

canso POLICY

CANSO position on Roadmap SES II

CANSO European Regional Office 08.10.2009



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In reference to the EC document SES II Roadmap (ref SSC 09/31/11), CANSO would like to address the following comments:

First of all, we would like to express our general support for the Roadmap. The target dates are ambitious but in general acceptable.

1. Performance scheme

1.1. Performance scheme – challenging timelines

It will be a challenge to obtain political agreement on the Implementing Rule for the performance scheme in 2010 given that there currently exist: -

- interrelated targets,
- the sensitive issue of accountabilities required to be addressed,
- consequences of the new system requiring evaluation
- Lack of clarity around how the system will be used and who will take accountability if disincentives have to be applied.

1.2. Performance scheme – balance of conflicting targets

We particularly welcome the recognition in section 2.3 of the EC document that the incentive scheme is relevant to not only the ANSPs but also to airspace users. The proposal that the incentive schemes should

“go beyond the mere cost-efficiency approach and become a genuine incentive to contribute to safer, greener and more efficient aviation”

is particularly relevant from an ANSP perspective where sometimes conflicting targets have to be managed.

1.3. Performance scheme – concern for safety indicators and targets

In the roadmap it is indicated that EASA will be involved for the safety dimension, which CANSO supports. However, we have previously expressed our concern with safety targets given that there continues to be no commonly agreed indicators. We acknowledge that this work is currently ongoing within Eurocontrol but we have some concern that – should the EASA total system approach be applied at this late stage, significant delay to this critical activity could result.

2. FABs

2.1. FABs – Member States to prepare for the future governance structures

The EC document in § 2.4 asks Member States

"to prepare the current governance structures to the future landscape of the performance regulatory scheme in a regional perspective"

It has been a strong request from CANSO to have the right governance arrangements that will permit the performance framework, such as professional, independent, empowered management with clearly defined reporting lines to shareholders/authorities and customers.

3. Network management functions

1.1. Network management functions – difficulty of definition and scope

The challenge to have an agreement on the different network management functions in 2010 seems to be extremely demanding. Indeed, the definition and scope of these functions has yet to be agreed on and even the basic principles remain to be discussed. An important part will be to describe the different functions, tasks and activities in order to define if these activities are regulatory, supervisory or support to service provision.

The specific limits of pan-European, regional/FAB and national/local activities also remain to be defined and we expect this to be not an easy task.

Once this is done it will then have to be agreed on who has to undertake these actions and how the governance arrangements have to be adapted.

CANSO intends of course to contribute and support this process as appropriate, developing further on the basis of the earlier published policy paper "CANSO position on SES II network functions" from 24 October 2008.

1.2. Network management functions – role of Eurocontrol

In § 2.5 of the Roadmap the EC says:

"(...) the partnership between Commission and Member States is instrumental to achieve the required governance change within Eurocontrol, before the Commission may entrust this organisation with specific tasks on basis of Community rules"

CANSO fully supports this approach. Network functions are considered as a support to service provision and therefore it is essential that the governing role of industry should be enhanced. Hence, we support the positive development of the

Air Navigation Services Board and look forward to further developments for industry steering of these activities.

1.3. Network management functions – ATFM

In the table attached to the Roadmap the network management functions for route design, frequency assignment, and transponder code management are well specified. For ATFM however it is not clearly indicated as a network management function. The table indicates "as needed" after the finalisation of the Implementing Rule on ATFM currently in discussion in SSC.

CANSO considers however that Flow Management will also be a network management function. We therefore consider that the present ATFM Mandate does not sufficiently respond to that requirement. Further work will be necessary in this field, similarly to the other network management functions.

4. EASA – main focus for rulemaking

The wording of the EC doc in § 2.5 is particularly valuable since it asks EASA to not reinvent what has already been done.

"respecting the solid safety acquis under SES legislation (...) EASA should concentrate on issues not yet covered by current legislation (...)".

In the first approach of EASA Rulemaking we see however that the work programme of EASA for ATM contains Requirements for Air Navigation Service Providers (ATM 001) and requirements on ATCO licensing (ATM 003). Even ATM 004 concerning requirements for Competent Authorities in ATM/ANS is partly a conversion of Common Requirements and other SES regulations. We see therefore a contradiction between what is written in the Roadmap (see quotation above) and the information that we receive from EASA.

In the roadmap table attached to the EC Communication, we see that the references are not the same as the ones that we have received from EASA.

Finally, we are concerned about the "environment performance targets" referred to in the table under the EASA part. Does it mean that EASA is requested to address the environmental targets in parallel to the work undertaken under the Performance Review Mandate given to Eurocontrol?

5. SESAR deployment and funding

In § 2.7 of the Roadmap document the EC expresses the intention

"to come up with concrete proposals on governance and funding of the development phase of SESAR (...) with the aim to achieve the most cost-efficient introduction of new equipment and technologies".

CANSO's is concerned that as the IP1 timeline is very short, it is not appropriate to wait until the end of 2010 for such proposals. The ongoing discussions should be finalised as soon as possible for effective IP1 deployment.

CANSO considers the Industry Involvement in managing the IP1 deployment on a strategic level, as defined by the ICB "three layer model" in its position agreed on September 29th, 2009 as essential.

6. Governance – Reform of Eurocontrol

CANSO supports the separation of support to Service provision and support to Regulation activities within Eurocontrol. We welcome the proposed **investigation of the feasibility** of alternative models, e.g. EU pillar, within the Agency for regulatory activities. We would expect one of the outcomes from this activity to be the clarification of the various different roles currently performed by Eurocontrol and permit appropriate and specific governance arrangements to be identified and applied to each of the activities.

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