

Letter of Understanding
Regarding
Co-operation between
ECC and NHQC3S

The Parties,

- Conférence Européenne des Administrations des Poste et des Télécommunications (CEPT) and its European Communications Committee (ECC),
and
- NATO Headquarters Consultation, Command and Control Staff (NHQC3S) having noted the need for structuring and strengthening their long-time existing successful relationship and fostering a closer co-operation;

recognising that:

- CEPT/ECC *brings together the regulatory administrations of the CEPT member countries, Counselors from the European Commission and the European Free Trade Association Secretariat in and for Europe*
and that
- North Atlantic Treaty Organization (NATO), as a political and military alliance, is the *intergovernmental organisation defending peace and security of its member countries in Europe and beyond*;

and considering that:

1. CEPT/ECC is considering and developing policies on electronic communications activities in the European context, taking account of European and international legislations and regulations and that the national as well as the multinational Military RF spectrum use is relying on this;
2. Representatives of relevant intergovernmental organizations as well as other organisations or administrations concerned with European electronic communications may be invited by the chairmen of the ECC or its Working Groups to participate as observers in meetings, on an ad hoc basis;
3. NATO is depending on sufficient and adequate access to the RF spectrum and its integrated NATO Headquarters Consultation, Command and Control (C3) Staff (NHQC3S) serves inter alia to safeguard this access to the necessary RF spectrum resources;

4. CEPT/ECC and NHQC3S have with this a common interest in ensuring the most efficient use and management of the Radio Frequency Spectrum for all Defence and Military-related use in Europe;
5. CEPT/ECC and NHQC3S agree to exchange information and seek, to the maximum extent possible, a common approach concerning defence and Military-related use of the radio frequency spectrum. The two parties may exchange as they may agree, any non-classified information on programmes of work in areas of mutual interest;
6. CEPT/ECC and NHQC3S already supporting the Civil-Military Meeting, not having a role to make decisions but having opportunity to make proposals and recommendations for consideration to ECC on issues arising from civil-military co-operation in spectrum management.
7. The WG FM Meeting following the Civil-Military Meeting will consider proposals and/or recommendations from the Civil-Military Meeting in order to take appropriate action.
8. Copies of relevant working documents from either Party shall be made available to the other Party on request. This information exchange is limited by the NATO- and national military security classification and in so far to the extent possible. The dissemination by one Party of the documents received from the other party will be limited to the members of the relevant part of the receiving party and solely for the purpose of the activities related to the party's work programme;
9. All copyright, and other intellectual and industrial rights embodied in documents exchanged between the parties and any copies thereof, remain with the originating party and extend to all media in which the information may be embodied. Any reference to these documents shall be submitted to the agreement of the originating party prior to communication to the other bodies;
10. The ECC Chairman and the Director NHQC3S or a member of the NHQC3 Staff should meet periodically at their convenience, but at least once a year. Chairmen of ECC/WGs and other concerned NHQC3S sub-structure may participate in these meetings as appropriate and will be invited accordingly;
11. Participation of nominated Observer(s) from NHQC3S is with this permitted at all meetings of the CEPT/ECC and its sub-structure (Working Groups, Project Teams, Task Groups);

12. CEPT/ECC is represented by the majority of their member nation delegations to the NATO committee structure. Nevertheless, additionally CEPT/ECC observers may be invited to selected NATO meetings where appropriate and needed. Invitation to the C3 Board (C3B) and its sub-structure meetings will need C3B agreement;
13. Observers shall, to the extent permitted by the relevant party's organisational statutes and rules, be entitled to participate fully in discussions on relevant work items, and may submit written contributions, but shall not be party in the decision making process;
14. NHQC3S may submit proposals to the relevant CEPT/ECC body. These shall be adopted subject to the normal CEPT/ECC procedures for approval of new work items and outputs;
15. This Agreement shall last for three years and may be renewed by mutual consent. On its expiry, the Agreement shall be automatically renewed for further one-year periods unless otherwise agreed by the parties. The Agreement can be terminated by either party on giving three months' written notice before the expiry date;
16. The practical contacts and decisions for the application of this agreement will be taken between the ECC Chairman and the NHQC3S director.

Agreed for CEPT/ECC by



Thomas Ewers
ECC Chairman

Date: 1st June 2012

Agreed for NHQC3S by



Patrick Fermier,
Major General, FRA ARMT
Director
NATO Headquarters C3 Staff

Date: 29. Juni 2012