



*"[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 Institutional Sub-Group Meeting Brussels, 22March2007

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1. Introduction

The meeting was not necessarily facilitated by the full set of documents being distributed two days in advance. All participating representatives complained about this fact. ETF was not represented which will be reflected in the discussion. The debate took place in an overall friendly and constructive atmosphere, it only got out slightly of hand when ATCEUC position on privatisation was ridiculed, and the inability of staff organisations to coordinate one speaker for the HLG was sarcastically commented on by the ICB chairman.

2. Discussion

- a. The first noteworthy impression is that Eurocontrol is not seen by industry as a player that should retain its current importance in ATM.
- b. It is important to note that CANSO strongly mirrors DFS ideals and strategy although it was represented by Belgians. CANSO apparently tries hard to keep up the impression of a driving force towards SES implementation, that was clearly indicated by their papers. The paper on de-fragmentation, however, doesn't give any proof of real developments but still defends the current set-up of the bottom-up approach as successful. It also supports the role of the ANSPs as commercial businesses and regular participants in the aviation industry.
- c. Another important aspect of the meeting were the current FAB developments as core projects of SES. Here IATA criticised the lack of speed and of real progress. They suggested that there should be top-down elements integrated into the current bottom-up approach, and that there needs to be some guidance or even European regulation on the implementation, including binding time lines. Suggestions on the future provision of ATM triggered lively discussions as five different models were discussed. Although the chairman assumed that the group as a whole rejects the idea of "one ANSP for Europe" ATCEUC

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SINCTA (Portugal) - SNCTA (France) - SSKL (Slovenia) - TUEM (Eurocontrol) – USCA (Spain) - ZZKRL (Poland)

commented that we could not agree on that. When CANSO claimed that Unions clearly stated that this model is not desired (referring to the recent ETF-CANSO statement on FABs) we made it clear that this doesn't reflect or respect ATCEUC opinion. The chairman commented that this model was not excluded "by a minority of a minority of representatives".

- d. The discussion about incentives showed massive approval in industry. ATCEUC successfully intervened at least against financial incentives for individual employees, based on performance targets. Chairman tried to ridicule staff by asking whether we would at least want to accept a profit-sharing scheme if we didn't accept a risk- or responsibility-sharing scheme. We made it very clear that we considered that remark as an insult and that staff, based on principal considerations, isn't interested in any aspect of a profit-sharing scheme based on economic performance, as such a scheme sends out the wrong signals potentially jeopardising safety as prime objective.
- e. The role of staff reps in this group, particularly as seen by the chairman, is to provide operational input, not to "engage in Social Dialogue" ("save that for your employers!"). The staff position and credibility suffered from our inability to name one speaker (plus two observer reps) for ATCOs. Although ATCEUC had agreed with IFATCA to support the latter's rep as common speaker it had been impossible to coordinate with ETF on a common speaker (in the meeting it was equally impossible, owing to the lack of presence of ETF). Although this issue needs to be resolved well before the next HLG meeting on 20/21Mar, the recent JATMWG meeting didn't yield any improvement. Discussion of the issue was declined there.
- f. The group successfully agreed on extending the role of EASA to cover the entire aviation safety chain. EASA should become the safety regulator for Europe. Safety received the right priority and attention, at least in the presented papers and the verbal statements during the meeting.

3. Conclusions

It was strongly criticised by all parties, including the chairman, that the papers were distributed wholesale at much too short notice to make substantiated input during the meeting, let alone to discuss the contents within the respective organisations.

The next meetings will take place on 19Mar from 1630hrs (review SESAR ATM concept of operation) and 20Mar until 1300/1400hrs (other issues in preparation of HLG5 meeting).

It is worth noting that IATA/IACA/ERA might be the key players to make progress towards institutional issues. 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).