

**EUROPEAN ORGANISATION FOR THE SAFETY OF AIR NAVIGATION**  
**"EUROCONTROL"**

- Directives of the Permanent Commission –

**DIRECTIVE N°16/95**

**on the preparatory activities for the deployment of the European Air/Ground Data Communication Services (EAGDCS) with the Air Navigation Service Providers and other Parties interested to use the EAGDCS in the EUROCONTROL Member States.**

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 6.1 (b), 7.3 and 13 thereof;

Having regard to Article 2.1(g) of the revised Convention, reproduced in the Annex to Decision No. 71 of the Permanent Commission of 9 December 1997;

Having regard to Directive No.14/83 of the Permanent Commission of 3 February 2014 regarding the development and demonstration of Centralised Services which tasked the Agency to conduct a feasibility study for CS9 and provides that it shall only proceed to implementation of CS9 after a positive decision of the PC/CN;

Considering the Council of the European Union Decision (EU) 2016/1124 of 24 June 2016 on the position to be taken by the Member States on behalf of the European Union within the Permanent Commission of EUROCONTROL as regards the decisions to be adopted on centralized services;

On the proposal of the Provisional Council and of the Director General;

GIVES THE FOLLOWING DIRECTIVE TO THE AGENCY:

Article 1

The Director General of the Agency shall collaborate with the ANSPs of the EUROCONTROL Member States and, where appropriate, with aircraft operators in the context of the SESAR project, including in the development of the necessary Governance, Financing and Procurement arrangements and to develop technical specifications with a view to timely deploying the European Air/Ground Data Communication Services (EAGDCS). The above arrangements and technical solutions will be submitted to the Provisional Council/Permanent Commission for information and before proceeding to any possible procurement. This should be based on evidence of the technical and operational feasibility and the development of a comprehensive impact assessment.

Article 2

In performing the activities mentioned under Article 1, the Agency shall ensure that:

- the outcome of the technical work on data link performed by the SESAR Joint Undertaking is fully taken into account;
- the activities are conducted in cooperation with EASA in so far as the present Directive concerns EASA's preparatory work for future certification and oversight of EAGDCS;

- it remains without prejudice to the deployment and operation of EAGDCS, as well as the procurement thereof, which shall be subject to further decisions by the Member States of EUROCONTROL;
- the activities covered by the present Directive are based on agreement with ANSPs;  
and
- financing and procurement arrangements, as well as technical specifications remain without prejudice to any investment and associated costs already incurred by ANSPs and aircraft operators in compliance with the requirements of European Commission Regulation (EC) No 29/2009 of 16 January 2009 laying down requirements on data link services for the Single European Sky.

Done at Brussels on 23.9.2016

A handwritten signature in blue ink, appearing to be 'V. DOVHAN', written in a cursive style.

V. DOVHAN  
President of the Commission