

EUROPEAN ORGANISATION FOR THE SAFETY OF AIR NAVIGATION

EUROCONTROL

Measures of the Permanent Commission

MEASURE No. 07/130

delegating authority to the Agency to open negotiations for the conclusion of an Agreement between EUROCONTROL and the future SESAR Joint Undertaking

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 6.3, 7.2, 11 and 12 thereof;

HAVING REGARD to the Protocol consolidating the EUROCONTROL International Convention relating to Co-operation for the Safety of Air Navigation, which was opened for signature at Brussels on 27 June 1997, and in particular Article 13 of the consolidated version of the Convention annexed thereto;

HAVING REGARD to Decision No. 71 taken by the Permanent Commission on 9 December 1997 on early implementation of certain provisions in the revised Convention, in particular those concerning the role and duties of the Organisation;

HAVING REGARD to the Memorandum concerning a framework for cooperation between the Organisation and the Commission of the European Communities, signed at Brussels on 22 December 2003;

HAVING REGARD to the Single European Sky Initiative developed within the European Community;

HAVING REGARD to the European Commission Proposal for a Council Regulation on the establishment of a Joint Undertaking to develop the new generation European air traffic management system (SESAR) COM/2005/0602 final;

HAVING REGARD to the outcome of the June 2006 EU Transport Council, where the Council established "a general approach" on the proposal for the above Regulation;

CONVINCED of the benefits that would accrue to the development of SESAR, particularly for the aviation community, through the SESAR Joint Undertaking;

CONSIDERING that it is appropriate to agree on the terms and modalities for founding the SESAR Joint Undertaking;

CONSIDERING that it is appropriate to agree on EUROCONTROL's role in and contribution to the SESAR JU;

on the proposal of the Provisional Council and the Agency,

TAKES THE FOLLOWING MEASURE:

Article 1

The Agency is delegated authority to open negotiations initially with the European Commission and subsequently with the SESAR Joint Undertaking on the role and contributions of EUROCONTROL within the SESAR Joint Undertaking, on the basis of the results of the Provisional Council deliberations of the ad hoc PC Session held on 8 February 2007, as well as the main features of the future relationship between EUROCONTROL and the Joint Undertaking, which shall form the basis for the conclusion of an Agreement between EUROCONTROL and the future SESAR Joint Undertaking.

Article 2

The Agency shall, through the Provisional Council, provide the Permanent Commission with details regarding the progress of negotiations.

Article 3

The Agency shall submit, through the Provisional Council, for the Permanent Commission's approval, the negotiated draft Agreement between EUROCONTROL and the future SESAR Joint Undertaking.

Done at Brussels on 8.2.07

For the President of the Commission,
the Vice-President of the Commission,

(Submitted for signature)

M. BAUTISTA PÉREZ