Commission Implementing Regulation (EU) No 716/2014 of 27 June 2014 on the establishment of the Pilot Common Project supporting the implementation of the European Air Traffic Management Master Plan (Text with EEA relevance)

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky[(1)], and in particular Article 15a(3) thereof,

Whereas:

(1) The Single European Sky Air Traffic Management Research and Development (SESAR) project aims to modernise air traffic management (hereinafter: 'ATM') in Europe and represents the technological pillar of the Single European Sky. It aims to provide the Union by 2030 with a high performing air traffic management infrastructure that will enable the safe and environmentally friendly operation and development of air transport.

(2) Commission Implementing Regulation (EU) No 409/2013[(2)] laid down the requirements related to the content of common projects, their setup, adoption, implementation and monitoring. It provides that common projects are required to be implemented on the basis of the deployment programme through implementation projects coordinated by the deployment manager.

(3) According to Implementing Regulation (EU) No 409/2013, a common project aims to deploy in a timely, coordinated and synchronised way ATM functionalities that are mature for implementation and that contribute to the achievement of the essential operational changes identified in the European ATM Master Plan. Only ATM functionalities requiring synchronised deployment and contributing significantly to Union-wide performance targets are to be included in a common project.

(4) On a request of the Commission, the SESAR Joint Undertaking prepared a preliminary draft for the first common project, referred to as the 'Pilot Common Project'.

(5) That preliminary draft was analysed and reviewed by the Commission, with the assistance of European Air Safety Agency, the European Defence Agency, the Network Manager, the Performance Review Body, Eurocontrol, the European Standardisation Organisations and the European Organisation for Civil Aviation Equipment (Eurocae).

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(6) The Commission subsequently carried out an independent global cost-benefit analysis and appropriate consultations with Member States and relevant stakeholders.

(7) On that basis, the Commission established a proposal for the Pilot Common Project. In accordance with Implementing Regulation (EU) No 409/2013: the SESAR civil airspace users' group endorsed the proposal on 30 April 2014; the air navigation service providers endorsed the proposal on 30 April 2014; the airport operators endorsed the proposal on 29 April 2014; the Network Manager endorsed the proposal on 25 April 2014; and the European National Meteorological Services endorsed the proposal on 30 April 2014.

(8) The Pilot Common Project identifies six ATM functionalities, namely Extended Arrival Management and Performance Based Navigation in the High Density Terminal Manoeuvring Areas; Airport Integration and Throughput; Flexible Airspace Management and Free Route; Network Collaborative Management; Initial System Wide Information Management; and Initial Trajectory Information Sharing. The deployment of those six ATM functionalities should be made mandatory.

(9) The Extended Arrival Management and Performance Based Navigation in the High Density Terminal Manoeuvring Areas functionality is expected to improve the precision of approach trajectory as well as facilitate traffic sequencing at an earlier stage, thus allowing reducing fuel consumption and environmental impact in descent/arrival phases. This functionality includes part of the Step 1 Essential Operational Change for the ‘Traffic Synchronisation’ key feature as defined in the European ATM Master Plan.

(10) The Airport Integration and Throughput functionality is expected to improve runway safety and throughput, ensuring benefits in terms of fuel consumption and delay reduction as well as airport capacity. This functionality includes part of the Step 1 Essential Operational Change for the ‘Airport Integration and Throughput’ key feature as defined in the European ATM Master Plan.

(11) The Flexible Airspace Management and Free Route functionality is expected to enable a more efficient use of airspace, thus providing significant benefits linked to fuel consumption and delay reduction. This functionality includes part of the Step 1 Essential Operational Change for the ‘Moving from Airspace to 4D Trajectory Management’ key feature as defined in the European ATM Master Plan.

(12) The Network Collaborative Management functionality is expected to improve the quality and the timeliness of the network information shared by all ATM stakeholders, thus ensuring significant benefits in terms of Air Navigation Services (hereinafter: ‘ANS’) productivity gains and delay cost savings. This functionality includes part of the Step 1 Essential Operational Change for the ‘Network Collaborative Management & Dynamic Capacity Balancing’ key feature as defined in the European ATM Master Plan.

(13) The Initial System Wide Information Management functionality, consisting of a set of services that are delivered and consumed through an internet protocol-based network by System Wide Information Management (SWIM) enabled systems, is expected to bring significant benefits in terms of ANS productivity. This functionality includes part

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of the Step 1 Essential Operational Change for the 'SWIM' key feature as defined in the European ATM Master Plan.

(14) The Initial Trajectory Information Sharing functionality with enhanced flight data processing performances is expected to improve predictability of aircraft trajectory for the benefit of airspace users, the network manager and ANS providers, implying less tactical interventions and improved de-confliction situation. This is expected to have a positive impact on ANS productivity, fuel saving and delay variability. This functionality includes part of the Step 1 Essential Operational Change for the 'Moving from Airspace to 4D Trajectory Management' key feature as defined in the European ATM Master Plan and it indirectly supports other key features addressed by the other ATM functionalities through the use of shared trajectory information.

(15) In order to reach full benefits of the Pilot Common Project, certain operational stakeholders from third countries are expected to implement parts of the Pilot Common Project. Their involvement is to be ensured by the deployment manager in accordance with Implementing Regulation (EU) No 409/2013. The involvement of operational stakeholders from third countries is without prejudice to distribution of competences in relation to air navigation services and ATM functionalities.

