



*"[air navigation control, [...]] is a task involving the exercise of public authority and is not of an economic nature, since that activity constitutes a service in the public interest which is intended to protect both the users of air transport and the populations affected by aircraft flying over them".
(Extract of decision C.364/92 of the European Court of Justice).*

Report from ICB 15 Meeting Brussels, 27 March 2007 Klaus Berchtold-Nicholls

1. Introduction

The meeting was well organised and there was little confusion over the papers, as there were only a few to be discussed. I attended on rather short notice, having to effect last-minute shift changes and organise air travel. It was a typical example of the difficulties we encounter when organising ATCEUC representation in a very fast and flexible field of work.

2. Discussion

- a. Four of the five Professional Staff Organisations finally agreed on a compromise to assure representation of all PSOs by proposing a four period rotation over eight years which would give each of the ATM staff organisations the Representative seat once for two years (with one of the others acting as substitute), while the pilots (ECA) would hold the Expert seat over the whole eight year period. Although the ETF representative (O. Joffrin) insisted that a resolution on this was imminent, this hadn't been achieved by the end of the meeting, with one or two days to spare before the nomination deadline. The JU Admin Board was scheduled to meet only one week after ICB 15.

- b. Discussion on Institutional SG: HLG
CANSO brings up discussion on FAB papers in Inst SG
They say that they want to finalise the papers. ICB Chair says that the issue should be dealt with by first defining what exactly what "FAB" means. There will be a separate SG for this.

Wording on incentivising ANS is still under revision to reflect that it might not be wise or acceptable to extend it down to the operational staff.

- c. Discussion on Institutional SG: SESAR

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- Patrik Ky (European Commission) reports about the willingness of the private sector to contribute. The investment volume will be up to 1.3 billion €. The JU needs to be operational to accompany the SESAR process. It needs to fulfil some administrative tasks before becoming operational. The formal start will be after the Council decision in June. ICB Chairman adds that the Commission might wait for ICB letter on its expectations for JU.

Initially the Admin Board will allow two representatives for staff: one speaker accompanied by substitute/alternate or expert.

There was a question about financial commitment. 700million € have been allocated from the Commission budget, a similar amount from Eurocontrol (in cash or in kind). Industry: The Commission believes that existing investment plans will mostly be incorporated into SESAR investment (in kind mostly). The Commission has made progress on a methodology to value in-kind contribution (research already done, hardware already installed etc.), an established methodology will be used.

A controversial discussion on the coordination between industry and the JU (e.g. through existing Eurocontrol WGs) follows.

- The Excom Chairman debriefs ICB: there is a crisis as the ConOps is not up to expected standard. ExCom decided early in March to assume direct management of issue 2.2.2. The task is staffed with almost 50 good experts but no-one to glue all aspects together. All problems were tried to be solved, and that was the cause for the failure. DLH/DFS have been tasked as R&O level to run the re-organised production of the deliverable. Since 2March a drafting team was formed and tasked with version 12, produce an agreed structure of the document. It was agreed that the heart of the doc are two parts (part 1 reflects ICAO ConOps, part 2 ?).

Present state of work: there is a feed-back session 26/27 March (who is attending for staff?!), followed by publishing the interim result on 30March, and another feed-back session on 3/4 April, to produce final version of the deliverable.

ExCom Chairman O. Dlugi criticises the insufficient participation of PSOs and says that their input can't be considered if they are not "willing" to contribute.

A heated debate about the lack of contribution from PSOs and the reasons thereof (i.e. voluntary reps and need to coordinate internally) ensues.

Paul Neering adds that even though we have real organisational difficulties/challenges (manpower etc.) the PSOs input was largely ignored until very recently (incl. version11 of ConOps).

- Report by SESAR SG: There is an internal argument when the Swedish CANSO rep complains about the lack of internal communication of these papers before they are presented to the ICB.
This shows that CANSO has the same internal “challenges” of getting things coordinated and deliver a consolidated position.
It is clarified that the ATM System Design Function paper has been endorsed by the SG and presented to the HLG, the Network Management Function paper needs more discussion in the SG.

d. Future of ATM

The presentation by IFATCA illustrates in which of the 11 KPA the different models might be better or worse suited to deliver a “balanced performance”. It is nicely and very subtly supporting the view that ATM is a public service without directly saying it.

This is also highlighted by IFATCA’s evasive answer to CIMIC’s question whether they support MOSAIC or a competitive environment?

e. Single Sky Committee:

- The Commission reports on the necessity to amend the Common Requirements to keep them up to date with ICAO requirements as they change.
- Debrief by ICB Chairman

f. Report of Commission on FABs (Mid-term report)

The emphasis was put on “Functional” and operational benefits. Koen de Vos stresses that the Commission is not in a position to impose institutional form or similar issues.

O. Dlugi asks the Commission whether they are happy with the current situation in the light of L. de Palacio’s original vision or intent. A: what is being done might not be sufficient but a “big bang” couldn’t reasonably be expected. The direction is right, the speed is reasonable and in a field like ATM good things take time.

CANSO states that the report is somewhat outdated and that a lot of important work and development has been done in the meantime. They complain about the negative outlook.

Chairman concludes that whatever the impression the task is massive and speed is a relative thing.

ICB acknowledges the need to speed up the process, will define the factors that impede progress, define what “functional” means and define industry requirements for FABs.

3. Conclusions

The next meetings will take place on 26April, 24May, 14June, 28June (Institutional SG), on the day before the respective HLG meetings, 23April (Interoperability SG), 2May (Airspace & Service Provision SG), 30May and 19July (ICB Plenary Meeting).

On the issue of MOSAIC (v privatisation/competition) informal talks took place with IATA representative G. O'Connell. He promised to organise meetings, or at least establish contacts towards that end, with IATA top executives. He warned of tough discussions and not to expect to be treated kindly. There is no use, according to him, to try and convince the reps at working group level, as such highly political issues are in the remit of CEOs. And with those only real numbers count. If we want to be ready to give them a show worth their money, we should make a rather sophisticated presentation with graphics, outlining the effects of the FAB Europe Central (little improvement in cost accompanied by deterioration of service and safety) v MOSAIC (same or slightly increased overall cost accompanied by significant increase in operating efficiency and safety). If the airlines can be convinced that the competitive/commercial/privatised model of future ATM will result in only minor cost savings, coupled with a negative impact on safety and only minor improvements in operational efficiency, we might gain their support towards the public model of ATM (provided we also convince them that we are fully committed to contributing our share towards achievement of SESAR objectives, which I am sure we are).

