

Legal and Institutional Aspects of ATM in Europe

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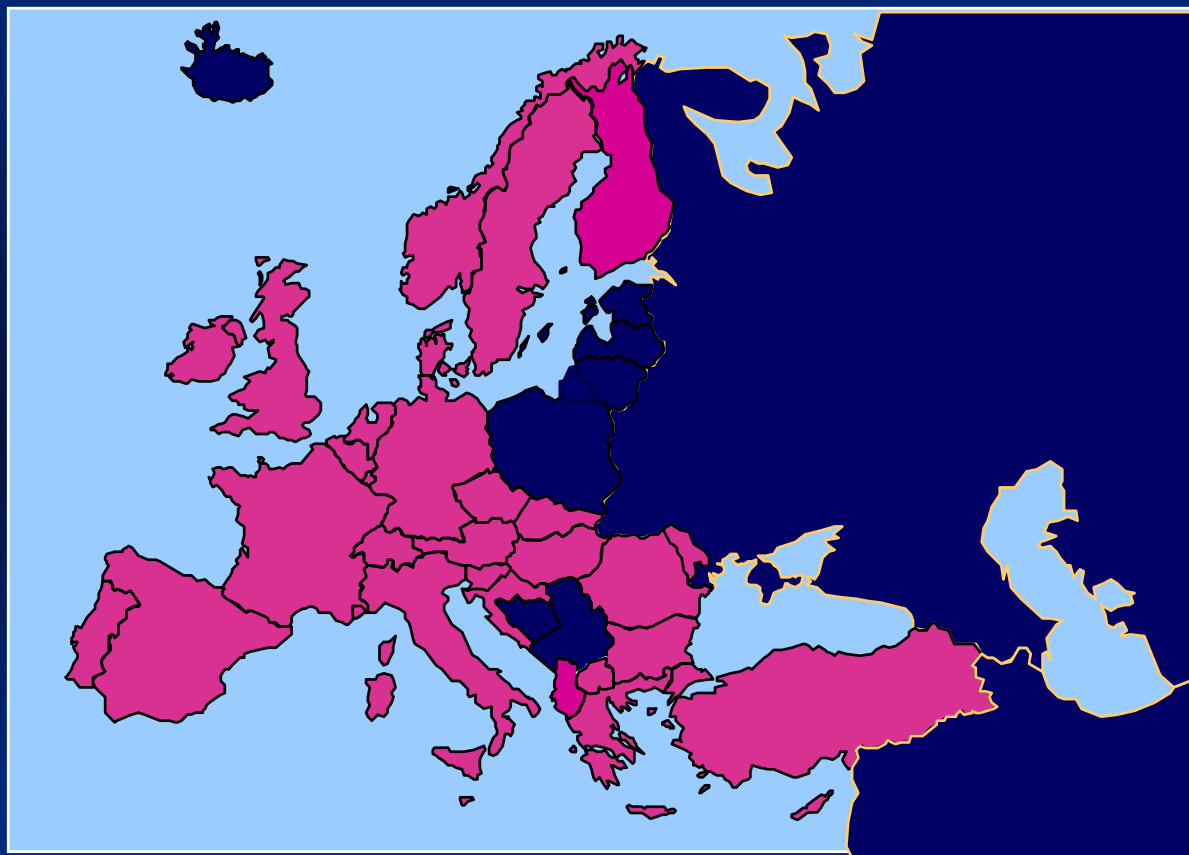


EUROCONTROL: European Organisation for the Safety of Air Navigation

- **Coordination and integration**
 - **Development ECAC ATM Strategy**
- **Regulation, *inter alia***
 - **Standards**
 - **Use of airspace; ATM Safety**
- **Service provision, *inter alia***
 - **Central Flow Management**
 - **ATS**
 - **Collection of route charges**

