OVERVIEW OF THE STAKEHOLDER CONSULTATION PERFORMED FOR THE 
SES2+ IMPACT ASSESSMENT

Stakeholder consultation process consisted of several elements, including bilateral meetings, discussions in forums (such as the European Economic and Social Committee, Social Dialogue, IATA Operations panel etc), public consultation and interviews with some key stakeholders.

1 LIST OF STAKEHOLDERS CONSULTED THROUGHOUT THE CONSULTATION PROCESS

Firstly, the following organizations/persons responded to the public consultation:

- Representative bodies at European level including: Air navigation service providers (ANSP) (18), airlines (3), airport operators (3), manufacturing industry (2), other civil airspace users (4), representative and/or professional associations (15), trade unions (12) and miscellaneous respondents (9)\(^1\).

- National Supervisory Authorities (9): CAA Belgium, CAA UK, BAF DE, DGAC France, ENAC IT

- Member States: Ministries (6) and military (2)

Secondly, the within the framework of the impact assessment (IA) support study, 26 persons representing certain key stakeholders, were interviewed:

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Association of European Airlines</td>
<td>Bundesaufsichtsamt für Flugsicherung DE</td>
</tr>
<tr>
<td>CAA Belgium</td>
<td>CAA UK</td>
</tr>
<tr>
<td>CANSO</td>
<td>DFS Germany</td>
</tr>
<tr>
<td>DGAC France</td>
<td>DSNA France</td>
</tr>
<tr>
<td>ENAC IT</td>
<td>European Aviation Safety Agency</td>
</tr>
<tr>
<td>European Transport Workers’ Federation</td>
<td>HIAL UK</td>
</tr>
<tr>
<td>IFATSEA</td>
<td>International Air Transport Association</td>
</tr>
<tr>
<td>International Federation of Air Traffic Controllers’ Associations</td>
<td>LFV Sweden, NATS UK, NAV Canada</td>
</tr>
</tbody>
</table>

\(^1\) These included: AEA (Association of European Airlines), ETF (European Transport Workers’ Federation), CANSO (Civil Air Navigation Services Organisation), DFS (Deutsche Flugsicherung), DSNA France (Direction des services de la navigation aérienne), HIAL UK (Highland and Islands Airports Limited), IFATSEA (International Federation of Air Traffic Safety Electronics Associations), IATA (International Air Transport Association), IFATCA (International Federation of Air Traffic Controllers’ Associations), LFV Sweden, NATS UK, NAV Canada
The answers of the interviews are incorporated into the IA support study and have thus informed the Commission while preparing their analysis in the IA report.

Thirdly, on 21 January 2013, a public hearing on SES II+ was organised by the European Economic and Social Committee. Participation at the public hearing was open to all interested stakeholders, who were also able to present their questions and comments to different speakers. The latter included:

- Airline representatives (Brussels Airlines, Ryanair)
- Defence community (European Defence Agency)
- Service providers (Italian Air Navigation Service Provider)
- Trade unions (European Transport Workers’ Federation)
- Public sector (German Ministry of Transport, Polish Ministry of Transport, Belgian National Supervisory Authority)
- Airports Council International Europe
- European Aviation Safety Agency
- SESAR Joint Undertaking.

The Commission took note of the debate from all the sides.

2.1 Coverage

A total of 83 responses were been received, representing all stakeholder groups, though the views of the service providers have to some extent prevailing weight (22% of respondents).

Closely followed the representative and/or professional organisations (18%) and trade unions (14%). Other stakeholder categories were represented to a limited extent.

**Figure IV-1: Breakdown of respondents by stakeholder group**

![Bar chart showing the breakdown of respondents by stakeholder group.]

**Figure IV-2: Relative share of different responses**

![Pie chart showing the relative share of different responses.]

### 2.2 Results of the public consultation

The analysis below gives an overview of the replies to the questions which were posed to stakeholders during the public consultation. It has to be noted, that these differ to some extent from the intervention framework presented in the Commission IA. This is due to the fact that the Commission thinking has evolved throughout the policy preparation process, including the adjustments made according to the results of the stakeholder consultations.

#### 2.2.1 Stakeholder views on problems
Figure IV-3: To which extent are the objectives of the Single European Sky initiative to improve the efficiency in organisation and management of the European airspace already achieved?

