article 3 of Directive 2006/23/EC).
- ◆ Portugal requested that the European Commission considers this report as their official notification for all the areas concerned.

ECAA States

- ◆ Albania, Croatia and Serbia reported that they established NSAs which are institutionally separated from the respective providers. FYROM reported functional separation. Montenegro reported its NSA as a department within the CAA, while ANS in Montenegro are provided by the Serbian provider - SMATSA; therefore there is a clear separation between the two entities. Bosnia and Herzegovina reported that its NSA is in the process of establishment.
- ◆ None of the ECAA States have defined or allocated tasks to their NSAs in accordance with Regulation (EC) N° 552/2004, nor have the NSAs developed process descriptions defining the supervision of compliance as required by this Regulation. Albania, FYROM and Serbia have reported work in progress with initial results expected in 2009.

Additional information

- ◆ A third of the NSAs took the opportunity of their reports to highlight the general difficulties they faced in fulfilling their tasks and dealing with the additional workload created by the Implementing Rules enacted during the last two years. Difficulties are mainly reported due to lack of financial resources and adequately qualified personnel.
- ◆ In some cases, States reported having already made provisions to incorporate new personnel and develop their competence and skills; however, they expect this to be a gradual process taking up to two years for completion.
- ◆ Only one State made the effort of reporting on all different areas where they experienced difficulties, ranging from safety oversight to lack of guidelines on security requirements at Community level.

Conclusions

Establishment of the NSAs

At this stage, based on the reported data, the institutional and legal arrangements for the establishment of NSAs should be considered as successfully completed, with the exception of Greece.

Areas of Responsibility of the NSAs

Paragraph 2.1 of the Annual Reports detailed the areas of responsibility assumed by the NSAs. Some NSAs have been entrusted with more tasks, such as accessing the ANSPs' accounts, while in some other cases this has been entrusted to different bodies.

France and Germany reported that their respective NSAs are not yet performing economic oversight as required by Annex I of Regulation (EC) N° 2096/2005. Considering that overseeing the financial strength of the ANSPs is one of the Common Requirements and that the question in the Template may have been misunderstood on this point, the two States should further clarify their statements. The information provided by Norway with respect to economic oversight is not clear on whether this function is fully implemented.

The definition and allocation of tasks in respect of supervision of compliance with SES interoperability is progressing, although some delays are noted. According to the reports, by the end of 2009 it should be expected that all States, except for the ECAA States, will have completed the definition and implementation of the specific NSA tasks in the area of interoperability.

Recognised Organisations

Currently the NSAs have granted recognition as per Article 3 of Regulation (EC) N° 550/2004 to three such organisations. Only one NSA (the Austrian NSA) reported making use of one of the recognised organisation during this reporting cycle, to perform part of its tasks.

Human and Financial Resources of the NSAs

The reports clearly highlight that this is currently the main area of concern with regard to the establishment and operation of the NSAs. As previously noted a third of the States reported lack of financial and/or human resources and having concerns for the increasing workload stemming from new legislation.

The reported lack of resources can obviously undermine the NSAs' capacity to perform all their required tasks. Despite these difficulties, it should be highlighted that the same States claimed that they were able to carry out the most important processes (i.e. certification and ongoing verification of compliance) with due thoroughness and respect of the legal obligations. While this can be regarded as positive, it should also be noted that lack of resources can severely impact on effective safety oversight; therefore this particular issue should be reconsidered in further depth in the next reporting cycle.

A few States reported having already made provisions to develop adequate manpower and skills in their NSAs, but that they expect this process to take up to two years. Some States reported that, at their request, EUROCONTROL provides support to their NSAs to develop personnel competence.

It is also surprising that, despite this reported lack of human resources, only one NSA has made use of a recognised organisation to perform part of its tasks. Furthermore, the cooperation among NSAs appears, with some rare exceptions, to be in an incipient stage; some positive cases noted are: the certification of Maastricht UAC in close cooperation among the four States' NSAs; support provided by UK CAA to IAA in the auditing of the MET provider; the Polish and Lithuanian NSAs having conducted joint audits.

Fragmentation of Supervision / Relations between NSAs

The overall analysis brings out the fact that the risk of fragmented regulation, which includes fragmentation of supervision, identified in the 2006 PRC Report 'Evaluation of the Impact of the Single European Sky on ATM Performance', is still very much present. The cooperative approach to ANS supervision is minimal even with the progress of the FAB initiatives.

This also confirms that some recommendations made in that report, *inter-alia* the need to promote regular NSA cooperative forum(s), to improve the recognition process of Recognised Organisations, the European Commission to start peer reviews, etc., are still relevant today. Addressing these issues becomes even more urgent with the forthcoming implementation of the SES II performance scheme. This would require a more concerted approach by the States so that they may eventually meet the forthcoming binding targets in several performance areas.

Military Activities

For those States where the military provide services to GAT, six States declared that their NSAs have competences to supervise military ANS/ATM. In three of these cases, the competences entrusted to the respective NSAs do not cover access to the military ANSPs' accounts nor any economic oversight. In the case of Switzerland, the NSA's competences only cover ATCO licensing. On the other hand, according to the LCIP documents, there are actually 12 States where the military ANS service GAT and are supervised by the States' military authorities; however, it is difficult to conclude from those reports whether such supervision is carried out in maximum compliance with the common requirements, as mandated by Article 7(5) of Regulation (EC) N° 550/2004.

Nevertheless, in most of these States, according to LCIP documents, the military have started to adopt and implement ESARRs, which will most likely contribute to harmonise the respective national requirements with the common requirements. However, the national processes to verify the implementation of ESARRs do not appear to be fully developed and uniform across the different States.

The situation reported by France with respect to DIRCAM is unclear. The French NSA has delegated the oversight of the military ANSPs to this organisation, despite the fact that DIRCAM is not reported as recognised as per Article 3 of Regulation (EC) N° 550/2004. It remains unclear whether this delegation includes full transfer of responsibility to DIRCAM or if final responsibility stays with the French NSA.

Notification of designated authorities to the European Commission

Many States have failed to notify the EC of the nomination of designated authorities to carry out supervisory tasks that stem from different legislative acts. In some cases, this notification is not explicitly specified in the text but in others the notification is clearly mandated (e.g. Article 3.3. of Directive 23/2006/EC).

Recommendations

Establishment of the NSAs

In order to ensure the appropriate supervision of the application of the requirements for the ANS provided in the airspace covered by the SES legislation:

- 1) The European Commission should consider what actions/mechanisms should be put in place in order to ascertain that the NSAs established or nominated by the States are indeed fully operational, legally empowered and adequately resourced to fulfil their tasks;
- 2) The European Commission should clarify with France the situation of DIRCAM, whether this entity is a second NSA or a Recognised Organisation;

Areas of Responsibility of the NSAs

In order to ensure that the service providers fully comply with all of the common requirements and to achieve clear separation between service provision and supervision:

- 3) The European Commission should consider clarifying the situation of several States (France, Germany) which reported not having implemented the economic oversight function in their respective NSAs, or where the reported information was ambiguous (Norway);
- 4) The European Commission should clarify the situation reported by two States (Portugal and Malta) where NSA responsibilities are discharged by the ANSPs in respect of ATCO licensing and interoperability;

Human and Financial Resources of the NSAs

In view of the importance of the tasks entrusted to the NSAs in the implementation of the SES legislation, it is recommended that:

- 5) The European Commission reminds the States which have not yet made the necessary provisions for their NSAs, that it is a legal obligation not only to establish an NSA but also to ensure that it has the necessary authority and resources to carry out its tasks as laid out in the SES legislation;
- 6) Considering the shortcomings reported by some States as regards their NSAs limited resources and the need to ensure harmonised implementation of the SES legislation, the European Commission and the States should put more effort in encouraging the NSAs to cooperate, share best practice, make use of available expertise, *inter alia* of Recognised organisations; and, last but not least, make arrangements for the development of advisory material, where deemed necessary;
- 7) The issues of the adequate resourcing of NSAs and of their competence should be monitored more closely in the next annual reporting cycle, especially having in mind their future obligation under SES II to develop performance plans;
- 8) While the list of areas reported as difficult to implement will not be detailed in this Report, the European Commission should raise this issue with the Single Sky Committee as a priority, considering the serious increase of tasks facing NSAs under the forthcoming SES II performance scheme and SESAR implementation.

Fragmentation of Supervision / Relations between NSAs

- 9) Efforts should be put forth at Community and State levels to overcome the impediments to the implementation of a more cooperative approach. This recommendation, however, does not necessarily imply additional legislative measures.

Notification of designated authorities to the European Commission

Recital 9 of the Regulation (EC) N° 549/2004 (in relation to Article 4) establishes the principle of independence of the designated authorities performing verification of compliance with Community requirements. This should also be ensured in the case of any entity other than the NSAs involved in the supervision of the providers (e.g. as per Article 12(4) of Regulation (EC) N° 550/2004). As this is one of the underlying principles of the SES legislation, States should emphasise their compliance by notifying the European Commission of each such designation (e.g. for the entities designated to access the ANSPs' accounts or to oversee the technical and engineering personnel) even in those cases where a notification is not explicitly required. Based on the foregoing:

- 10) It is recommended that, where the legislation lays down a requirement that States must designate national authorities to carry out specific tasks, the European Commission should clarify if that designation has to be notified to the European Commission even where the legislation does not explicitly require so. Since this may require legislative amendments, the European Commission may prefer to clarify the issue in a communication or by any other appropriate instrument.
- 11) It is also recommended that, to avoid duplication of work, the European Commission accepts the information in the SES Annual Reports as official notification.

2. Certification of ANSPs

More than 212⁶ ANSPs were reported as holding a valid certificate at 31 December 2008.

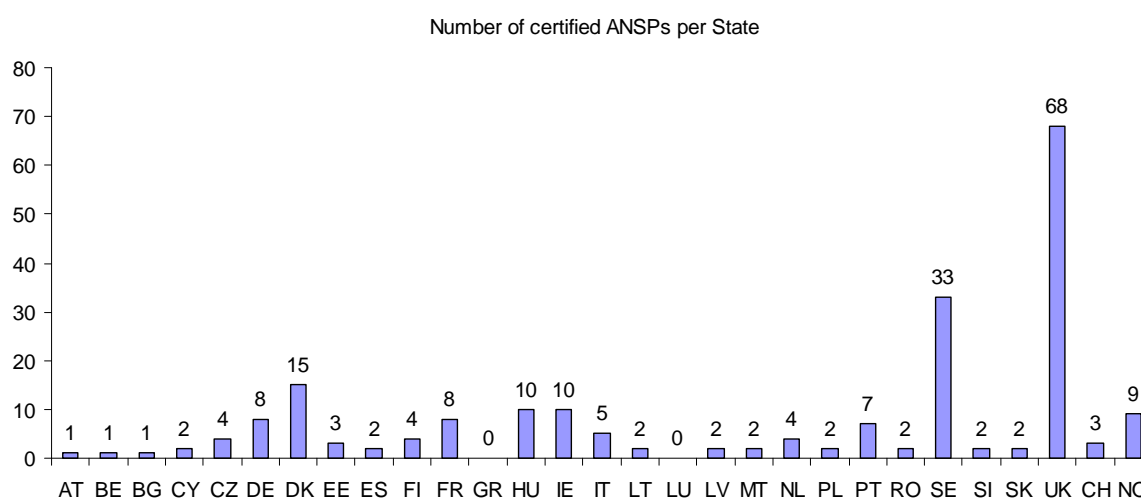
The issuing of many new or renewed certificates demonstrates that the certification process has consolidated since its inception and is now well established.

However, three States (Greece, Luxembourg and Portugal) have not yet fully completed initial certification.

Consolidation

States have reported 212⁷ ANSPs certified in Europe (the full list can be seen in Annex 3).

- ◆ The number of certified ANSPs per State ranges from 0 to 68, as presented below.



The following facts should be noted:

- ◆ Three States have not fully completed the certification process:
 - Greece, where the NSA is not yet operational;
 - Luxembourg has audited its ANSP for the certification process. Finalisation of certification is foreseen for mid-2009;
 - Portugal reported seven non-certified ANSPs, including the fact that no MET provider has been certified yet.
- ◆ Estonia, France, Hungary, Netherlands, Portugal, Romania, Sweden and UK reported having issued new or renewed certificates during the reporting period July 2007 - December 2008;
- ◆ France reported having certified an unspecified number of AFIS providers, however without providing an itemised list or a link/reference to one;

⁶ This figure would increase depending on the number of AFIS providers certified in France, which has not been specified.

⁷ Same comment as above.

- ◆ Four Military ANSPs (CFA, COMALAT, ALAVIA and CEV) have been certified in France. Apart from France, only Belgium reported on the intention of its military services provider to apply for a certificate;
- ◆ As far as multi-national service providers are concerned, Belgium reported that the certification of EAD and EGNOS is under preparation. No other State reported on similar activities for the certification of multi-national service providers.

Services covered by the Certificates

- ◆ The table below provides a cross-reference between the 212 certified ANSPs and the various services for which they have been certified.

Number of ANSPs	Services covered by the certificates			
	ATS / AFIS	AIS	CNS	MET
12				
15				
57				
3				
33				
1				
5				
22				
33				
4				
27				
212	150	32	153	99

- ◆ 150 ANSPs are certified for ATS, of which 36 are for both ATS and AFIS; 44 for ATS only and 70 for AFIS only.

Validity periods of the Certificates

- ◆ The validity periods of the certificates range between two and six years. Four States (Austria, Germany, Netherlands and Slovakia) have declared the validity period “unlimited” subject to verification of ongoing compliance.

Derogations

- ◆ Denmark, Finland, Ireland, Italy, Portugal, Sweden and UK have granted derogations mainly to small airports and AFIS providers, all according to the provisions of Article 4 of Regulation (EC) N° 2096/2005.

Conditions Attached to the Certificates

- ◆ 12 States reported that ANSPs have conditions attached to their certificates. According to the reports, the attached conditions are of a general nature or duplicate requirements already in the legislation.

New Certificates, Revocation, Extension and Renewal of the Validity of Certificates

- ◆ Two revocations were reported by Sweden, of an AFIS and a CNS provider, at their request;
- ◆ Three extensions were reported: by Spain (for AENA); by Poland - PANSA and the Polish MET provider; and Slovenia - for Slovenia Control and the MET provider;

- ◆ Eight States issued new or renewed certificates during the reporting period:
 - Norway reported the merger of two providers: a new certificate was issued;
 - France reported issuing a certificate to CFA, an ATC military provider on 5 December 2008, by the end of the reporting period. France also reported carrying out on-going compliance by DIRCAM on the same provider;
 - Portugal reported that all certificates issued in 2008 are new certificates;
 - Italy reported three new certificates for new ANSPs;
 - Sweden reported 20 new certificates - a number of seven for AFIS/CNS/MET providers and 13 for CNS providers;
 - Lithuania reported a new certificate for a MET provider;
 - Romania renewed the certificate of the main AIS provider;
 - Finland reported renewing the certificate of Finavia.

ECAA States

- ◆ None of these States have yet certified their respective service providers. Two of them (Croatia, FYROM) reported plans to carry out a certification process in 2009.

Conclusions

Certification

Except for the mentioned cases of Greece, Luxembourg and Portugal, the certification processes of the national ANSPs have been successfully completed.

Belgium has initiated preparation for the certification of EGNOS and EAD. No other State reported similar activities in this respect. Currently, the legal basis relates certification with the main place of operations and registered office of the ANSP. This leaves no room for manoeuvre, as the 'host' State will have to issue the certificate, although the process may also involve other NSAs from the other States where the provider operates.

In 12 out of the 29 States, the military authorities provide services to GAT. Although these entities provide services primarily to other than GAT, certification as per Regulation (EC) N° 550/2004 was reported only by France, for four military ANSPs: CFA, COMALAT, ALAVIA and CEV. Belgium reported that its military ANSP is undertaking necessary actions to be certified as per this Regulation. This is good practice to be highlighted.

Although, according to the LCIP documents, most of the military authorities providing services to GAT have made efforts to adopt and implement ESARRs, this has occurred mostly on a voluntary basis and the extent of the provisions implemented by each of them varies. Moreover, it remains unclear to what extent military ANS provision to GAT is indeed aligned to the common requirements, as required by Article 7(5) of Regulation (EC) N° 550/2004. It should be noted that the verification and oversight of these provisions is carried out in a non-harmonised manner across these States, as only six NSAs are actually entrusted with some competencies over military issues.

Services Covered by the Certificates

Altogether, more than 212 ANSPs are reported to hold a valid certificate at 31 December 2008: 150 certificates cover ATS provision, 32 - AIS provision, 153 - CNS provision; and 99 - MET service provision.

Validity Periods of the Certificates

There is a wide variety in the validity period of the certificates. Considering the reported lack of resources of some NSAs, too short validity periods (up to two years) could result in unnecessary extra workload for NSAs and ANSPs, which might affect the business planning process of the providers.

New Certificates, Revocation, Extension and Renewal of the Validity of Certificates

The issuing of many new or renewed certificates demonstrates that the certification process has consolidated since its inception and is now a well established process.

The SES Report Template in accordance with Regulations (EC) N° 550/2004 and N° 2096/2005 reflected that the verification of on-going compliance is an activity which naturally follows the initial verification of compliance and issue of a certificate. In this line, verification of on-going compliance can only be performed in respect of certified ANSPs. Some inconsistencies were herewith noted.

Recommendations

- 12) Considering that the provision of ANS in the Community shall be subject to certification, the European Commission should urge the States which have not yet done so (Greece, Luxembourg and Portugal) to expedite their certification processes as soon as possible;
- 13) Considering the great variety in the duration of validity of certificates, the European Commission and the NSAs should envisage the possibility of harmonising the validity periods, especially in relation to FABs;
- 14) Considering the small number of NSAs entrusted with competencies over military ANS provision to GAT, the European Commission should explore ways in which to ascertain that States that allow provision of such services without certification, as per Article 7(5) of Regulation N° 550/2004, have nevertheless implemented effective measures ensuring that these services are provided in maximum compliance with the common requirements. Furthermore, the European Commission together with the States should explore how to facilitate harmonisation of the supervision of military ANS provided to GAT.

3. Ongoing Compliance

Most NSAs have monitored the ongoing compliance of their certified service providers, although some NSAs did not check all their certified ANSPs as required by law.

As the legal text does not specify what requirements shall be checked annually, some advisory material incorporating good practice should be promoted in order to ensure that compliance is adequately verified/confirmed while giving due consideration to the limited resources of the NSAs.

The two military NSAs reported having verified compliance with the common requirements proportionately with the specific nature of the respective military providers.

Consolidation

Annual Verification of Compliance

- ◆ The States have reported assigning responsibility for the verification of on-going compliance to 33 civil and military NSAs (see Section 1) in the 29 States, meaning that all concerned States with the exception of Greece (NSA not yet operational) have fulfilled this legal obligation. It should be noted that:
 - Out of the 33 NSAs, two of them - the Deputy Chief Air Force Staff Spain and the Ministry of Transport of Latvia - did not produce an inspection programme as per Article 7 of Regulation (EC) N°2096/2005;
- ◆ Several NSAs did not report verifying the on-going compliance of all their certified ANSPs, as required:
 - Netherlands reported having conducted verification of compliance only as part of the initial certification processes (in 2006/2007), therefore not as a post-certification supervisory process;
 - Denmark reported that the MET and AIS providers and the airports providing CNS were not checked for ongoing compliance;
 - France reported that the MET provider and one of the AIS providers were not checked;
 - Malta and Sweden did not check their MET providers;
 - Portugal reported checking only NAV Portugal;

Extent of Verification of Compliance with the Common Requirements

- ◆ Most States reported that their annual verification of on-going compliance covered almost all of the Common Requirements;
 - All requirements were reportedly checked by more than two thirds of the States, including the ANSPs' annual reports and business plans;

ECAA States

- ◆ The first transitional period for the implementation of the SES legislation by the ECAA States covers only separation of regulation from service provision, establishment of an NSA and reconfiguration of the airspace into a FAB. Since, for this reason, there has been no certification of the respective service providers, it is not yet possible to speak of verification of on-going compliance in the ECAA States on the basis of SES legislation.

Conclusions

Annual Verification of Compliance

Almost all NSAs have declared compliance with the requirement to draft an inspection programme. In two States, as mentioned above, some of the NSAs did not produce such inspection programmes. This would indicate that last year the ANSPs under their oversight were not checked for on-going compliance or that this was not based on an inspection programme.

Article 7 of Regulation (EC) N° 2096/2005 stipulates that NSAs shall monitor annually, through inspections, the ongoing compliance of **all** certified service providers, without exception, as this is the effective way to ascertain the conformity of the services with the respective requirements. However, the Regulation specifies neither the number of common requirements nor which of them should be checked on an annual basis; however it requires the inspection programme of the NSA to be based on the “risks associated with the different operations” and on “the evidence at its disposal”. Considering the numerous common requirements and the fact that some of the States have a great number of providers to verify, it would seem essential that NSAs develop efficient inspection programmes enabling them to carry out effective supervision and thus meet their legal obligations in a reasonably balanced manner against their occasionally limited resources.

The two nominated military NSAs, in Denmark and Spain, as well as DIRCAM in France, reported having verified compliance with common requirements proportionately with the specific nature of the providers. This practice should be looked at more closely in order to identify possible ways to harmonise supervision of military service provision to GAT.

Common Requirements

More than two thirds of NSAs reported having conducted verification of compliance with most of the common requirements, including with the ANSPs’ annual plans and annual reports. This would indicate that NSAs are widely aware of the levels of compliance and service of the providers, as well as of their performance compared to the objectives of the respective business plans. The knowledge acquired through this process may be useful to NSAs and ANSPs in the implementation of the SES II performance scheme.

Recommendations

- 15) The requirement for the NSAs to check the on-going compliance of all certified providers should be applied without exception;
- 16) Considering that Regulation (EC) N° 2096/2005 provides no clarity as to what is meant by “risks associated with the different operations” and “the evidence at the disposal of the NSAs”, it is recommended that the European Commission identifies and assesses the existing advisory material or practices on these topics, e.g. in the safety area, for consistency with this Regulation, and that new guidelines are developed if deemed necessary.
- 17) The European Commission should remind the States that, according to the current legislation in force, the verification of compliance is a responsibility of the NSAs and that Recognised Organisations can also be used in this process.

4. Designation

108 of the 150 certified ATS providers have been designated. The reasons for not having designated 41 ATSPs are known in the cases of France and Norway, but would need to be clarified for Germany, Hungary, Portugal, Sweden and Switzerland.

Italy and Luxembourg have designated ATSPs which appear to not be certified. Greece has neither certified nor designated any ATSP.

24 out of the 99 certified MET providers have been designated in 24 States.

No State has designated an ATS or MET provider holding a certificate issued by the NSA of another State.

Consolidation

States have reported 108 ATS providers and 24 MET providers designated in the 29 States (the full lists can be seen in Annex 4 and Annex 5). The following facts should be noted:

- ◆ France reported preparing a change in the national law to allow the designation of the four certified military ATSPs;
- ◆ Kings Bay AS in Norway was reported as not designated, as the region of Svalbard is outside the scope of the EEA agreement;
- ◆ 37 ATS providers of four States (Germany - 5, Hungary - 6, Portugal - 6, Sweden - 19 and Switzerland -1) were reported as certified, but not as designated providers;
- ◆ Italy reported three ATSPs (Italian Air force, SOGEARTO and Aeroporto di Sienna) as designated, which do not appear in the list of certified providers;
- ◆ Luxembourg reported having designated ANA as ATS and MET provider, while this company has not yet been certified;
- ◆ No designation was reported by Greece (where the NSA is not yet operational);
- ◆ No State reported having designated an ATS or MET provider holding a certificate issued by another State;
- ◆ Many States did not reported references of the airspace blocks for which the ATSP and MET providers are designated, or whether these are specified in e.g. AIP or on a website;
- ◆ Germany, Italy and Spain reported that they maintained valid designations of ATSPs preceding the SES Regulations and that they have not issued any new such legal acts or amendments to the existing ones;
- ◆ Only Denmark reported having received an offer for ATS services from an ANSP certified in another EU Member State, namely from Malmö Control.
- ◆ In spite of the large number of ANSPs certified as AIS and/or CNS providers, the reported cross-border provision of these services is limited. Apart from the reported sharing of surveillance (radar) data, some States reported additional cases of cross-border provision; Greece reported providing procedure design and flight inspection services (although the latter is not exactly an ANS) to Albania and Cyprus; and the provision of communication infrastructure for A/G communications to Malta.

Conclusions

Most States have completed the designation process. However, the situation in Germany, Hungary, Italy, Portugal, Sweden and Switzerland needs to be clarified.

Greece has not yet certified any ANSP.

The designation of ANA in Luxembourg should be considered as not valid as Article 8.1 of Regulation (EC) N° 550/2004 specifies that a designated ATS provider has to hold a valid certificate in the Community, which is not yet the case for ANA.

No State has reported having designated an ATSP certified by another State for the provision of ATS within a specific airspace block in the airspace under its responsibility, as per Article 8 of Regulation (EC) N° 550/2004.

The fact that only one State reported having so far received an offer for services from an ANSP certified in another State may be evidence that, although Article 7(8) of Regulation (EC) N° 550/2004 establishes Community-wide recognition of certificates which are issued in accordance with the said Article, neither the States nor the providers have adequately explored and availed themselves of the opportunities of the common market. This fact may also indicate an inconsistency of the information reported by the States against the extent of existing cross-border ANS provision.

In spite of the large number of ANSPs certified for providing AIS and/or CNS, the cross-border provision of these services seems limited. From the reported data, it appears that competition for CNS and AIS provision has not really taken off, despite the provisions in the SES Regulations. As a matter of fact, it would appear that those services are organised and provided under market conditions only to very limited extent.

Recommendations

Although States have discretionary powers in designating ATS and MET providers, they still have to ensure that there is a designated provider in each specific block of airspace under their responsibility. Therefore:

- 18) The European Commission should clarify with Germany, Hungary, Portugal, Sweden and Switzerland the situation in respect of certified but not designated ATSPs;
- 19) The European Commission should clarify with Italy the situation in respect of designated but not certified ATSPs;
- 20) The European Commission should monitor the completion of the designation process in Greece and Luxembourg.

