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# ETF claims platform on Single European Sky process:

**The EU attitude towards ATM sector and ATM workers is becoming unacceptable**

## Preamble

*Extracts from the EU conclusions of the "High Level Conference on the "Single European Sky: time for action" - Limassol, 11-12 October 2012*

- "Mr Siim Kallas, Vice-President of the European Commission in charge of Transport" [...omissis...] "stressed the Commission's impatience that after ten years, the Single Sky was still not delivering."
- "Mr Brian Simpson, Chairman of the Transport Committee of the European Parliament" [...omissis...] "developed these themes and in particular made a strong attack on lacking FAB implementation, and the role of Member States in this."

*Extract from Mr Kallas speech at Limassol Conference*

- Title of the speech: "The Single European Sky: 10 years on and still not delivering"
- "Air traffic control is still far too expensive. We are still hampered by a high level of delays."
- Speaking about the existing governance model of ANSPs in Europe "This impedes the sector consolidation that we need."
- "If ANSPs focused more on their core business of air traffic management, there would be more competition for ancillary services. [...omissis...] But it would open the way for new entrants and business opportunities, as well as stimulating innovation and cutting costs."
- [...omissis...] "countries would have to deliver ambitious reductions in the next reference period."
- Speaking about FAB implementation, "This raises the prospect of infringement proceedings against Member States for noncompliance."



**President** Lars Lindgren

**Vice Presidents** Alexander Kirchner

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**General Secretary** Eduardo Chagas



## ETF analysis on the overall SES process

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- ATM industry is a service of general interest with public obligations for the Member States. Despite it is clearly written into the SES legislation, in the last 10 years the EC has always tried to reduce this natural monopoly services scope, introducing competition, liberalization and more and more market principles in ATM services.
  - Despite the successful improvements on safety, capacity, delays, efficiency, cost-reduction and international cooperation registered during the last decade, the ATM sector continues to be described as unable to deliver the unrealistic targets fixed by the EC. This criticism on the progress made by the ATM community is due to expectations based on these political targets more than on needs and real possibilities. The EC asked for Member States' engagement to cost reduction based on increase of traffic. Now, ten years after, the strategic target is the same while the EU traffic is not grown as expected. The new situation needs new approach, new perspective and more realistic targets link with the traffic trends.
  - The EC usually presents the ATM system in Europe as being far too expensive, inefficient, over fragmented and based on old technical systems. It is clearly not reflecting the reality of the sector. The continuous declarations of the EC (speeches, press releases, statements, communications) are dogmatic and unacceptable attacks against ATM service providers and workers.
  - The comparison between the EU and US systems is unfair. EU and US have different historic, social, political and economic backgrounds. These differences have consequences on the organisation of traffic flows, location of the major airports, decision making process, social constraints and financial models.
  - But the main difference of the two systems is the funding structure: FAA's costs are only partly covered by users, the missing 30-40% of its budget is funded by the US taxpayers through transfers from Federal budget. The European ANSPs are fully user-funded entities.
  - The denial of those diversities by the EC, hiding the capacity and delays differences, doesn't help for a good understanding and realistic expectations for SES.
  - The human dimension of the SES, the "5th pillar", is only a declaration without any reference in the SES Regulations. Therefore, no concrete proposals were made by EC to implement it, contrary to the other four pillars (Airport capacity, Safety, Technology and Performance). The EC declares that the 5th pillar is everywhere, but in reality is nowhere. This shows to the ETF that the human dimension is not important for the regulator.
  - The ETF notes the pressure made on Member States to establish quickly the FABs. Reality shows that is a complicated process with many hurdles like sovereignty, defence, liability, technology, systems, etc.
  - Despite the fact that the importance of the Social Dialogue is recognized inside of the TFEU and that it is a key element for the success of any FAB, the regulator is still unable to make it mandatory in each FAB.
  - In RP2 Safety is still the less ambitious Key Performance Area (KPA), while great importance is given to cost reduction. The strong trade-off between safety-capacity, safety-cost, safety-flight efficiency are ignored.
  - RP2 continue to ignore the obvious trade off between the other 3 KPAs (cost, capacity, flight efficiency).
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- Despite the RP1 targets were already very high and created real difficulties for workers (job reductions, difficult renewal of social agreements due to budget constraints), the EC, through the PRB, presented even stricter RP2 targets. This will create more tension and difficulties at ANSP level.
- RP2 targets missed the learning process from RP1 experience, ignoring the reality of RP1, the difficulties encountered by ANSPs, the political compromise for RP1 targets and the fact that middle term forecast is unreliable.
- RP2 target setting process is based on high level goals, that are unrealistic, unnecessary, political vision coming from EC. These goals have never been validated; it is clearly stated in the ATM master plan that they are only a political vision.
- The pressure lies on cost reduction, new cooperation/integration models, improvement of the performance in terms of capacity and efficiency without considering the strong trade-off between these performance areas. Safety in the performance scheme plays a marginal role compared to the other economic targets.
- It is not clear for the ETF if the cost savings of SES will improve the European citizens access to air transport, or will grow the airlines' profitability (for both EU and non EU airlines), not changing the competitive position.
- ATM staffs are more and more critical against the EC's business-driven approach which only favours the cost reduction and the airlines business, undervaluing the negative effects on workers and the risks of strong social consequences.

