



Brussels, 23.11.2015
COM(2015) 805 final

ANNEX 1

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to the

COUNCIL DECISION

on the position to be taken on behalf of the European Union, in respect of the decisions to be adopted by Eurocontrol's Permanent Commission, on the roles and tasks of Eurocontrol and on centralised services

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I. Eurocontrol's roles and tasks

The Union requests that the proposed text regarding services, roles and tasks of Eurocontrol shall in no way affect the Union competences and that it does not prejudice future Union action. Where specific tasks are currently performed by Eurocontrol under the Union legal framework on a temporary basis, those shall not be presented as tasks independent from Union decisions.

Compared to the list of Eurocontrol roles and tasks, as proposed in the annex to the Eurocontrol action paper CN-SG-6-2015 on the roles and tasks of the organisation of 16 November 2015, the Union requests the following changes:

- (1) As regards Article 2(1) on "Functions and Services":
 - (a) ~~Air Traffic~~ Central Flow Management;
 - (b) ATM Network functions if conferred by ~~on behalf of~~ the European Union;
 - (c) ATM ~~functions~~ tasks on behalf of ICAO for the EUR/NAT Region;
 - (d) Establishment, billing and collection of Air Navigation Charges;
 - (e) Provision of air traffic services at MUAC, subject to the results of the discussions between the Member States and EUROCONTROL;
 - (f) Central functions and services, such as EAD, ARTAS/CAMOS, and other central services which might be entrusted to it by the Permanent Commission ,in agreement with the Union.
- (2) As regards Article 2(2) on "Roles":
 - (a) With respect to "Support", the changes shall be as follows:
 - i. Support to its Members States, NSAs, ANSPs and other relevant stakeholders;
 - ii. Support to the EU bodies including the provision of expertise to support regulatory activities in compliance accordance with the High-Level Agreement between the EU and Eurocontrol of 29 October 2012 at the request of these bodies;
 - iii. Facilitate and promote European interests in non-ECAC States in ATM matters in close cooperation with its Member States, their ANSPs and industry ~~and the EU~~, except for areas covered by EU rules and subject to respecting EU competences;
 - iv. Contribution to SESAR (R&D, ATM Master Plan Maintenance and deployment) – building upon its ATM expertise, pan-European coverage, civil-

military aspect and central flow network management role, in compliance with relevant EU legislation;

- v. Providing research and related simulation facilities, e.g. for SESAR, research activities in addition to SESAR and airspace changes in compliance with relevant EU legislation, where applicable;
- vi. Offer training/education to Member State organisations.
- (b) With respect to the "Mechanisms for cooperation", the changes shall be as follows:
 - i. Facilitate and promote civil-military coordination on ATM/ANS developments;
 - ii. Support Member States in ICAO work, subject to respecting EU competences;
 - iii. Cooperate with other world regions subject to agreement with Member States ensuring coordination with the EU;
 - iv. International cooperation / coordination (ICAO, FAA, NATO, etc) on behalf of its Member States, other than EU Member States;
 - v. Advising non-EU at their request those member States that are not EU Member States and have not concluded agreements with the Union, on ATM Safety and Performance matters, making use of in compliance with ICAO rules, in coordination with the EU and subject to respecting its competences EU and EASA rules in this area to inform enhancing harmonization, safety, operational efficiency and economies of scale.;
- (c) With respect to "Pan-European ATM data and information" the changes shall be as follows:
 - i. Collection and analysis of data, which could include performance data, safety data, etc. (in order to "maintain" the systems and data in support of regulatory work) for States that are not EU Member States and, if this task is conferred to it by the EU, for EU Member States;
 - ii. Analysis and provision of reports (information) on the data collected (e.g. ACE, PRR) for States that are not EU Member States and, if this task is conferred to it by the EU, for EU Member States;
 - iii. Run the ESSIP/LSSIP process, if conferred by the European Union;
 - iv. ~~including~~ Reporting to ICAO on the implementation of the Global Air Navigation Plan (GANP) and Aviation System Block Upgrades (ASBUs) ~~and ensuring coordination with the EU reporting mechanisms in agreement with the European Union;~~
 - v. Collection of traffic data and provision of STATFOR forecast.

II. Centralised services

The Union's position is that a decision on Centralised Services shall be postponed at this stage.

The Union is not currently in possession of sufficient information to evaluate the substance of such decision. Such decision may prejudice future activity conducted by Eurocontrol and in a manner that may be detrimental to the Union's activity in this field, notably as regards Single European Sky Air Traffic Management Research (SESAR).