5. Cross-border provision of Air Traffic Services

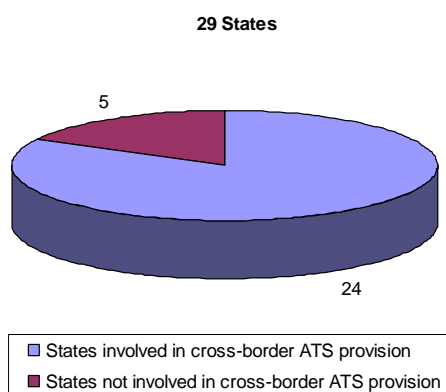
50 State borders (or pairs of States) could be identified as being concerned with cross-border ATS provision, seven of which involve a State not bound (or not yet bound) by the SES legislation.

Little progress seems to have been made in respect of arrangements between States/NSAs for the supervision of cross-border ATS provision, giving the impression that these issues were put as a second priority after the certification and designation processes.

Consolidation

States involved in cross-border provision of Air Traffic Services

- ◆ 24 of the 29 States reported being involved in cross-border provision of Air Traffic Services, i.e. with the exception of Bulgaria, Cyprus, Estonia, Greece and Romania.
- ◆ Four of the six ECAA States also reported on their involvement in cross-border ATS provision (all except for Albania and FYROM).



- ◆ The SES Annual Reports gave evidence that there is quite significant cross-border ATS provision in the airspace under the responsibility of the 29 States. 53 borders (or pairs of States) could be altogether identified as being concerned with cross-border ATS provision. Each border so identified involves one or more airspace blocks under the responsibility of either one of the two States or of both States concerned⁸.

Cross-border reported between pairs involving:	Number of State pairs / borders
- Two of the 29 States	43
- One of the 29 States and one ECAA State	4
- One of the 29 States and a third country	3
- Two ECAA States	3
Total reported State pairs	53

⁸ Due to some apparent misunderstandings of the reporting template (confusion between 'ATS provided TO' and 'ATS provided FROM') and to different granularity in which States reported on cross-border ATS provision, it was not possible to establish a comprehensive list of all areas and providers concerned with cross-border ATS. However, it was possible to determine pairs of States involved in cross-border ATS provision.

- ◆ A large number of cross-border ATS provision is taking place between pairs amongst the 29 States (i.e. under the obligation to recognise each others' certificates). However, seven of the borders concerned by cross-border ATS also involve an ECAA or a third country where mutual recognition of the certificates as per Article 7 of Regulation (EC) N° 550/2004 is not (or not yet) applicable.
- ◆ It is interesting to note that some States reported cross-border ATS provision with other States which, however, omitted to report reciprocally. Indeed, for 18 pairs of States, cross-border ATS provision was reported only by one of the two States involved. This could be an indication of different interpretations of the term 'cross-border'. The consolidated list of State pairs involved in cross-border ATS is presented in the table below.

	State	Code	29 States	ECAA States	T. Country
29 States	Austria	AT	CH, CZ, DE, HU, IT, SI		
	Belgium	BE	DE, FR, LU, NL, UK		
	Bulgaria	BG	No cross-border ATS provision		
	Cyprus	CY	No cross-border ATS provision		
	Czech R	CZ	AT, DE, PL		
	Germany	DE	AT, BE, CZ, DK, FR, LU, NL, PL, CH, SE		
	Denmark	DK	UK, SE, DE, NL		
	Estonia	EE	No cross-border ATS provision		
	Spain	ES	PT		Mauritania
	Finland	FI	NO, SE		
	France	FR	CH, BE, DE, IE, IT, LU, NL, UK		
	Greece	GR	No cross-border ATS provision		
	Hungary	HU	AT, SK		
	Ireland	IE	FR, UK		
	Italy	IT	AT, CH, FR, MT, SI	HR, RS	
	Lithuania	LT	LV		
	Luxembourg	LU	BE, DE, FR, NL		
	Latvia	LV	LT		
	Malta	MT	IT		
	Netherlands	NL	BE, DE, DK, FR, LU, UK		
	Poland	PL	CZ, DE, SE		
	Portugal	PT	ES		
	Romania	RO	No cross-border ATS provision		
	Sweden	SE	DE, DK, FI, NO, PL		
	Slovenia	SI	AT, IT	HR	
	Slovak R	SK	HU		Ukraine
	UK	UK	BE, DK, FR, IE, NL, NO	Iceland	
	Norway	NO	UK, FI, SE		
	Switzerland	CH	AT, DE, FR, IT		Liechtenstein
ECAA States	Albania	AL	No cross-border ATS provision		
	BiH	BA		HR, RS	
	Croatia	HR	IT, SI	BA	
	Fyrom	MK	No cross-border ATS provision		
	Montenegro	ME		RS	
	Serbia	RS	IT	BA, ME	

Green	Reported by both the State and the counterpart State
Orange	Reported only by the State
Red	Reported only by the counterpart State
Black	No SES report from the counterpart State

State-to-State Agreements on the supervision of cross-border provision of ATS

The wording of this section of the Template was rather ambiguous, therefore allowing for different interpretations. Nevertheless, the information provided by the States can be summarised as follows:

- ◆ Only a limited number of arrangements for cross-border ATS provision are reported to be covered by State agreements. All these agreements were concluded prior to the entry into force of Regulation (EC) N° 550/2004; some are in the process of being updated. The majority of cross-border ATS provision seems to be covered only by Letters of Agreement at ACC/ATSP level, in some cases endorsed by the NSAs concerned. However, no approval of these LoAs by the States concerned was reported as sought or obtained⁹;
- ◆ Arrangements between NSAs for ATSP supervision were indicated to be in place only for a limited number of cases of cross-border ATS provision. Moreover, none of these arrangements were reported as addressing the case of non-compliance by the ANSPs with the common requirements (as required under Article 2.4 of Regulation (EC) N° 550/2004). Some States indicated plans to put in place such arrangements but mostly did this in rather vague terms. Some States mentioned that the issue will be tackled in the context of the establishment of FABs;
- ◆ As mentioned in Section 4, no State has reported having designated an ATSP certified by another State for the provision of ATS within a specific airspace block in the airspace under its responsibility as per Article 8 of Regulation (EC) N° 550/2004.

Conclusions

States involved in cross-border provision of Air Traffic Services

The States provided occasionally diverging information on the airspace blocks and on the counterpart States with which they are involved in cross-border provision of ATS. This may be due to different interpretations of 'cross-border ATS provision'. In this respect, the definition added in the forthcoming SES II package to Article 2 of Regulation (EC) N° 549/2004 may bring clarifications: *"cross-border services" means any situation where air navigation services are provided in one Member State by a service provider certified in another Member State.*

That being said, the information collected from the reports shows that cross-border ATS is provided in quite a large number of airspace blocks in the airspace falling under the responsibility of the 29 States.

Some of the cross-border ATS provision involves States which are not bound (yet) by the SES Regulations. The way to handle certification, designation and supervision of ATSPs in cases of cross-border ATS provision by an ATSP from an ECAA State or third country does not appear to have been clarified.

State-to-State Agreements on the supervision of cross-border provision of ATS

From the information collected, it seems that little progress has been made on the supervision of ATSPs in the context of cross-border ATS provision since the entry into force of the first SES package. This issue may have been given second priority on the agenda of the NSAs, after the completion of the certification process. A number of States also reported waiting for further FAB developments to clarify their arrangements in respect of cross-border service provision and supervision.

⁹ This fact is notable although this information was not specifically requested in the Template.

Recommendations

- 21) In order to avoid complications with different liability regimes, States/NSAs should ensure that a proper legal basis is in place for the provision of cross-border ATS and urgently establish the appropriate arrangements for the supervision of ANSPs in this context. This process should commence as soon as possible irrespective of the progress on FABs;
- 22) The European Commission should clarify how to proceed in the case where cross-border services are provided by an ATSP from an ECAA or third country;
- 23) In order to enable the clear identification of the airspace blocks concerned by cross-border ATS provision and monitor the application of the SES Regulations in these blocks, this issue should be followed up in more depth in the next reporting cycle.

6. ATCO Licensing

The implementation of Directive 23/2006/EC is still in its early stages, since most States have only recently finalised its transposition in their national legislation while one third of the States have not yet finalised this.

Consolidation

Transposition

- ◆ 19 out of 29 States reported having transposed Directive 23/2006/EC either by new legal acts or by amending existing ones;
- ◆ Eight States (Czech Republic, Estonia, Spain, Greece, Luxembourg, Portugal, Slovenia and UK) reported being in the process of finalising the respective transpositions;
- ◆ Austria, Belgium, Bulgaria, Cyprus, Denmark, France, Germany, Hungary, Lithuania, Poland and Romania did not report the references to their respective national legal acts or provided rather incomplete information;
- ◆ Denmark and Poland referred to national legal acts that enforced licensing requirements back in 2003 - three years before the Directive was adopted - and provided no other information on the conformity of these acts with the Directive. Estonia also referred to a law promulgated in 2005 and indicated that it should be subject for an amendment by mid 2009;
- ◆ 14 States (Austria, Bulgaria, Cyprus, Germany, Finland, Ireland, Italy, Lithuania, Malta, Netherlands, Norway, Slovenia, Sweden, Slovakia and Slovenia) reported having informed the European Commission about the national provisions made to enforce the compliance with the Licensing Directive. The remaining 15 States reported not having notified details of their respective transpositions to the European Commission;

Training Providers

- ◆ 20 States reported having certified (national) training providers, while Cyprus, Finland, Greece, Luxembourg, Netherlands, Norway, Romania, Spain and UK reported not yet having received any application for certification from training providers. Norway reported having an 'approved' but not yet certified training provider;

Language Requirements

- ◆ 11 States clearly reported having imposed national language requirements: Austria, Denmark, Estonia, Finland, Germany, Greece, Italy, Latvia, Malta, Slovenia, and Sweden. Switzerland reported being in the process of finalising this.
- ◆ For the other States, it is not clear from the reported information whether they impose any national language requirements and, in case they do so, what is the proficiency level they require. It is also not clear whether, for the time being, these States only adopted the ICAO requirements (which are restricted to English language proficiency) and whether they intend or not to proceed with implementing requirements for national languages in the timeframe as foreseen (March 2010).

Medical Requirements

- ◆ Only two States (Netherlands and UK) elaborated on their measures for amending the respective secondary legislation in order to reflect the differences between Annex 1 to the Chicago Convention and EUROCONTROL Class 3 Medical Certification for ATCOs.

ECAA States

- ◆ Until very recently, the ECAA States were not supposed to implement the Licensing Directive and most of them have therefore not yet started to transpose the Directive into national law. In Albania, a licensing scheme is already in place, which is reported as partially compliant with ESARR5. This scheme is now under review with the intention of alignment with the Directive 23/2006/EC.

Conclusions

Transposition

Given the fact that the majority of States reported finalising their transpositions only recently, the effective enforcement of the national legal acts transposing Directive 23/2006/EC is still in its early stages.

It is difficult to understand or to assess what exactly has been done to enforce the requirements of the (EC) Directive in the national legal system when, in fact, a number of States did not provide a reference to their national legal acts, nor reported communicating them to the European Commission as required by Article 20 of Directive 23/2006/EC.

Certified Training Providers

According to the Directive, training, certification and competence are, in terms of safety, among the decisive factors in a licensing system, which is why the provision of training is subject to certification. The fact that, by the end of 2008, one third of the States reported not yet having certified a training provider might indicate a lack of effective implementation of the Directive by those States that continue to allow local training of their air traffic controllers by non-certified training providers.

Recommendations

- 24) The European Commission should assess possible ways in which to support the States in expediting their efforts to transpose the Directive. Furthermore, the States that have not communicated the transposition details to the European Commission should be encouraged to do so, mentioning their corresponding national legislative acts.
- 25) The European Commission should note that the current text of Annex II, Part A of the Directive refers to EUROCONTROL "Guidelines for air traffic controller Common Core Content Initial Training", dated 10 December 2004, while a new EUROCONTROL specification for ATCO Training is already available.

7. Air Navigation Charging

All provisions relating to en-route charges are fully applicable since 1 January 2008 and are largely implemented. Efforts should nevertheless be carried out by the States for the effective application of enforcement measures for the recovery of charges.

The provision relating to terminal charges were only partially applicable at the end of this reporting cycle. Significant progress has taken place with regards to the transparency of costs incurred for the provision of terminal navigation services. The States are now in the process of defining their Terminal Charging Zones and related Unit Rates for full application in 2010.

Only few States have so far made use of incentive schemes.

7.1 En-route

Consolidation

En-Route Charging Zones

- ◆ En-route charging zones were reported to be established in all 29 States. As a general rule, the charging zones follow national boundaries. Each State has established one en-route charging zone covering the airspace under its responsibility, with the exceptions of:
 - Spain and Portugal, which have each established two charging zones¹⁰;
 - Belgium and Luxembourg, which have established one charging zone, covering the airspace under the responsibility of the two States.
- ◆ The established en-route charging zones already existed prior to Regulation (EC) N° 1794/2006.

ECAA States

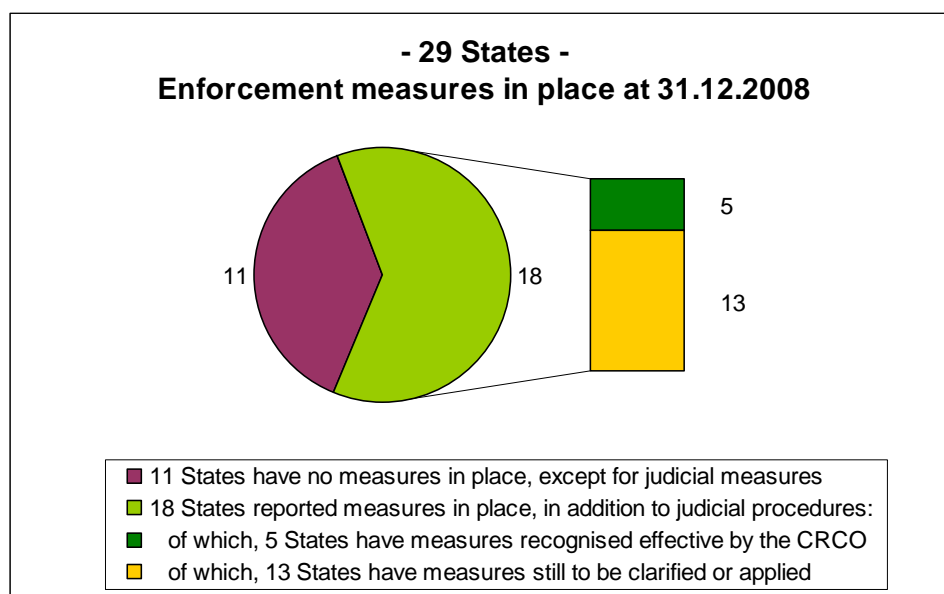
- ◆ Reportedly, the concerned airspace comprises five en-route charging zones, one in each State except for Serbia and Montenegro which have a single charging zone extending over the airspace under the responsibility of both States.

Enforcement measures for the collection of air navigation charges

- ◆ In their SES Annual Reports, 18 of the 29 States reported having enforcement measures in place for the collection of air navigation charges, in addition to judicial procedures.
 - Five of these States reported using these recovery enforcement measures and that they were proven effective by the EUROCONTROL Central Route Charges Office within the Multilateral Route Charges System (detention of aircraft in one State and denial of services in four States).
 - For the other 13 States, the enforcement measures reported in place have not yet been applied within the Multilateral Route Charges System. For three States, the measures have been tested and could not be effectively applied. In all other cases, they remain to be tested and applied.

¹⁰ Note: Portugal: Santa Maria FIR is in NAT ICAO Region.

- ◆ 11 States reported not yet having recovery enforcement measures in place for the collection of air navigation charges in addition to judicial procedures.
 - Two States reported that enforcement measures are in preparation;
 - Three States reported that enforcement measures are being examined;
 - The six remaining States indicated no plans in this respect.



Transparency of the cost-base and of the charging mechanism for en-route

- ◆ Reporting tables and additional information as per Annexes II and VI of the Regulation are provided to the European Commission in application of Articles 8 and 15 of the Regulation;
- ◆ For the EUROCONTROL Member States (25 out of the 27 EU Member States, Norway and Switzerland), these are collected and validated through EUROCONTROL arrangements in application of the "Multilateral Agreement relating to Route Charges". These arrangements also provide for a twice-yearly user consultation. For Estonia and Latvia, the two EU Member States that are not Members of Eurocontrol, the en-route air navigation services costs and unit rates are sent directly to the European Commission;
- ◆ Overviews of data provided for the 2009 route charges and forecast data up to 2013 (status of November 2008) are available on the European Commission website¹¹, together with the detailed information provided by the EU Member States;

For the purpose of the present Report, this information was used to analyse the situation in respect of the implementation of Article 9(4) of Regulation (EC) N° 1794/2006 as regards the reimbursement of ANSPs for the services provided to exempted flights and of Article 12 on incentive schemes, as presented in the two next items below.

¹¹ http://ec.europa.eu/transport/air/single_european_sky/ans/ans_enroute_en.htm

Financing means to cover the costs incurred for services provided to exempted flights

- ◆ Through the above-mentioned reporting tables, the majority of States indicated that ANSPs are reimbursed for the services provided to exempted flights.
- ◆ However, some States seem to indicate that they are still working on this issue (Estonia, Hungary and Sweden).
- ◆ For others, such information was not provided (Finland, Luxembourg, Latvia and Netherlands) or may need clarification (Denmark, Portugal, Slovenia, UK and Norway).

Incentives applied on air navigation service providers

- ◆ Two States reported on the application of incentives on air navigation service providers:
 - UK applies an incentive regime on NATS En Route Plc and on UK Meteorological Office;
 - Estonia reported on the application of an incentive scheme on EANS, which seems to comprise elements of cross-subsidies between en-route and terminal services;
- ◆ France reported plans to adopt an incentive regime from 2010.

Incentives applied on users of en-route services

- ◆ One State, Estonia, reported on the application of an incentive scheme on users of ANS. However, the modalities of this incentive scheme were not detailed and should be further clarified.

Conclusions

En-route charging zones

En-route charging zones are established in all 29 States. These charging zones existed prior to Regulation (EC) N° 1794/2006.

Enforcement measures for the collection of air navigation charges

The information in the Reports and the data available from CRCO shows that not much progress has taken place in this respect since the entry into force of Regulation (EC) N° 1794/2006. In many States, no enforcement measures other than judicial procedures are applicable or have been effectively applied so far. However, the judicial procedures are not cost-effective, since they have proven lengthy, expensive and giving no guarantee that the amounts will be recovered.

Effective enforcement measures applied in the States are for the benefit of the whole community in the context of the collection through a single charge per flight, as in the case of the Multilateral Route Charges System. In this context, each State should bring its contribution to the system. Otherwise, it may be unfair to the States applying these measures - users may be tempted to avoid their airspace, etc. This may even lead some States to reconsider the measures put in place for the benefit of all. Furthermore, these measures would have a greater effect if applied by a critical mass of States, thus making it impossible for bad debtors to operate in Europe.

The reporting of the enforcement measures put in place and the corresponding references to the national legislations by the States through their SES Annual Reports will prove very valuable in making progress towards their effective application within the Multilateral Route Charges System.

Transparency of the cost-base and of the charging mechanism for en-route

Reporting tables and additional information as per Annexes II and VI of Regulation (EC) N° 1794/2006 are provided to the European Commission in application of Articles 8 and 15. The collection and validation of this information is made through EUROCONTROL arrangements in application of the "Multilateral Agreement relating to Route Charges" for all 29 States with the exception of Estonia and Latvia.

The information provided on the financing means to cover the costs incurred for services provided to exempted flights shows that some Member States still need to ensure that ANSPs are reimbursed for these services.

The information provided on incentive schemes shows that, for the moment, very few States are making use of incentives schemes. Apart from UK, which already applied its incentive scheme on ANSPs prior to the entry into force of Regulation (EC) N° 1794/2006, Estonia reported on applying incentive schemes on the ANSP and on the users, which, however, should be clarified.

Recommendations

Enforcement measures for the collection of air navigation charges

- 26) The European Commission should consider reminding the States to ensure the application of enforcement measures in addition to judicial procedures and thereby contribute to a 'collective' system. For this, it may be necessary for the European Commission to clarify that compliance with Article 14 of the Regulation would require effective measures such as denial of services or detention of aircraft, in addition to judicial measures.

Financing means to cover the costs incurred for services provided to exempted flights

- 27) The European Commission may consider requesting Estonia, Hungary, Sweden, Finland, Luxembourg, Latvia, Netherlands, Denmark, Portugal, Slovenia, UK, and Norway to clarify the situation in respect of their application of Article 9(4) of Regulation (EC) N° 1794/2006.

Incentives

- 28) The European Commission may consider requesting Estonia to clarify the modalities of the reported incentive schemes.

7.2 Terminal

Consolidation

Decision not to apply the Regulation to ANS provided at airports with less than 50,000 commercial air transport movements per year (Article 1.5)

- ◆ 15 of the 29 States reported having decided not to apply exemptions to these aerodromes (Austria, Cyprus, Czech Republic, Estonia, France, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovenia, Romania¹² and Norway).
- ◆ One State (Sweden) reported that it has not yet taken a decision on this issue.
- ◆ 13 States reported that they apply or plan to apply exemptions. (Belgium¹³, Bulgaria, Denmark, Finland, Germany, Greece, Hungary, Ireland, Malta, Slovakia, Spain, Switzerland and UK).
- ◆ Out of these 13 States, all but two have provided lists of exempted airports (see Table at Annex 7). Both Bulgaria and Greece have not provided a list of exempted airports but have notified their intention to exempt all airports below 50,000 commercial movements.

Decision not to calculate terminal charges as stipulated in Article 11 and to set terminal unit rates as referred to in Article 13 in respect of ANS provided at airports with less than 150,000 commercial air transport movements per year (Article 1.6)

- ◆ Only one State, UK, reported on its decision to apply Article 1.6 to nine airports below 150,000 commercial air transport movements. It has carried out a contestability assessment, consulted the users and informed the European Commission on 17 December 2008 on the outcome of its contestability assessment and of the consultation with users.
- ◆ Luxembourg had previously informed the European Commission of its decision to apply Article 1.6 to Luxembourg Airport, as also reflected in the "Overview of TNC data for 2009" (status of 22 January 2009)¹⁴. However, the Luxembourg SES Annual Report indicated that such decision is not taken.

Deferral of the application of Articles 9 and 11 to 15 in respect of terminal charges

- ◆ Six of the 29 States (Austria, Czech Republic, Lithuania, Netherlands, Poland and Slovenia) reported not deferring the application of these articles and that they calculate terminal unit rates in accordance with Regulation (EC) N° 1794/2006.
- ◆ Two States (Malta and Slovakia) reported having no airports above 50,000 commercial movements and exempting their airports below 50,000 commercial movements from the application of Regulation (EC) N° 1794/2006:.
- ◆ All other 21 States reported deferring the application of these articles in respect of terminal charges, although for a few States the information provided is somewhat contradictory:
 - Belgium reported deferral until 1 January 2009 only. However, it seems clear that the intention of this State is to defer until 1 January 2010 since it did not report unit rate calculations for 2009 in accordance with Regulation (EC) N° 1794/2006 at the February 2009 consultation hearing.

¹² To be confirmed for Romania

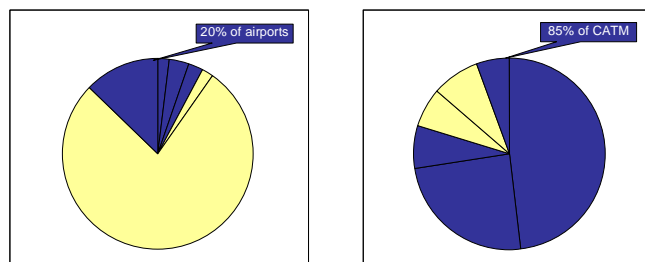
¹³ To be confirmed for Belgium

¹⁴ http://ec.europa.eu/transport/air/single_european_sky/doc/tnc_overview_220109.pdf.

- Bulgaria reported deferring until 31 December 2010. This should probably be read as a deferral until 1 January 2010 with the actual application of Articles 9 and 11 to 15 planned to take place only after Sofia airport will have reached the threshold of 50,000 commercial movements, which is not expected before 2010.
- Estonia, considers the deferral not applicable since it has no airport above 50,000 commercial movements. However, Estonia reported applying Regulation (EC) N° 1794/2006 to the airports below this threshold.
- Luxembourg reported no deferral. However, this State did not report unit rate calculations for 2009 in accordance with Regulation (EC) N° 1794/2006 at the February 2009 consultation hearing.

Terminal charging zones

- ◆ The 29 States reported having established or planning to establish¹⁵ a total of 40 terminal charging zones, covering 283 airports/aerodromes (cf. list at Annex 6).¹⁶
- ◆ The traffic data available from the CFMU database over the years 2006-2008 for these 283 airports shows that they cover around 85% of the commercial air transport movements at airports under the responsibility of the 29 States, while representing only 20% of the total number of airports recording commercial air traffic movements.



Total	Airports	CATM (in % of total)	Covered	Airports	CATM (in % of total)	Exempted	Airports	CATM (in % of total)
>= 150 K	27	48%	>= 150 K	27	48%	>= 150 K	-	-
50-150 K	46	25%	50-150 K	46	25%	50-150 K	-	-
20-50 K	63	14%	20-50 K	35	7%	20-50 K	28	6%
1-20 K	355	13%	1-20 K	142	5%	1-20 K	213	8%
Below 1K	890	1%	Below 1K	33	0%	Below 1K	857	1%
Total	1 381	100%	Total	283	85%	Total	1 098	15%

- ◆ The number of terminal charging zones per State ranges from zero (where all airports are below the threshold of 50,000 commercial movements per year and where the State has decided not to apply the Regulation (EC) N° 1794/2006 to these airports) up to nine charging zones. 19 of the States are establishing one terminal charging zone.

States having no terminal charging zone	3 States
States with one terminal charging zone	19 States
States with two terminal charging zones	6 States
States with nine terminal charging zones	1 State

- ◆ The number of airports/aerodromes per terminal charging zone ranges from 1 to 64.

¹⁵ The majority of States has deferred the application of Articles 9 and 11 to 15 until 2010.

¹⁶ This information was compiled from the States SES Annual Reports and completed with information made available at the TNC consultation hearing of February 2009.

