

EUROPEAN ORGANISATION FOR THE SAFETY OF AIR NAVIGATION

EUROCONTROL

- Decisions of the Permanent Commission -

DECISION N°22/138

entrusting the Organisation with the task of creating voluntary solidarity funds in support of one or more Member States in air traffic crisis situations

THE PERMANENT COMMISSION FOR THE SAFETY OF AIR NAVIGATION:

Having regard to the EUROCONTROL International Convention relating to Co-operation for the Safety of Air Navigation of 13 December 1960, as amended by the Protocol signed at Brussels on 12 February 1981 and in particular Articles 1.1(c), 6.1(a), 7.1, 7.2 and 11 thereof, as well as Article 2.1 (s) of the Revised Convention as early implemented through Decision No. 71 of the Permanent Commission of 9 December 1997;

Whereas, subject to the approval by the Permanent Commission, EUROCONTROL may perform any new task relating to the principles and objectives of the Convention and whereas the Member States have agreed in the Convention to concert any other measures necessary to ensure the safe and orderly flow of air traffic;

Considering Member States' willingness to apply, for the benefit of the network, the solidarity principle in air traffic crisis situations where, in particular, one or more Member States are unable to ensure their responsibility for a continued provision of air navigation services in their respective airspace due to reasons beyond their control;

Whereas Member States may wish to provide, to that effect, financial support to the Member State(s) affected by such air traffic crisis situations through the creation of voluntary solidarity funds and therefore wish to entrust the Organisation with this new task;

Whereas the implementation of each specific voluntary solidarity fund should be subject to a Directive of the Permanent Commission in accordance with Articles 6.1(b) and 7.3 of the Convention, requesting the Agency to establish and manage the specific Fund;

Whereas the Agency should conclude, on behalf of the Organisation, agreements with the Member States who are the beneficiaries of a specific voluntary solidarity fund;

On the proposal of the Provisional Council;

HEREBY TAKES THE FOLLOWING DECISION:

Article 1

The Organisation may create voluntary solidarity funds to support Member States in air traffic crisis situations affecting one or more of them and due to reasons beyond their control.

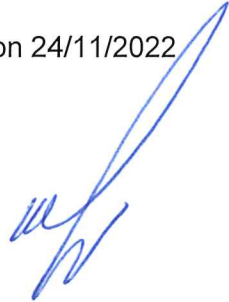
Article 2

1. Each specific voluntary solidarity fund shall be subject to a Directive of the Permanent Commission in accordance with Articles 6.1(b) and 7.3 of the Convention requesting the Agency to establish and manage the specific Fund and setting out the principles governing the functioning of the Fund.
2. The Agency is delegated authority to sign, on behalf of the Organisation, Special Agreements with the beneficiary States of the specific voluntary solidarity funds relating to the requirements for their use and all associated administrative and governance arrangements.

Article 3

This Decision shall enter into effect at the date of its signature.

Done at Brussels on 24/11/2022

A handwritten signature in blue ink, consisting of a stylized 'M' followed by a long, sweeping flourish that extends upwards and to the right.

Māris Gorodcovs
President of the Permanent Commission