## ETF claims

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### *Performance scheme and targets for RP2*

The ETF calls the regulator for a performance scheme and a target setting process at EU level, which is:

- More Safety oriented, where Safety is the 1st priority of the scheme; till now priority has been given to cost reduction.
  - Realistic, balanced and coherent to be sure that the decisions taken in the definition of the performance scheme and in the adoption of the targets will not put the system at risk
  - Not founded on unrealistic and unnecessary political vision: it cannot be the base for mandatory targets for ANSPs, if we want to build a credible, reliable and realistic performance scheme.
  - Not affecting existing collective agreements and social conditions.
  - Not jeopardizing jobs, quality of jobs and working conditions.
  - More oriented on quality of service than on direct cost reduction (Total economic value), considering the interdependencies and the trade-off between all the KPAs.
  - Respecting the Consultation (as foreseen by the law) of staff representatives at all levels and at all steps. The ETF recommends the formal consultation of the SES expert group before the adoption of RP2 targets.
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- Correctly negotiated with all stakeholders, including staff organisations, at EU, FAB, national levels and not only with airline industry.
- Taking into account the already achieved level of performances, instead of continuously increase the pressure on the ATM sector with no visible end.

### **FAB:**

The ETF calls the regulator to:

- Understand the time needed to establish and implement an efficient FAB without putting safety, environment, performance and jobs at risk and to adopt the legislation accordingly.
- Keep the «bottom up approach» as the only realistic approach for FAB implementation.
- Avoid imposing a unique model for FABs, based on consolidation of service provision that will lead to reduction of the numbers of ANSP, reduction of the number of ACCs, reduction of the number of jobs.
- Adopt realistic targets on FAB implementation, taking into account the subsidiarity principle and the political and economical reality of the European Union.

### **SES 2 +:**

The ETF calls the regulator to:

- Include the 5th pillar in the legislation as the other 4 pillars and develop it in concrete items, such as competence and training, mobility, social dimension and social dialogue, quality and stability of jobs for ATM workers.
- Refuse the mandatory unbundling of ancillary services (MET, CNS, Training, AIS) with introduction of market principles. It will create new fragmentation and will not be consistent with the SES goal to defragment; additionally it will endanger number and quality of jobs of the workers who belong to the services that will be unbundled.
- Refuse the mandatory structural separation between NSA and ANSP; the ETF keeps supporting the SES political compromise for a functional separation.

The ETF rejects a never-ending process that pushes for liberal and market principles together with cost reduction.

As the ETF has assessed, after almost 10 years of Single European Sky, the developments of the SES policy in the last years is having negative effects on our members.

If the European attitude towards ATM will not clearly change, ATCOs and ATM staff will not support anymore the Single European Sky project.

The ETF will use all its means to be heard by the European Institutions.

**Enough is enough!!**