Transparency of the cost-base and of the charging mechanism for terminal

- ◆ Reporting tables and additional information as per Annexes II and VI of the Regulation are provided to the European Commission in application of Articles 8 and 15.
- ◆ An overview of the data provided for the 2009 terminal charges and forecast data up to 2013 (status at 22 January 2009) is available on the European Commission website¹⁷, together with the detailed information provided by the EU Member States.

Conclusions

The implementation of the Regulation in respect of terminal charges seems to be progressing well.

Considerable progress has taken place with regards to the transparency of costs incurred for the provision of terminal navigation services. The provision of detailed and comparable information for terminal costs and charges did not exist at European level before Regulation (EC) N° 1794/2006.

Most States have deferred the application of the calculation of terminal charges until 2010. Nevertheless, the intentions reported in respect of charging zones indicate that commercial flights at airports in Europe are well covered by Regulation (EC) N° 1794/2006 (around 85% of the commercial flights).

The list of exempted airports (Annex 7) may constitute the initial list of exempted airports to be published by the European Commission in application of Article 1.5. It is quite extensive but not yet exhaustive, since lists for Greece and Bulgaria have not been communicated; also, some airports below 20,000 commercial air transport movements may be missing for some States, as well as some airports serviced by a designated ATSP which is not the main ATSP in the State, etc. It would seem appropriate in the future that States provide updates to this list, together with their Reporting Tables.

Recommendations

- 29) The European Commission may consider publishing the list of exempted airports (Annex 7) as a first step in application of Article 1.5. As of now, States should provide updated lists as part of the documentation submitted on terminal costs and charges pursuant to Articles 8 and 15 and published on the European Commission website.
- 30) The European Commission may consider requesting Luxembourg to clarify if the State applies or not Article 1.6.

¹⁷ http://ec.europa.eu/transport/air/single_european_sky/ans/ans_terminal_en.htm

8. Airspace

Nearly all States have implemented Class C airspace above FL 195 and allow access of VFR flights in that airspace.

The reports confirm that the introduction of an artificial division level between upper and lower airspace is not useful as it does not reflect operational needs. This requirement is revoked in SES II.

With respect to the establishment of FABs, it will not be possible for States to declare full achievement of Regulation (EC) N° 551/2004 (the airspace Regulation) until they actually conclude the required mutual FAB agreements between all the States involved.

Consolidation

Full Implementation of Regulation (EC) N° 551/2004

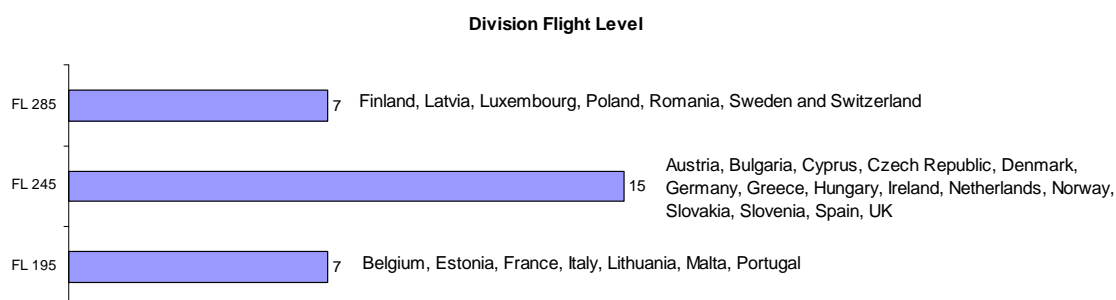
- ◆ States have reported quite differently on their understanding and expectations as regards the full implementation of Regulation (EC) N° 551/2004. Most seem to relate this mainly to the establishment of FABs. However, there are States that report having already implemented it (Bulgaria, Czech Republic), while Romania even claims full implementation at a date (2003) before the enactment of that Regulation. Some States pointed out that full implementation of this Regulation can only be achieved after the adoption of the related implementing rules, which are not yet in place.
- ◆ Germany reported that it does not plan full implementation of this Regulation.

Application of Regulation (EC) N°551/2004 over regions outside ICAO EUR and AFI

- ◆ Two States - Portugal (Santa Maria) and Ireland (the NOTA and SOTA areas) reported applying the airspace Regulation outside ICAO EUR and AFI regions.

Division Level

- ◆ Seven States (Finland, Latvia, Luxembourg, Poland, Romania, Sweden and Switzerland) reported having applied the (still mandatory) division Flight Level 285;
- ◆ 15 States reported applying a division FL 245 based on specific operational circumstances (Austria, Bulgaria, Cyprus, Czech Republic, Denmark, Germany, Greece, Hungary, Ireland, Netherlands, Norway, Slovakia, Slovenia, Spain and UK);
- ◆ Seven other States apply division FL 195 (Belgium, Estonia, France, Italy, Lithuania, Malta and Portugal);



Airspace classification

- ◆ 27 States reported the implementation of Class C airspace above FL 195 and allowing access of VFR flights in that airspace
 - Spain reported that its air rules allow access of VFR flights above FL 200 in the Spanish airspace of EUR Region and FL 150 in the respective AFI Region subject to an ATS clearance. A modification of the rules is in progress in order to replace both references with FL 195;
- ◆ Cyprus and Luxembourg reported not having yet implemented the airspace classification above FL 195. While Cyprus reported it as in progress, Luxembourg reported that its airspace above FL135 is 'delegated' to Belgium and above FL 245 to MUAC;

Additional rules for access or operation of VFR above FL 195

- ◆ 12 States reported having introduced additional rules (Belgium, Denmark, Germany, Greece, Hungary, Netherlands, Poland, Portugal, Romania, Sweden and UK);
- ◆ 22 States reported not to have received request for TSAs;
- ◆ Seven States reported having introduced TSA between FL 195 and FL 280 - (Czech Republic, Germany, Hungary, Romania, Slovakia, UK - TRA and Norway);
- ◆ Three States reported having introduced TSA above FL 285 (Germany, Slovakia and UK);
- ◆ ECAA States - Five of the six ECAA States reported having implemented Class C airspace above FL195, only FYROM has not. Bosnia and Herzegovina, Montenegro and Serbia have also introduced additional rules for access, while Serbia reported having established a TSA.

Conclusions

Implementation of Regulation (EC) N°551/2004

The objectives of Regulation (EC) N°551/2004 are to support the concept of a progressively more integrated operating airspace and to establish common procedures for design, planning and management ensuring the efficient and safe performance of air traffic management. It was not possible to determine from the reports by which date full implementation would be achieved. It would appear that a significant part of the objectives of this Regulation can only be achieved after the adoption of implementing rules or actions by the Community and its Member States which are not yet in place. This currently limits the achievements only to the implementation of the airspace classification, division level between upper and lower airspace and the establishment of FABs.

With respect to FABs, it should not be possible for States to declare full achievement of the airspace Regulation until they actually conclude the required mutual FAB agreements between all the States involved.

Division level

The reports confirm that the introduction of an artificial division level between upper and lower airspace is not useful as it does not reflect operational needs. This requirement is revoked in SES II.

Airspace classification

Most States appear to have achieved the required harmonised Class C classification of airspace above FL 195 and allow access of VFR flights in that airspace, apart from Cyprus and FYROM where work is reportedly in progress. While Luxembourg does not explicitly confirm, it can only be assumed that the airspace above FL 195 is Class C.

Recommendations

- 31) The European Commission should clarify to the States that their annual reports should accurately display the reality as regards the implementation of this Regulation. States should be reminded that they cannot claim achievement or compliance with a legal act before it has come into force;
- 32) The European Commission should clarify with Germany the declared absence of plans as regards full implementation;
- 33) The European Commission should clarify with Luxembourg and Belgium which State is responsible for Luxembourg airspace classification above FL 135.

9. Functional Airspace Blocks (FABs)

One FAB (UK-Ireland) is reported as implemented and eight FAB projects as ongoing. All 29 States with the exception of Latvia are part of a FAB initiative.

Although this aspect goes beyond the defined reporting period, most of the States have planned the implementation of the FABs for a later date than the forthcoming deadline in SES II.

The process for inter-FAB coordination is still in its infancy.

Consolidation

- ◆ One FAB is reported as implemented: UK-Ireland;
- ◆ Eight FAB projects are reported as ongoing in the 29 States area: BALTIC (Lithuania, Poland), BLUEMED (Cyprus, Greece, Italy, Malta, Albania, Egypt and Tunisia), DANUBE (Bulgaria - Romania), FABCE (Austria, Czech Republic, Hungary, Slovenia, Slovakia, Bosnia and Herzegovina and Croatia), FABEC (Belgium, Germany, France, Luxembourg, Netherlands and Switzerland), NEFAB (Estonia, Finland, Sweden, Denmark, Norway and Iceland), NUAC (Denmark - Sweden), Spain - Portugal FAB (Spain - Portugal);
- ◆ Latvia¹⁸ is not associated with any FAB initiative;
- ◆ Two initiatives involve non-SES States: BLUEMED (Albania, Egypt and Tunisia as associated partners, Jordan as observer); FABCE (Bosnia and Herzegovina, Croatia);
- ◆ Three ECAA States are not yet part of any FAB initiative: FYROM, Montenegro and Serbia.

Note: As the PRC Report 'Evaluation of Functional Airspace Block Initiatives and their contribution to Performance Improvement' was published in October 2008 and in order to avoid duplication of information, the current Report focuses on the developments in the FAB initiatives from that date until the end of this SES annual reporting period - December 2008. In order to facilitate monitoring progress of the FAB projects, the States were specifically requested to report the relevant changes in a separate field of the Template. This Report further lists the main changes reported or identified per FAB project.

BALTIC (Lithuania, Poland)

- ◆ The following changes are reported since the previous Annual Report: the creation of a Task Force to conduct/supervise the Feasibility study and the application for TEN-T funding;

¹⁸ However, since March 2009, LGS (Latvia ANSP) is associated with NEAP - the North-Atlantic Providers Consortium

- ◆ Both States reported that the complex geo-political situation of the Baltic FAB area with borders with non-EU States - Ukraine, Belarus and Kaliningrad - creates additional difficulties and consider that support by the European Commission on specific political and financial aspects is necessary. In this respect, Poland reported there is only limited progress made so far in the establishment of Common Aviation Area in the region with Ukraine and Belarus. As an additional impediment to FAB establishment, Lithuania reported the lack of personnel with adequate qualification or experience;
- ◆ Poland and Lithuania are also part of the Baltic ANS Commission (BANC) created originally by the three Baltic States and Poland. Based on work by BANC, the two NSAs share their annual safety oversight plans and perform joint audits;
- ◆ On the subject of 'Joint Designation', the two States reported differently. According to Lithuania, there is no agreement in principle on the joint designation, while Poland refers to the MoC signed in 2004 as the document resolving that issue.

BLUEMED (Cyprus, Italy, Malta, Greece, [Albania, Tunisia, Egypt, Jordan])

- ◆ The information provided was inconsistent among the States, since several identified milestones were not reported by all of the participating States;
- ◆ Malta reported the political commitment of States in November 2008, as well as the successful conclusion of the Feasibility phase and that work on the Definition phase has already started;
- ◆ Greece reported the establishment of a Governing body for the Definition phase;
- ◆ Cyprus reported that a new application would be submitted for TEN-T funding (already done since). On the formal agreement for ANSP supervision, Cyprus informed of the existence of a working package in the Definition phase of the project for this purpose;
- ◆ All States but Greece provided their information as part of the 'FAB Initiative' box in the Template, but did not list these events as 'Changes since the previous Annual Report'.

DANUBE (Bulgaria - Romania)

- ◆ Both States reported as a significant change since the previous Annual Reports that they completed the Feasibility study and are in preparation of a "Preliminary Design Study";
- ◆ There were differences reported in the dates and phases of the project.

FABCE (Austria, Czech Republic, Hungary, Slovenia, Slovakia, Bosnia and Herzegovina and Croatia)

- ◆ Austria and Hungary reported changes since the last Annual Report: three deliverables of the Feasibility study were reported as completed - the Master Plan, Safety Case and Cost-Benefit Analysis. The ANSPs entered into a MoC; a Declaration of Intent by the Ministers of Transport was signed; a Provisional Coordination Council at State level was established. Signature of an MoU between the States is pending;
- ◆ By comparison, the information provided by Slovakia and Czech Republic was incomplete, since it did not reflect all the milestones listed above;
- ◆ Slovenia reported that the MoU between the States was signed in Brussels in December 2008, which contradicts the information reported by Austria and Hungary.

FABEC (Belgium, Germany, France, Luxembourg, Netherlands and Switzerland)

- ◆ All States reported the following coordinated information on the achievement of significant milestones: the Feasibility study was delivered and a Declaration of Intent was signed in November 2008; a Framework Agreement between the seven ANSPs was signed in November 2008;
- ◆ All States declared that the Implementation phase between providers and authorities has commenced and that the institutional framework via a State-level agreement for the FAB is expected to be signed by 2010;
- ◆ Most of the States provided the information above as part of the 'FAB Initiative' box in the template, but did not consider useful listing these events as "Changes since the previous Annual Report".

NEFAB (Denmark, Estonia, Finland, Sweden, Norway and Iceland)

- ◆ The initiative for the project reportedly came from a consortium of ANSPs - the North European ANSPs (NEAP), which includes Ireland;
- ◆ While the texts in the respective reports appear to have been agreed by the States, there are nevertheless some inconsistencies in what was reported. As an example, Denmark has not mentioned its participation in this project, while the rest of the States mentioned Denmark as a participant;
- ◆ Norway reported as a change the launching of the NEFAB initiative and added that regulators met in December 2008 to establish a group of NSAs to coordinate regulatory or political issues in relation to the proposed FAB;
- ◆ Finland reported the completion of the pre-feasibility study and the approval of the Project Management Plan, including budget and resources and that cooperation with the authorities and the military has started;
- ◆ Norway and Finland reported the different developments both as part of the 'FAB Initiative' box and also as "Changes since the Previous Annual Report";

NUAC (Denmark and Sweden)

- ◆ From the two reports, it would appear that NUAC is one of the most advanced initiatives. The two States declared having significant expectations for 2009, as both reported the establishment of the NUAC Company (which should become responsible for ANS provision in 2011-2013) and the Declaration of the NUAC FAB;
- ◆ Both States provided the information above as part of the generic 'FAB Initiative' box in the template, but did not consider useful listing these events as "Changes since the previous Annual Report".

South-West FAB (Spain and Portugal)

- ◆ Both States reported the signing of a Letter of Intent between AENA and NAV Portugal in February 2008 and that an MoU between States, NSAs and ANSPs is expected to be signed shortly;
- ◆ Portugal provided the information above as part of the generic 'FAB Initiative' box in the template, but did not consider useful listing these events as "Changes since the Previous Annual Report".

UK-Ireland FAB

- ◆ The FAB project was launched in 2005 and the FAB was declared fully operational in July 2008;
- ◆ The FAB Management Board, governance and supervisory processes were reported as set up.

Conclusions

One FAB is reported as implemented and eight FAB projects are ongoing. All States with the exception of Latvia are part of a FAB initiative.

With few exceptions, there are inconsistencies in the reported information among the States which are part of the same FAB project. This would point out to deficiencies in the intra-FAB coordination.

From the reported information, it would appear that FAB projects are somehow progressing, to various degrees on a case by case basis, as yet there are no common general principles for the establishment of FABs and no agreed baseline enabling a more rigorous assessment of their progress. It would also appear that FABEC and NUAC are among the most advanced initiatives.

The process for inter-FAB coordination is still in its infancy¹⁹ as there is very scarce information reported in this respect, e.g. UK is an observer in FABEC, IAA is a partner in the NEAP consortium, while Ireland as a State is not involved in the NEFAB. No other State or FAB initiatives have reported on intending to establish coordination with neighbouring FABs.

Although this aspect goes beyond the defined reporting period, most of the States have planned the implementation of the FABs for a later date than the forthcoming deadline in SES II. This situation may have a negative impact on the overall achievement by States of FAB implementation in compliance with the deadline and also with the expectations of the aviation community. The following section elaborates on this issue, having in mind that postponing it for the next reporting period might be inadequate. There is a risk that the complexity of changing already established plans may actually impede the acceleration and completion of the projects by the set deadline.

Deadline in the forthcoming SES II package (3 years after its entry into force ≈2012)

- ◆ BALTIC - the high uncertainty of participation of the Kaliningrad region in the project may impact directly on the added value of the project and also on meeting the deadline;
- ◆ BLUEMED - currently, implementation is planned between 2011/2012 - 2015; this may need revision in light of the set deadline;
- ◆ DANUBE - currently, implementation is foreseen to commence in 2012 and continue step-by-step in 2013+; this timetable may need revision in order to meet the SES II deadline
- ◆ FABCE - while some States (Hungary, Slovakia, Slovenia) claim being able to achieve implementation even before the SES II deadline, according to others (Austria) the situation might be different. Czech Republic did not report on a foreseen implementation date;
- ◆ FABEC - it would appear that FABEC might be able to meet the SES II deadline. Switzerland, however, reported implementation starting in 2014.

¹⁹ It should be noted that there have been efforts, e.g. EUROCONTROL FAB PIM forum, to put more emphasis on this important issue.

- ◆ NEFAB - currently NEFAB reports plans of completing implementation end 2012, within the SES II deadline;
- ◆ NUAC - based on the reported expectation that NUAC Company will start operations in 2009 and provided that the NUAC FAB is established as reported, the project should meet the deadline in SES II;
- ◆ South-West FAB - given the late launch of the initiative, it should be able to meet the SES II deadline only if adequately accelerated;

Recommendations

- 34) The European Commission should urge States that it is not only for the ANSPs to put forth serious efforts towards the full establishment of the FABs. This also applies as regards creating an effective inter-FAB coordination so as to achieve a significant positive effect on the network and manage successfully the wide variety of complex issues that would not be limited only to intra-FAB State boundaries;
- 35) The different initiatives currently demonstrate significant differences in speed and depth. This, however, may be partially streamlined through the introduction in SES II of a deadline for FAB implementation, implementing rules and the new focus on performance-driven and optimised service provision;
- 36) The European Commission, as the regulator, and the States, in carrying out their legal obligations, should collaborate in order to review the current FAB project plans and estimations aiming to minimise the risks of delays in meeting the forthcoming deadline of SES II. The European Commission should assess possible means in supporting the States to manage those risks accordingly;
- 37) The development of implementing rules and guidance material for FABs foreseen in the SES II should be considered as one of the highest priorities in the short-term;
- 38) The Baltic FAB States used their report as a means to communicate relevant issues to the European Commission in addition to discharging their respective annual reporting obligation. This practice should be encouraged as it would allow the European Commission to better streamline its support to States in accordance with their needs and to identify common problems and their possible solutions through enhanced coordination and cooperation;
- 39) The fact that FABCE and BLUEMED involve non-SES States poses the question (also raised in Section 5 (Cross-Border Provision of ANS) on how to handle certification, designation and supervision of the providers which are not bound by the SES Regulations. The European Commission should clarify this issue.²⁰

²⁰ This issue is in transition, as the current text of the amended EASA Regulation stipulates that EASA will issue and renew certificates of organisations located outside the EU territory, subject to the provisions of the Treaty, which are responsible for providing services in the airspace of the territory to which the Treaty applies.

10. Interoperability

The NSAs have altogether received 302 EC declarations of verifications of systems and 160 EC declarations of conformity or suitability for use of constituents. The granularity of identified systems in the EC declarations differs strongly from a State to another, while it is in general consistent for constituents.

In 13 States, the NSAs reported not having received any EC declarations.

Since the entry into force of Regulation (EC) N° 552/2004 (the interoperability Regulation) only one organisation in Europe has been appointed as a Notified Body.

The implementation of the four implementing rules for interoperability published before July 2008 seems to be progressing well:

Regulation (EC) N° 1032/2006 (COTR): good level of implementation;

Regulation (EC) N° 633/2007 (FMTP): seven States reported already compliant. Most ANSPs use the EUROCONTROL FMTP specification as the means of compliance;

Regulation (EC) N° 1033/2006 (IFPL): there is good preparatory work in the perspective of the applicability date of this Regulation on 1 January 2009. The EUROCONTROL specification for IFPL is used by most States as the means of compliance. All States not already compliant have plans to achieve it during 2009.

Regulation (EC) N° 1265/2007 (AGVCS): very good level of implementation.

10.1 NSA responsibilities

The main reported facts, conclusions and recommendations in respect of NSA responsibilities relating to Regulation (EC) N° 552/2004 and its associated implementing rules are covered in Section 1 of this Report.

10.2 Verification of compliance

Consolidation

- ◆ The numbers of received EC declarations of verification of systems reported by the NSAs were very uneven, ranging from zero in the case of 13 States, up to 108 reported by UK;
- ◆ States reported different ways in which they identify their EATMN systems and different granularity. In some cases they are identified at a high level (e.g. ATS system) while in others, systems are quite detailed (e.g. ILS for RWY xx), also encompassing the identification of constituents;
- ◆ There is quite consistent reporting of EC declarations for constituents. Nevertheless, it should be noted that in one case (Portugal), a “New Room of Operations” has been arguably identified as a constituent;
- ◆ Five NSAs (Spain, Ireland, Latvia, Sweden and UK) reported receiving an EC declaration for the same constituent (ParkAir Normarc 7000 ILS);
- ◆ The Polish NSA, while stating that it has not received any EC declaration of verification of systems, however reported being aware of three EC declarations associated with constituents;

Notified bodies

- ◆ There is only one notified body reported, appointed by Spain (INTA - Instituto Nacional de Tecnología Aeroespacial). This is consistent with the information available from the European Commission web site
<http://ec.europa.eu/enterprise/newapproach/nando/index.cfm>

ECAA States

- ◆ No Declarations of verification of systems have been issued in these States, as these requirements are still in the process of transposition. FYROM reports that no system has been put into service since the signature of the ECAA Agreement (May 2006).

Conclusions

13 NSAs reported not having received any EC declarations of verification of systems. This would mean that no new systems or upgrades were put in service and integrated into the EATMN in these States, during the reporting period, which may be considered as unusual.

In the cases where different States received an EC declaration for the same constituent, it should be useful to verify if the declarations were identical or if there were any “national” differences.

The fact that the Polish NSA reported not having received any EC declaration of verification of systems but that it is aware of three EC declarations associated with constituents needs to be clarified as, theoretically, an NSA receives an EC declaration for constituents only through its inclusion in the technical file associated with an EC declaration of verification of systems.

Since the entry into force of Regulation (EC) N° 552/2004, only one organisation in Europe has been appointed as a Notified Body.

Recommendations

- 40) The European Commission should continue supporting the currently on-going work to achieve a harmonised interpretation and granularity of systems further to their present definition in Annex I to Regulation (EC) N° 552/2004.
- 41) The European Commission, in cooperation with the States, should analyse the possible causes and impact of the reportedly very low number of Notified Bodies.

Note: The following sections list noted inconsistencies and cases of reported information that are arguable and may indicate that States have difficulties in achieving a common interpretation of texts of the implementing rules for interoperability.

10.3 Coordination and Transfer (Regulation (EC) N° 1032/2006)

Consolidation

- ◆ Some inconsistencies between neighbouring countries were noted with regard to the implementation of bilateral messages - e.g. Hungary reported having implemented Notification/ABI with all its neighbours, while Romania did not report anything about Notification/ABI available with Hungary;
- ◆ Notification/Initial Coordination was mandatory during the reporting period in cases of putting into service of new systems. However, some of the States where no new systems were put in service during this reporting period reported that they did not implement Notification/Initial Coordination in accordance with this Regulation even if the corresponding OLDI messages are known to be in place. Therefore a reported “NO” should not necessarily mean that these ANSPs do not have an OLDI ABI/ACT implementation, but that they incorrectly assumed that the Regulation was not “applicable” to them in the respective time frame;
- ◆ The Pre-departure notification and coordination process appears as either implemented or under consideration in most of the reports. The implementation of the processes relative to the transfer of communications is not receiving widespread support, with very few plans for deployment only reported by Bulgaria, Denmark, Finland, France and Sweden;
- ◆ With regard to the civil-military coordination processes, no plans were reported to implement any of the optional crossing coordination processes;
- ◆ The vast majority of the States (24 out of 29) use OLDI in order to ensure compliance with the Regulation. Nevertheless, for some of the States which reported “No” to the question because they considered it as not applicable during the reporting period, the EUROCONTROL LCIP documents would indicate the contrary, i.e. that they are to a certain degree OLDI compliant;
- ◆ One State having an ANSP which does not use OLDI internally²¹, however reported having used OLDI to achieve compliance with the Regulation (France). UK reported that compliance is ensured by using the Regulation (EC) N° 1032/2006 directly, without the need of the Community Specification;
- ◆ The ADEXP Specification is reported being used only by 17 out of 29 States, as many of the current systems for coordination and transfer are using the ICAO format;
- ◆ One State (Cyprus) claims to use “verbal coordination” as means of compliance with the Regulation;
- ◆ Switzerland reported that the implementation is ongoing, however without providing any other information or detail as regard what processes they will implement and when.

²¹ Source: LCIP France

ECAA States

- ◆ According to the reports, there is a mixed level of implementation. Some States confirmed compliance with the Notification/Initial Co-ordination processes. Three States (Albania, FYROM and Serbia) reported having implemented coordination and transfer processes report using OLDI as the means of compliance. Some States reported plans to implement transfer of communication processes around 2011/2012.

Conclusions

Overall, there seems to be a good level of implementation of Regulation (EC) N° 1032/2006. However, due to misunderstandings of the legal text or other interpretation issues, some States did not report according to the Template and thus the results provide a slightly incomplete picture:

In some reports (Germany, Romania), there was apparent misunderstanding of the applicability dates vs. entry into force, as well as what must be accomplished before specific dates and what is optional with no defined applicability date. As a direct consequence, some States reported incorrectly that the Regulation was not applicable in the reporting period.

Even if for some processes the mandatory deadline for compliance is 31 December 2012, this does not mean that all the existing systems can be made compliant exactly at that date. The Annual Report template intended to collect relevant information on the levels of awareness and preparatory actions by the States in view of meeting the respective deadline. However, some States did not provide the requested answers and thus prevented the assessment of progress by their respective ANSPs in view of achieving full compliance by the deadline. This information is important in order to have better visibility of the States' preparation to achieve compliance and the lack of it can distort the analysis.