Less than 5% of stakeholders report that the objectives of the Single European Sky initiative are fully met (mostly these ministries and some representative and/or professional associations). The majority of stakeholders, about 70%, believes the objectives are met to some extent. The airlines and the other civil airspace users are the least positive about the effects of SES, with a large percentage of stakeholders reporting the objectives have not been achieved at all.
Figure IV-4: Indication on which policy area(s) in particular the objectives are not met.

<table>
<thead>
<tr>
<th>Number of responses (absolute)</th>
<th>ANSP</th>
<th>Airline</th>
<th>Air operator</th>
<th>Manuf. industry</th>
<th>Military</th>
<th>Ministry</th>
<th>NSA</th>
<th>Other</th>
<th>Other civil space user</th>
<th>Repr/prof. association</th>
<th>Trade union</th>
<th>Total</th>
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<tbody>
<tr>
<td>Performance Scheme</td>
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<td>3</td>
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<td>34</td>
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<tr>
<td>Functional Airspace Blocks</td>
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<td>3</td>
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<td>0</td>
<td>2</td>
</tr>
<tr>
<td>SESAR</td>
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<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>7</td>
<td>16</td>
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<tr>
<td>Safety and security requirements</td>
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<td>0</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>11</td>
<td>12</td>
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<td>Interoperability</td>
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<td>8</td>
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<td>12</td>
<td>58</td>
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<td>278</td>
</tr>
</tbody>
</table>

According to the service providers, the objectives are not met in most of the policy areas, except for the charging scheme, SESAR, safety/security and the network manager. This opinion is mostly shared by the representative and/or professional association and trade unions, who however remain concerned also about safety/ and security requirements. Most stakeholders report that the objectives in interoperability, human factor and organisation/use of airspace have not been met.

The service providers indicated that there is still work required in a number of policy areas in order to fully achieve the SES objectives, but much of this can be achieved through the reinforcement of existing regulations rather than creating more rules. The project of SES was perceived still too bureaucratic.

Another concern of the service providers is that the FABs still need a stronger institutional framework and common management system. Airlines also report that FABs do not comply with the legal obligations and are not delivering the expected benefits.


Figure IV- 5: Indication on which policy area of the Single European Sky initiative it is considered necessary that further work is being done:

<table>
<thead>
<tr>
<th>Number of responses (absolute)</th>
<th>ANSP</th>
<th>Airline</th>
<th>Air operator</th>
<th>Manuf. industry</th>
<th>Military</th>
<th>Ministry</th>
<th>NSA</th>
<th>Other</th>
<th>Other civil space user</th>
<th>Repr/prof. association</th>
<th>Trade union</th>
<th>Total</th>
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<td>Performance Scheme</td>
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<td>8</td>
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<td>Interoperability</td>
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<tr>
<td>Total</td>
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<td>10</td>
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<td>16</td>
<td>24</td>
<td>25</td>
<td>11</td>
<td>70</td>
<td>47</td>
<td>296</td>
</tr>
</tbody>
</table>

According to the service providers, further work should most importantly be done in the area of the performance scheme, organisation and use of the airspace, airports, interoperability, the human factor and "other areas". Representative and/or professional associations and trade unions put a larger emphasis on the safety and security requirements.

Service providers added that there are several overlaps and gaps in the legislative framework, which have emerged as a result of the aggregation of the different SES initiatives. Therefore a harmonization and recast of legislation is expected. In case of the performance scheme, stakeholders stressed necessity to respect the expert views of all stakeholders in setting the targets (which should be achievable, simple and realistic) as well as in evaluating the performance.
Figure IV- 6: There is still a tendency to support maintaining the status quo in service provision, instead of focusing more on the value-added created for airspace users.

Stakeholder opinions on this statement are widely divided. Some, like trade unions and professional associations perceive this as being of low relevance, while the service providers perceive this as being of medium relevance. The airlines and the manufacturing industries perceive this issue as highly relevant.

Figure IV- 7: Increased co-operation to seek synergies between the service providers is needed to bring benefits to airspace users both inside and outside FABs. Working in isolation would keep the service providers from achieving their full potential as a network industry.

A bit more than half of stakeholders believe this to be of high relevance. Most of these stakeholders are the service providers. The NSAs report this issue being of medium relevance.
Figure IV-8: Due to the current economic crisis, the National Supervisory Authorities (NSAs) do not have the required resources to efficiently oversee the service providers and enforce SES rules.

