

Answers by Peter Wichtel, Member of the German Bundestag

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1.

Can you state the extent to which issues of sovereignty in your member state, of whatever kind, are hindering further integration of European airspace, and in particular in the FAB in which your member state is active? Can you say where exactly the areas of sensitivity lie, and what could or should be done in order to eliminate such areas?

According to the definitions accepted in international law, the air column above the Federal Republic of Germany is part of the country's territory, and therefore indivisibly connected with the concept of the state and state sovereignty. The exercise of control over its territory is a function of the state and therefore, from the German point of view, may only be entrusted to an organisation that is equipped with sovereign powers. Otherwise, there are no sensitivities concerning the application of the provisions on the Single European Sky, the cross-border performance of air traffic control duties or the like. However, there are sensitivities concerning the manner in which the European Commission deals with state sovereignty. In particular, this refers to targets that have been established Europe-wide, irrespective of the previously achieved operational successes.

2.

Can you describe the role of the air traffic control organisation(s) in your member state, and their willingness to quickly reach agreements concerning the consistent and prompt implementation of existing EU regulations and to take other steps that will bring unification of the European airspace closer?

Can you state which factors affect the degree of such willingness, including with regard to the FABs in which every member state is working with its neighbouring member states on achieving the current Single European Sky performance targets?

In this context, can you describe any social aspects in your member state that constitute an obstruction to further development of the Single European Sky? Possible examples here include the risk of job losses as a result of changes to the structure of air traffic control organisations.

To date – as intended by the European regulations –, the air traffic control organisations have been the drivers behind the advances that have been made. Unfortunately, these advances are being thwarted again and again, especially within FABEC, by delays and structural, organisational changes in other FABEC Member States. These difficulties are attributable to either public administrations, governments, air traffic control organisations themselves or their trade unions. Other obstacles to progress are the losses of revenues suffered by the air traffic control organisations and the aviation policy interests of hubs in

individual Member States, which play a decisive part in the success and failure of cross-border projects as vital economic actors.

In Germany, the largest air traffic control organisation has an interest in the success of the 'Single European Sky'. After all, this organisation made decisive contributions to the formulation of the SES regulations adopted in 2004. From the German point of view, social aspects have not prevented cross-border requirements being put in place so far. The obstacles mentioned above have not been encountered to date in Germany either.

The irrelevant and unrealistic fashion in which the air traffic control organisations' work is being regulated, as has become apparent with the application of the SES II standards, must be put into question. In view of this, it would be welcome if the experience of the last twelve years could be drawn on for a properly conducted analysis of the impact regulation has had. On this basis, the EU could then also answer the question of what strategy it is actually pursuing when it comes to the implementation of a Single European Sky. For hitherto it has been attempting to achieve its goals by imposing both competitive and cooperative elements at the same time. However, competition and cooperation are contrary and contradictory instruments.

The positive experience gained with the (de)regulation of the telecommunications markets, for instance, could also be taken as a model for air traffic control in this analysis. The framework would be set by the EU, but fleshed out and given concrete form by the Member States.

3.

Can you describe the status of military-civil collaboration in your member state, with regard to the Single European Sky? In doing so, can you say whether there are any obstacles to further military-civil collaboration, and if so what they are, including in the FAB in which your member state is active?

DFS Deutsche Flugsicherung GmbH is an integrated civilian-military air traffic control organisation, the only one of this kind in Europe. Against this background, the operational projects that have been begun within FABEC are being supported with great commitment by German civilian and military agencies, which are working hand in hand to do so. As far as Germany is concerned, areas of airspace used for military exercises will be made available to the civilian authorities on very flexible terms if they are not being used. Nonetheless, the current airspace structure in Central Europe is still dominated by a large number of areas reserved for military exercises that were established following the Second World War. Making these areas available for cross-border civilian use as well continues to constitute a major challenge.

However, there have also been first positive results in this field under the auspices of FABEC, for example in the course of trials intended to improve routing between City Pairs such as Paris/Munich.

4.

Can you give your views on the current lack of progress with regard to the SESII+ package? In doing so, can you state whether you also believe it important that progress should be made with regard to the package?

The deliberations on SES II+ are currently suspended (solely) due to the issue of Gibraltar. A fundamental, substantive position has been arrived at for the Council that is also supported by the Federal Republic of Germany. Irrespective of this, it is necessary to address the question of whether further deepening of integration by means of SES II+ would be worthwhile before a careful analysis of the obstacles to, or problems with, the implementation of SES II has been carried out. In fact, it may not be SES II+ that is needed, but a fundamentally new approach under SES III, which would be elaborated jointly with air traffic control organisations and airspace users. Just as a high level group did preparatory work on matters of principle in 1999, this could be a possible solution. In this respect, it is not progress on SES II+ that is necessary, but genuine progress towards realistic, and therefore effective, harmonisation across European airspace.

5.

Can you state whether there are any other obstacles to the creation of a Single European Sky? If so, can you say where exactly these obstacles are located, and what the reason is for their being apparently insurmountable or, as the case may be, why they cannot be eliminated in the very short term?

See the answers to questions 2 and 4.