



**Letter of Understanding  
regarding the Cooperation between  
the Electronic Communications Committee of the European  
Conference of Postal and Telecommunications  
Administrations  
and  
The European Organisation of the Safety of Air Navigation  
(EUROCONTROL) acting as the Network Manager**

Issued 31 January 2018

**The Electronic Communications Committee (ECC) of the European Conference of Postal and Telecommunications Administrations (Conférence Européenne des Administrations des Postes et des Télécommunications (CEPT));**

**hereinafter referred to as “CEPT/ECC”**

**and**

**The European Organisation for the Safety of Air Navigation (EUROCONTROL), acting as the Network Manager for the ATM Network Functions of the Single European Sky,**

**hereinafter referred to as “the Network Manager”**

Having noted the need to establish a close cooperation in order to foster their mutual understanding and exchange of information;

Whereas EUROCONTROL is an intergovernmental organisation with 41 Member States, committed to building, together with its partners, a Single European Sky that will deliver the air traffic management performance required for the twenty-first century and beyond;

Whereas the European Conference of Postal and Telecommunications Administrations (“CEPT”) is an organization where policy makers and regulators from 48 countries across Europe collaborate to harmonise telecommunication, radio spectrum, and postal regulations to improve efficiency and co-ordination for the benefit of European society. The CEPT conducts its work through three autonomous business committees (ECC, Com-ITU and CERP);

Whereas, within CEPT, the Electronic Communications Committee (“ECC”) develops common policies and regulations in electronic communications for Europe, and is a focal point for information on spectrum use. Its primary objective is to harmonise the efficient use of the radio spectrum, satellite orbits and numbering resources across Europe. It also prepares common proposals to represent European interests in the radio communication sector of the ITU and other international organisations. The ECC itself is supported by Working Groups and Project Teams which carry out expert regulatory and technical studies and consultations to inform the ECC’s policy, and to create the deliverables which it approves. CEPT/ECC is an organisation of governmental bodies, hence with limited possibilities to enter binding agreements with other organisations;

Whereas the European Commission by Decision C(2011)4130 of 7 July 2011 has nominated EUROCONTROL as the Network Manager for the air traffic management (ATM) network functions of the Single European Sky up to 31 December 2019;

Whereas through Directive No. 11/77 of its Permanent Commission, EUROCONTROL has accepted its nomination as the Network Manager for the Air Traffic Management (ATM) network functions of the Single European Sky;

Whereas pursuant Commission Regulation (EU) No 677/2011 laying down detailed rules for the implementation of air traffic management (ATM) network functions as amended, the Network Manager is performing the function of coordination of scarce resources, and in particular in particular the Radio Frequency function;

Whereas Annex II, Part A, paragraph (2) of Commission Regulation (EU) No 677/2011 defines that the Network Manager shall support the European Commission and Member States in the preparation of common aviation positions for coordinated Member State contributions to international forums, and in particular to the European Conference of Postal and Telecommunications Administrations ("CEPT") and International Telecommunications Union ("ITU");

Having regard to Directive No. 17/97 of the Permanent Commission of EUROCONTROL dated 28 March 2017 relating to the conclusion by EUROCONTROL of operational and technical Agreements, which are necessary for the performance of the network functions;

Considering that CEPT/ECC is the recognised organisation in Europe responsible for the allocation of spectrum at European level in the field of radio communication;

Considering that CEPT/ECC and the Network Manager have a common interest in ensuring the most efficient use and management of the Radio Frequency Spectrum for all civil and military aeronautical-use in Europe,

agree to co-operate as follows:

CEPT/ECC and the Network Manager agree to exchange information and seek to adopt a common approach for Radio Frequency spectrum management. The Parties may exchange information on programmes of work, new deployment of technologies and their respective protection requirements in areas of mutual interest:

1. Copies of relevant working documents from either Party shall be made available to the other Party on request. 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 relating to the Party's work programme unless otherwise agreed in writing between the Parties.
2. All copyright, and other intellectual and industrial rights embodied in documents exchanged between CEPT/ECC and the Network Manager 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 communication to other bodies.
3. The ECC Chairman and the Director Network Manager, or their authorised representatives, having lead responsibility for radio regulatory and spectrum issues should meet periodically at their convenience, but at least once a year.
4. Participation of nominated observer(s) from the Network Manager is normally permitted at meetings of the ECC and its subordinate groups.
5. Participation of nominated observer(s) from ECC is normally permitted at meetings of EUROCONTROL and its subordinate groups.
6. 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.
7. The Network Manager may submit proposals to the relevant CEPT/ECC body. These shall be adopted subject to the normal CEPT/ECC process for approval of new work items and outputs.
8. This Letter of Understanding enters into force on date of the last signature below and shall last for three (3) years. On its expiry, this Letter of Understanding shall be automatically renewed for further one year-period unless otherwise agreed by the Parties. This Letter of Understanding can be terminated by either Party on giving three (3) months' written notice before the expiry date.

9. The practical contacts and decisions for the application of this Letter of Understanding will be taken between the ECC Chairman and the Director Network Manager. The points of contact are referred to in Annex 1.
10. Any dispute which may arise between the Parties relating to the interpretation or application of this Letter of Understanding shall be settled by direct negotiation between the ECC Chairman and the Director Network Manager.

FOR CEPT/ECC



Eric Fournier

ECC Chairman

Date: 14 FEB. 2018

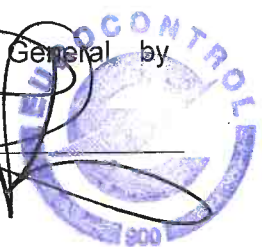
For the Network Manager,

on behalf of the Director General by  
special delegation,

Joe Sultana

Director Network Manager

Date: 1 February 2018



## Annex 1

### Points of Contact

CEPT/ECC	Network Manager
ANFR 78 avenue du général de Gaulle FR-94704 Maisons Alfort France	EUROCONTROL Rue de la Fusée 96 BE-1130 Bruxelles Belgium
Name: Eric FOURNIER	Name: Raffi KHATCHERIAN
Title: CEPT/ECC Chairman	Title: Spectrum Manager
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