The processes between ACCs and other ATC units are voluntary; therefore the legal text does not specify a compliance date. It is up to the ANSPs to decide whether to implement these processes or not. Some States misunderstood this and assumed that this Regulation was only applicable from 1 January 2009 and therefore did not answer the specific questions. Others included in this section of their reports the connections with neighbouring States' ACCs and did not refer only to exchanges between ACCs and other types of units (APP and/or TWR) as requested. In most of the cases of "No" answers, the systems are in fact using a common database, therefore no specific information exchange process needs to be implemented.

The Basic Flight Data process appears to be considered by some stakeholders as a pure civil-military process, while Regulation (EC) N° 1032/2006 also mandates it for exchanges between ACCs (from 1 January 2009 for new systems and from 31 December 2012 for all systems). However, most States reported their plans only as regards implementation between civil and military units.

The decision by Cyprus to use "verbal coordination" should not be considered as an acceptable means of compliance, since the Regulation lays down the requirements for "automated exchanges of flight data".

Recommendations

- 42) The European Commission should clarify to States that the Annual reports are intended to provide consistent information on their implementation progress, to the extent possible, and not just about meeting the set deadlines. This presumes that States should report consistently on their implementation actions even in advance of the target dates;
- 43) Considering the complexity of achieving a harmonised implementation of this Regulation, the European Commission should take a proactive approach to increase its monitoring to States in this respect, e.g. by providing timely clarifications, identifying the need for dedicated support, promoting enhanced coordination, etc.

10.4 Flight message transfer protocol (Regulation (EC) N° 633/2007)

Consolidation

- ◆ Only seven States (Belgium, Bulgaria, Czech Republic, Denmark, France, Ireland and Slovenia) reported compliance with Regulation (EC) N° 633/2007. As the deadline for compliance of the existing systems is 20 April 2011, many States reported planning system upgrades to achieve compliance in due time;
- ◆ The seven States reported using the EUROCONTROL Specification for Flight Message Transfer Protocol as the means to achieve compliance with the Regulation;
- ◆ 16 out of the 22 States that reported being not yet compliant also intend to achieve compliance by using the above specification. None of the remaining States reported an intention to use alternative means of compliance;
- ◆ One State (UK) reported that it plans to achieve compliance by using the Regulation only, without resorting to the Community Specification.

ECAA States

- ◆ Only one State (Albania) reported compliance by using the FMTP Specification. Serbia reported plans to achieve compliance in 2010.

Conclusions

Apparently, there was once again a misunderstanding of the applicability dates vs. entry into force of the Regulation, as well as of what is mandatory to be accomplished before specific dates and what is only optional, with no defined applicability date. As a direct consequence, some States reported incorrectly that the Regulation was not applicable in the reporting period;

20 April 2011 is the final date by which the States have to ensure that their systems in operation are compliant; however, this does not prevent them to achieve compliance earlier and report on their progress accordingly.

For the time being, only few States reported as being already compliant. However, all remaining States indicated that they have plans to achieve compliance for their existing systems by the mandatory date of 20 April 2011.

Recommendations

- 44) The same recommendations apply as in the case of Regulation (EC) N° 1032/2006 (COTR).

10.5 Procedures for flight plans in pre-flight phase (Regulation (EC) N° 1033/2006)

Consolidation

- ◆ Although the applicability date being 1 January 2009, around half of the NSAs reported having already verified the compliance of their ANSPs with Regulation (EC) N° 1033/2006. Others reported plans to do so in 2009;
- ◆ It should be noted that two States (Germany, Romania) refused to report concrete information under the justification that the rule is applicable only from 1 January 2009;
- ◆ The majority of States reported having already taken action to inform the operators about the Regulation (e.g. publication of AIC); most of the remaining States reported such plans for 2009. However, according to the reports, formal verification of compliance of the operators was not conducted in the reporting period since this provision of the Regulation was not yet applicable;
- ◆ The EUROCONTROL Specification for the Initial Flight Plan was reported as the preferred means of compliance with the Regulation in most of the cases (21 out of 29). Among those not confirming its use, two States reported plans to use it in 2009; two States (Germany, Romania) did not report under the justification that the Regulation is not applicable yet, while another two States reported using either alternative means of compliance (France) or only the Regulation (UK);
- ◆ Switzerland reported that implementation is ongoing, however without providing any other information. Norway also reported being in the process of implementation under a transitional arrangement until June 2009. Norway reported not using the Community Specifications, however stating that they did not identify an alternative means of compliance;
- ◆ Only 16 out of 29 States reported using the ADEXP Specification. Nonetheless, most of the remaining States indicated their plans to use the ADEXP format.

ECAA States

- ◆ None of the States reported compliance with the Regulation. Only Serbia reported plans to achieve compliance by using the EUROCONTROL IFPL Specification as means of compliance.

Conclusions

Based on the reports there appears to be a good level of preparation to meet the applicability date of 1 January 2009. The States not yet compliant reported having plans to achieve it during 2009.

The reported information as regards the measures taken by the States to ensure IFPS compliance show in the majority of cases a misunderstanding of the regulatory requirements and of what the actions by the States should be.

Two States (Romania, Germany) considered the Regulation as not applicable in the reporting period and therefore chose not to provide information. It is therefore reminded that the Report Template intended to collect relevant information on the levels of awareness and preparatory actions by the States in view of meeting the respective deadline. This information is important in order to have better visibility of the States' preparation to achieve compliance and the lack of it can distort the analysis;

Recommendations

- 45) The same recommendations apply as in the case of Regulation (EC) N° 1032/2006.
- 46) The European Commission should clarify what measures States should specifically take in order to ensure compliance with the IFPS Regulation.

10.6 Air-Ground voice channel spacing (Regulation (EC) N° 1265/2007)

Consolidation

- ◆ The reports indicate a fairly good level of compliance from the ANSPs;
- ◆ Greece and Romania reported non-compliance with the conversion requirements, while not informing the European Commission on that issue, as required by Article 3.6 of Regulation (EC) N° 1265/2007. However, it should be noted that there is no deadline for such notification;
- ◆ Switzerland reported that its transposition of the Regulation is not yet in force, but that implementation is ongoing, without providing details.²²
- ◆ France reported with two contradictory statements - while stating compliance of its ANSP, it also indicated in the "Comments" section that compliance is "planned", without providing any other explanations;
- ◆ Only eight States reported notifying the European Commission on the list of transport-type State aircraft not to be equipped within the timeframes specified in the Regulation. Among the rest of the States that have not notified the European Commission, some actually will not need the exemptions, since the concerned aircraft will nevertheless be equipped. 11 States provided no explanation/justification for not notifying the European Commission
 - Greece reported sending annual reports to EUROCONTROL DCMAC;
- ◆ The majority of States reported having issued an AIC to ensure compliance of the operators with the regulatory requirements.
- ◆ 26 States reported not having identified any non-compliance;
- ◆ Three States (Cyprus, Greece and Germany) reported finding non-compliances, while only two of them (Cyprus and Greece) provided some details.

²² However, it should be noted that Switzerland has already imposed mandatory carriage of 8.33 kHz radios above FL 195, as of 15 March 2007. Since there are no sectors that can be converted from 25 kHz to 8.33 kHz, it may be considered that Switzerland is already in *de-facto* compliance with the Regulation. Reference: EUROCONTROL website.

ECAA States

- ◆ FYROM reported having achieved compliance with the Regulation since 2003 in the context of the EUROCONTROL programme. Albania and Serbia reported compliance with the Regulation.

Conclusions

According to the reports, there seems to be a quite good level of implementation. This conclusion is supported by the results of the latest ICAO FMG Block-Planning 26th meeting (December 2008), which had confirmed a high success rate for the requested frequency conversions (~100%, 26 out of 26).

The reports sent by Greece to EUROCONTROL DCMAC do not discharge the State of the legal obligation to report to the European Commission.

France should clarify whether its compliance is actually achieved or only planned and, in the latter case, provide details of its plans.

11. Consultation of Stakeholders

All States reported having established consultation mechanisms for the appropriate involvement of stakeholders in the implementation of the Single European Sky. These mechanisms are formalised in most cases.

Consolidation

Establishment of Formal Consultation Mechanisms

23 out of 29 States reported having implemented consultation mechanisms as required by Article 10 of Regulation (EC) N° 549/2004. The following facts are noted:

- ◆ Two States provided rather ambiguous information:
 - Malta reported having a formal consultation mechanism; however, it stated that during the reporting period it consulted only the ANSP, and that this was done only informally;
 - Denmark gave a Y/N non-answer, but then detailed a formal mechanism of consultations with ANSPs and the military before each Single Sky Committee meeting;
- ◆ Four States reported not to have a formal consultation mechanism:
 - Czech Republic reported no formal arrangements but the existence of intergovernmental consultation groups and meeting fora;
 - Greece reported no actions yet, pending the upcoming full establishment of the NSA;
 - Hungary reported no mechanism in place, but that nonetheless ANSPs, airports and staff representatives are consulted;
 - Slovenia reported no formal mechanism yet in place, but that there is nevertheless ad-hoc consultation with the ANSP;
- ◆ Six States (Austria, Belgium, Bulgaria, Norway, Slovakia and Spain) reported details of their respective national legal basis establishing the consultation mechanisms;
- ◆ Netherlands, Poland, Spain and UK only specified the mechanism by its name; Denmark, Poland, Sweden and UK also provided information on the frequency of the meetings;

Stakeholders Involved

- ◆ A great majority of States reported having consulted the ANSPs, military, airports and airspace user representative organisations during the reporting period;
- ◆ Two thirds of the States reported to have consulted the professional staff representative bodies - those that did not are Bulgaria, Denmark, Finland, Greece, Hungary, Ireland, Luxembourg, Malta, Sweden, Switzerland;
- ◆ 11 States reported including the manufacturing industry in their consultation mechanisms (Czech Republic, Germany, Estonia, Finland, Italy, Netherlands, Norway, Slovakia, Spain, Sweden, UK), while four States replied "N/A" (Cyprus, Latvia, Lithuania, Slovenia), and 12 others reported not having consulted the manufacturers;
- ◆ Three States reported that their consultations also included other stakeholders - e.g. Bulgaria involved the airfield administrators, Czech Republic listed various bodies and Luxembourg listed local groups on noise abatement;

- ◆ Denmark, Poland, Sweden and Netherlands reported that their consultations precede the Single Sky Committee meetings.

ECAA States

ECAA States consultation of stakeholders is not among the requirements for the first transitional period of the agreement. However, Albania, Montenegro and FYROM reported conducting informal consultation with most or some of the stakeholders. Serbia reported conducting consultation via correspondence and/or by joint working groups with various stakeholders.

Conclusions

Establishment of Formal Consultation Mechanisms

Based on the reports, it would appear that the States have generally put in place formal and regular consultation mechanisms, however with practices which vary significantly from one State to another. The reports reveal that consultation covers in broad terms SES legislation as a whole, SESAR, FABs, airspace policy, ATCO licensing, installation of new systems, etc.

Some States (Poland, Portugal, Spain, Netherlands and UK) apparently have implemented sound mechanisms with appropriate national legal basis, institutional arrangements and wide coverage of topics. Some States opted to establish consultation processes in relation to the Single Sky Committee meetings, thus creating a regularity of consultations and continuity of the information flows with their respective stakeholders.

However, some reports only provided too brief information (Belgium, Czech Republic, Denmark, Hungary and Italy). Some reports lacked any references either to the national act that established the mechanism, to the nature of the mechanism, to the topics or to the frequency of the meetings. All this impedes a firm conclusion on how effective the mechanisms are.

The data provided by some States (Czech Republic, France and Bulgaria) was slightly ambiguous and does not allow drawing clear conclusions as to whether the mechanism is implemented.

The open-ended text in Article 10 of Regulation (EC) N° 549/2004 actually facilitates the scarceness of reported data in this respect. Pursuant to that, it is difficult to ascertain the degree to which these mechanisms indeed provide for effective, timely and consistent consultation between all relevant stakeholders within the frame of the States' participation in the definition and implementation of SES.

Recommendations

- 47) The European Commission should encourage the States to maintain and improve the consultation mechanisms, as these represent one of the main foundations of effective implementation;
- 48) In relation to the upcoming SES II, given the need for timely sharing of information and combined efforts by all involved in the achievement of the performance targets, the European Commission may consider establishing a practice by which States and all relevant stakeholders would meet regularly in a wide consultation forum;
- 49) Also in relation to the upcoming SES II, the European Commission should assess the possibility of supporting the creation of inter-State consultation forums involving all relevant stakeholders - the FAB projects being the obvious first choice. However, given the wide variety of consultation areas in respect of SES definition and implementation, some of the existing forums could be adapted and used to this purpose.

12. Implementation of Flexible Use of Airspace

12.1 National Organisation and Responsibilities at the Three Levels of FUA

12.1.1 Strategic Airspace Management - Level 1

While overall implementation of FUA at ASM Level 1 appears positive, the role of the persons or organisations responsible for execution of the tasks under Strategic ASM seems to be misunderstood in many cases.

A significant number of States did not establish any mechanisms to assess their national airspace structures and route networks with the aim of planning for flexible airspace structures and procedures.

So far, more than half of the States have not notified the European Commission about the identified persons/organisations responsible for all the tasks listed in Article 4.1 of Regulation (EC) N° 2150/2005.

Consolidation

- ◆ 24 out of 29 States reported having implemented Flexible Use of Airspace (FUA) at ASM Level 1. Cyprus, Ireland, Malta and Slovenia did not yet implement FUA at ASM Level 1, while Denmark provided an ambiguous Y/N answer;
- ◆ 24 States reported having established a High Level Airspace Policy Body²³, while the remaining five have not yet identified one (Finland, Latvia, Lithuania, Malta and Slovenia);
- ◆ Seven States (Cyprus, Hungary, Lithuania, Luxembourg, Norway, Spain and Slovenia) reported not having established ASM/ATFM consistency measures;
- ◆ Six States (Cyprus, Lithuania, Luxembourg, Norway, Spain and Slovenia) reported not yet having established ASM/ATS consistency measures;
- ◆ More than half of the States reported not having notified the European Commission about the identified persons/organisations responsible for all the tasks listed in Article 4.1 of Regulation (EC) N° 2150/2005;
- ◆ Six States (Cyprus, Luxembourg, Malta, Denmark, Norway and Slovenia) reported not to regularly review and address the users' requirements;
- ◆ According to the reports of six States (Cyprus, Estonia, Luxembourg, Malta, Norway and Slovenia) the respective processes of approval of airspace reservations or restrictions is not performed by the body which should have this responsibility in accordance with the Regulation;
- ◆ Eight States (Cyprus, Hungary, Estonia, Ireland, Luxembourg, Malta, Norway and Slovenia) reported not having defined temporary airspace structures and procedures to offer multiple airspace reservations and route options;
- ◆ Ten States (Cyprus, Bulgaria, Estonia, Ireland, Luxembourg, Malta, Greece, Netherlands and Slovenia) reported that they did not establish criteria and procedures providing for

²³ Article 4 of Regulation (EC) N° 2150/2005 requires that Member States identify and notify to the Commission those persons or organisations which are responsible for execution of the tasks under Strategic airspace management (level 1). It does not explicitly mention a "High-Level Policy Body", which should be considered as one of the possible means of compliance. Based on known practice in the implementation of FUA, the reporting template requested information on whether States have implemented a "High-Level Policy Body", which, in this context, should be interpreted as a person or an organisation responsible for execution of the tasks under Strategic airspace management (level 1).

the creation and use of adjustable lateral and vertical limits of the airspace. Another three States (Spain, France and Denmark) reported it as done only partially;

- ◆ Eight States (Cyprus, Malta, Luxembourg, Latvia, Netherlands, Norway, Slovakia and Slovenia) reported that they have not assessed their national airspace structures and route networks with the aim of planning for flexible airspace structures and procedures;
- ◆ 11 States declared that they have not yet established assessment mechanisms for FUA performance, however that they plan to do so in the future. 12 States reported not performing a periodical review and revision of airspace procedures, as required, based on the outcome of a FUA performance assessment;
- ◆ 21 States reported having established mechanisms to archive data concerning the requests, allocation and actual use of airspace structures for further analysis and planning activities;
- ◆ Only 12 States reported having abandoned imposing permanent airspace restrictions. The majority of States indicated that they also intend to do so.

ECAA States

- ◆ Only Croatia reported having implemented FUA at ASM Level 1. None of the States have yet established a High Level Policy Body²⁴, while they all noted plans to do so. Albania, Croatia and FYROM reported conducting regular reviews and addressing all users' requirements. No State has defined temporary airspace structures or established mechanisms to assess the performance of FUA operations, although the majority reported having implemented FUA at ASM Level 3 and one State at ASM Level 2, while the others stated that they also provide FUA at ASM Level 2 by other means.

Conclusions

Overall, the consolidated results of FUA Level 1 implementation appear to be positive. However, the role of the persons or organisations responsible for execution of the tasks under Strategic ASM seems to be misunderstood in many cases. Wherever civil and military users co-exist, at least some of the responsibilities set forth in Article 4 should be implemented.

Consequently, the States which have not yet introduced FUA at ASM Level 1 but where the civil and military users nevertheless share the national airspace (e.g. Cyprus, Ireland, Malta and Slovenia) also need to discharge at least part of the FUA requirements at ASM Level 1. In such cases, the persons or organisations responsible for execution of the tasks under Strategic ASM do not necessarily have to be high profile (ministers or designates), as in some States. As an example, this could be arranged through a non-permanent body, where the tasks are performed by the Ministry of Transport with the agreement of the Ministry of Defence (as in the case of Lithuania).

It is unclear why several States did not establish ASM/ATFM or ASM/ATS consistency measures; this should be further clarified.

Almost half of the States reported not to review and address regularly the users' requirements, which is one of the main task of Strategic ASM Level 1.

In six States, the process of approval of airspace reservation or restriction is not performed by a specifically identified body responsible for the execution of the tasks under Strategic ASM (such as a HLPB), which raises the question of how those States actually approve or have approved such reservations/restrictions;

²⁴ See previous footnote.

According to the reports, the States are progressing well in establishing the criteria and procedures providing for the creation and use of adjustable lateral and vertical limits of the airspace. An outstanding question should be - as this is not clear from the reports - to which extent of modularity is this performed, e.g. is a TRA divided only laterally into two sub-modules? Or is it divided into more sub-modules (e.g. 10) or in vertical sub-modules, so as to provide for different possible scenarios of activation with regard to the set of CDRs that would facilitate those scenarios?

The task to assess the national airspace structures and route network with the aim of planning for flexible airspace structures and procedures should be further clarified, as it should be looked at in a wider context, i.e. with due consideration of TSA/TRA airspace structures planning, design and allocation with regard to or as a function of the ATS route network performance.

Recommendations

- 50) The European Commission should address the situation where 11 States have not established assessment mechanisms for the FUA performance and encourage these States to expedite implementing such mechanisms;
- 51) The European Commission should consider whether any specific clarification or dedicated support is needed by the States which have not yet introduced FUA at ASM Level 1 but where the civil and military users nevertheless share the national airspace (e.g. Cyprus, Ireland, Malta and Slovenia), so that these States implement the FUA requirements at ASM Level 1 which are respectively necessary.

12.1.2 Pre-Tactical Airspace Management - Level 2

Overall, the reports provided evidence of good progress of implementation of FUA Level 2.

The implementation of an Airspace Management Cell (AMC) is necessary wherever any kind of civil - military interaction exists (e.g. interaction with air defence activity); otherwise, the States should at least establish a focal point for that function.

Once in place, the AMC should be a joint civil - military entity regardless of whether there is integrated civil-military ATS provision.

Consolidation

- ◆ 25 out of the 29 States concerned reported to have implemented FUA at Level 2;
- ◆ Four States reported that they have not implemented it: Cyprus, Ireland, Malta and Slovenia;
- ◆ 22 States reported having established an Airspace Management Cell;
- ◆ Malta is the only State that reported having no plans to introduce an AMC;
- ◆ 24 States reported that the airspace is allocated in accordance with the conditions and procedures defined in Article 4.1 of Regulation (EC) N° 2150/2005;

ECAA States

- ◆ Only Serbia reported having implemented FUA at ASM Level 2, as well as a joint civil-military airspace management cell. Nevertheless, all of the States claim to provide the ASM Level 2 functions of the AMC through other means.

Conclusions

Overall, the reports provided evidence of good progress of implementation of FUA Level 2;

A similar conclusion can be drawn as regards the establishment of joint civil-military AMCs. Nevertheless, it should be emphasised that AMCs should be joint civil - military bodies, even where a civil ANSP provides integrated CIV/MIL ATS;

24 States reported that airspace is allocated in accordance with the conditions and procedures defined in Article 4.1 of Regulation (EC) N° 2150/2005, which shows that implementation is progressing. Some of the remaining States declared having no need to define such conditions and procedures; this however may need further attention.

Recommendations

- 52) The European Commission should clarify to States that, whenever there is any form of interactive civil/military airspace utilisation, they should implement some form of ASM Level 2 (planning for airspace reservation);
- 53) It should be also clarified that even if a State considers the implementation of a fully fledged AMC as not necessary in that particular case,, some form of airspace management coordination is nevertheless necessary, e.g. through a focal point ensuring effective implementation of the required ASM Level 2 functions.

12.1.3 Tactical Airspace Management - Level 3

The reported information evidences good overall results of implementation of the required actions.

Absence of information exchange on aircraft position in two States is a potentially critical safety issue.

25 States reported to release airspace reservations as soon as activities cease, which should be considered as a satisfactory level of implementation.

Consolidation

- ◆ 26 States reported having implemented FUA at Level 3, while Cyprus, Malta and Slovenia reported not having implemented it yet;
- ◆ 23 States reported having ensured coordination procedures and communication facilities allowing for the real-time activation, de-activation or reallocation of airspace allocated at pre-tactical FUA level 2;
- ◆ 23 States declared having established coordination procedures to ensure the timely and effective exchange of any modification of planned airspace reservations and the adequate notification of all affected users;
- ◆ 17 States reported having established coordination procedures allowing for direct communication of relevant information in order to resolve specific traffic situations where civil and military controllers are providing services in the same airspace;
- ◆ Ten States reported not having established coordination procedures between civil and military controllers. The rationales provided vary from the fact that there is no requirement for coordination or exchange of information as the civil and military airspace is segregated (Hungary, Bulgaria, Poland) up to that very few military flights are executed in the mixed environment and, therefore, no coordination facilities or exchange of aircraft

position/intention are required (France). This particular issue and the respective rationales will be followed-up for further clarification in the next reporting cycle;

- ◆ Two States, Cyprus and Greece, declared not to exchange information on position of aircraft at all;
- ◆ Four States, Cyprus, Greece, Romania and Sweden reported not to exchange information on the flight intentions of the aircraft;
- ◆ 27 States declare to release airspace reservations as soon as activities cease, while Cyprus and Malta reported not applying this practice.

ECAA States

- ◆ All States with the exception of Bosnia and Herzegovina reported having implemented FUA on ASM Level 3. Procedures allowing real-time activation/de-activation/reallocation of airspace reportedly do not exist in FYROM and Serbia. Also, with the exception of Serbia, the rest of the States reported having established coordination procedures ensuring the timely exchange of modifications of planned airspace reservations. Albania, FYROM and Serbia reported to be releasing their airspace reservations as soon as the needs for a reservation cease.

Conclusions

The reported information provides evidence of positive overall results of implementation of the required actions. However, some serious non-conformity must be pointed out.

The States that reported not ensuring coordination procedures and communication facilities to allow for real-time activation, de-activation or reallocation of airspace allocated at pre-tactical FUA level 2, may have misunderstood the question in the Template, which actually did not refer only to whether the civil controller and the air defence controlling unit are able to communicate and coordinate. Where such coordination exists, this should be sufficient to allow for real-time airspace de-activation. However, any real-time airspace activation or reallocation requires a consistent and coordinated process between all the ASM partners, i.e. Approved Agencies and AMCs.

In those States where, for non-transparent reasons, there is no or only limited coordination between the civil and military controllers, the main principle of FUA - i.e. that there is no exclusive 'civil' or 'military' airspace use - does not seem to be understood. In any 'mixed' airspace environment, the absence of direct communication between the civil and military controllers limits the FUA concept application and may lead to critical safety occurrences.

Even in cases of airspace which is completely segregated for military operations, which is the least preferred solution, there can always be situations (e.g. due to adverse weather conditions or any other unexpected situation), when suddenly either the civil or the military aircraft, or both of them, may need to divert from their originally planned flight trajectories and thus accidentally enter the airspace in which the other aircraft operates. In such cases, two-way communication and coordination between the civil and military controllers entailing corresponding exchanges of position information and of flight intention information are absolutely critical.

The reported information by 25 States to release airspace reservations as soon as activities cease represent a satisfactory level of implementation.

Recommendations

- 54) The European Commission should consider the noted potentially critical safety issue and envisage a dedicated assistance to those States that do not exchange information

on the position of aircraft and information on flight intentions. These elements must be considered critical to successful application of FUA and will be followed-up for further clarification in the next reporting cycle.

- 55) There is need to emphasise the critical importance of establishing coordination procedures permitting direct communication of relevant information in order to resolve specific traffic situations or concerns wherever civil and military controllers are providing services in the same airspace.

12.2 Cooperation between States at the 3 levels of FUA

12.2.1 Strategic Airspace Management - Level 1

The majority of States do not coordinate their airspace policy with neighbours. However, all cases of cross-border air traffic (civil or military) do require policy coordination.

Establishment of CBAs and sharing of TSAs/TRAs shows a relatively encouraging trend. The absence of a cross-border area (CBA) in 17 States may be justified by, *inter-alia*, low military activity, large non-congested airspace, etc.

The reported information gives evidence of a significant area for improvement in the sharing of Temporary Segregated Areas (TSA) and Temporary Reserved Areas (TRA).

Where there is reported absence of Cross-border Conditional Routes, this may be justified as the need for a cross-border CDR arises only when there is TRA/TSA located close to a common State border.

Consolidation

- ◆ Only 14 States confirmed that they coordinate their airspace management policies with the respective neighbouring States in order to jointly address the use of cross-border airspace structures;
- ◆ 12 States reported sharing of Cross-Border Areas;
- ◆ 12 States reported having established cross-border CDRs;
- ◆ Six States (Bulgaria, Germany, Estonia, Latvia, Netherlands and Switzerland) reported having established a common set of standards with their respective neighbours for separations between civil and military flights in cross-border activities.

