

No. 7557

**BELGIUM, FRANCE, FEDERAL REPUBLIC
OF GERMANY, LUXEMBOURG, NETHERLANDS
and UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND**

**“EUROCONTROL” International Convention relating to
co-operation for the safety of air navigation (with
annexes and Protocol of signature). Signed at Brus-
sels, on 13 December 1960**

Official texts: English, French, German and Dutch.

Registered by Belgium on 28 January 1965.

**BELGIQUE, FRANCE, RÉPUBLIQUE FÉDÉRALE
D'ALLEMAGNE, LUXEMBOURG, PAYS-BAS
et ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD**

**Convention internationale de coopération pour la sécurité
de la navigation aérienne « EUROCONTROL » (avec
annexes et Protocole de signature). Signée à Bruxelles,
le 13 décembre 1960.**

Textes officiels anglais, français, allemand et néerlandais.

Enregistrée par la Belgique le 28 janvier 1965.

No. 7557. "EUROCONTROL" INTERNATIONAL CONVENTION¹ RELATING TO CO-OPERATION FOR THE SAFETY OF AIR NAVIGATION. SIGNED AT BRUSSELS, ON 13 DECEMBER 1960

The Federal Republic of Germany,
The Kingdom of Belgium,
The French Republic,
The United Kingdom of Great Britain and Northern Ireland,
The Grand Duchy of Luxembourg,
The Kingdom of the Netherlands,

Considering that the entry into service and general employment of turbine-engined transport aircraft may give rise to far-reaching changes in the organisation of air traffic control,

Considering that, from the operational standpoint, modern types of aircraft are characterised :

- by high speeds,
- by the necessity, for reasons of economical operation, of being able to make an uninterrupted climb at a high speed to optimum operating altitudes and of remaining at those altitudes until a point as near as possible to the destination of the aircraft has been reached,

Considering that those characteristics imply not only the adaptation or reorganisation of existing control methods and procedures but also the creation, above a certain level, of new flight information regions organised in whole or in part into control areas,

¹ Came into force on 1 March 1963, the first day of the month following the deposit of the instrument of ratification of the last signatory State to complete that formality, in accordance with article 40 (3). The instruments of ratification were deposited with the Government of Belgium on the following dates :

Luxembourg	6 February 1962	Netherlands.	10 October 1962
Belgium	13 March 1962	Federal Republic of Germany	8 February 1963
United Kingdom of Great Britain and Northern Ireland	3 August 1962	France	28 February 1963

In accordance with article 41 (4) the Convention came into force in respect of Ireland on 1 January 1965, its instrument of accession having been deposited on 23 December 1964. The instrument was accompanied by a declaration made in accordance with article 37, par. 1, a) (ii) of the Convention, specifying that with respect to Ireland the Convention shall apply to : "... the territory subject to the jurisdiction of the Government of Ireland".

Considering that, having regard to the rapid progress in the technical development of such aircraft, the control of air traffic at a high altitude can no longer be envisaged within the restricted framework of national frontiers, in the case of the majority of European countries,

Considering therefore that it is expedient to create an international control organisation operating in respect of air space which extends beyond the limits of the territory of a single State,

Considering that in so far as pertains to the lower air space it may be of advantage in certain cases to entrust the air traffic services in part of the territory of one Contracting Party to the aforesaid international organisation or to another Contracting Party,

Considering moreover that internationalised control presupposes the adoption of a common policy and the standardisation of regulations based on the Standards and Recommended Practices of the International Civil Aviation Organisation (I.C.A.O.), due regard being paid to the requirements of national defence,

Considering furthermore that it is highly desirable to co-ordinate the action taken by the States in respect of the training of personnel of the air navigation services and in the field of study and research relating to air traffic problems,

Have agreed as follows:

Article 1

1. The Contracting Parties agree to strengthen their co-operation in matters of air navigation and in particular to provide for the common organisation of the air traffic services in the upper air space.
2. For this purpose they hereby establish a "European Organisation for the Safety of Air Navigation" (EUROCONTROL), hereinafter called "the Organisation". The Organisation shall comprise two organs :
 - a "permanent Commission for the safety of air navigation", hereinafter called "the Commission";
 - an "air traffic services Agency", hereinafter called "the Agency", of which the Statute¹ is annexed to the present Convention.
3. The seat of the Organisation shall be at Brussels.

