Commission Implementing Decision (EU) 2018/2021 of 17 December 2018 amending Implementing Decision (EU) 2015/348 as regards the consistency of the revised targets in the key performance area of cost-efficiency included in the amended national or functional airspace block plans submitted by Portugal and Romania (notified under document C(2018) 8489) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2018/2021

of 17 December 2018

amending Implementing Decision (EU) 2015/348 as regards the consistency of the revised targets in the key performance area of cost-efficiency included in the amended national or functional airspace block plans submitted by Portugal and Romania

(notified under document C(2018) 8489)

(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 549/2004 of the European Parliament and the Council of 10 March 2004 laying down the framework for the creation of the single European sky (the framework Regulation)[(1)], and in particular point (c) of Article 11(3) thereof,

Having regard to Commission Implementing Regulation (EU) No 390/2013 of 3 May 2013 laying down a performance scheme for air navigation services and network functions[(2)], and in particular Article 14(2) thereof,

Whereas:

(1) In accordance with Regulation (EC) No 549/2004, the Member States are to adopt national or functional airspace block ('FAB') plans, including binding national targets or targets at the level of FABs, ensuring consistency with the Union-wide performance targets. Regulation (EC) No 549/2004 also provides that the Commission is to assess the consistency of those targets on the basis of the assessment criteria referred to in point (d) of Article 11(6) of that Regulation. Detailed rules in this regard have been set out in Commission Implementing Regulation (EU) No 390/2013.

(2) Following the assessment of the performance plans, the Commission adopted Implementing Decision (EU) 2015/348[(3)] which established, inter alia, that the local targets in the key performance area of cost-efficiency of Portugal and Romania included in the performance plan of South-West FAB and Danube FAB, respectively, were consistent with the Union-wide performance targets for the second reference period (2015-2019).

(3) The Commission subsequently adopted Impementing Decision (EU) 2018/1782[(4)], allowing targets in the key performance area of cost-efficiency for the years 2018 and

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2019 for air navigation services of Portugal and Romania to be revised in accordance with Article 17(1) of Implementing Regulation (EU) No 390/2013.

(4) On that basis, Portugal and Romania each revised those targets and amended their performance plans accordingly.

(5) The documentation submitted by Portugal and Romania was assessed by the Performance Review Body ('PRB'), which assists the Commission in the implementation of the performance scheme pursuant to Article 3 of Implementing Regulation (EU) No 390/2013. The report from the PRB on the assessment of the revised targets for Portugal was submitted to the Commission on 20 September 2018 and updated on 12 October 2018.

(6) The report from the PRB on the assessment of the revised targets for Romania was submitted to the Commission on 16 October 2018.

(7) The Commission assessed those amended plans and in particular the revised targets, in accordance with Article 14 of Implementing Regulation (EU) No 390/2013, taking into account the documentation received and the reports from the PRB. The consistency of the targets in the key performance area of cost-efficiency, expressed in *en route* and terminal determined unit costs, with the Union-wide targets has been assessed in accordance with the principles laid down in point 5, in conjunction with point 1, of Annex IV to Implementing Regulation (EU) No 390/2013. The Commission took account of, in particular, the trend of *en route* determined unit costs over the second reference period in relation to the targeted reduction of 3,3 % per year on average and over the combined period of the first and the second reference period (2012-2019) in relation to the targeted reduction of 1,7 % per year on average. It also took into account the level of *en route* determined unit costs in comparison to Member States having a similar operational and economic environment.

(8) As regards Portugal, the assessment showed that the revised targets are based on a planned reduction of its *en route* determined unit costs over the second reference period by 2 % per year on average. This is below the targeted reduction of the average Union-wide *en route* determined unit costs over that period. However, Portugal's revised target for 2019 is based on planned *en route* determined unit costs that are significantly lower (– 30 %) than the average *en route* determined unit costs of Member States having a similar operational and economic environment to the one of Portugal. Over the combined period of the first and the second reference period the planned *en route* determined unit costs decrease at a significantly higher rate (– 4 %) than the Union-wide target. The Commission therefore considers that the revised targets of Portugal for the years 2018 and 2019 are consistent with the Union-wide targets in the key performance area of cost-efficiency for the second reference period.