Conclusions

Around half of the States reported not to coordinate their airspace policy with their neighbours, which impacts negatively on the achievement of the objective to better accommodate the needs of the airspace users. In order to fulfil that objective, airspace policy should be a cooperative exercise by the concerned States in all cases of cross-border air traffic (civil or military).

CBAs are reported as established by 12 States, which should be seen as relatively good progress. The States that reported not having established CBAs provided various rationales for not doing so (e.g. low military activity, large non-congested airspace, etc);

The reported sharing of TSA and TRA would also indicate an encouraging trend. However, it should be noted that there is still room for improvement, in particular in the core area of the European Network. Also, the absence of such shared areas may be due to the type of the operations in the States concerned (e.g. low military activity, large non-congested airspace, etc.).

The reported relatively low number of cross-border CDRs can be explained by the fact that the need for such routes arises only where there is a TRA/TSA located close to a common State border.

Recommendations

- 56) The European Commission should encourage States to continue their efforts in establishing and maintaining sound mechanisms for the cross-border policy consultation, as this is one of the main foundations of effective FUA.

12.2.2 Pre-Tactical Airspace Management - Level 2

The low number of a joint or multinational AMCs should be considered as normal under the underlying circumstances, as the requirement for such an AMC applies only in cases where there are established CBAs.

However, the reports provide evidence of an encouraging trend, since a number of States that have responded negatively also stated their plans to address this issue, in particular through the FAB initiatives.

Consolidation

- ◆ Two States (Ireland and UK, with UK having the lead AMC role) reported having established a joint or multinational AMC;
- ◆ Sweden reported having appointed a leading AMC for a cross-border area which is to be handled by Finland;

ECAA States

- ◆ None of these States reported to have a joint multinational cell at ASM Level 2. However, it is positive to see that, reportedly, in Serbia, the ASM Level 2 for both Serbia and Montenegro is done by a Joint Airspace allocation unit within SMATSA in ACC Belgrade; however, this joint entity is not yet verified by responsible bodies. Croatia reported plans to implement multinational cells as part of FABCE.

Conclusions

The situation so far should be considered as normal under the circumstances, since a joint or multinational AMC applies only for those States that have established CBAs. While no recommendations are made, this issue will nevertheless be followed up in more detail in the next reporting cycle.

Nine States, namely Belgium, France, Germany, Ireland, Lithuania, Netherlands, Romania, Slovakia and Slovenia reported that they expect to establish joint or multinational AMCs within their respective FABs. Other States reported either not having plans for its introduction or did not provide any comments.

12.2.3 Tactical Airspace Management - Level 3

The reported situation should be considered as normal under the underlying circumstances, similarly to the previous section. A number of States plan to address this issue through the respective FAB initiatives.

Consolidation

- ◆ Nine States (Belgium, Denmark, Estonia, Germany, Italy, Latvia, Lithuania, Netherlands, Switzerland) reported having established a common set of procedures to manage specific traffic situations and/or to enhance the real-time airspace management between civil and military units involved in or concerned with cross-border activities;
- ◆ 20 States reported negatively. Greece, Ireland, France, Romania, Slovakia and Slovenia are planning to address this issue through their respective FAB initiatives. Finland and Sweden plan to define it in connection with the creation of the common cross-border military training area, while Poland is in initial talks with Czech Republic;
- ◆ Bulgaria, Cyprus, Czech Republic, Hungary, Luxembourg, Malta, Norway, Spain and UK reported having neither a need nor plans at this stage.

ECAA States

- ◆ Similarly to the situation of ASM Level 2, all States reported not having implemented the concerned requirements.

Conclusions

The reported situation should be considered as normal under the underlying circumstances. A number of States plan to address this issue through the respective FAB initiatives. This will be followed up in the next reporting cycle.

12.3 Safety Assessment

The reports would indicate a generally positive situation. However, there should be no exception in applying the safety management process whenever there is a change within the application of the FUA concept.

Consolidation

- ◆ 23 out of 29 States reported having established a safety management process in order to conduct all safety assessment activities prior to the introduction of any changes to the FUA operations;
- ◆ The States that reported not having yet established such a safety management process are: Hungary, Luxembourg, Latvia, Malta, Norway, Slovenia and UK. However, UK reported that the major ANSP (NATS) currently employs an in-house system of safety assessment (LTC ATC Procedures Safety Assessment - LAPSA) and any FUA change would be managed and overseen by a special body - ASSG-B (a sub-group of the ASSG);
- ◆ Three of the States mentioned in the previous bullet (Hungary, Latvia and Slovenia) reported that they are in the course of establishing a safety management process.

ECAA States

- ◆ None of the States reported having established a safety management process. Croatia is waiting for the establishment of a National ASM board. Serbia has introduced the procedure in the safety assessment manual, but that it has not yet been effectively implemented by the responsible body. FYROM reported managing this process within the safety assessment of the civil ATS system and procedures, since it has not yet established specific FUA co-ordination procedures.

Conclusions

The reported information contains generally positive results of the implementation of the concerned requirements. Still, it should be reiterated that there should be no exception to apply the safety management process anytime when a change is planned within the application of the FUA concept;

One of the reports (France) provided an example of good practice - any change in the airspace structure, as well as any modification of the procedures of cooperation between military and civil ATCOs have to be submitted to the French NSA, together with a safety case study and to be approved by the NSA before the modification is put in place.

12.4 Performance Assessment

12.4.1 Safety

The reported information in relation with safety assessment should be considered as encouraging. However, no exceptions should be made and/or allowed in establishing effective processes for the evaluation of the functioning of agreements, procedures and supporting systems from a safety standpoint.

Consolidation

- ◆ 22 out of 29 States reported having established the concerned evaluation processes in relation to safety;
- ◆ Seven States (Bulgaria, Cyprus, Germany, Latvia, Luxembourg, Malta, Netherlands and Slovenia) reported not to have established evaluation of the functioning of agreements, procedures and supporting systems at all three ASM levels related to safety.

ECAA States

- ◆ Serbia reported having established such a process between SMATSA/MoD according to its internal procedures. Croatia reported its application as part of regular performance assessment of civil ATS provision and not specifically for the FUA application, due to the particular conditions of ATS provision to the military flights. Other ECAA States reported not having yet established any performance assessment processes.

Conclusions

The European Commission should clarify to States that no exception should be made and/or allowed in establishing effective processes for the evaluation of the functioning of agreements, procedures and supporting systems from a safety standpoint.

An encouraging fact is that two out of the seven States that replied negatively (Latvia and Netherlands) however reported having plans in place.

12.4.2 Airspace Capacity and Efficiency

The overall reported information indicates a rather low level of implementation. 11 States out of 29 reported not applying any kind of airspace capacity and efficiency performance assessment.

Consolidation

- ◆ 18 out of 29 States reported having established evaluation processes for the functioning of agreements, procedures and supporting systems established at the three ASM levels in relation with airspace capacity and efficiency;
- ◆ 11 States (Belgium, Bulgaria, Cyprus, Denmark, Spain, Latvia, Luxembourg, Malta, Netherlands, Slovenia and Slovakia) reported that they did not establish any such evaluation process.

ECAA States

- ◆ Only Serbia reported having an airspace capacity assessment in place.

Conclusions

The reported implementation progress should not be considered satisfactory since 11 States out of 29 reported not applying any kind of airspace capacity and efficiency performance assessment, although this should be seen as an indispensable means of achieving the objectives of the Regulation.

Recommendations

- 57) The European Commission should remind States that performance assessments in the areas of airspace capacity and efficiency are indispensable means to achieve the objectives of the FUA implementation.

12.4.3 Flexibility of aircraft operations of all users

Based on the reported data, most of which is very generic, this issue will be revisited in more detail in the next reporting period.

Consolidation

- ◆ 17 States reported conducting evaluations of their processes applied for the functioning of agreements, procedures and supporting systems established at the three ASM Levels with respect to flexibility of aircraft operations of all users;
- ◆ 12 States (Belgium, Bulgaria, Cyprus, Denmark, Spain, Hungary, Latvia, Luxembourg, Malta, Netherlands, Slovenia and Slovakia) reported that they did not establish any such evaluation process;

ECAA States

- ◆ Serbia is the only State to report having an evaluation process.

Conclusions

Most answers were very generic and did not provide any details. This would require that the issue is revisited in more detail for the next SES reporting cycle.

12.5 Compliance Monitoring

Based on the reported data and the very limited details provided, the situation appears to be rather inconsistent and therefore not encouraging.

However, the majority of States reporting non-compliance on the basis of their self-monitoring indicated that they have plans to achieve compliance in the next reporting cycle.

The overall reported level of implementation of inspections, surveys and safety audits for the purpose of compliance monitoring is very low in all three cases. This adds to the uncertainty as regards the level of compliance declared by States in their reports based on their self-monitoring.

As only two States informed the European Commission of the outcome of their activities for compliance monitoring, this issue should be elaborated as of the next reporting cycle, e.g. through a more detailed section in the Reporting Template.

Consolidation

Compliance self-monitoring

- ◆ 16 States declared that they are fully compliant with Regulation (EC) N° 2150/2005 based on their compliance self-monitoring, however providing no or very few details of how they had actually achieved compliance;
- ◆ 13 States declared that they are not yet fully compliant: Austria, Bulgaria, Cyprus, Denmark, Ireland, Latvia, Luxembourg, Malta, Norway, Portugal, Slovenia, Slovakia and Spain.

Inspections

- ◆ 18 of the States reported not having established inspection routines for compliance monitoring and provided very diverging comments; from these, eight States did not provide any comments at all;
- ◆ The reported frequency of inspections varies from “four times a year” (Czech Republic) through “once a year” (Austria, Denmark, Lithuania, Poland and Romania) to “every two years” (Germany);
- ◆ Only two States reported sending the outcome of the inspections to the European Commission (Bulgaria and Czech Republic);

Surveys

- ◆ 20 States reported not having established the periodic surveys in the context of the compliance monitoring; 11 of them did not provide any comments at all;
- ◆ The reported frequency of surveys varies from “daily” (Czech Republic) through “once a year” (Lithuania and Romania) to “as required”;
- ◆ Only Austria reported sending the outcome of its surveys to the European Commission;

Safety Audits

- ◆ Only 13 Member States reported having established safety audits in the context of compliance monitoring;
- ◆ 16 States responded negatively and did not provide any comments at all;

ECAA States

- ◆ None of the States reported having compliance monitoring in place;
- ◆ Irrespective of it, Serbia stated that it plans to achieve full compliance with the FUA Regulation in 2009. Croatia reported awaiting the establishment of the National Airspace Management Board.
- ◆ None of the States reported to have established inspection routines, surveys or safety audits for the purpose of compliance monitoring and provided no additional comments.

Conclusions

Based on the reported information, it was very difficult to ascertain whether the States declaring full compliance indeed based their conclusion on effective compliance self-monitoring. The same conclusion, although to a lesser extent, would also apply in the case of the States which declared that they are not yet fully compliant.

Nonetheless, the majority of the States not yet fully compliant reported plans to achieve compliance in the next reporting cycle. This implicitly means that each of the respective States plans to conduct effective compliance monitoring activities in accordance with the Regulation. For these reasons, the issue will be revisited in more detail for the next reporting cycle.

The overall reported level of implementation of inspections, surveys and safety audits is very low in all three cases, as 18 States reported not to perform any form of inspection, 20 reported not having established periodic surveys and only 13 reported having established safety audits for the purpose of compliance monitoring.

According to the facts noted in this sub-section, it would appear that States have encountered difficulties with differentiating between inspections, surveys and safety audits, and therefore with the establishment of such activities.

Recommendations

- 58) The European Commission should emphasise to the States the importance and necessity of effective compliance self-monitoring.
- 59) The European Commission should consider supporting the States by providing some guidance as to the definitions and differences between inspections, surveys and safety audits in the context of compliance monitoring. The European Commission should also consult with States in identifying good practice as to what should be the frequency of such activities.
- 60) Considering the very low number of States that reported meeting the obligation to inform the European Commission of the outcome of their inspections, surveys and safety audits for the purpose of compliance monitoring, this specific issue will be elaborated in the Reporting Template and should be followed up more closely as of the next reporting cycle.

12.6 Problems in the implementation of Regulation (EC) N° 2150/2005

The majority of the problems reported are related to the national regulatory framework and not to the applicability of Regulation (EC) N° 2150/2005. Clarification of some terminology, e.g. differences between inspections, surveys and safety audits is needed.

Consolidation

- ◆ 14 States did not report any difficulties or eventual need for changes;
- ◆ The other States provided very diverse comments. The majority of these comments are actually related to specific national issues and their direct relevance with Regulation (EC) N° 2150/2005 is not always easy to understand.

ECAA States

- ◆ The national legislations should be amended allowing the transposition and full implementation of the Regulations (EC) N° 2150/2005 and (EC) N° 551/2004.

Conclusions

The reported problems are quite diverse and mostly in relation with the respective national regulatory frameworks. It is impossible to list them exhaustively or make specific comments or suggestions to any of them in this Report.

As a more common issue, it is noted once again that States seem to encounter problems in differentiating between inspections, surveys and audits, an issue which is already tackled in the sub-section on Compliance Monitoring.

Recommendations

- 61) The European Commission should consider whether it wishes to reply to any of the individual comments made by the States as regards their respective identified problems.
- 62) Given the issues noted in the sub-sections on Compliance Monitoring, the European Commission should consider, in consultation with the States, whether to provide support through a dedicated event (e.g. a workshop) where the identified problems would be discussed and also cases of best practice proposed.

13. Compendium of Recommendations

National Supervisory Authorities

Establishment of the NSAs

In order to ensure the appropriate supervision of the application of the requirements for the ANS provided in the airspace covered by the SES legislation:

- 1) The European Commission should consider what actions/mechanisms should be put in place in order to ascertain that the NSAs established or nominated by the States are indeed fully operational, legally empowered and adequately resourced to fulfil their tasks;
- 2) The European Commission should clarify with France the situation of DIRCAM, whether this entity is a second NSA or a Recognised Organisation;

Areas of Responsibility of the NSAs

In order to ensure that the service providers fully comply with all of the common requirements and to achieve clear separation between service provision and supervision:

- 3) The European Commission should consider clarifying the situation of several States (France, Germany) which reported not having implemented the economic oversight function in their respective NSAs, or where the reported information was ambiguous (Norway);
- 4) The European Commission should clarify the situation reported by two States (Portugal and Malta) where NSA responsibilities are discharged by the ANSPs in respect of ATCO licensing and interoperability;

Human and Financial Resources of the NSAs

In view of the importance of the tasks entrusted to the NSAs in the implementation of the SES legislation, it is recommended that:

- 5) The European Commission reminds the States which have not yet made the necessary provisions for their NSAs, that it is a legal obligation not only to establish an NSA but also to ensure that it has the necessary authority and resources to carry out its tasks as laid out in the SES legislation;
- 6) Considering the shortcomings reported by some States as regards their NSAs limited resources and the need to ensure harmonised implementation of the SES legislation, the European Commission and the States should put more effort in encouraging the NSAs to cooperate, share best practice, make use of available expertise, *inter alia* of Recognised organisations; and, last but not least, make arrangements for the development of advisory material, where deemed necessary;
- 7) The issues of the adequate resourcing of NSAs and of their competence should be monitored more closely in the next annual reporting cycle, especially having in mind their future obligation under SES II to develop performance plans;
- 8) While the list of areas reported as difficult to implement will not be detailed in this Report, the European Commission should raise this issue with the Single Sky Committee as a priority, considering the serious increase of tasks facing NSAs under the forthcoming SES II performance scheme and SESAR implementation.

Fragmentation of Supervision / Relations between NSAs

- 9) Efforts should be put forth at Community and State levels to overcome the impediments to the implementation of a more cooperative approach. This recommendation, however, does not necessarily imply additional legislative measures.

Notification of designated authorities to the European Commission

Recital 9 of the Regulation (EC) N° 549/2004 (in relation to Article 4) establishes the principle of independence of the designated authorities performing verification of compliance with Community requirements. This should also be ensured in the case of any entity other than the NSAs involved in the supervision of the providers (e.g. as per Article 12(4) of Regulation (EC) N° 550/2004). As this is one of the underlying principles of the SES legislation, States should emphasise their compliance by notifying the European Commission of each such designation (e.g. for the entities designated to access the ANSPs' accounts or to oversee the technical and engineering personnel) even in those cases where a notification is not explicitly required. Based on the foregoing:

- 10) It is recommended that, where the legislation lays down a requirement that States must designate national authorities to carry out specific tasks, the European Commission should clarify if that designation has to be notified to the European Commission even where the legislation does not explicitly require so. Since this may require legislative amendments, the European Commission may prefer to clarify the issue in a communication or by any other appropriate instrument.
- 11) It is also recommended that, to avoid duplication of work, the European Commission accepts the information in the SES Annual Reports as official notification.

Certification of Air Navigation Service Providers

- 12) Considering that the provision of ANS in the Community shall be subject to certification, the European Commission should urge the States which have not yet done so (Greece, Luxembourg and Portugal) to expedite their certification processes as soon as possible;
- 13) Considering the great variety in the duration of validity of certificates, the European Commission and the NSAs should envisage the possibility of harmonising the validity periods, especially in relation to FABs;
- 14) Considering the small number of NSAs entrusted with competencies over military ANS provision to GAT, the European Commission should explore ways in which to ascertain that States that allow provision of such services without certification, as per Article 7(5) of Regulation N° 550/2004, have nevertheless implemented effective measures ensuring that these services are provided in maximum compliance with the common requirements. Furthermore, the European Commission together with the States should explore how to facilitate harmonisation of the supervision of military ANS provided to GAT.

Ongoing Compliance

- 15) The requirement for the NSAs to check the on-going compliance of all certified providers should be applied without exception;
- 16) Considering that Regulation (EC) N° 2096/2005 provides no clarity as to what is meant by "*risks associated with the different operations*" and "*the evidence at the disposal of the NSAs*", it is recommended that the European Commission identifies and assesses the existing advisory material or practices on these topics, e.g. in the safety area, for consistency with this Regulation, and that new guidelines are developed if deemed necessary.

- 17) The European Commission should remind the States that, according to the current legislation in force, the verification of compliance is a responsibility of the NSAs and that Recognised Organisations can also be used in this process.

Designation

Although States have discretionary powers in designating ATS and MET providers, they still have to ensure that there is a designated provider in each specific block of airspace under their responsibility. Therefore:

- 18) The European Commission should clarify with Germany, Hungary, Portugal, Sweden and Switzerland the situation in respect of certified but not designated ATSPs;
- 19) The European Commission should clarify with Italy the situation in respect of designated but not certified ATSPs;
- 20) The European Commission should monitor the completion of the designation process in Greece and Luxembourg.

Cross-border provision of Air Traffic Services

- 21) In order to avoid complications with different liability regimes, States/NSAs should ensure that a proper legal basis is in place for the provision of cross-border ATS and urgently establish the appropriate arrangements for the supervision of ANSPs in this context. This process should commence as soon as possible irrespective of the progress on FABs;
- 22) The European Commission should clarify how to proceed in the case where cross-border services are provided by an ATSP from an ECAA or third country;
- 23) In order to enable the clear identification of the airspace blocks concerned by cross-border ATS provision and monitor the application of the SES Regulations in these blocks, this issue should be followed up in more depth in the next reporting cycle.

ATCO Licensing

- 24) The European Commission should assess possible ways in which to support the States in expediting their efforts to transpose the Directive. Furthermore, the States that have not communicated the transposition details to the European Commission should be encouraged to do so, mentioning their corresponding national legislative acts.
- 25) The European Commission should note that the current text of Annex II, Part A of the Directive refers to EUROCONTROL "Guidelines for air traffic controller Common Core Content Initial Training", dated 10 December 2004, while a new EUROCONTROL specification for ATCO Training is already available.

Air Navigation Charging

En-route

Enforcement measures for the collection of air navigation charges

- 26) The European Commission should consider reminding the States to ensure the application of enforcement measures in addition to judicial procedures and thereby contribute to a 'collective' system. For this, it may be necessary for the European Commission to clarify that compliance with Article 14 of the Regulation would require effective measures such as denial of services or detention of aircraft, in addition to judicial measures.

Financing means to cover the costs incurred for services provided to exempted flights

- 27) The European Commission may consider requesting Estonia, Hungary, Sweden, Finland, Luxembourg, Latvia, Netherlands, Denmark, Portugal, Slovenia, UK, and Norway to clarify the situation in respect of their application of Article 9(4) of Regulation (EC) N°1794/2006.

Incentives

- 28) The European Commission may consider requesting Estonia to clarify the modalities of the reported incentive schemes.

Terminal

- 29) The European Commission may consider publishing the list of exempted airports (Annex 7) as a first step in application of Article 1.5. As of now, States should provide updated lists as part of the documentation submitted on terminal costs and charges pursuant to Articles 8 and 15 and published on the European Commission website.
- 30) The European Commission may consider requesting Luxembourg to clarify if the State applies or not Article 1.6.

Airspace

- 31) The European Commission should clarify to the States that their annual reports should accurately display the reality as regards the implementation of this Regulation. States should be reminded that they cannot claim achievement or compliance with a legal act before it has come into force;
- 32) The European Commission should clarify with Germany the declared absence of plans as regards full implementation;
- 33) The European Commission should clarify with Luxembourg and Belgium which State is responsible for Luxembourg airspace classification above FL 135.

Functional Airspace Blocks (FABs)

- 34) The European Commission should urge States that it is not only for the ANSPs to put forth serious efforts towards the full establishment of the FABs. This also applies as regards creating an effective inter-FAB coordination so as to achieve a significant positive effect on the network and manage successfully the wide variety of complex issues that would not be limited only to intra-FAB State boundaries;
- 35) The different initiatives currently demonstrate significant differences in speed and depth. This, however, may be partially streamlined through the introduction in SES II of a deadline for FAB implementation, implementing rules and the new focus on performance-driven and optimised service provision;
- 36) The European Commission, as the regulator, and the States, in carrying out their legal obligations, should collaborate in order to review the current FAB project plans and estimations aiming to minimise the risks of delays in meeting the forthcoming deadline of SES II. The European Commission should assess possible means in supporting the States to manage those risks accordingly;
- 37) The development of implementing rules and guidance material for FABs foreseen in the SES II should be considered as one of the highest priorities in the short-term;
- 38) The Baltic FAB States used their report as a means to communicate relevant issues to the European Commission in addition to discharging their respective annual reporting obligation. This practice should be encouraged as it would allow the European

Commission to better streamline its support to States in accordance with their needs and to identify common problems and their possible solutions through enhanced coordination and cooperation;

- 39) The fact that FABCE and BLUEMED involve non-SES States poses the question (also raised in Section 5 (Cross-Border Provision of ANS) on how to handle certification, designation and supervision of the providers which are not bound by the SES Regulations. The European Commission should clarify this issue.

Interoperability

Verification of compliance

- 40) The European Commission should continue supporting the currently on-going work to achieve a harmonised interpretation and granularity of systems further to their present definition in Annex I to Regulation (EC) N° 552/2004.
- 41) The European Commission, in cooperation with the States, should analyse the possible causes and impact of the reportedly very low number of Notified Bodies.

Coordination and Transfer (Regulation (EC) N° 1032/2006)

- 42) The European Commission should clarify to States that the Annual reports are intended to provide consistent information on their implementation progress, to the extent possible, and not just about meeting the set deadlines. This presumes that States should report consistently on their implementation actions even in advance of the target dates;
- 43) Considering the complexity of achieving a harmonised implementation of this Regulation, the European Commission should take a proactive approach to increase its monitoring to States in this respect, e.g. by providing timely clarifications, identifying the need for dedicated support, promoting enhanced coordination, etc.

Flight message transfer protocol (Regulation (EC) No 633/2007)

- 44) The same recommendations apply as in the case of Regulation (EC) N° 1032/2006 (COTR).

Procedures for flight plans in pre-flight phase (Regulation (EC) N° 1033/2006)

- 45) The same recommendations apply as in the case of Regulation (EC) N° 1032/2006.
- 46) The European Commission should clarify what measures States should specifically take in order to ensure compliance with the IFPS Regulation.

Consultation of Stakeholders

- 47) The European Commission should encourage the States to maintain and improve the consultation mechanisms, as these represent one of the main foundations of effective implementation;
- 48) In relation to the upcoming SES II, given the need for timely sharing of information and combined efforts by all involved in the achievement of the performance targets, the European Commission may consider establishing a practice by which States and all relevant stakeholders would meet regularly in a wide consultation forum;

- 49) Also in relation to the upcoming SES II, the European Commission should assess the possibility of supporting the creation of inter-State consultation forums involving all relevant stakeholders - the FAB projects being the obvious first choice. However, given the wide variety of consultation areas in respect of SES definition and implementation, some of the existing forums could be adapted and used to this purpose.

Implementation of Flexible Use of Airspace

National Organisation and Responsibilities at the Three Levels of FUA

Strategic Airspace Management - Level 1

- 50) The European Commission should address the situation where 11 States have not established assessment mechanisms for the FUA performance and encourage these States to expedite implementing such mechanisms;
- 51) The European Commission should consider whether any specific clarification or dedicated support is needed by the States which have not yet introduced FUA at ASM Level 1 but where the civil and military users nevertheless share the national airspace (e.g. Cyprus, Ireland, Malta and Slovenia), so that these States implement the FUA requirements at ASM Level 1 which are respectively necessary.

Pre-Tactical Airspace Management - Level 2

- 52) The European Commission should clarify to States that, whenever there is any form of interactive civil/military airspace utilisation, they should implement some form of ASM Level 2 (planning for airspace reservation);
- 53) It should be also clarified that even if a State considers the implementation of a fully fledged AMC as not necessary in that particular case,, some form of airspace management coordination is nevertheless necessary, e.g. through a focal point ensuring effective implementation of the required ASM Level 2 functions.

Tactical Airspace Management - Level 3

- 54) The European Commission should consider the noted potentially critical safety issue and envisage a dedicated assistance to those States that do not exchange information on the position of aircraft and information on flight intentions. These elements must be considered critical to successful application of FUA and will be followed-up for further clarification in the next reporting cycle.
- 55) There is need to emphasise the critical importance of establishing coordination procedures permitting direct communication of relevant information in order to resolve specific traffic situations or concerns wherever civil and military controllers are providing services in the same airspace.

