



*"[air navigation control, [...]] is a task involving the exercise of public authority and is not of an economic nature, since that activity constitutes a service in the public interest which is intended to protect both the users of air transport and the populations affected by aircraft flying over them".
(Extract of decision C.364/92 of the European Court of Justice).*

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Open Letter

to the Ministers of Mobility and Transportations and Directors General of Civil Aviation of EUROCONTROL Member States

24 April 2025 (Sofia, Bulgaria)

Subject: Protecting EUROCONTROL's Immunity and Securing Air Navigation Funding

On 21 March 2025, a Belgian court issued an Executory Attachment Order against EUROCONTROL in Brussels, freezing route-charge funds owed to BHANSA (Bosnia and Herzegovina Air Navigation Services Agency). These funds are governed by the Chicago Convention on International Civil Aviation, which strictly limits how route charges may be used. This judicial intervention not only jeopardizes ATC services in Bosnian and Herzegovinian airspace but undermines EUROCONTROL's immunity and the legal framework that underpins safe, efficient air navigation across Europe.

Call for Collective Action

As the Civil Aviation Directors General are responsible for maintaining and safeguarding Europe's air navigation network, we—ATCEUC's 34 affiliated unions and over 16 000 air traffic controllers—hereby call upon your assistance in:

1. Immediate Lifting of the Attachment

Engage with Belgian authorities to outline the potential repercussions of enforcing such an attachment order on EUROCONTROL/CRCO's assets, emphasizing how it would undermine compliance with international treaties—particularly the provisions of Article 15 of the Chicago Convention.

2. Rapid and urgent Ratification

Engage with Belgian authorities to obtain their ratification of the Additional Protocol to the EUROCONTROL Seat Agreement (as adopted by the Provisional Council in 2024), thereby shielding EUROCONTROL's premises, assets, and revenues from future legal challenges.

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3. **Joint Diplomatic Reaffirmation**

Issue a coordinated statement—endorsed by all EUROCONTROL member States—declaring that route charges are inviolable and may be applied only to air navigation services, never to satisfy third-party litigation.

4. **Support to BHANSA and Bosnia and Herzegovina**

Deeply engage with BHANSA, BHATCU (BH air traffic controllers union) and the Bosnian authorities to provide all necessary support across all aspects—from operational to legal—facilitating the restoration of normal operations and safeguarding the uninterrupted provision of air traffic control services in Bosnian airspace, thereby upholding flight safety standards.

Why Your Intervention Matters

- **Safety at Risk:** Funding shortfalls imperil ATC staffing, equipment maintenance and contingency planning, with strong knock-on effects for all European overflying traffic.
- **Legal Precedent:** Allowing a domestic court to freeze route charge revenues sets another dangerous precedent (after Romania, Albania and Spain) for any Contracting State of the Central Route Charges Office (CRCO), potentially exposing them to similar legal actions and undermining the stability of the European air navigation network.
- **Treaty Integrity:** Belgium's acquiescence to this order would constitute a breach of its obligations under the Chicago Convention and could lead to a loss of trust in the entire international aviation legal framework.

Conclusion and Next Steps

We respectfully request that you place this matter as a priority. We hope to carry your full support in defense of EUROCONTROL's immunity, the sanctity of air navigation funding, and ultimately the safety and reliability of Europe's skies.

ATCEUC stands ready to provide any help to support your efforts.

This Open Letter was unanimously voted on by ATCEUC members in Sofia on 24 April 2025.

Air Traffic Controllers European Unions Coordination (ATCEUC) was created in 1989 and is currently composed of 34 professional and autonomous trade unions representing more than 16000 Air Traffic Controllers (ATCOs) and Air Traffic Safety Electronics Personnel (ATSEPs) throughout Europe. ATCEUC is part of the "European Union Sectoral Social Dialogue - Civil Aviation" in the air traffic management field and it is recognised as a full member of the ICB. ATCEUC with its experts participates in every work group where the voice of its Members can and have to be expressed: SESAR JU, TSG, CEGHD, EASA ATM/ANS CSTG, EASC, ASPReT, JCTF, ATM Partners and other workshops or programmes within the framework of EASA, EUROCONTROL and the European Commission.