



"[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).

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Open Letter to:

- **Ms. Annelies Verlinden, Minister of Justice of Belgium**
- **Mr. Jean-Luc Crucke, Minister of Mobility of Belgium**
- **Mr. Maxime Prévot, Minister of Foreign Affairs of Belgium**
- **Mr. Johann Friedrich Colman, President Provisional Council EUROCONTROL**
- **Mr. Damien Cazé, Vice-President Provisional Council EUROCONTROL**
- **Mr. Cengiz Paşaoğlu, Vice-President Provisional Council EUROCONTROL**
- **Mr. Jari Pöntinen, Vice-President Provisional Council EUROCONTROL**
- **Mr. Julian Rotter, Vice-President Provisional Council EUROCONTROL**
- **Mr. Raul Medina, Director General of EUROCONTROL**

Brussels, 31st March 2025

Subject: Urgent Call to Secure EUROCONTROL's Financial Stability and Prevent Air Navigation Disruptions in Europe

Dear Esteemed Representatives,

Air Traffic Controllers European Unions Coordination (ATCEUC), representing over 14,000 air traffic controllers across Europe, addresses you with strong concern regarding the legal and financial risks currently threatening BHANSA (Bosnia and Herzegovina Air Navigation Services Agency) and, by extension, the stability of air navigation services across Europe.

The enforcement order issued to EUROCONTROL on 21 March 2025, linked to the ICSID arbitration case (Viaduct d.o.o. Portorož v. Bosnia and Herzegovina), has precipitated an immediate financial crisis for BHANSA, mandating the complete suspension of all route charge payments destined for Bosnia and Herzegovina's air navigation services. Given that these payments constitute 90% of BHANSA's funding, the agency is now at the brink of operational collapse.

Without urgent intervention, this situation will lead to:

- The total shutdown of air traffic control services in Bosnian airspace.
- Closure of international airports (Sarajevo, Banja Luka, Mostar, Tuzla).
- Disruption of military, humanitarian, and medical flights, including EUFOR Althea missions.
- Mass layoffs of highly skilled personnel, with long-term damage to aviation safety.

Bosnia and Herzegovina's airspace is a critical junction in Southeast Europe, handling a significant volume of European overflights. A shutdown would:

- Force rerouting of flights, increasing congestion in neighboring states.
- Disrupt the European ATM network, impacting airlines and passengers across the continent.

To prevent similar crises in the future and to safeguard EUROCONTROL's financial stability, ATCEUC strongly urges the Belgian authorities to sign and finalize the procedural formalities of the Additional Protocol to the Seat Agreement of 17 July 2006 between EUROCONTROL and Belgium, as approved by the EUROCONTROL Permanent Commission on 4 June 2024.

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This Additional Protocol will reinforce EUROCONTROL's immunities in Belgium, particularly immunity from third-party attachment orders of air navigation charges collected by EUROCONTROL's CRCO and disbursed to EUROCONTROL Member States. The lack of such legal protection puts EUROCONTROL's financial system at risk, with potentially additional severe consequences for the European aviation sector.

Dear Esteemed Representatives, ATCEUC urgently and respectfully calls for your coordinated action. Given the current geopolitical complexities, the situation in Bosnia and Herzegovina may not remain an isolated case, and similar challenges could arise, posing a broader threat to the stability of European aviation. Time is of the essence.

ATCEUC urges the entire European aviation community to unite in this call to strengthen EUROCONTROL's legal protections, ensuring that such financial vulnerabilities do not compromise the future of European air traffic management.

We trust in your swift response to address these pressing concerns and safeguard the integrity of European air navigation services.

ATCEUC EXECUTIVE BOARD