Only a small number of stakeholders fully agree with this statement (the airport operators, manufacturing industries). NSAs themselves mostly agree with this statement. Within the larger groups of service providers, professional associations and trade unions, stakeholders believe this is true to some extent. The airlines and militaries find this statement being not true.

2.2.2 Stakeholder views on policy objectives

Figure IV-9: Ensure the performance and efficiency of service provision

The performance and efficiency of service provision is of high relevance for half of stakeholders. These are the service providers, airlines, airport operators and manufacturing
industries. About 20% of stakeholders report this of low relevance; most of these are trade unions, representative and/or professional associations and ministries.

**Figure IV-10:** Optimisation of service provision requires an increased focus on value added for airspace users and an increased willingness to flexibly change old business models

30% of the total stakeholders believe this to be of high relevance (mostly the airlines, airport operators and manufacturing industries). About 25% believe this to be of medium relevance (mostly the service providers, and half of the NSAs).

**Figure IV-11:** Improving the governance of the performance scheme

About a half of stakeholders agree with the objective of improving the governance of the performance scheme, although about 40% (many representative and/or professional associations, trade unions and all military and other civil airspace users) think that this not a relevant objective. At the same time all operators (airlines, industry and airports) find this objective very relevant.
**Figure IV-12:** Increasing the competitiveness of the air transport system requires continuous focus on ensuring that the performance targets remain sufficiently ambitious

On this question, the opinions are quite different. 20% of the total stakeholders believe this to be of high relevance (mostly the airlines, airport operators and manufacturing industries). About 30% believe this to be of medium relevance (mostly the service providers and half of the NSAs).

**Figure IV-13:** Improving the functionality of functional airspace blocks and other co-operation arrangements

The majority of stakeholders perceive this objective as highly relevant or medium relevant. Only 10% of the total respondents believe the objective is of low relevance, which are mostly the other civil airspace users, the military and a small share of the representative and/or professional associations.
**Figure IV-14:** The FABs should be increasingly focused on functionality and flexible search for synergies, instead of rigid structures to ensure new efficiencies and economies can be realised

The majority of stakeholders stated this to be of high relevance (service providers, the majority of the professional associations and some of the smaller stakeholder groups). The majority of trade unions also perceive this of low relevance.

**Figure IV-15:** Ensure the alignment of various policy initiatives

Half of stakeholders perceive the alignment of various policy initiatives as highly relevant.
The majority of stakeholders, about 60%, believe clarifying the roles of the various involved organisations is of high relevance, though trade unions and representative and/or professional associations find it less pertinent.

About 45% of respondents indicate that enforcement and follow up are of high relevance in the SES policy. These are mostly the airlines, airport operators and manufacturing industry. On the other hand, the professional associations, trade unions and the other civil airspace users find this objective being of low relevance.
**Figure IV-18:** Ensuring their policies are decided through a single planning framework and that they all focus on a single agreed objective

Again the majority of stakeholders reported this of high relevance. The small mid-group perceiving the medium relevance consists of mostly of the ministries and the NSAs.

**Figure IV-19:** Links between the performance scheme, the FABs, the Network Manager and SESAR deployment need to be further reinforced

About half of stakeholder perceives this objective as of high relevance (service providers and the smaller groups of stakeholders) while again representative and/or professional associations and trade unions do not always share this view.
2.2.3 Stakeholder views on possible policy options

**Figure IV- 20:** Unbundle support services from the core bundled ANSPs and opening up the market for them

The majority of trade unions and representative and/or professional associations, but also some ministries, civil airspace users and ANSPs do not agree at all, which is 30% of the total stakeholders. The majority of the ANSPs agree to some extent. For other stakeholder groups views are dispersed, while overall only about 20% agree fully (including all airlines). An interesting split in States position is witnessed with ministries being equally split amongst the choices, but NSAs exhibiting a preference for at least some unbundling.

**Figure IV- 21:** More involvement of all airspace user groups in ANSP governance to ensure focus on stakeholder value.

A large share of stakeholders believes that involving all airspace users in ANSP governance is not a good idea. These are in particular stakeholders from the ANSPs, the representative and/or professional associations and trade unions. The military, other civil airspace users and...
the manufacturing industries agree fully with this proposal, but this is only 15% of the total stakeholders. Interestingly the airlines – who have given most anecdotal evidence of lacking influence – are evenly split, with a third of them opposing all additional airspace user involvement in the ANSPs governance. This could reflect the difficulty of operators in allocating necessary resources for participation.