EUROCONTROL

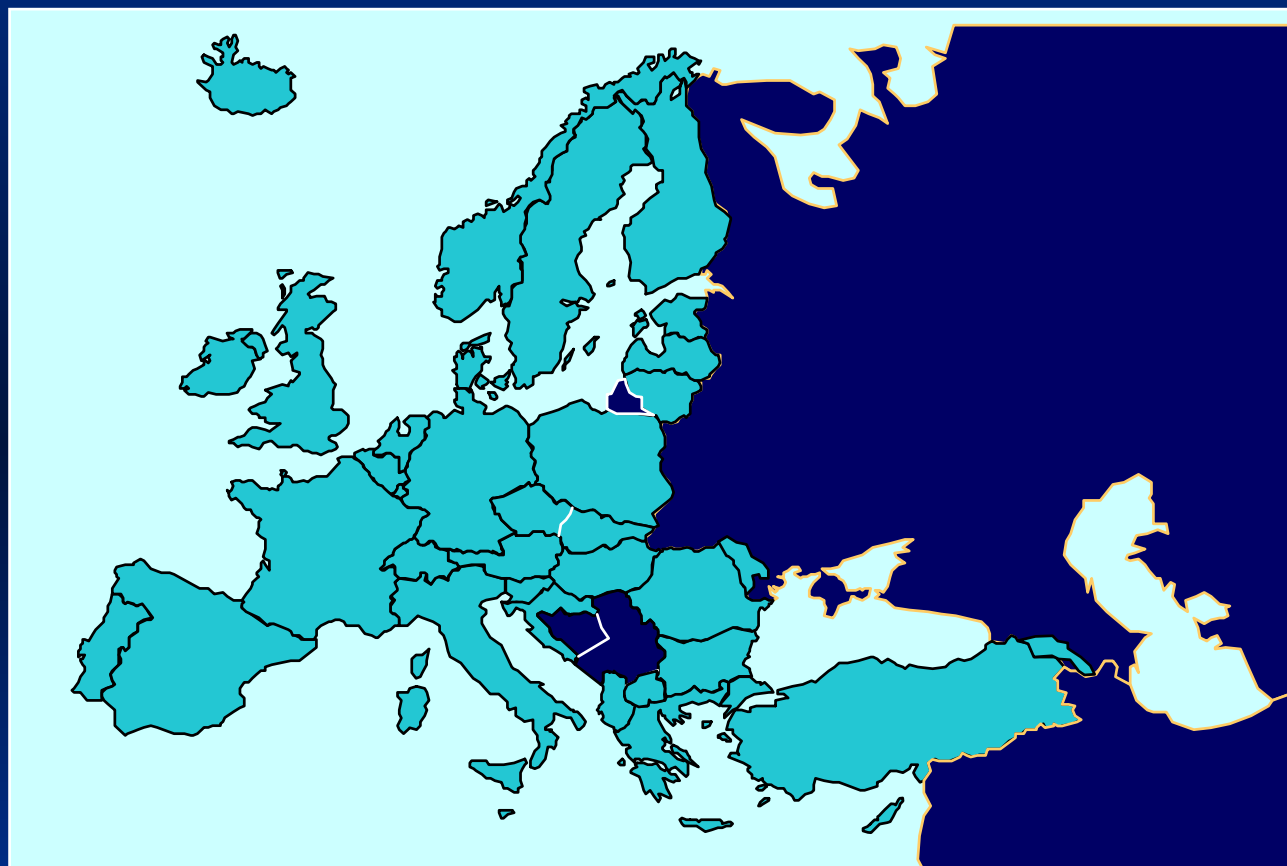
States



Member States: (31)

- Germany
- Austria
- Belgium
- Bulgaria
- Cyprus
- Croatia
- Denmark
- Spain
- France
- Greece
- Hungary
- Ireland
- Italy
- Finland
- FYROM
- Macedonia
- Luxembourg
- Malta
- Moldova
- Monaco
- Norway
- The Netherlands
- Portugal
- Slovak Republic
- Czech Republic
- Romania
- The United Kingdom
- Slovenia
- Sweden
- Switzerland
- Turkey
- Albania

ECAC States



ECAC States (38 members)

Albania	Moldova
Austria	Monaco
Armenia	The Netherlands
Belgium	Norway
Bulgaria	Poland
Croatia	Portugal
Cyprus	Romania
Czech Republic	Slovakia
Denmark	Slovenia
Estonia	Spain
Finland	Sweden
France	Switzerland
FYROM	Turkey
Germany	United Kingdom
Greece	
Hungary	
Iceland	
Ireland	
Italy	
Latvia	
Lithuania	
Luxembourg	
Malta	