(16) In order to assist the operational stakeholders concerned in the deployment of the ATM functionalities, the Commission should publish non-binding reference material such as: supporting material for the standardisation and industrialisation phase, which are to be delivered by the SESAR Joint Undertaking, a roadmap with respect to standardisation and regulation needs and global cost-benefit analysis supporting the Pilot Common Project. Supporting material, where applicable, is to be developed in accordance with the procedures required by Regulation (EC) No 552/2004 of the European Parliament and of the Council[(3)], involving National Supervisory Authorities in accordance with that Regulation.

(17) The implementation of the Pilot Common Project should be monitored as far as possible using existing monitoring mechanisms and existing consultation structures to involve all operational stakeholders.

(18) Appropriate mechanisms for the review of this Regulation, involving the deployment manager, who should coordinate and cooperate with the entities as referred to in Article 9 of Implementing Regulation (EU) No 409/2013, namely the National Supervisory Authorities, military, SESAR Joint Undertaking, Network Manager and the manufacturing industry, should be set up, in particular to allow the Commission to amend this Regulation as necessary. The impact on national and collective defence capabilities is to be taken into account by the deployment manager in accordance with Article 9(7)(c) of Implementing Regulation (EU) No 409/2013. Coordination with the military in the Pilot Common Project remains a priority in accordance with the Member States' general statement on military issues related to the single European sky[(4)]. According to this statement, Member States should, in particular, enhance civil-military cooperation and, if and to the extent deemed necessary by all Member States concerned, facilitate cooperation between their armed forces in all matters of air traffic management.

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(19) In accordance with Article 1(2) of Regulation (EC) No 549/2004 of the European Parliament and of the Council[(5)], the application of this Regulation is without prejudice to Member States' sovereignty over their airspace and to the requirements of the Member States relating to public order, public security and defence matters. This Regulation does not cover military operations and training.

(20) The measures provided for in this Regulation are in accordance with the opinion of the Single Sky Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1 This Regulation sets up the first common project, hereinafter referred to as the 'Pilot Common Project'. The Pilot Common Project identifies a first set of ATM functionalities to be deployed in timely, coordinated and synchronised way so as to achieve the essential operational changes stemming from the European ATM Master Plan.

2 This Regulation shall apply to the European Air Traffic Management Network (EATMN) and the systems for air navigation services identified in Annex I to Regulation (EC) No 552/2004. It shall apply to the stakeholders identified in the Annex to this Regulation.

Article 2

Definitions

For the purpose of this Regulation, the definitions set out in Article 2 of Regulation (EC) No 549/2004 and in Article 2 of Implementing Regulation (EU) No 409/2013 shall apply.

In addition, the following definitions shall apply:

(1) 'Airport — Collaborative Decision Making (A-CDM)' means a process in which decisions related to Air Traffic Flow and Capacity Management (hereinafter: 'ATFCM') at airports are made based on interaction between operational stakeholders and other actors involved in ATFCM and which aims at reducing delays, improving the predictability of events and optimising the utilisation of resources;

(2) 'Airport Operations Plan (AOP)' means a single, common and collaboratively agreed rolling plan available to all airport stakeholders whose purpose is to provide common situational awareness and to form the basis upon which stakeholder decisions relating to process optimisation can be made;

(3) 'Network Operations Plan (NOP)' means the plan, including its supporting tools, developed by the Network Manager in coordination with the operational stakeholders to organise its operational activities in the short and medium term in accordance with the guiding principles of the Network Strategic Plan. For the European route network design-specific part of the Network Operations Plan, it includes the European Route Network Improvement Plan;

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(4) 'to operate an ATM functionality' means that the ATM functionality in question is put in service and that it is fully used in daily operations;

(5) 'deployment target date' means the date by which the deployment of the ATM functionality in question is to be completed and fully used operationally.

Article 3

ATM functionalities and their deployment

1 The Pilot Common Project shall comprise the following ATM functionalities:

a Extended Arrival Management and Performance Based Navigation in the High Density Terminal Manoeuvring Areas;

b Airport Integration and Throughput;

c Flexible Airspace Management and Free Route;

d Network Collaborative Management;

e Initial System Wide Information Management;

f Initial Trajectory Information Sharing.

Those ATM functionalities are described in the Annex.

2 The operational stakeholders identified in the Annex and the Network Manager, shall deploy the ATM functionalities referred to in paragraph 1 and implement the associated operational procedures allowing their seamless operation in accordance with the Annex and Commission Implementing Regulation (EU) No 409/2013. The military operational stakeholders shall deploy those ATM functionalities only to the extent necessary to comply with Regulation (EC) No 552/2004, point 4 of Part A of Annex II.

Article 4

Reference and supporting material

The Commission shall publish on its website the following reference and supporting material for the deployment of the ATM functionalities referred to in Article 3(1):

(a) an indicative list of supporting material for the standardisation and industrialisation phase to be delivered by the SESAR Joint Undertaking including delivery target dates;

(b) an indicative roadmap with respect to standardisation and regulation needs, including references to implementing rules and Community specifications developed in accordance with Article 3 and Article 4 of the Regulation (EC) No 552/2004, and associated delivery target dates;

(c) the global cost-benefit analysis on which Pilot Common Project stakeholder endorsement is considered.