Article 2

1. Any one of the Contracting Parties may, in respect of the lower air space, and having regard to practical operational requirements, request a decision from the

¹ See p. 185 of this volume.

Commission that the air traffic services for the whole or part of its lower air space be entrusted to the Organisation or to another Contracting Party.

2. In the latter case, the abstention of a third Contracting Party shall not form an obstacle to the validity of the decision of the Commission, notwithstanding the provisions of paragraph 2 of Article 8 of the present Convention.

3. The provisions of this Article which relate to the option of any one Contracting Party to entrust to another Contracting Party the air traffic services for the whole or part of its lower air space shall not be deemed to limit the right of the Contracting Parties to conclude with one another bilateral agreements for the same purpose.

Article 3

For the purposes of the present Convention the expression "air traffic" comprises civil aircraft and those military, customs and police aircraft which conform to the procedures of the International Civil Aviation Organisation (I.C.A.O.).

Article 4

The Organisation shall have legal personality. In the territory of the Contracting Parties it shall have the fullest legal capacity to which corporate bodies are entitled under national law; it shall *inter alia* have the right to acquire or transfer movable or immovable property and to go to law. Except as otherwise provided in the present Convention or the Statute annexed thereto, it shall be represented by the Agency which shall act in its name. The Agency shall administer the property of the Organisation.

Article 5

The Commission shall be composed of representatives of the Contracting Parties. Each Contracting Party shall be entitled to two representatives but shall have one vote only.

Article 6

1. The aim of the Commission shall be to promote, in co-operation with the national military authorities, the adoption of measures and the installation and operation of facilities designed to :

- ensure the safety of air navigation,
- ensure an orderly and rapid flow of air traffic,

within defined air space under the sovereignty of the Contracting Parties or in respect of which the air traffic services have been entrusted to those Parties under international agreements.

2. For this purpose the Commission shall be responsible for :

a) the study, on the basis of the Standards and Recommended Practices of the International Civil Aviation Organisation and having regard to the requirements of national defence, of the standardisation of national regulations governing air traffic and the standardisation of the operation of the services responsible for ensuring the safety and regulation of air traffic ;

b) the promotion of a common policy to be followed in respect of radio aids, telecommunications and corresponding airborne equipment, destined to ensure the safety of aircraft ;

c) the promotion and co-ordination of studies relating to air navigation services and installations in order to take account of technical developments, and, if necessary, the study of amendments to the Regional Air Navigation Plans to be submitted to the International Civil Aviation Organisation ;

d) the determination, in accordance with the provisions of Article 38 of the present Convention, of the configuration of the air space in respect of which the air traffic services are entrusted to the Agency ;

the exercise of the powers which devolve upon the Commission under Article 2 of the present Convention ;

e) the determination of the policy to be followed by the Agency in respect of remuneration for services rendered to users, and, where applicable, the approval of the tariffs and conditions of application of charges established by the Agency ;

f) the study of measures designed to facilitate the financing of investments required for the functioning of the Agency or more generally of the services of the Contracting Parties which participate in the work of ensuring the safety of air navigation ;

g) the exercise of the power of general supervision of the activities of the Agency in application of Article 20 of the present Convention and of Article 8, Article 9, Article 10, Article 11, Article 12, Article 13 paragraph 3 a), Article 14 paragraph 2, Article 17 paragraph 2, Article 23 paragraphs 2 and 4, Article 28 paragraph 3, Article 29 paragraphs 1 and 3, Article 30 paragraph 1, Article 34 paragraph 1 and Article 37 of the Statute annexed hereto.

Article 7

For the accomplishment of its task, the Commission :

a) shall formulate recommendations in cases falling within the scope of paragraph 2, a), b) and c) of Article 6 of the present Convention ;