EUROCONTROL

European Organisation for the Safety of Air Navigation

- **EUROCONTROL Convention**
 - **13 December 1960**
- **Amended Convention**
 - **Protocol 12 February 1981**
- **Revised Convention**
 - **Protocol 27 June 1997**
 - **Not yet in force**

EUROCONTROL Mission

To harmonise and integrate Air Navigation Services in Europe,
aiming at the creation of a
uniform Air Traffic Management System
for **civil and military** users,
in order to achieve the **safe, orderly, expeditious and economic**
flow of traffic throughout Europe.
(Article 1 of the revised Convention)



EUROCONTROL - Financial Figures

- **EUROCONTROL Budget:** 1998: 494 MECU
1999: 515 MEUR
2000: 542 MEUR
2001: 557 MEUR
- **EUROCONTROL route charges:**
 - billed in 1999: 4,180 MECU
 - billed for 1999: 4,19 M€
 - billed for 2001: 4,21 M€
- **Budgetary staff:** 2,154 **incl.:** 670 (HQ), 442 (CFMU), 115 (CRCO), 274 (Brétigny Experimental Centre), 76 (Luxembourg Training Institute), 565 (Maastricht UAC), 12 (CEATS UAC)

EUROCONTROL's Brussels Locations

- Headquarters
- Central Route Charges Office
- Central Flow Management Unit



EUROCONTROL

- Experimental Centre,
Brétigny-sur-Orge,
France
- Institute of Air
Navigation Services,
Luxembourg
- Upper Area Control
Centre, Maastricht,
the Netherlands



