

I. SUMMARY OF LEGISLATION RELATING TO THE CREATION OF THE SES

For the creation of a Single European Sky (SES), the European Commission initially submitted a batch of legislative proposals in 2001 which were passed by the European Parliament and the Council in 2004 and came into force in the same year. The SES measures were aimed at increasing the overall efficiency of air traffic in Europe by reforming air navigation services and by ensuring that the usable airspace is planned and monitored on the basis of optimum traffic flow. The legal framework of the SES consists of legislative packages which to some extent build on each other:

SES I	SES II	SES II+
SES Framework Regulation (EC No. 549/2004)	Amendment Regulation (EC No. 1070/2009)	Proposal for a Regulation COM(2013) 410 (recast)
Air Navigation Services Regulation (EC No. 550/2004)		
Airspace Regulation (EC No. 551/2004)		
Interoperability Regulation (EC No. 552/2004)		

► SES I (2004)

- **SES Framework Regulation (EC) No. 549/2004** laying down the framework for the creation of the Single European Sky:
 - In order to establish the Single European Sky, principles are formulated and the organisational and procedural rules put in place.
 - Member States have to set up national supervisory authorities which are independent from air navigation service providers.
- **Air Navigation Services Regulation (EC) No. 550/2004** on the provision of air navigation services for the Single European Sky:
 - General minimum standards for carrying out air navigation services are established.
 - A common system of certification for air navigation service providers is introduced.
 - Principles for imposing air navigation fees on airspace users are established.
- **Airspace Regulation (EC) No. 551/2004** on the organisation and use of the airspace in the Single European Sky:
 - Functional airspace blocks (FABs) should not be based on national boundaries but on the optimisation of traffic flow. The definition of an FAB takes place by way of mutual agreement of all the affected Member States.
- **Interoperability Regulation (EC) No. 552/2004** on the interoperability of the European Air Traffic Management network:
 - In order to overcome the technical and organisational fragmentation of air traffic services, standard requirements are defined for systems, constituents and procedures connected to the provision of air traffic services.
 - Member States have to set up national supervisory authorities which are independent from air navigation service providers.

► SES II (2009)

- **Regulation (EC) No. 1070/2009** amending SES I Regulations (EC) No. 549/2004, (EC) No. 550/2004, (EC) No. 551/2004 and (EC) No. 552/2004 to improve the performance and sustainability of the European aviation transport system:
 - Binding deadlines for the creation of functional airspace blocks (FABs) are specified.
 - A performance scheme for air navigation service providers with binding performance targets is introduced.
 - Free market access for air navigation service providers is enhanced.
 - Some functions of air traffic management (ATM) are transferred to the Network Manager.

► **SES II+ (2013)**

Proposal COM(2013) 410 for a Regulation on the implementation of the Single European Sky (recast):

- The revised Regulation aims to combine into one piece of legislation the Framework Regulation (EC) No. 549/2004, the Air Navigation Services Regulation (EC) No. 550/2004, the Airspace Regulation (EC) No. 551/2004 and the Interoperability Regulation (EC) No. 552/2004.
- The independence of national supervisory authorities will be strengthened.
- Air traffic services will be separate from support services in order to facilitate competition for support services.
- The responsibilities of the Network Manager are to be extended.

II. ADDITIONAL ASPECTS

► **European Aviation Safety Agency (EASA)**

Regulation (EC) No. 1701/2003	EASA Basic Regulation (EC) 216/2008	COM(2013) 409: Amendment Regulation (EC) 216/2008
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- **Regulation (EC) No. 1701/2003** on common rules in the field of civil aviation and establishing a European Aviation Safety Agency:
The EASA is established in order, in particular, to ensure the airworthiness of aircraft.
- **Regulation (EC) No. 216/2008** on common rules in the field of civil aviation and establishing a European Aviation Safety Agency (EASA Basic Regulation):
The EASA can take measures relating to air operations and the qualifications of flight crews.
- **Proposal for a Regulation COM(2013) 409** amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services:
 - The EASA is to be renamed as the "European Union Agency for Aviation" (EAA).
 - The EAA will support the Commission with the drafting of technical requirements.
 - The EAA can approve air navigation service providers.

► **Eurocontrol**

The organisation Eurocontrol was set up as early as 1960 by the six founding states Belgium, France, Germany, Luxembourg, Netherlands and the United Kingdom. The aim was to create uniform control of upper airspace (above 8,700 m). Since then, Eurocontrol, based in the Maastricht Upper Area Control Centre, has controlled the upper airspace over the Benelux countries and parts of north-west Germany. However, France and the United Kingdom rejected the monitoring of flights by Eurocontrol in their upper airspace on the basis of military exigencies.

Today, Eurocontrol regards itself as a centre of excellence in matters of European air-traffic control. Its members include 39 countries and the EU. Eurocontrol's areas of responsibility have also widened to include, inter alia, the collection of charges from the airlines for air traffic services and the preparation of general and technical provisions for the implementation of the Single European Sky. In addition, Eurocontrol carries out the tasks of the Network Manager.

► **Single European Sky Air Traffic Management Research Programme (SESAR)**

The research programme Single European Sky Air Traffic Management Research (SESAR) represents the technical component of the Single European Sky. For this purpose, the EU, Eurocontrol and 15 project partners from the aviation industry, e.g. Airbus, have founded a company which is a public-private partnership. The project aims to find solutions for technical challenges and to bring together expertise from across the aviation industry. SESAR will contribute to the establishment of a unified European air traffic management system.