



"[air navigation control, [i] 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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Press release

Does the European Charter of Fundamental Rights apply to the European Air Traffic Controllers?

Once again the European Commission tries to attack the fundamental rights of the European Air Traffic Controllers

ATCEUC would like to denounce the recommendations proposed in the European Commission Communication so-called "Aviation: Open and Connected Europe". These proposals are a new step in the Commission's constant pressure against European Air Traffic Controllers, and particularly, against the Air Traffic Controllers' right to strike.

The words of the European Parliament in its Report on an Aviation Strategy for Europe are completely ignored by the European Commission: *" the right to form and join a trade union and to undertake collective action is a fundamental right and must be respected, as laid down in Article 12 of the Charter of Fundamental Rights of the European Union; **rejects any attempts to undermine the right to strike in the aviation sector**; highlights the importance of having strong, independent social partners in the aviation sector, a regular, institutionalised social dialogue at all levels, and participation and representation of employees in company matters; **insists on a proper consultation process and strengthened social dialogue ahead of any EU initiative concerning the aviation sector**; ..."*

In March, ATCEUC and ETF published a study "Efficiency, capacity and growth in European aviation" which demonstrates with official data that, by far, the largest share of flight delays is the airlines' responsibility. The measures proposed by the European Commission are based on a study, clearly inaccurate with misleading figures.

With the promotion of individual notification, protection of overflights and air traffic peak periods, the European Commission is trying to impose

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strong limits in the exercise of these fundamental rights of the European Union, as stated in the "Charter of Fundamental rights of the EU"

Moreover, the European Commission seems to no longer respect the spirit of Article 153 of the Treaty on the Functioning of the European Union which stipulates that the EU has no competences on the right of strike which remains fully within the remit of individual Member States.

Volker DICK ATCEUC President: *"With these recommendations, the European Commission is acting as a mirror. Airlines lobby organisation proposed recommendations have simply been copy-pasted."*

ATCEUC, and the associated National Unions, are fully aware of the importance, for the whole European Union and its Citizens, of a safe affordable and continuous ATM service. This awareness has been the main driver of the work performed, together with ETF and CANSO, to deliver a set of mutually agreed recommendations aimed at preventing conflicts and promoting good industrial operational cooperation.

Volker DICK ATCEUC President: *"A qualitative social dialogue between companies and workers' representatives is the best pre-requisite way to prevent industrial action and limit their impact."*

He continued his comments: *"The European Air Traffic Controllers demonstrate in their daily activities the highest degree of competencies necessary to accomplish their difficult tasks. The continuation of this blame culture by European bodies is no longer an option. The right to strike is a fundamental one and we are determined to defend it."*

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About ATCEUC: Air Traffic Controllers European Unions Coordination (ATCEUC) was created in 1989 and is currently composed of 32 professional and autonomous trade unions representing more than 14,000 Air Traffic Controllers throughout Europe. ATCEUC is a recognized social partner in air traffic management.