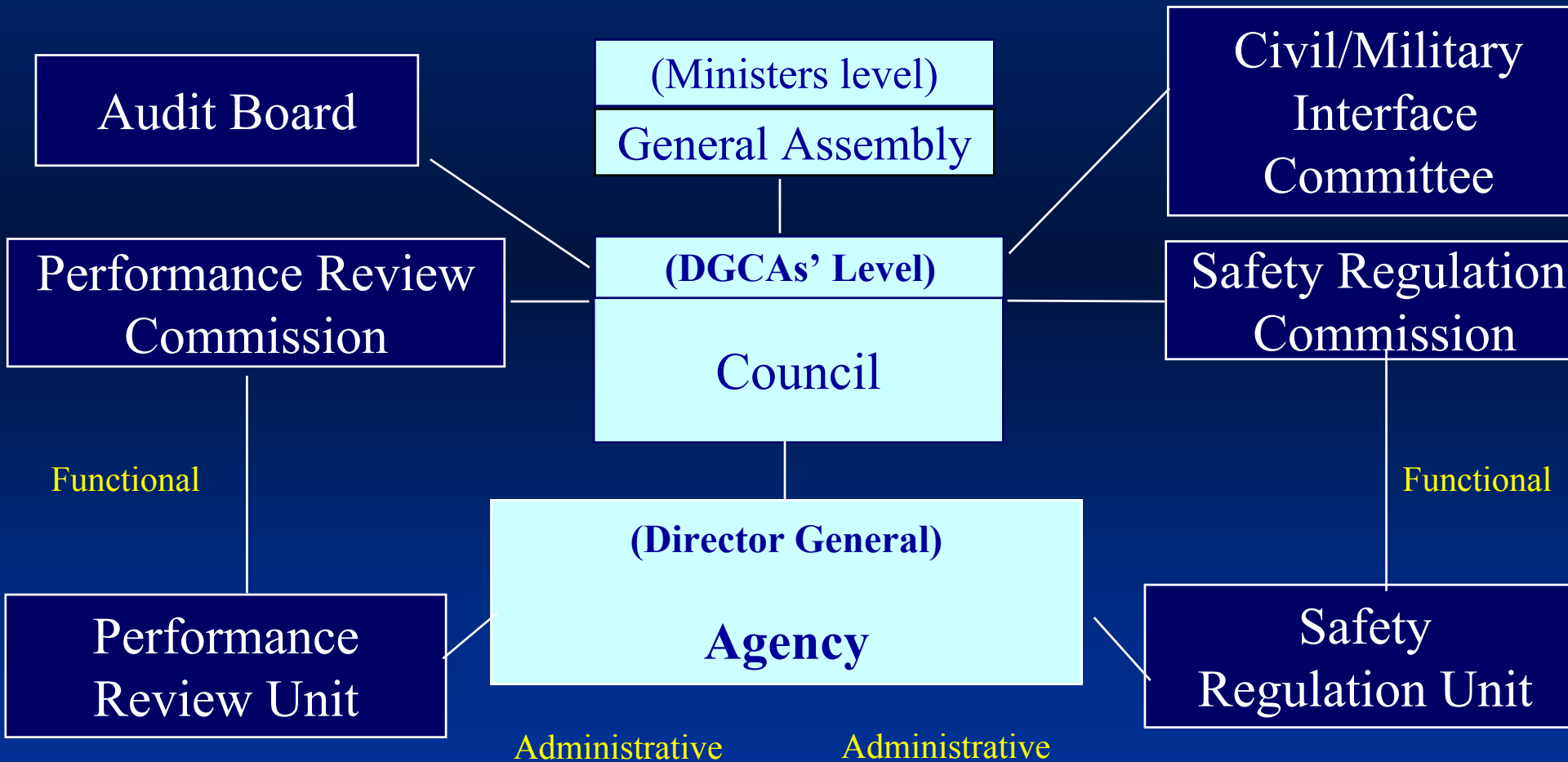


EUROCONTROL CONVENTION

- EC membership
- Decision making in Eurocontrol
- Separation Regulation and Service Provision
- Performance Review Commission
- Safety Regulation Commission
- Enhancement Regulatory Powers

EUROCONTROL

Institutional structure



Route Charges

- 1 October 1969: decision taken to found the Central Route Charges Office
- A single charge for en-route flights, no matter how many States are overflown
- Formula: distance times the square root of the maximum take off weight



EUROCONTROL CRCO

One of the Primary Tasks

Billing and collection of Route Charges on behalf of the Member States

Mission of the CRCO

To provide its stakeholders with an efficient cost-recovery system that funds air navigation facilities and services and supports Air Traffic Management developments



COMMON POLICY FOR ROUTE CHARGES

- Common Conditions of Application and Conditions of Payment
 - Single charge levied for each IFR flight performed the EUROCONTROL area
 - Common formula
 - Unit rates established in euros
 - Common exemption definitions
- Common Principles for establishing en-route cost-base and unit rates
- Single System for the establishment and collection of route charges



EUROCONTROL Route Charges System

Conforms with ICAO recommendations Document 9082/6 and Document 9161/3

Principles

- Regional
- Simple
- Equitable
- Non-discriminatory
- Cost related
- Cost effective