Cooperation between States at the 3 levels of FUA

Strategic Airspace Management - Level 1

- 56) The European Commission should encourage States to continue their efforts in establishing and maintaining sound mechanisms for the cross-border policy consultation, as this is one of the main foundations of effective FUA.

Performance Assessment

Airspace Capacity and Efficiency

- 57) The European Commission should remind States that performance assessments in the areas of airspace capacity and efficiency are indispensable means to achieve the objectives of the FUA implementation.

Compliance Monitoring

- 58) The European Commission should emphasise to the States the importance and necessity of effective compliance self-monitoring.
- 59) The European Commission should consider supporting the States by providing some guidance as to the definitions and differences between inspections, surveys and safety audits in the context of compliance monitoring. The European Commission should also consult with States in identifying good practice as to what should be the frequency of such activities.
- 60) Considering the very low number of States that reported meeting the obligation to inform the European Commission of the outcome of their inspections, surveys and safety audits for the purpose of compliance monitoring, this specific issue will be elaborated in the Reporting Template and should be followed up more closely as of the next reporting cycle.

Problems in the implementation of Regulation (EC) N° 2150/2005

- 61) The European Commission should consider whether it wishes to reply to any of the individual comments made by the States as regards their respective identified problems.
- 62) Given the issues noted in the sub-sections on Compliance Monitoring, the European Commission should consider, in consultation with the States, whether to provide support through a dedicated event (e.g. a workshop) where the identified problems would be discussed and also cases of best practice proposed.

Annex 1 - Scope of Reports - SES legislation adopted by 31 July 2008

Legal act	Full title
Regulation (EC) N° 549/2004	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)
Regulation (EC) N° 550/2004	REGULATION (EC) No 550/2004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 10 March 2004 on the provision of air navigation services in the single European sky (the service provision Regulation)
Directive 2006/23/EC	DIRECTIVE 2006/23/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 5 April 2006 on a Community air traffic controller licence
Regulation (EC) N° 1794/2006	COMMISSION REGULATION (EC) No 1794/2006 of 6 December 2006 laying down a common charging scheme for air navigation services
Regulation (EC) N° 2096/2005	COMMISSION REGULATION (EC) No 2096/2005 of 20 December 2005 laying down common requirements for the provision of air navigation services
Regulation (EC) N° 668/2008	COMMISSION REGULATION (EC) No 668/2008 of 15 July 2008 amending Annexes II to V of Regulation (EC) No 2096/2005 laying down common requirements for the provision of air navigation services, as regards working methods and operating procedures
Regulation (EC) N° 1315/2007	COMMISSION REGULATION (EC) No 1315/2007 of 8 November 2007 on safety oversight in air traffic management and amending Regulation (EC) No 2096/2005
Regulation (EC) N° 482/2008	COMMISSION REGULATION (EC) No 482/2008 of 30 May 2008 establishing a software safety assurance system to be implemented by air navigation service providers and amending Annex II to Regulation (EC) No 2096/2005
Regulation (EC) N° 551/2004	REGULATION (EC) No 551/2004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 10 March 2004 on the organisation and use of the airspace in the single European sky (the airspace Regulation)
Regulation (EC) N° 730/2006	COMMISSION REGULATION (EC) No 730/2006 of 11 May 2006 on airspace classification and access of flights operated under visual flight rules above flight level 195
Regulation (EC) N° 2150/2005	COMMISSION REGULATION (EC) No 2150/2005 of 23 December 2005 laying down common rules for the flexible use of airspace
Regulation (EC) N° 552/2004	REGULATION (EC) No 552/2004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 10 March 2004 on the interoperability of the European Air Traffic Management network (the interoperability Regulation)
Regulation (EC) N° 1265/2007	COMMISSION REGULATION (EC) No 1265/2007 of 26 October 2007 laying down requirements on air-ground voice channel spacing for the single European sky
Regulation (EC) N° 1032/2006	COMMISSION REGULATION (EC) No 1032/2006 of 6 July 2006 laying down requirements for automatic systems for the exchange of flight data for the purpose of notification, coordination and transfer of flights between air traffic control units
Regulation (EC) N° 633/2007	COMMISSION REGULATION (EC) No 633/2007 of 7 June 2007 laying down requirements for the application of a flight message transfer protocol used for the purpose of notification, coordination and transfer of flights between air traffic control units
Regulation (EC) N° 1033/2006	COMMISSION REGULATION (EC) No 1033/2006 of 4 July 2006 laying down the requirements on procedures for flight plans in the pre-flight phase for the single European sky

Community specifications	reference in the Official Journal of the European Union	Title of the Community specifications
Notice 2008/C 68/03	(OJ C 68, 13 March 2008, p. 5)	Eurocontrol specification for ATS Data Exchange Presentation (ADEXP)
Notice 2007/C 188/03	(OJ C 188, 11 August 2007, p. 3)	Interoperability and performance requirements for the flight message transfer protocol (FMTF)
Notice 2007/C 290/06	(OJ C 4 December 2007, p. 7)	Eurocontrol Specification for the Initial Flight Plan
Notice 2008/C 149/06	(OJ C 149, 14 June 2008, p. 22)	Eurocontrol Specification for On-Line Data Interchange (OLDI)

Annex 2 - List of NSAs

State	Name of the NSA	Separation from the ANSP	MIL ²⁵	Legal Basis
AT	CAA (Oberste Zivilluftfahrtbehörde)	Institutional		Aviation Act
BE	Belgian Supervising Authority for Air Navigation Services (BSA-ANS)	Institutional	✓	Law of 25 July 2006 (Article 48 - 51) and Royal Decree of 14 February 2006 - NSA.
BG	DGCAA	Institutional		(EC) Regulation N° 549/2004, the provisions of Civil Aviation Act and the DGCAA structural regulation
CH	Federal Office of Civil Aviation (FOCA)	Institutional	✓ (only for ATCO Licensing)	SR Number 748.132.1 "Verordnung vom 18. Dezember 1995 über den Flugsicherungsdienst", Article 2, Absatz 1 und SR Nummer 748.0 "Bundesgesetz über die Luftfahrt (LFG)".Article 3
CY	Department of Civil Aviation Cyprus	Functional		Article 8B of the Civil Aviation Act 213 (I) 2008 and Council of Ministers decision no. 62.376 of 21.7.2005
CZ	Civil Aviation Authority (Úřad pro civilní letectví)	Institutional		Civil Aviation Act No. 49/1997 Coll.
DE	NSA LR23 - Branch Langen	Functional, institutional and organisational		Organisational Decree of 27.12.2006 (Organisationsverfügung vom 27.12.2006)
DK	SLV	Institutional		Air Navigation Act (Consolidated Act no. 1484 of 19 December 2005 with the amendments following § 97 of Act no. 538 of 8 June 2006, § 5 of Act no. 542 of 8 June 2006, Act no. 242 of 21 March 2007, and § 31 of Act no. 512 of 6 June 2007)
DK	Tactical Air Command (TACDEN)	Functional	✓	Aviation Act
EE	ECAA	Institutional		Aviation act
ES	Agencia Estatal de Seguridad Aérea (Air Safety State Agency).	Organisational		Law 28/2005, of 18 July, on state agencies for public services improvements. Royal Decree 184/2008, of 8 February, the remit and organisation of the Air Safety State Agency was approved.
ES	Deputy Chief Air Force Staff	Functional	✓	Directive 12/2007, from Chief Air Force Staff, on the SES Regulations implementation in the Spanish Air Force.

²⁵ NSA has competences on military issues

State	Name of the NSA	Separation from the ANSP	MIL ²⁵	Legal Basis
ES	Secretary of State for Climate Change	Institutional	(Only MET)	Real Decreto 1130/2008 por el que se desarrolla la estructura orgánica básica del Ministerio de Medio Ambiente, y Medio Rural y Marino. (Royal Decree 1130/2008, laying down the basic structure of the Ministry of the Environment, and Rural and Marine Affairs)
FI	Iltmailuhallinto; FCAA (Finnish Civil Aviation Authority)	Institutional		Act on the Finnish Civil Aviation Authority (1247/2005), Aviation Act (1242/2005)
FR	"Direction de la Sécurité de l'Aviation civile" (DSAC)	Functional	✓	Decree n°2008-630 dated 2008, July, 9th, on the organisation of the Ministry of Ecology, Energy, Sustainable development, and Country planning Decree n°2008-1299 dated 2008, December, 11th, on the creation of the Direction for Safety in Civil Aviation (DSAC).
GR	Hellenic Air Navigation National Supervisory Authority (HANSA)	Functional (expected to be fully operational in 2009)		Law 3446/2006 establishes the NSA while Presidential Decree 150/2007 covers the organisation, the staffing and the responsibilities of the NSA. Additionally a HCAA regulation concerning the internal function of the NSA has been issued by the Governor (12.10.2007).
HU	National Transport Authority of Hungary Directorate for Air Transport (NTA DAT)	Institutional		National Aviation Act and Government Decree
IE	IAA/SRD	Functional		(1) Aviation Regulation Act 2001 (2) Air Navigation and Transport (Amendment) Act 1998 (3) Irish Aviation Authority Act 1993 (4) SES Legislation
IT	Ente Nazionale per l'Aviazione Civile - ENAC	Institutional	✓	ENAC, the Italian Civil Aviation Authority, has been appointed as regulator and National Supervisory Authority in November 2004 with dedicated law 265/2004. This appointment has been included in the new version of basic code of Air Law (change to Italian Navigation Code) in Italy - issued in June 2005 - thus completely implementing the separation of regulation and safety oversight from the service provision. ENAC is also responsible for the regulation for environmental matters in ATM.
LT	Lithuanian CAA	Institutional		By 13 May 2005 Order No 3-233 of Ministry of Transport & Communication on Implementation of SES Regulations in Republic of Lithuania CAA Lithuania is nominated as National Supervisory Authority.
LU	Direction de l'Aviation Civile (DAC)	Institutional		The legal framework for the DAC is called : « Loi du 19 mai 1999 ayant pour objet d'instituer (...) une Direction de l'Aviation Civile". For the NSA it is defined through the SES Regulation. The NSA has been appointed by Ministerial decision.
LV	Aviation Department within the Ministry of Transport, (MoT)	Institutional		Law on Aviation

State	Name of the NSA	Separation from the ANSP	MIL ²⁵	Legal Basis
LV	Latvian Civil Aviation Agency (LCAA)	Institutional		Regulation of Cabinet of Ministers No 808 "Regulation on State Agency "The Civil Aviation Agency" " 25-10-2005
MT	DCAM	Institutional		Civil Aviation (Provision of Air Navigation Services) Order, LN 281/2006
NO	Civil Aviation Authority Norway	Organisational		Norwegian Civil Aviation Act (Luftfartsloven) Air Navigation Consolidation Act No. 543 of 13 June 2001 as amended, Ministerial Order Nr 795 of 3 September 2001.
NL	(Part of) the Transport and Water Management Inspectorate, within MoT (IVW, "Inspectie Verkeer en Waterstaat")	There is organisational separation of IVW from LVNL, MUAC; and functional separation from KNMI (certified MET services provider).		The Aviation Act (Article 11.1(2)), last amended in Sept 2007 (State Journal 2007, 405) and the Ministerial Decree (Article 2a(3)) concerning the establishment of IVW, last amended May 2008 (State newspaper 26th May 2008): IVW is the nominated NSA
PL	The Civil Aviation Office	Institutional		Polish Aviation Law of July the 3rd, 2002
PT	INAC, I.P. (Instituto Nacional de Aviação Civil, I.P.)	Organisational/Structural and functional.		Decree-Law no. 145/2007, 27th April.
RO	Romanian Civil Aeronautical Authority (RCAA) - for all specific tasks of NSA, except the security matters	- Separation from ROMATSA: Organisational, institutional - Separation from AIS Dept. within RCAA: functional		Aviation Act of Romania approved by Government Ordinance no. 29/1997 concerning the Civil Air Code of Romania with further amendments, MoT Order no. 1185/ 2006, designating RCAA as NSA for all the specific tasks of NSA, except the security matters which are in the responsibility of MoT-DGCA (published in Monitorul Oficial No. 602 of 12 July 2006); MoT Order no. 11/2008, approving the national regulation entitled RACR-SSNA ed. 2/2008, 'Supervision and Designation of the ANSPs' (published in Monitorul Oficial No. 42 of 18 January 2008); procedural documents, to implement and apply the supervision processes of ANSPs in accordance with the SES Regulations, named PIAC-SSNA - Part I, ed. 01/2006, PIAC-SSNA - Part II, ed. 01/2007 and PIAC-SSNA, Part III, ed. 01/2007. These procedural documents have been approved by Decisions of the Director general of the RCAA and published on the RCAA web-site;
RO	MoT-DGCA - only for security matters	Institutional separation both from ROMATSA and RCAA		MoT-DGCA is acting as the NSA in the field of civil aviation security based on the provisions set in the Aviation Act, Government Decision No. 443/2005 concerning the approval of the National Civil Aviation Security Programme, further amended by Government Decision No. 533/2008 and Government Decision No. 1869/2005 for the

State	Name of the NSA	Separation from the ANSP	MIL ²⁵	Legal Basis
				approval of National Quality Control Programme on civil aviation security.
SE	SCAA	Institutional		Lufftragslag (1957:297) - Civil Aviation Act Lufftragsföreskrift (1986:171) - Civil Aviation Ordinance Föreskrift (2007:959) med instruktion för Lufftragsstyrelsen - Ordinance laying down the Statute for the Swedish Civil Aviation Authority
SI	The Ministry of Transport	Functional, Organisational and Institutional.		Amendment of Aviation Law, No 113, dated 6 Nov 2006
SK	MOT&CAA SK	Institutional		Civil Aviation Act
UK	Civil Aviation Authority	Institutional		The Civil Aviation Authority (CAA), a public corporation, was established by Parliament in 1972. The CAA is UK's independent specialist aviation regulator. Its activities include economic regulation, airspace policy, safety regulation and consumer protection. The CAA has been appointed as the NSA in directions given by UK Government in compliance with the Single European Sky (National Supervisory Authority) Regulations 2004 (Statutory Instrument 2004 No. 1958) http://www.opsi.gov.uk/si/si2004/20041958.htm See the following link for more information. http://www.caa.co.uk/default.aspx?categoryid=1

Annex 3 - List of Certified ANSPs

State	Name of the ANSP	Services for which it has been certified					Date of the Certificate	Valid until
		ATS	AFIS	AIS	CNS	MET		
AT	Austro Control GmbH	X	X	X	X	X	10/12/2006	Unlimited subject to ongoing compliance
BE	Belgocontrol	X		X	X	X	01/06/2007	31/05/2013
BG	Air Traffic Services Authority of Bulgaria (ATSA)	X	N/A	X	X	X	21/06/2007	21/06/2012
CH	Skyguide	X	X	X	X		20/12/2006	19/12/2012
CH	MeteoSchweiz					X	21/12/2006	20/12/2012
CH	Samedan Airport		X				01/06/2007	31/05/2013
CY	Department of Civil Aviation	X	X	X	X		21/06/2007	21/06/2009
CY	MET Service					X	19/06/2007	18/06/2009
CZ	Air Navigation Services of Czech Republic (ANS CR)	X	X	X	X		05/12/2006	05/12/2010
CZ	Czech Hydro-Meteorological Institute (CHMI)					X	07/06/2007	07/06/2011
CZ	Aero Vodochody	X					11/06/2007	11/06/2011
CZ	Aircraft Industries	X					19/06/2007	19/06/2009
DE	DFS Deutsche Flugsicherung GmbH	X	X	X	X		30/11/2006	Unlimited
DE	The Tower Company GmbH (Aerodrome control services and other services for regional airports)	X	X				26/03/2007	Unlimited
DE	Deutscher Wetterdienst DWD German Meteorological Service					X	14/03/2007	Unlimited
DE	Airbus Deutschland GmbH (Aerodrome Control services for Hamburg-Finkenwerder)	X	X				20/06/2007	30/11/2011
DE	Rhein-Neckar-Flugplatz GmbH (Aerodrome Control services for Mannheim)	X	X				20/06/2007	31/08/2013
DE	Black Forest Airport Lahr GmbH (Aerodrome Control services for Lahr)	X	X				13/04/2007	30/04/2011

State	Name of the ANSP	Services for which it has been certified					Date of the Certificate	Valid until
		ATS	AFIS	AIS	CNS	MET		
DE	BAN 2000 GmbH (CNS-Services for Regional Airports)				X		18/05/2007	30/04/2011
DE	Thales ATM Navigation GmbH (CNS-Services for Regional Airports)				X		18/05/2007	30/04/2011
DK	AFIS Sindal (EKSN)		X				15/12/2006	15/12/2012
DK	AFIS Stauning (EKVJ)		X				15/12/2006	15/12/2012
DK	AFIS Sønderborg (EKSB)		X				15/12/2006	15/12/2012
DK	AFIS Esbjerg (EKEB)		X				15/12/2006	15/12/2012
DK	AFIS Odense (EKOD)		X				15/12/2006	15/12/2012
DK	AFIS Vamdrup		X				15/02/2007	15/02/2013
DK	AFIS Tyra (EKGF)		X				15/12/2006	15/12/2012
DK	Danmarks Meteorologiske Institut (DMI)					X	15/12/2006	15/12/2012
DK	Lufftartsinformationstjenesten (AIM)			X			15/12/2006	15/12/2012
DK	Aarhus Airport				X		15/12/2006	15/12/2012
DK	Billund Airport				X		15/12/2006	15/12/2012
DK	NAVAID				X		15/12/2006	15/12/2012
DK	Henrik Hansen Elektronik				X		15/12/2006	15/12/2012
DK	Kastrup Airport				X		15/12/2006	15/12/2012
DK	Naviair	X	X		X		15/12/2006	15/12/2012
EE	EANS	X	X	X	X		02/05/2007 22/12/08	21/12/08 21/12/12
EE	Estonian Meteorological and Hydrological Institute (EMHI)					X	15/06/2007 21/12/2008	21/12/2008 21/12/2011
EE	Tallinn Airport	X	X		X	X	15/06/2007 10/06/2008	15/06/2008 15/06/2011

State	Name of the ANSP	Services for which it has been certified					Date of the Certificate	Valid until
		ATS	AFIS	AIS	CNS	MET		
ES	Aena	X	X	X	X		19/12/2006	19/12/2012
ES	AEMET					X	20/12/2006	20/12/2012
FI	Finavia	X	X	X	X	X	20/12/2006	20/12/2012
FI	City of Mikkeli		X		X	X	31/05/2007	31/05/2013
FI	Rengonharju foundation		X		X	X	31/05/2007	31/05/2013
FI	Finnish Meteorological Institute					X	20/12/2006	20/12/2012
FR	DSNA	X	X	X	X		18/06/2006	18/06/2010
FR	MET provider					X	11/12/2006	11/12/2010
FR	Aerodrome AFIS		X	X			Depending on the aerodromes	Depending on the aerodrome
FR	CFA	X					05/12/2008	05/12/2012
FR	COMALAT	X					18/06/2007	18/06/2011
FR	ALAVIA	X					14/06/2007	14/06/2011
FR	CEV	X					06/12/2007	06/12/2011
FR	DIA			X			18/06/2007	18/06/2011
GR	Hellenic Civil Aviation Authority (HCAA) (*)						(*)Not yet certified	
GR	Hellenic National Meteorological Service (*)						(*)Not yet certified	
HU	HungaroControl	X	X	X	X	X	31/10/2006	06/10/2010
HU	Budapest airport (CNS)				X		30/11/2008	30/11/2010
HU	National Weather services					X	23/09/2008	30/09/2012
HU	FlyBalaton LHSM airport				X		20/06/2007	19/06/2009

State	Name of the ANSP	Services for which it has been certified					Date of the Certificate	Valid until
		ATS	AFIS	AIS	CNS	MET		
HU	Debrecen LHDC airport		X		X		20/06/2007	18/06/2009
HU	LHPP Pécs-Pogany		X		X		20/06/2007	19/06/2009
HU	Békéscsaba		X		X		20/06/2007	19/06/2009
HU	Győr-Pér		X		X		20/06/2007	19/06/2009
HU	Nyíregyháza		X		X		20/06/2007	19/06/2009
HU	Szeged		X		X		20/06/2007	18/06/2009
IE	IAA Operations Directorate	X	X	X	X		27/11/2006	25/11/2010
IE	IAA Technology Directorate				X		27/11/2006	22/11/2010
IE	Waterford Airport	X	X		X	X	27/11/2006	26/11/2010
IE	Kerry Airport PLC	X	X		X	X	06/12/2006	04/12/2010
IE	Galway Airport	X	X		X	X	27/11/2006	26/11/2010
IE	Ireland West Airport Knock	X	X		X		27/11/2006	25/11/2010
IE	Sligo Airport Co LTD	X	X		X	X	27/11/2006	25/11/2010
IE	Donegal Airport	X	X		X	X	27/11/2006	25/11/2010
IE	Weston Airport	X	X		X	X	06/12/2006	04/12/2010
IE	Met Eireann (Aviation Services Division)					X	06/12/2006	04/12/2010
IT	ENAV S.p.A	X	X	X	X	X	20/06/2007	20/06/2009
IT	AVDA		X				21/06/2007	20/06/2009
IT	Aeroporto Reggio Emilia s.r.l		X				19/09/2007	19/09/2009
IT	SACE SpA		X	X	X	X	25/03/2008	24/03/2010
IT	Aeroporto Lucca		X		X	X	15/10/2008	14/10/2010
LT	ORO NAVIGACIJA, the Air Navigation Service provider in Lithuania	X	X	X	X		21/12/2006	21/12/2012

State	Name of the ANSP	Services for which it has been certified					Date of the Certificate	Valid until
		ATS	AFIS	AIS	CNS	MET		
LT	Lithuanian Hydro-Meteorological Service provider					X	19/06/2008	18/06/2014
LU	Administration de la navigation aérienne (ANA) (*)						(*) Not yet certified	
LV	Latvijas Gaisa Satiksme	X	X	X	X	X	20/12/2006	20/12/2010
LV	Latvian Environment, Geology and Meteorology Agency (LEGMA)					X	20/12/2006	20/12/2010
MT	Malta Air Traffic Services Limited (MATS)	X	X	X	X		11/06/2007	11/06/2013
MT	Malta International Airport plc (MIA)					X	11/06/2007	11/06/2013
NL	Air Traffic Control The Netherlands (LVNL, "Luchtverkeersleiding Nederland")	X	X	X	X		14/03/2007	Unlimited
NL	Maastricht UAC	X					08/11/2006	Unlimited
NL	KNMI					X	21/02/2007	Unlimited
NL	Meteo Consult					X	10/08/2007	Unlimited
NO	Avinor	X	X	X	X	X	01/07/2007	01/06/2009
NO	Oslo Airport				X		01/07/2007	01/06/2009
NO	StatoilHydro		X		X	X	01/07/2007	01/06/2009
NO	ConocoPhillips		X		X	X	01/07/2007	01/06/2009
NO	Sunnhordland Airport		X			X	01/07/2007	01/06/2009
NO	Skien Airport		X			X	01/07/2007	01/06/2009
NO	Notodden Airport		X			X	01/07/2007	01/06/2009
NO	Kings Bay AS		X			X	01/07/2007	01/06/2009
NO	Meteorologisk Institutt (met.no)					X	01/07/2007	01/05/2013
PL	Polish Air Navigation Services Agency	X	X	X	X		18/06/2008	17/06/2011
PL	Institute of Meteorology and Water Management (IMGW)					X	07/08/2008	22/04/2011

State	Name of the ANSP	Services for which it has been certified					Date of the Certificate	Valid until
		ATS	AFIS	AIS	CNS	MET		
PT	Navegação Aérea de Portugal - NAV Portugal, E.P.E.	X		X	X		11/12/2008	11/12/2011
PT	Câmara Municipal de Bragança		X				25/02/2008	28/02/2009
PT	Câmara Municipal de Chaves		X				30/07/2008	31/07/2009
PT	Câmara Municipal de Portimão		X				27/06/2008	28/06/2010
PT	Câmara Municipal de Vila Real		X				25/02/2008	28/02/2009
PT	Academia Aeronáutica de Évora		X				27/06/2008	28/06/2010
PT	SATA Gestão de Aeródromos, S.A		X				15/12/2008	16/03/2009
RO	Regia Autonoma Romanian Air Traffic Services Administration - ROMATSA	X		X(only PIB)	X	X	15/12/2006 and Amd.1 27/12/2006	15/12/2012 15/12/2012
RO	AIS Dept. within RCAA			X (except PIB)			CN 02: 20/06/2007 CN 03: 20/06/2008	20/06/2008 20/06/2009
SE	LFV	X	X	X	X	X	20/12/2006	19/12/2012
SE	SMHI					X	02/04/2007	02/04/2013
SE	Arvika kommun		X		X	X	09/08/2007	08/08/2009
SE	European Air Cargo AB		X		X	X	14/06/2007	13/06/2012
SE	Kinnarps AB		X		X	X	14/03/2007	13/03/2013
SE	Gällivare kommun		X		X	X	14/03/2007	13/03/2013
SE	Gävle kommun		X		X	X	20/06/2007	19/06/2012
SE	Hagfors kommun		X		X	X	14/06/2007	13/06/2009
SE	Hemavan Tärnaby Airport AB		X		X	X	29/05/2007	28/05/2013
SE	Stiftelsen Karlskoga flygplats		X		X	X	20/06/2007	19/06/2012
SE	Kramfors/Sollefteå Flygplats AB		X		X	X	14/03/2007	13/03/2013