**Figure IV- 22:** Strengthen the role and organizational independence of National Supervisory Authorities. Possibly by improving co-operation between the NSAs or going to the European Aviation Agency (EAA) for overall co-ordinating and support.

Only 5% of stakeholders fully agree with an extended co-ordinating role of new EAA, this being primarily some ANSPs and the military respondents. Another 15% mostly agree, which is spread out over all stakeholder groups. Trade unions are most negative, while representative and/or professional associations, ministries, but also airlines are not very convinced about further need for centralisation either.

Note: In analysing these responses it should be noted that the public consultation was formulated at a relatively early stage and its responses and the subsequent interviews – in particular for this question – have helped to reformulate and modify the policy options. Therefore the creation of a European Aviation Authority (EAA) is no longer even assessed, instead EASA’s role will be streamline along the lines of the principles put in place during SES development.
Figure IV-23: Give the Performance Review Body a more independent and important role in setting up and enforcing the performance scheme.

25% of stakeholders (mainly airlines and ANSPs) report that the PRB should have a more independent role. On the other hand, more than 30% of stakeholders (mostly trade unions) indicate PRB status should not be changed. The views of other stakeholders are spread.

Figure IV-24: The timescale of the current performance target setting process is too long and problematic for implementation of the scheme?

Trade unions strongly disagree, professional associations also are not favourable, while the views of other stakeholder groups vary. Only about a quarter of stakeholders "fully" or "mostly" agree. About 30% of stakeholder agree "to some extent". This is mostly the opinion of ANSPs, airlines and ministries. It is particularly interesting to note that of the Member State's ministries, which are central to target setting, none disagree totally with the proposal.
and even amongst the NSAs almost 90% agree either fully or to some extent with this statement.

**Figure IV-25:** In order to revitalize the FAB initiative we could allow more industry led cooperation at service provider level through different forms like flexible alliances and cross-border mergers.

The ANSPs fully agree with this proposal whereas trade unions do not agree at all, just like half of the representative and/or professional associations. A large percentage of stakeholders (30%) do not have an opinion.

**Figure IV-26:** Airspace users should be given a strategic management role in the Network Manager e.g. on network co-ordination, planning and allocation. The current situation of a purely consultative role is inefficient.

Trade unions and representative and/or professional associations prefer the current situation, as well 40% of the ANSPs. This counts for more than 30% of total stakeholders. Another 30%
(mostly NSAs) indicates that there can be some extension of industry involvement, but mainly on a consultative level. The ANSPs form the largest share of stakeholders who believe that users could be given a more strategic role. Majority of airspace users of course supports an extension of their role towards stronger strategic partner of the Network Manager, but even amongst them a third prefers the current situation, perhaps reflecting the difficulty of allocating resources to support the participation.

**Note:** The following two questions do not form part of the impact assessment as they are determined by previous policy choices in SES II, or by the necessity for adapting the text to Icelandic membership. However they are included here for the sake of completeness of this overview.

**Figure IV-27:** Extend selected parts of the SES legislation also to the parts of ICAO North Atlantic (NAT) region that are under the responsibility of SES States.3

Almost 40% of stakeholders do not have an opinion on this matter. This is half of the ANSPs, half of the NSAs and a small number of stakeholders in the other categories. Only airlines and military fully agree. This outcome was expected, given that most States do not provide services over the ICAO NAT region high-seas.

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3 The issue of SES applicability over high seas of the ICAO North Atlantic Region is linked to the need to prepare the legal text for possible Icelandic membership
Figure IV-28: Address the overlap between SES legislation and EASA legislation through a single policy framework, as in other areas of aviation (e.g. licensing or air operations) to ensure a single globally applied approach?

Around 50% of stakeholders believe that this area should be addressed. These are mostly the ANSPs, airlines and half of NSAs. 30% of stakeholders (mostly representative and/or professional associations and trade unions) state that this issue should not be addressed. Some 15% do not have an opinion. In retrospect it may be considered that the question was somewhat misleading as it did not explain that the policy choice was already made in 2009 and at this stage focus is only on the specific implementation of the existing framework. However it is positive to note that those most impacted by the current regulatory framework believe the choice made in SES II should be carried through.

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4 This question is linked to the need to comply with the requirement stemming from SES package of 2009, which is included in Art 65a of Regulation 216/2008. It requires the Commission to adapt the SES regulations to EASA’s new scope by removing overlaps and gaps once the fundamental implementing rules have been created.