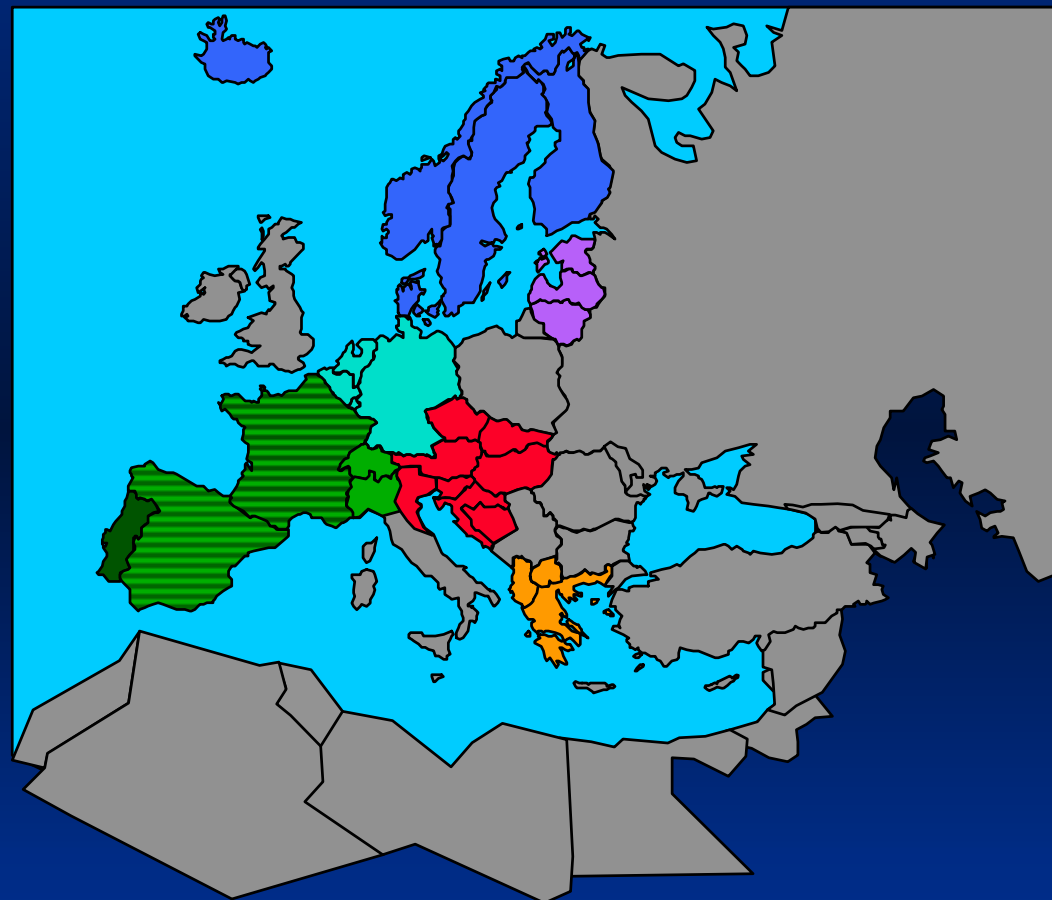
European ATM System

- 69 Air Traffic Control Centres in 38 countries
 - sub-national, national and multi-national systems;
 - Given the long development cycle for ATC and avionics systems (\cong 10-15 years), it is virtually impossible to synchronise operational developments at European control centres.
- Wide range of ATM/CNS Service Providers
 - Governmental Administrations, Corporatised Organisations, Private companies; International Organisations
- Funding of ATM Service
 - through route charges based on 100% cost recovery

Overview of Europe's Traffic

- Dense Route Network
- 1000 airports
- 25000 aircraft per day
- 1000 control sectors:
 - ca. 290 Upper
 - ca. 290 Lower
 - ca. 420 Both
- 90% of traffic is European internal
- 50% of traffic flies less than 600km
- Traffic bottlenecks, today 12 in Europe account for 80% of en-route delay
- Military requirements

ATM Regional Cooperation



Maastricht UAC

Belgium
Germany
Luxembourg
The Netherlands

Nordic ANS Programme

Denmark
Finland
Iceland
Norway
Sweden

CHIEF Development

France
Switzerland
Italy (Milan ACC)
Spain

Baltic States Regional Development

Estonia
Latvia
Lithuania

CEATS

Austria
Bosnia and Herzegovina
Croatia
Czech Republic
Hungary
Italy
Slovenia
Slovak Republic

Balkan States Regional Development

Albania
FYROM
Greece

Regulatory Function

- **STATE**
- **ICAO: Chicago Convention**
 - **Articles 1/2**
 - **Article 28**
- **EUROCONTROL**
 - **Convention**
- **EC**
 - **Single Sky Proposals**
 - **EC Membership in EUROCONTROL**
- **Separation of functions**

Service Providers

- **Most EUROCONTROL States have corporatised provision of ATS**
- **Corporate structure within State ownership**
 - in most cases State is sole shareholder
- **States ultimately responsibility for the provision of ATS**
- **Future trends: competition and alliances**
- ***“FRANKENSTEIN effect”***

Legal Issues

- Article 28 Chicago Convention
- Delegation of sovereign functions
- Liability
 - Regulator
 - Service provider
- GNSS

Legal Issues

- Delegation of provision of ATS
- Corporatisation models
- Supranational provision of ATS
- Civil / Military use of airspace

Trends and Developments

- Input users and user organisations
- Corporatisation or Privatisation of State Functions
- Delegation of sovereign functions and responsibilities
- Competition
- Liability issues