State	Name of the ANSP	Services for which it has been certified					Date of the Certificate	Valid until
		ATS	AFIS	AIS	CNS	MET		
SE	Lidköping/Hovby Flygplats AB		X		X	X	29/05/2007	28/05/2013
SE	Lycksele kommun		X		X	X	20/12/2006	19/12/2012
SE	AB Dalaflyget		X		X	X	14/03/2007	13/03/2013
SE	Oskarshamns Utveckling AB		X		X	X	29/05/2007	28/05/2013
SE	Pajala kommun		X		X	X	14/06/2007	13/06/2009
SE	Skövde Flygplats AB		X		X	X	28/03/2007	27/03/2013
SE	Storumans Flygplats AB		X		X	X	29/05/2007	28/05/2013
SE	Härjedalens kommun		X		X	X	29/05/2007	28/05/2013
SE	Torsby Flygplats AB		X		X	X	20/06/2007	19/06/2012
SE	Vilhelmina kommun		X		X	X	29/05/2007	28/05/2013
SE	Arvidsjaur Flygplats AB				X		20/06/2007	19/06/2012
SE	Cityflygplatsen i Göteborg AB				X		20/06/2007	19/06/2012
SE	Fyrstads Flygplats AB				X		20/06/2007	19/06/2012
SE	Halmstad Flygplats AB				X		21/06/2007	20/06/2012
SE	Kristianstad Airport AB				X		14/06/2007	13/06/2012
SE	Småindustrilokaler i Klippan AB				X		21/06/2007	20/06/2012
SE	Linköping City Airport AB				X		29/05/2007	28/05/2013
SE	Stockholm Skavsta Flygplats AB				X		20/06/2007	19/06/2012
SE	Söderhamns kommun				X		14/03/2007	13/03/2013
SE	Västerås Flygplats AB				X		21/06/2007	20/06/2012
SE	Växjö Flygplats AB				X		14/06/2007	13/06/2012
SE	Örebro Läns Flygplats AB				X		29/05/2007	28/05/2013

State	Name of the ANSP	Services for which it has been certified					Date of the Certificate	Valid until
		ATS	AFIS	AIS	CNS	MET		
SI	Slovenia Control Ltd.	X	X	X	X		20/12/2006	21/12/2008
SI	Agency for Environment of Republic of Slovenia.					X	20/12/2006	21/12/2008
SK	Letové prevádzkové služby Slovenskej republiky (LPS SR)	X	X	X	X		12/12/2006	Unlimited
SK	Slovak Hydrometeorological Institute (SHMU)					X	12/12/2006	Unlimited
UK	Airways Aero Associations Ltd	X			X		21/12/2006	31/12/2009
UK	Air Caernarfon Ltd				X		05/02/2007	31/12/2009
UK	Albemarle Shoreham Airport Ltd	X			X	X	14/04/2008	31/12/2009
UK	Argyll & Bute Council	X			X		19/06/2008	31/12/2009
UK	ATC Lasham	X			X		06/06/2007	31/12/2009
UK	BAE Systems Marine Ltd (Walney Island)		X		X		31/01/2007	31/12/2009
UK	BAE Systems Integrated System Technologies Ltd (Bristol Filton)	X			X	X	31/01/2007	31/12/2009
UK	BAE Systems (Operations) Ltd (Warton and Woodford)	X			X		05/02/2007	31/12/2009
UK	Belfast City Airport	X			X	X	06/06/2007	31/12/2009
UK	Bickerton's Aerodromes Ltd (Denham)		X		X		05/02/2007	31/12/2009
UK	Biggin Hill Airport Ltd	X			X	X	31/01/2007	31/12/2009
UK	Blackbushe Airport Ltd		X		X		31/01/2007	31/12/2009
UK	Blackpool Airport Ltd	X			X	X	14/06/2007	31/12/2009
UK	British International Ltd (Penzance)				X	X	05/02/2007	31/12/2009
UK	CAA Aeronautical Charts and Data Section			X			30/03/2007	31/12/2009
UK	City Airport Manchester Ltd (Barton)		X		X		06/06/2007	31/12/2009
UK	Cornwall Airport Limited (Newquay)	X			X	X	19/12/2008	30/04/2009
UK	Council of The Isles of Scilly (St Mary's)	X			X	X	31/01/2007	31/12/2009

State	Name of the ANSP	Services for which it has been certified					Date of the Certificate	Valid until
		ATS	AFIS	AIS	CNS	MET		
UK	Cumbernauld Airport Ltd				X		14/06/2007	31/12/2009
UK	Derry City Council	X			X	X	15/05/2007	31/12/2009
UK	Dundee Airport Ltd	X			X	X	31/08/2007	31/12/2009
UK	Enniskillen				X		06/06/2007	31/12/2009
UK	Exeter & Devon Airport Ltd	X			X	X	05/02/2007	31/12/2009
UK	Fairoaks Airport Ltd		X		X		30/03/2007	31/12/2009
UK	Fenland Aero Club (Licensing) Ltd		X		X		21/12/2006	31/12/2009
UK	Gloucestershire Airport Ltd	X			X	X	02/05/2007	31/12/2009
UK	Goodwood Road Racing Company Ltd		X		X		15/05/2007	31/12/2009
UK	Herefordshire Aero Club Ltd (Shobdon)		X		X		30/03/2007	31/12/2009
UK	Highlands and Islands Airports Ltd	X			X	X	05/02/2007	31/12/2009
UK	Imperial War Museum Duxford		X			X	06/06/2007	31/12/2009
UK	Infratil Airport Europe Ltd	X			X	X	05/02/2007	31/12/2009
UK	Kemble Air Services Ltd		X		X		05/02/2007	31/12/2009
UK	Leeds Bradford International Airport	X			X	X	21/12/2006	31/12/2009
UK	Leicestershire Aero Club Ltd				X		15/05/2007	31/12/2009
UK	London Ashford Airport	X			X	X	21/12/2006	31/12/2009
UK	London Southend Airport Company Ltd	X			X	X	31/01/2007	31/12/2009
UK	Manchester Airport Group plc	X			X	X	06/06/2007	31/12/2009
UK	Marshalls of Cambridge Aerospace Ltd	X			X	X	21/12/2006	31/12/2009
UK	Met Office					X	05/02/2007	31/12/2009
UK	Mid Wales Airport Ltd (Welshpool)				X		06/06/2007	31/12/2009

State	Name of the ANSP	Services for which it has been certified					Date of the Certificate	Valid until
		ATS	AFIS	AIS	CNS	MET		
UK	Montclare Shipping Co. Ltd (Elstree)		X		X		05/02/2007	31/12/2009
UK	NATS (.B. NATS is internally divided into two separate companies, NERL and NSL and therefore two separate certificates have been issued)	X	X	X	X	X	21/12/2006	31/12/2009
UK	NATS NSL	X	X		X	X	21/12/2006 (both NERL and NSL)	31/12/2009
UK	Newcastle International Airport Ltd	X			X	X	21/12/2006	31/12/2009
UK	Norwich Airport Ltd	X			X	X	31/01/2007	31/12/2009
UK	Oxford Aviation Services Ltd	X			X		21/12/2006	31/12/2009
UK	Peel Airports Ltd	X			X	X	05/02/2007	31/12/2009
UK	Pembrokeshire County Council				X		06/06/2007	31/12/2009
UK	Plymouth City Airport	X			X	X	05/02/2007	31/12/2009
UK	Radarmoor Limited (Wellesbourne)		X		X		05/02/2007	31/12/2009
UK	Redhill Aerodrome Ltd	X			X		06/06/2007	31/12/2009
UK	Rochester Airport plc		X		X		15/05/2007	31/12/2009
UK	Serco Ltd	X			X	X	30/03/2007	31/12/2009
UK	Shenley Farms (Aviation) Ltd (Headcorn)				X		06/06/2007	31/12/2009
UK	Sherburn Aero Club Ltd				X		06/06/2007	31/12/2009
UK	Shetland Islands Council (Tingwall)		X		X		05/02/2007	31/12/2009
UK	Shropshire Aero Club Ltd				X		06/06/2007	31/12/2009
UK	Shuttleworth Old Warden Aerodrome		X		X		05/02/2007	31/12/2009
UK	Stobart Air Ltd (Carlisle Airport)	X			X	X	05/02/2007	31/12/2009
UK	Swansea Airport Ltd				X		06/06/2007	31/12/2009

State	Name of the ANSP	Services for which it has been certified					Date of the Certificate	Valid until
		ATS	AFIS	AIS	CNS	MET		
UK	Sywell Aviation Ltd		X		X		15/05/2007	31/12/2009
UK	Tatenhill Aviation Ltd				X		15/05/2007	31/12/2009
UK	Truman Aviation Ltd (Nottingham)				X		15/05/2007	31/12/2009
UK	Westland Helicopters Ltd	X			X		31/01/2007	31/12/2009
UK	West Midlands International Airport	X			X	X	06/06/2007	31/12/2009
UK	West Wales Airport Ltd		X		X		15/05/2007	31/12/2009
UK	Westward Airways (Land's End) Ltd	X			X		15/05/2007	31/12/2009
UK	Wolverhampton Airport Ltd		X		X		14/06/2007	31/12/2009
	Total of the certified ANSPs	80	70	32	153	99		

Annex 4 - List of Designated ATS Providers

State	Name of the ANSP	Airspace under its responsibility	Date of the Designation	Valid until
AT	Austro Control GmbH		01/07/2008	unlimited
BE	Belgocontrol		02/03/2005	01/03/2010
BG	ATSA		23/12/2008	21/06/2012
CH	Skyguide		01/07/2007	withdrawal
CY	Department of Civil Aviation	Nicosia FIR	21/06/2007	20/06/2009
CZ	ANS CR	(FIR Praha, LKPR, LKTB, LKKV, LKMT)	05/12/2006	05/12/2010
CZ	Aero Vodochody	(LKVO)	11/06/2007	11/06/2011
CZ	Aircraft Industries	(LKKU)	19/06/2007	19/06/2009
DE	DFS Deutsche Flugsicherung GmbH	-	-	-
DK	Naviar	All airspace within Copenhagen FIR except TIZ and TIA	20/12/2006	N/A
DK	AFIS Sindal (EKSN)	TIZ	20/12/2006	N/A
DK	AFIS Stauning (EKVJ)	TIZ	20/12/2006	N/A
DK	AFIS Sønderborg (EKSB)	TIZ	20/12/2006	N/A
DK	AFIS Esbjerg (EKEB)	TIZ	20/12/2006	N/A
DK	AFIS Odense (EKOD)	TIZ	20/12/2006	N/A
DK	AFIS Tyra (EKGF)	TIZ/TIA	20/12/2006	N/A
DK	AFIS Vamdrup (EKVD)	TIZ	15/02/2007	N/A
EE	EANS		27/01/2009	termless
EE	Tallinn Airport		27/01/2009	termless
ES	Aeropuertos Españoles y Navegación Aérea (Aena)	All air space under Spanish responsibility.	15/06/1991	For ever, as far as Law 4/90 remains unchanged

State	Name of the ANSP	Airspace under its responsibility	Date of the Designation	Valid until
FI	Finavia	Finland FIR except EFMI FIZ and EFSI FIZ	21/12/2006	20/12/2018
FI	City of Mikkeli	Mikkeli flight information zone (EFMI FIZ)	21/06/2007	20/06/2019
FI	Rengonharju foundation	Seinäjäki flight information zone (EFSI FIZ)	21/06/2007	20/06/2019
FR	DSNA	The whole airspace under French responsibility, either due to ICAO rules, or due to international agreements or bilateral Letters of Agreement.	09/04/2007	No formal limitation
HU	HungaroControl	Budapest FIR CTA and FIS	01/01/2007	UNL
IE	IAA Operations Directorate		20/12/2006	/
IE	Waterford Airport		20/12/2006	/
IE	Kerry Airport PLC		20/12/2006	/
IE	Galway Airport		20/12/2006	/
IE	Ireland West Airport Knock		20/12/2006	/
IE	Sligo Airport Co LTD		20/12/2006	/
IE	Donegal Airport		20/12/2006	/
IE	Weston Airport		20/12/2006	/
IT	ENAV S.p.A	See Chapter 6 of the LSSIP 200-2013 document	1981	unlimited
IT	AVDA	AFIS for Aosta Airport	Before 2004	31/12/2009
IT	Aeroporto Reggio Emilia	AFIS for Reggio Emilia Airport	Before 2004	31/12/2009
IT	SACE SpA	AFIS for Biella Cerrione Airport	Before 2004	31/12/2009
IT	Aeroporto Lucca	AFIS for Lucca Airport	Before 2004	31/12/2009
LT	ORO NAVIGACIJA	-	21/12/2006	unlimited
LV	Latvijas Gaisa Satiksme (LGS)		20/12/2006	20/12/2010
MT	Malta Air Traffic Services Limited (MATS)		06/11/2007	11/06/2013

State	Name of the ANSP	Airspace under its responsibility	Date of the Designation	Valid until
NL	Air Traffic Control The Netherlands (LVNL, "Luchtverkeersleiding Nederland")	LVNL provides ATS up to FL 245.	18/09/2007	unlimited
NL	Maastricht UAC	MUAC provides ATS above FL245	18/09/2007	unlimited
NO	Avinor		09/03/2007	03/09/2012
NO	StatoilHydro		09/03/2007	03/09/2012
NO	ConocoPhillips		09/03/2007	03/09/2012
NO	Sunnhordland Airport		09/03/2007	03/09/2012
NO	Skien Airport		09/03/2007	03/09/2012
NO	Notodden Airport		09/03/2007	03/09/2012
PL	Polish Air Navigation Services Agency		03/08/2007	
PT	Navegação Aérea de Portugal - NAV Portugal, E.P.E. (Ministerial order MOPTC 719/2007)	Lisbon and Santa Maria FIRs	19/12/2006	The designation is valid along the certification period and is automatically extended upon certification renewal. It may be cancelled upon State decision.
RO	Regia Autonoma Romanian Air Traffic Services Administration - ROMATSA	-	21/12/2006	
SE	Luffartsverket (LFV)	Sweden FIR/UIR	20/06/2007	Until further notice
SI	Slovenia Control Ltd.	-	23/03/2006	Undetermined
SK	Letové prevádzkové služby Slovenskej Republiky (LPS SR)	-	12/12/2006	Unlimited

State	Name of the ANSP	Airspace under its responsibility	Date of the Designation	Valid until
UK	Airways Aero Associations Ltd	Wycombe Air Park / Booker	15/06/2007	Note: All designations have been granted in accordance with the relevant notifications in the United Kingdom Aeronautical Information Publication. ATS ANSP derogations are not time limited but will be re/issued at the time of re/certification prior to 31/12/09
UK	Albemarle Shoreham Airport Ltd	Shoreham	14/04/2008	“
UK	Argyll & Bute Council	Oban Airport	19/06/2008	“
UK	ATC Lasham	Lasham	15/06/2007	“
UK	BAE Systems Marine Ltd	Barrow / Walney Island	15/06/2007	“
UK	BAE Systems Integrated System Technologies Ltd	Bristol Filton	15/06/2007	“
UK	BAE Systems (Operations) Ltd	Warton Woodford	15/06/2007 15/06/2007	“
UK	Belfast City Airport	Belfast City	15/06/2007	“
UK	Bickerton's Aerodromes Ltd	Denham	15/06/2007	“
UK	Biggin Hill Airport Ltd	Biggin Hill	15/06/2007	“
UK	Blackbushe Airport Ltd	Blackbushe	15/06/2007	“
UK	Blackpool Airport Ltd	Blackpool	15/06/2007	“
UK	City Airport Manchester	Manchester / Barton	15/06/2007	“
UK	Cornwall Airport Ltd	Newquay	19/12/2008	“
UK	Council of The Isle of Scilly	Scilly Isles / St Marys	15/06/2007	“
UK	Derry City Council	Londonderry / Eglinton	15/06/2007	“
UK	Dundee Airport Ltd	Dundee	01/12/2007	“

State	Name of the ANSP	Airspace under its responsibility	Date of the Designation	Valid until
UK	Exeter & Devon Airport Ltd	Exeter	15/06/2007	“
UK	Fairoaks Airport Ltd	Fairoaks	15/06/2007	“
UK	Fenland Aero Club (Licensing) Ltd	Fenland	15/06/2007	“
UK	Gloucestershire Airport Ltd	Gloucestershire	15/06/2007	“
UK	Goodwood Road Racing Company Ltd	Chichester / Goodwood	15/06/2007	“
UK	Herefordshire Aero Club Ltd	Shobdon	15/06/2007	“
UK	Highlands and Islands Airports Ltd	Barra Benbecula Campbeltown Inverness Islay Kirkwall Stornoway Sumburgh Tiree Wick	15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007	“
UK	Imperial War Museum Duxford	Duxford	15/06/2007	“
UK	Infratil Airport Europe Ltd	Manston Prestwick	15/06/2007 15/06/2007	“
UK	Kemble Air Services Ltd	Kemble	15/06/2007	“
UK	Leeds Bradford International Airport	Leeds Bradford	15/06/2007	“
UK	London Ashford Airport	Lydd	15/06/2007	“
UK	London Southend Airport Company Ltd	Southend	15/06/2007	“
UK	Manchester Airport Group plc	Bournemouth Humberside Nottingham East Midlands	15/06/2007 15/06/2007 15/06/2007	“
UK	Marshalls of Cambridge Aerospace Ltd	Cambridge Great Yarmouth / North Denes	15/06/2007 01/04/2008	“

State	Name of the ANSP	Airspace under its responsibility	Date of the Designation	Valid until
UK	Montclare Shipping Co. Ltd	Elstree	15/06/2007	“
UK	NATS En-route Plc	London Area Control Centre London Terminal Control Centre Manchester Area Control Centre Scottish Area Control Centre	15/06/2007 15/06/2007 15/06/2007 15/06/2007	“
UK	NATS Services Ltd	Aberdeen / Dyce Aberporth Range Belfast/Aldergrove Birmingham Bristol Cardiff Edinburgh Farnborough London City London Gatwick London Heathrow London Luton London Stansted Manchester Southampton	15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007 15/06/2007	“
UK	Newcastle International Airport Ltd	Newcastle	15/06/2007	“
UK	Norwich Airport Ltd	Norwich	15/06/2007	“
UK	Oxford Aviation Services Ltd	Oxford / Kidlington	15/06/2007	“
UK	Peel Airports Ltd	Doncaster Sheffield Durham Tees Valley Liverpool	15/06/2007 15/06/2007 15/06/2007	“
UK	Plymouth City Airport	Plymouth	15/06/2007	“
UK	Radarmoor Limited	Wellesbourne Mountford	15/06/2007	“
UK	Redhill Aerodrome Ltd	Redhill	15/06/2007	“
UK	Rochester Airport plc	Rochester	15/06/2007	“

State	Name of the ANSP	Airspace under its responsibility	Date of the Designation	Valid until
UK	SERCO Ltd	Cranfield Hawarden London Heliport Scatsta	15/06/2007 15/06/2007 15/06/2007 15/06/2007	“
UK	Shetland Islands Council	Lerwick / Tingwall	15/06/2007	“
UK	Shuttleworth Old Warden Aerodrome	Shuttleworth / Old Warden	15/06/2007	“
UK	Stobart Air Ltd	Carlisle	15/06/2007	“
UK	Sywell Aviation Ltd	Northampton / Sywell	15/06/2007	“
UK	Westland Helicopters Ltd	Yeovil / Westland	15/06/2007	“
UK	West Midlands International Airport	Coventry	15/06/2007	“
UK	West Wales Airport Ltd	West Wales / Aberporth	15/06/2007	“
UK	Westward Airways (Lands End) Ltd	Lands End / St Just	15/06/2007	“
UK	Wolverhampton Airport Ltd	Wolverhampton	06/09/2007	“

Annex 5 - List of Designated MET Providers

State	Name of the ANSP	Airspace under its responsibility	Date of the Designation	Valid until
AT	Austro Control GmbH		01/07/2008	unlimited
BE	Belgocontrol		01/01/2005	31/12/2010
BG	ATSA		23/12/2008	21/06/2012
CH	MeteoSchweiz		01/07/2007	withdrawal
CY	MET service of the Ministry of Agriculture, Natural Resources and Environment	Nicosia FIR	21/06/2007	20/06/2009
CZ	Czech Hydro Meteorological Institute		07/06/2007	07/06/2011
DE	DWD Deutscher Wetterdienst	-	-	-
DK	DMI	Copenhagen FIR	16/01/2007	N/A
ES	Agencia Estatal de Meteorología (AEMET)		20/12/2006	
FI	Finnish Meteorological Institute	Finland FIR/UIR	19/06/2007	18/06/2010
FR	Météo France	Same airspace as DSNA.	14/12/2007	No formal limitation
IE	Met Eireann (Aviation Services Division)		25/04/2008	
IT	ENAV S.p.A		1981	unlimited
LT	Lithuanian Hydro-Meteorological Services under responsibility of Ministry of Environment	-	19/07/2007	unlimited
LV	LEGMA and LGS		20/12/2006	20/12/2010
MT	Malta International Airport plc (MIA)		06/11/2007	11/06/2013

State	Name of the ANSP	Airspace under its responsibility	Date of the Designation	Valid until
NL	KNMI		18/09/2007	unlimited
PL	Institute of Meteorology and Water Management (IMGW)		09/01/08 01/01/09	31/12/08 22/04/11
PT	Instituto de Meteorologia, I.P., is the national meteorological authority for aeronautics (Decree-law no. 157/2007 of 27th April).			
RO	Regia Autonoma Romanian Air Traffic Services Administration - ROMATSA	-	21/12/2006	
SE	Luffartsverket (LFV)	Sweden FIR/UIR	20/06/2007	Until further notice
SI	Agency for Environment of Republic of Slovenia.		23/03/2006	Undetermined
SK	Slovak Hydrometeorological Institute (SHMU)	-	12/12/2006	Unlimited
UK	UK Meteorological Office	(ICAO Annex 3 en-route METS in UK airspace and aerodrome forecast for UK)	20/06/2007	31/03/2012

Annex 6 - List of Terminal Charging Zones

State	Zone(s)	Aerodrome(s)	CATM ¹	Source ²	
Austria	1 TNC Zone for 6 aerodromes				
	1	LOWW	WIEN-SCHWECHAT	>150 K	SES R
		LOWS	SALZBURG	20-50	SES R
		LOWG	GRAZ	<20 K	SES R
		LOWI	INNSBRUCK	<20 K	SES R
		LOWL	LINZ	<20 K	SES R
		LOWK	KLAGENFURT	<20 K	SES R
Belgium	1 TNC Zone for 1 aerodrome				
	1	EBBR	BRUSSELS/BRUSSELS-NATIONAL	>150 K	SES R
Cyprus	1 TNC Zone for 2 aerodromes				
	1	LCLK	LARNAKA/INTL	20-50	EC
		LCPH	PAFOS/INTL	<20 K	EC
Czech Rep.	1 TNC Zone for 4 aerodromes				
	1	LKPR	PRAHA/RUZYNE	>150 K	EC
		LKMT	OSTRAVA/MOSNOV	<20 K	EC
		LKTB	BRNO/TURANY	<20 K	EC
		LKKV	KARLOVY VARY	<20 K	EC
Denmark	2 TNC Zones for 3 aerodromes				
	1	EKCH	KOBENHAVN/KASTRUP	>150 K	EC
		EKRK	KOBENHAVN/ROSKILDE	<20 K	EC
	2	EKBI	BILLUND	20-50	EC
Estonia	1 TNC Zone for 2 aerodromes				
	1	EECL	TALLINN/CITY HALL	<20 K	SES R
		EETN	TALLINN	20-50	SES R
Finland	1 TNC Zone for 1 aerodrome				
	1	EFHK	HELSINKI	>150 K	EC
France	1 TNC Zone for 64 aerodromes				
	1	LFPG	PARIS-CHARLES DE GAULLE	>150 K	EC
		LFPO	PARIS-ORLY	>150 K	EC
		LFBD	BORDEAUX-MERIGNAC	50-150	EC
		LFBO	TOULOUSE-BLAGNAC	50-150	EC
		LFLL	LYON SAINT-EXUPERY	50-150	EC
		LFML	MARSEILLE-PROVENCE	50-150	EC
		LFMN	NICE-COTE D'AZUR	50-150	EC
		LFBS	BALE-MULHOUSE	50-150	EC
		LFLC	CLERMONT-FERRAND-AUVERGNE	20-50	EC
		LFPB	PARIS-LE BOURGET	20-50	EC
		LFRS	NANTES ATLANTIQUE	20-50	EC
		LFST	STRASBOURG-ENTZHEIM	20-50	EC
		LFAQ	ALBERT-BRAY	<20 K	EC
		LFBA	AGEN-LA GARENNE	<20 K	EC
		LFBE	BERGERAC-ROUMANIERE	<20 K	EC
		LFBH	LA ROCHELLE-ILE DE RE	<20 K	EC

State	Zone(s)	Aerodrome(s)	CATM ¹	Source ²	
France (Cont.)		LFBI	POITIERS-BIARD	<20 K	EC
		LFBL	LIMOGES-BELLEGARDE	<20 K	EC
		LFBP	PAU-PYRENEES	<20 K	EC
		LFBT	TARBES LOURDES PYRENEES	<20 K	EC
		LFBU	ANGOULEME-BRIE-CHAMPNIERS	<20 K	EC
		LFBZ	BIARRITZ-BAYONNE-ANGLET	<20 K	EC
		LFCR	RODEZ-MARCILLAC	<20 K	EC
		LFGJ	DOLE-TAUAUX	<20 K	EC
		LFJL	METZ NANCY-LORRAINE	<20 K	EC
		LFJR	ANGERS MARCE	<20 K	EC
		LFKB	BASTIA-PORETTA	<20 K	EC
		LFKC	CALVI-SAINTE-CATHERINE	<20 K	EC
		LFKF	FIGARI-SUD-CORSE	<20 K	EC
		LFKJ	AJACCIO-NAPOLEON-BONAPARTE	<20 K	EC
		LFLB	CHAMBERY-AIX-LES-BAINS	<20 K	EC
		LFLP	ANNECY-MEYTHET	<20 K	EC
		LFLS	GRENOBLE-ISERE	<20 K	EC
		LFLX	CHATEAUROUX-DEOLS	<20 K	EC
		LFLY	LYON-BRON	<20 K	EC
		LFMD	CANNES-MANDELIEU	<20 K	EC
		LFMH	SAINT-ETIENNE-BOUTHEON	<20 K	EC
		LFMI	ISTRES-LE TUBE; ISTRES CCER	<20 K	EC
		LFMK	CARCASSONNE-SALVAZA	<20 K	EC
		LFMP	PERPIGNAN-RIVESALTES	<20 K	EC
		LFMT	MONTPELLIER-MEDITERRANEE	<20 K	EC
		LFMU	BEZIERS-VIAS	<20 K	EC
		LFMV	AVIGNON-CAUMONT	<20 K	EC
		LFOB	BEAUVAIS-TILLE	<20 K	EC
		LFOH	LE HAVRE-OCTEVILLE	<20 K	EC
		LFOK	CHALONS-VATRY	<20 K	EC
		LFOP	ROUEN-VALLEE DE SEINE	<20 K	EC
		LFOT	TOURS VAL DE LOIRE	<20 K	EC
		LFPN	TOUSSUS-LE-NOBLE	<20 K	EC
		LFQQ	LILLE-LESQUIN	<20 K	EC
		LFRB	BREST-BRETAGNE	<20 K	EC
		LFRC	CHERBOURG-MAUPERTUS	<20 K	EC
		LFRD	DINARD-PLEURTUIT-ST-MALO	<20 K	EC
		LFRG	DEAUVILLE-SAINT-GATIEN	<20 K	EC
		LFRH	LORIENT-LANN-BIHOUE	<20 K	EC
		LFRK	CAEN-CARPIQUET	<20 K	EC
		LFRN	RENNES-ST-JACQUES	<20 K	EC
		LFRO	LANNION	<20 K	EC
		LFRQ	QUIMPER-PLUGUFFAN	<20 K	EC
	LFRZ	SAINT-NAZAIRE-MONTOIR	<20 K	EC	
	LFSD	DIJON-LONGVIC	<20 K	EC	