(9) As regards Romania, the assessment showed that the revised targets are based on a planned reduction of its *en route* determined unit costs over the second reference period by 3,2 % per year on average. This is marginally below the targeted reduction of the average Union-wide *en route* determined unit costs over that period. Romania's revised target for 2019 is based on planned *en route* determined unit costs that are lower (– 1,5 %) than the average *en route* determined unit costs of Member States

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having a similar operational and economic environment to the one of Romania. Over the combined period of the first and the second reference period the planned *en route* determined unit costs decrease at the same rate (– 1,7 %) than the Union-wide target. The Commission therefore considers that the revised targets of Romania for the years 2018 and 2019 are consistent with the Union-wide targets in the key performance area of cost-efficiency for the second reference period.

(10) Implementing Decision (EU) 2015/348 should therefore be amended, so as to take account of the revised targets of Portugal and Romania.

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Implementing Decision (EU) 2015/348 is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 December 2018.

For the Commission

Violeta BULC

Member of the Commission

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ANNEX

ANNEX

Performance targets in the key performance areas of safety, environment, capacity and cost-efficiency included in the national or functional airspace block plans submitted pursuant to Regulation (EC) No 549/2004 found to be consistent with the Union-wide performance targets for the second reference period

KEY PERFORMANCE AREA OF SAFETY

Effectiveness of Safety Management (EOSM) and the application of the severity classification based on the Risk Analysis Tool (RAT) methodology

MEMBER STATE	FAB	EOSM STATE	ANSP level	ATM Ground Level % (RAT)						ATM overall Level % (RAT)					
				2017			2019			2017			2019		
			SC / Other MO	SMI	RI's	ATM-S	SMI	RI's	ATM-S	SMI	RI's	ATM-S	SMI	RI's	ATM-S
Austria Croatia Czechia Hungary Slovakia Slovenia	FAB CE	C	D	D	94,17	93,33	80	100	100	100	80	80	80	80	80	100
Ireland United Kingdom	UK – IR	C	C	D	80	80	80	100	100	100	80	80	80	80	80	100
Belgium Lux France Germany The Netherlands *[Switzerland]*	FAB EC	C	C	D	≥ 80	≥ 80	≥ 80	100	100	100	≥ 80	≥ 80	≥ 80	≥ 80	≥ 80	100
Poland Lithuania	Baltic	C	C	D	≥ 80	≥ 80	≥ 80	100	100	100	≥ 80	≥ 80	≥ 80	90	90	100
Cyprus Greece Italy Malta	Blue Med	C	C	D	80	80	80	100	100	100	80	80	80	95	95	100
Bulgaria	Danube	C	C	D	90	90	80	100	100	100	80	85	80	90	90	100

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Romania																
Denmark	DK — SE	C	C	D	80	80	80	100	100	100	80	80	80	80	80	100
Sweden																
Estonia	NEFAB	C	C	D	95	95	85	100	100	100	90	90	85	100	100	100
Finland																
Latvia																
[Norway]																
Portugal	SW	C	D	D	90	90	90	100	100	100	80	80	90	80	80	100
Spain																

Abbreviations:

‘SC’	:	Management objective ‘safety culture’ as referred to in point 1.1.(a) of section 2 of Annex I to Implementing Regulation (EU) No 390/2013
‘other MO’	:	Management objectives as listed in point 1.1.(a) of section 2 of Annex I to Implementing Regulation (EU) No 390/2013 other than ‘safety culture’
‘RIs’	:	Runway incursions
‘SMI’	:	Separation minima infringements
‘ATM-S’	:	ATM-specific occurrences

KEY PERFORMANCE AREA OF ENVIRONMENT

Horizontal en route flight efficiency of the actual trajectory

MEMBER STATE	FAB	FAB TARGET ENVIRONMENT (%)
		2019
Austria	FAB CE	1,81
Croatia		
Czechia		
Hungary		
Slovakia		
Slovenia		
Ireland	UK — IR	2,99
United Kingdom		
Belgium/Lux	FAB EC	2,96
France		
Germany		
The Netherlands		
[Switzerland]		
Poland	Baltic	1,36