



"[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).

Aix en Provence Tuesday 22nd April 2008

Subject: Application for our participation in the sectorial dialogue committee on Civil Aviation

Dear Mr Morin,

ATCEUC acknowledge the receipt of your letter dated the 25th of March, even though we received the letter later than ETF, although they were the recipient of the copy. In any case, we are a bit surprised about the answer and especially the restriction of our participation to the ATM sub-working group of the Social Dialogue.

The decision of the 20th May 1998 is very clear about the fact that the recognition of ATCEUC as a Social Partner in the Civil Aviation Sector can only come by mutual recognition of all involved partners, from the employers' and the employees' side.

From your letter we understand that the last impediment to our recognition could be overcome through negotiations with ETF. Therefore, according to the decision of the 20th May 1998, we can deduce, and thus welcome, the fact that if the decision depends only on negotiations with ETF, that all the other actors involved in the Civil Aviation Sectoral (CAS) Committee agree with our recognition as a Social Partner in the Civil Aviation Sector.

As a second argument contained in your letter, we understand that because we "only" represent Air Traffic Controllers we qualify as an ATM representative body but not to be recognized at the CAS level. However, this is a bit incoherent: isn't the same true about (on the employer side) CANSO representing "only" ANSPs, about ERA representing "only" regional airline, and, on the employee side, about ECA representing "only" pilots? They are all part of the CAS committee, then why cannot ATCEUC and the 12000 Air Traffic Controllers we represent?

If this is the way the European Commission thinks about the Social Dialogue, then the answer to Mr Calleja, when he asks us if the Social Dialogue in the context of the SES II has to be modified, is an emphatic "yes".

There are very short deadlines for working on SES II and we are willing to work and give our expertise, but under these circumstances it will not be easy.

There are also short deadlines before the SESAR JU starts to be fully operational and once again under these circumstances, we cannot be sure of contributing our expertise.

We are not applying just to see our name on a paper but to truly get involved in the work.

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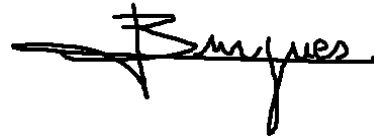
Therefore ATCEUC urges the Commission to come with concrete proposals and a fair basis for negotiation on how we can work as a recognised Social Partner in the Civil Aviation Sector before the end of the month.

When these bases will be established, we will be pleased to come into a negotiation phase with ETF on the number of seats in the CAS committee and the ATM sub-committee.

Yours sincerely,



Volker Dick
ATCEUC President



Francois Burgues
ATCEUC Secretary

Copy: Mrs Ellen Durst, Mr Daniel Calleja, Mr Luc Tytgat, Mr Koen de Vos.