State	Zone(s)	Aerodrome(s)	CATM ¹	Source ²	
France (Cont.)		LFSR	REIMS-CHAMPAGNE	<20 K	EC
		LFTH	HYERES-LE PALLYVESTRE	<20 K	EC
		LFTW	NIMES-GARONS	<20 K	EC
Germany	1 TNC Zone for 16 aerodromes				
	1	EDDF	FRANKFURT/MAIN	>150 K	SES R
		EDDH	HAMBURG	>150 K	SES R
		EDDL	DUSSELDORF	>150 K	SES R
		EDDM	MUNCHEN	>150 K	SES R
		EDDB	BERLIN-SCHONEFELD	50-150	SES R
		EDDK	KOLN/BONN	50-150	SES R
		EDDN	NURNBERG	50-150	SES R
		EDDS	STUTTGART	50-150	SES R
		EDDT	BERLIN-TEGEL	50-150	SES R
		EDDV	HANNOVER	50-150	SES R
		EDDC	DRESDEN	20-50	SES R
		EDDG	MUNSTER/OSNABRUCK	20-50	SES R
		EDDP	LEIPZIG/HALLE	20-50	SES R
		EDDW	BREMEN	20-50	SES R
		EDDE	ERFURT	<20 K	SES R
EDDR	SAARBRUCKEN	<20 K	SES R		
Greece	1 TNC Zone for 1 aerodrome				
	1	LGAV	ATHINAI/ELEFThERIOS VENIZELOS	>150 K	EC
Hungary	1 TNC Zone for 1 aerodrome				
	1	LHBP	BUDAPEST/FERIHEGY	50-150	SES R
Ireland	1 TNC Zone for 3 aerodrome				
	1	EIDW	DUBLIN	>150 K	EC
		EICK	CORK	20-50	EC
		EINN	SHANNON	20-50	EC
Italy	1 TNC Zone for 47 aerodromes				
	1	LIRF	ROMA/FIUMICINO	>150 K	SES R
		LIMC	MILANO/MALPENSA	>150 K	SES R
		LIML	MILANO/LINATE	50-150	SES R
		LIPZ	VENEZIA/TESSERA	50-150	SES R
		LIRN	NAPOLI/CAPODICHINO	50-150	SES R
		LIPE	BOLOGNA/BORGO PANIGALE	50-150	SES R
		LIME	BERGAMO/ORIO AL SERIO	50-150	SES R
		LICC	CATANIA/FONTANAROSSA	50-150	SES R
		LIRA	ROMA/CIAMPINO (MIL.)	50-150	SES R
		LIMF	TORINO/CASELLE	50-150	SES R
		LICJ	PALERMO/PUNTA RAISI	20-50	SES R
		LIRP	PISA/S. GIUSTO (MIL)	20-50	SES R
		LIPX	VERONA/VILLAFRANCA (MIL.)	20-50	SES R
		LIEE	CAGLIARI/ELMAS (MIL)	20-50	SES R
		LIRQ	FIRENZE/PERETOLA	20-50	SES R
		LIBD	BARI/PALESE	20-50	SES R

State	Zone(s)	Aerodrome(s)	CATM ¹	Source ²	
Italy (Cont.)		LIEO	OLBIA/COSTA SMERALDA	20-50	SES R
		LIMJ	GENOVA/SESTRI	20-50	SES R
		LIPH	TREVISO/S.ANGELO (MIL)	<20 K	SES R
		LIQN	RIETI	<20 K	SES R
		LICA	LAMEZIA TERME	<20 K	SES R
		LIPQ	TRIESTE/RONCHI DEI LEGIONARI	<20 K	SES R
		LIPY	ANCONA/FALCONARA	<20 K	SES R
		LIEA	ALGHERO/FERTILIA	<20 K	SES R
		LIBR	BRINDISI/CASALE (MIL)	<20 K	SES R
		LIBP	PESCARA	<20 K	SES R
		LIPO	BRESCIA/MONTICHIARI	<20 K	SES R
		LICR	REGGIO CALABRIA	<20 K	SES R
		LICT	TRAPANI/BIRGI (MIL)	<20 K	SES R
		LIPR	RIMINI/MIRAMARE (MIL.)	<20 K	SES R
		LIPK	FORLI'	<20 K	SES R
		LIMP	PARMA	<20 K	SES R
		LICG	PANTELLERIA	<20 K	SES R
		LIPB	BOLZANO	<20 K	SES R
		LICD	LAMPEDUSA	<20 K	SES R
		LIRZ	PERUGIA/S. EGIDIO	<20 K	SES R
		LIBC	CROTONE	<20 K	SES R
		LIMZ	CUNEO/LEVALDIGI	<20 K	SES R
		LIMG	ALBENGA	<20 K	SES R
		LIBF	FOGGIA/GINO LISA	<20 K	SES R
		LIRI	SALERNO/PONTECAGNANO	<20 K	SES R
		LIBG	TARANTO/GROTTAGLIE	<20 K	SES R
	LIPU	PADOVA	<20 K	SES R	
	LIRU	ROMA/URBE	<20 K	SES R	
	LIMA	TORINO/AERITALIA	<20 K	SES R	
	LIPN	VERONA/BOSCOMATICO	<20 K	SES R	
	LIPV	VENEZIA/LIDO	<20 K	SES R	
Latvia	2 TNC Zones for 3 aerodromes				
	1	EVRA	RIGA (AIRPORT)	20-50	SES R
	2	EVLA	LIEPAJA	<20 K	SES R
		EVVA	VENTSPILS	<20 K	SES R
Lithuania	1 TNC Zone for 3 aerodromes				
	1	EYVI	VILNIUS INTL	20-50	SES R
		EYKA	KAUNAS INTL	<20 K	SES R
		EYPA	PALANGA INTL	<20 K	SES R
Luxembourg	1 TNC Zone for 1 aerodrome				
	1	ELLX	LUXEMBOURG/LUXEMBOURG	50-150	SES R
Netherlands	1 TNC Zone for 4 aerodromes				
	1	EHAM	AMSTERDAM/SCHIPHOL	>150 K	SES R
		EHRD	ROTTERDAM/ROTTERDAM	<20 K	SES R
		EHBK	MAASTRICHT/MAASTRICHT AACHEN	<20 K	SES R

State	Zone(s)	Aerodrome(s)		CATM ¹	Source ²
Netherlands (Cont.)		EHGG	GRONINGEN/EELDE	<20 K	SES R
Poland	2 TNC Zones for 11 aerodromes				
	1	EPWA	WARSZAWA/OKECIE	50-150	SES R
	2	EPGD	GDANSK/LECH WALESIA	20-50	SES R
		EPKK	KRAKOW/BALICE	20-50	SES R
		EPKT	KATOWICE/PYRZOWICE	20-50	SES R
		EPBY	BYDGOSZCZ/SZWEDEROWO	<20 K	SES R
		EPLL	LODZ/LUBLINEK	<20 K	SES R
		EPPO	POZNAN/LAWICA	<20 K	SES R
		EPRZ	RZESZOW/JASIONKA	<20 K	SES R
		EPSC	SZCZECIN/GOLENIOW	<20 K	SES R
		EPWR	WROCLAW/STRACHOWICE	<20 K	SES R
		EPZG	ZIELONA GORA/BABIMOST	<20 K	SES R
Portugal	2 TNC Zones for 9 aerodromes				
	1	LPPR	PORTO	50-150	SES R
		LPPT	LISBOA	50-150	SES R
		LPFR	FARO	20-50	SES R
		LPMA	MADEIRA	20-50	SES R
		LPPS	PORTO SANTO	<20 K	SES R
	2	LPAZ	SANTA MARIA	<20 K	SES R
		LPFL	FLORES	<20 K	SES R
		LPHR	HORTA	<20 K	SES R
		LPPD	PONTA DELGADA	<20 K	SES R
Romania	2 TNC Zones for 16 aerodromes				
	1	LROP	BUCURESTI/HENRI COANDA	50-150	SES R
		LRBS	BUCURESTI/BANEASA-AUREL VLAICU	<20 K	SES R
	2	LRTR	TIMISOARA/TRAIAN VUIA	20-50	SES R
		LRAR	ARAD/ARAD	<20 K	SES R
		LRBC	BACAU/BACAU	<20 K	SES R
		LRBM	BAIA MARE/BAIA MARE	<20 K	SES R
		LRCK	CONSTANTA	<20 K	SES R
		LRCL	CLUJ NAPOCA/CLUJ NAPOCA	<20 K	SES R
		LRCV	CRAIOVA/CRAIOVA	<20 K	SES R
		LRIA	IASI/IASI	<20 K	SES R
		LROD	ORADEA/ORADEA	<20 K	SES R
		LRSB	SIBIU/SIBIU	<20 K	SES R
		LRSM	SATU MARE/SATU MARE	<20 K	SES R
		LRSV	SUCEAVA/STEFAN CEL MARE-SUCEAVA	<20 K	SES R
		LRTC	TULCEA/DELTA DUNARII	<20 K	SES R
	LRTM	TARGU MURES/TRANSILVANIA-TARGU MURES	<20 K	SES R	
Slovenia	1 TNC Zone for 3 aerodromes				
	1	LJLJ	LJUBLJANA/BRNIK	20-50	SES R
		LJMB	MARIBOR/OREHOVA VAS	<20 K	SES R
		LJPZ	PORTOROZ/SECOVLJE	<20 K	SES R

State	Zone(s)	Aerodrome(s)	CATM ¹	Source ²	
Spain	1 TNC Zones for 10 aerodromes				
	1	LEBL	BARCELONA	>150 K	EC
		LEMD	MADRID/BARAJAS	>150 K	EC
		LEPA	PALMA DE MALLORCA	>150 K	EC
		GCLP	GRAN CANARIA	50-150	EC
		GCTS	TENERIFE SUR/REINA SOFIA	50-150	EC
		GCXO	TENERIFE NORTE (AD CIVIL)	50-150	EC
		LEAL	ALICANTE	50-150	EC
		LEBB	BILBAO	50-150	EC
		LEMG	MALAGA	50-150	EC
		LEVC	VALENCIA	50-150	EC
Sweden	1 TNC Zone for 2 aerodromes				
	1	ESSA	STOCKHOLM/ARLANDA	>150 K	EC
		ESGG	GOTEBORG/LANDVETTER	50-150	EC
UK	2 TNC Zones for 14 aerodromes				
	1	EGAA	BELFAST/ALDERGROVE	50-150	EC
		EGBB	BIRMINGHAM	50-150	EC
		EGGD	BRISTOL	50-150	EC
		EGGW	LONDON LUTON	50-150	EC
		EGLC	LONDON/CITY	50-150	EC
		EGNT	NEWCASTLE	50-150	EC
		EGNX	EAST MIDLANDS	50-150	EC
		EGPD	ABERDEEN	50-150	EC
		EGPF	GLASGOW	50-150	EC
		EGPH	EDINBURGH	50-150	EC
	2	EGCC	MANCHESTER	>150 K	EC
		EGKK	LONDON GATWICK	>150 K	EC
		EGLL	LONDON HEATHROW	>150 K	EC
		EGSS	LONDON STANSTED	>150 K	EC
Norway	9 TNC Zones for 54 aerodromes				
	1	ENOA	OSEBERG A	<20 K	SES R
	2	ENNO	NOTODDEN	<20 K	SES R
	3	ENSO	STORD/SORSTOKKEN	<20 K	SES R
	4	ENSN	SKIEN/GEITERYGGEN	<20 K	SES R
	5	ENEK	EKOFISK	<20 K	SES R
	6		TAMPEN HFIS	<20 K	SES R
	7	ENTO	SANDEFJORD/TORP	20-50	SES R
	8	ENRY	MOSS/RYGGE	<20 K	SES R
	9	ENGM	OSLO/GARDERMOEN	>150 K	SES R
		ENBR	BERGEN/FLES LAND	50-150	SES R
		ENZV	STAVANGER/SOLA	50-150	SES R
		ENBO	BODO	20-50	SES R
		ENTC	TROMSO/LANGNES	20-50	SES R
		ENVA	TRONDHEIM/VAERNES	20-50	SES R
		ENAL	ALESUND/VIGRA	<20 K	SES R

State	Zone(s)	Aerodrome(s)		CATM ¹	Source ²
Norway (Cont.)		ENAN	ANDENES/ANDOYA	<20 K	SES R
		ENAT	ALTA	<20 K	SES R
		ENBL	FORDE/BRINGELAND	<20 K	SES R
		ENBN	BRONNOYSUND/BRONNOY	<20 K	SES R
		ENBS	BATSFJORD	<20 K	SES R
		ENBV	BERLEVAG	<20 K	SES R
		ENCN	KRISTIANSAND/KJEVIK	<20 K	SES R
		ENDU	BARDUFOSS	<20 K	SES R
		ENEV	HARSTAD/NARVIK/EVENES	<20 K	SES R
		ENFG	FAGERNES/LEIRIN	<20 K	SES R
		ENFL	FLORO	<20 K	SES R
		ENHD	HAUGESUND/KARMOY	<20 K	SES R
		ENHF	HAMMERFEST	<20 K	SES R
		ENHK	HASVIK	<20 K	SES R
		ENHV	HONNINGSVAG/VALAN	<20 K	SES R
		ENKB	KRISTIANSUND/KVERNBERGET	<20 K	SES R
		ENKR	KIRKENES/HOYBUKTMOEN	<20 K	SES R
		ENLK	LEKNES	<20 K	SES R
		ENMH	MEHAMN	<20 K	SES R
		ENML	MOLDE/ARO	<20 K	SES R
		ENMS	MOSJOEN/KJAERSTAD	<20 K	SES R
		ENNA	LAKSELV/BANAK	<20 K	SES R
		ENNK	NARVIK/FRAMNES	<20 K	SES R
		ENNM	NAMSOS	<20 K	SES R
		ENOV	ORSTA-VOLDA/HOVDEN	<20 K	SES R
		ENRA	MO I RANA/ROSSVOLL	<20 K	SES R
		ENRM	RORVIK/Ryum	<20 K	SES R
		ENRO	ROROS	<20 K	SES R
		ENRS	ROST	<20 K	SES R
		ENSB	SVALBARD/LONGYEAR	<20 K	SES R
		ENSD	SANDANE/ANDA	<20 K	SES R
		ENSG	SOGNDAL/HAUKASEN	<20 K	SES R
ENSH	SVOLVAER/HELLE	<20 K	SES R		
ENSK	STOKMARKNES/SKAGEN	<20 K	SES R		
ENSR	SORKJOSEN	<20 K	SES R		
ENSS	VARDO/SVARTNES	<20 K	SES R		
ENST	SANDNESSJOEN/STOKKA	<20 K	SES R		
ENVD	VADSO	<20 K	SES R		
ENVR	VAEROY	<20 K	SES R		
Switzerland	1 TNC Zone for 2 aerodromes				
	1	LSZH	ZURICH	>150 K	SES R
		LSGG	GENEVE	>150 K	SES R

1. CATM: Commercial Air Transport Movements (class estimated on the basis of the number of Scheduled and Non-scheduled flights as indicated in the flight plans recorded in the CFMU database)

2. Sources: Information collected from the SES Reports when available. Completed with information from the EC website (TNC consultation hearing of February 2009).

Annex 7 - List of Airports Exempted from Regulation (EC) N° 1794/2006

State	Airports exempted from the application of Regulation (EC) N° 1794/2006	
Austria	No exemptions	
Belgium	List of 5 exempted airports, still to be decided for years 2009 and onwards	
	EBLG	LIEGE/LIEGE (CIV)
	EBCI	CHARLEROI/BRUSSELS SOUTH
	EBAW	ANTWERPEN/DEURNE
	EBOS	OOSTENDE-BRUGGE/OOSTENDE
	EBKT	KORTRIJK/WEVELGEM
Bulgaria	Exemptions - List of exempted airports not yet communicated	
Cyprus	No exemptions	
Czech Rep	No exemptions	
Denmark	List of 4 exempted airports	
	EKYT	AALBORG (CIV/MIL)
	EKAH	AARHUS
	EKEB	ESBJERG
	EKRN	BORNHOLM/RONNE
Estonia	No exemptions	
Finland	List of 26 exempted airports	
	EFOU	OULU
	EFTP	TAMPERE-PIRKKALA
	EFTU	TURKU
	EFVA	VAASA
	EFMA	MARIEHAMN
	EFKU	KUOPIO
	EFRO	ROVANIEMI
	EFJY	JYVASKYLA
	EFKK	KRUUNUPYY
	EFPO	PORI
	EFJO	JOENSUU
	EFKE	KEMI-TORNIO
	EFKT	KITILA
	EFSI	SEINAJOKI
	EFLP	LAPPEENRANTA
	EFKI	KAJAANI
	EFIV	IVALO
	EFKS	KUUSAMO
	EFSA	SAVONLINNA
	EFVR	VARKAUS
	EFET	ENONTEKIO
	EFHF	HELSINKI-MALMI
	EFUT	UTTI
	EFMI	MIKKELI
	EFKA	KAUHAVA
	EFHA	HALLI
France	No exemptions	

State	Airports exempted from the application of Regulation (EC) N° 1794/2006	
Germany	List of 24 exempted airports	
	EDFH	FRANKFURT-HAHN
	EDLW	DORTMUND
	EDLP	PADERBORN/LIPPSTADT
	EDNY	FRIEDRICHSHAFEN
	EDSB	KARLSRUHE/BADEN-BADEN
	EDLV	NIEDERRHEIN
	EDFM	MANNHEIM CITY
	EDVE	BRAUNSCHWEIG-WOLFSBURG
	EDHL	LUBECK-BLANKENSEE
	EDXW	WESTERLAND/SYLT
	EDRZ	ZWEIBRUCKEN
	EDJA	MEMMINGEN
	EDHI	HAMBURG-FINKENWERDER
	EDVK	KASSEL-CALDEN
	EDQM	HOF-PLAUEN
	EDMA	AUGSBURG
	EDAC	ALTENBURG-NOBITZ
	EDLN	MONCHENGLADBACH
	EDTL	LAHR
	EDOP	SCHWERIN-PARCHIM
	EDAH	HERINGSDORF
	ETSI	INGOLSTADT/MANCHING
	ETNL	LAAGE
	ETNU	NEUBRANDENBURG
Greece	Exemptions - List of exempted airports not yet communicated	
Hungary	List of 7 exempted airports	
	LHSM	SARMELLEK/BALATON
	LHPR	GYOR/PER
	LHDC	DEBRECEN
	LHPP	PECS/POGANY
	LHUD	SZEGED
	LHBC	BEKESCSABA
	LHNY	NYIREGYHAZA
Ireland	List of 7 exempted airports	
	EICM	GALWAY
	EIKN	CONNAUGHT
	EIKY	KERRY
	EIWF	WATERFORD
	EIDL	DONEGAL
	EISG	SLIGO
	EIWT	WESTON
Italy	No exemptions	
Latvia	No exemptions	
Lithuania	No exemptions	

State	Airports exempted from the application of Regulation (EC) N° 1794/2006	
Luxembourg	No exemptions	
Malta	List of 1 exempted airport	
	LMML	LUQA AIRPORT
Netherlands	No exemptions	
Poland	No exemptions	
Portugal	No exemptions	
Romania	No exemptions - to be confirmed before 01.01.2010	
Slovakia	List of 6 exempted airports	
	LZIB	BRATISLAVA/M.R.STEFANIK
	LZKZ	KOSICE
	LZTT	POPRAD-TATRY
	LZZI	ZILINA
	LZSL	SLIAC
	LZPP	PIESTANY
Slovenia	No exemptions	
Spain	List of 34 exempted airports	
	GCRR	LANZAROTE
	GCFV	FUERTEVENTURA
	GCLA	LA PALMA
	GCHI	HIERRO
	GCGM	LA GOMERA
	GEML	MELILLA
	LEIB	IBIZA
	LEZL	SEVILLA
	LEGE	GIRONA
	LEMH	MENORCA
	LEST	SANTIAGO
	LEAS	ASTURIAS
	LELC	MURCIA/SAN JAVIER
	LEVX	VIGO
	LEXJ	SANTANDER
	LEAM	ALMERIA
	LEGR	GRANADA/FEDERICO GARCIA LORCA GRANADA-JAEN
	LECO	A CORUNA
	LEJR	JEREZ
	LETO	MADRID/TORREJON
	LEPP	PAMPLONA
	LEVT	VITORIA
	LESO	SAN SEBASTIAN
	LEVD	VALLADOLID
	LERS	REUS
	LEZG	ZARAGOZA
	LELN	LEON
	LEBZ	BADAJOS
	LERJ	LOGRONO (CIVIL)

State	Airports exempted from the application of Regulation (EC) N° 1794/2006	
Spain (Continued)	LESA	SALAMANCA
	LEAB	ALBACETE
	LECU	MADRID/CUATRO VIENTOS (CIV)
	LELL	SABADELL
	LEHC	HUESCA/PIRINEOS
Sweden	No decision yet	
UK	List of 16 exempted airports	
	EGHI	SOUTHAMPTON
	EGGP	LIVERPOOL
	EGNM	LEEDS BRADFORD
	EGAC	BELFAST/CITY
	EGFF	CARDIFF
	EGPK	GLASGOW PRESTWICK
	EGPE	INVERNESS
	EGTE	EXETER
	EGSH	NORWICH
	EGHH	BOURNEMOUTH
	EGNV	DURHAM TEES VALLEY
	EGBE	COVENTRY
	EGPA	KIRKWALL
	EGNJ	HUMBERSIDE
	EGNH	BLACKPOOL
	EGPM	SCATSTA
Norway	No exemptions	
Switzerland	List of 7 aerodromes foreseen to be exempt from 2011	
	LSZA	LUGANO
	LSZB	BERN-BELP
	LSZR	ST. GALLEN-ALTENRHEIN
	LSGS	SION
	LSZG	GRENCHEN
	LSGC	LES EPLATURES
	LSZC	BUOCHS

Annex 8 - Acronyms

Note: The NSAs and ANSPs which are specifically referred to in the main body of the Report by their acronyms can be identified in Annex 2 - List of NSAs and Annex 3 - List of the Certified ANSPs.

A/G	Air/Ground
ABI	OLDI Advanced Boundary Information Message
ACC	Area Control Centre
ACT	Activation Message (Part of Basic OLDI)
ADEXP	ATS Data Exchange Presentation
AFI	African and Indian Ocean Region (ICAO)
AFIS	Aerodrome Flight Information Service
AGVCS	Air-Ground voice channel spacing
AIC	Aeronautical Information Circular
AIS	Aeronautical Information Service
AMC	Airspace Management Cell
ANS	Air Navigation Services
ANSP	Air Navigation Service Provider
APP	Approach Control Unit
ASM	Airspace Management
ATC	Air Traffic Control
ATCO	Air Traffic Controller
ATM	Air Traffic Management
ATS	Air Traffic Services
ATSP	Air Traffic Service Provider
CAA	Civil Aviation Authority
CATM	Commercial Air Transport Movement
CBA	Cross-Border Area (FUA)
CDR	Conditional Route
CFMU	Central Flow Management Unit
CIV/MIL	Civil-Military
CNS	Communication Navigation Surveillance
COTR	Coordination and Transfer
CRCO	Central Route Charges Office
DCMAC	Directorate of Civil-Military ATM Coordination
DG	Director General
DGCA	Director General of Civil Aviation
EAD	European AIS Database
EATMN	European Air Traffic Management Network
EC	European Commission
ECAA	European Common Aviation Area

ECIP	European Convergence and Implementation Plan
EGNOS	European Geostationary Overlay Service
ESARR	EUROCONTROL Safety Regulatory Requirement
EU	European Union
FAB	Functional Airspace Block
FL	Flight Level
FMTF	Flight message transfer protocol
FUA	Flexible Use of Airspace
GAT	General Air Traffic
HLPB	High Level Airspace Policy Body
ICAO	International Civil Aviation Organization
ICAO FMG	ICAO Frequency Management Group
IFPL	Initial Flight Plan
IFPS	(Integrated) Initial Flight Plan Processing System
ILS	Instrument Landing System
LCIP	Local Convergence and Implementation Plan
LSSIP	Local Single Sky ImPlementation
MET	Meteorological Services for Air Navigation
MoD	Ministry of Defence
MoT	Ministry of Transport
N/A	Not applicable
NOTA	Northern Oceanic Transition Area
NSA	National Supervisory Authority
EUR Region	European Region * (ICAO)
OLDI	Online Data Interchange
PRC	Performance Review Commission
RWY	Runway
SES	Single European Sky
SES I	First Single European Sky legislation package
SES II	Second Single European Sky legislation package
SES States	29 EU Member States, Norway and Switzerland
SESAR	the Single European Sky ATM Research Programme
SOTA	Shannon Oceanic Transition Area
TEN-T	Trans European Network (-Transport)
TNC	Terminal Navigation Charges
TRA	Temporary Reserved Area
TSA	Temporary Segregated Area
TWR	Tower Control Unit
UAC	Upper Area Control (Centre)
VFR	Visual Flight Rules

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