

Abstract

The present diploma thesis is dedicated to European civil aviation and in particular to the regulation of provision of air navigation services and air traffic management. The purpose of the thesis is to analyse the evolution of the legislative reform of air navigation services and air traffic management in Europe with a focus on the influence of European Union law through the initiative “Single European Sky”. Next, the thesis aims to study the main elements of the modernisation efforts and to point at the transformation of the situation and relationships between the relevant stakeholders as results from the new form of the regulatory and institutional framework. First chapter presents the principle of state sovereignty over the airspace which constitutes the fundamental principle of aviation law. Second chapter treats air navigation services and the legal regulation of their provision according to the Convention on International Civil Aviation. The following chapter introduces the summary of main organisations involved in civil aviation focussing on ICAO, EUROCONTROL, European Union, its status, the systematics of EU law and on the European Aviation Safety Agency. The fourth chapter discusses the EU common transport policy in the field of air transport, the progressive air transport liberalisation, including its consequences, and the present course of the EU Aviation Policy. The fifth chapter constitutes the main part of the paper, it analyses in detail the individual Single European Sky packages, evaluates them and treats as well the European Commission proposal of Single European Sky 2+ legislative acts. The last chapter points to selected aspects of the transformation of the regulatory and institutional framework, invoked by the Single European Sky, that are not evident on first sight, and that including the relationship between EU and EUROCONTROL which strongly affects the development of the modernisation of the European air traffic management system. This paper is grounded in public international law, however the vast majority of it is based on EU law.