



"[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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CC: PRB Chair
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CC: ENAC Director General
Mr Alexander D'Orsogna
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Subject: Lack of Involvement of ATCEUC and Italian Trade Unions in ENAC Stakeholder Consultation

Brussels, 8 July 2025

Dear Madam,

We are once again writing to formally report the exclusion of ATCEUC, as well as the Italian trade unions representing the workers of ENAV S.p.A. (the Italian Air Navigation Service Provider), from the stakeholder consultation organised by ENAC – the Italian National Supervisory Authority (NSA) – regarding the 2024 actual costs, the 2024 cost risk-sharing report, and the 2026 unit rates.

ATCEUC's request to participate in the consultation was rejected by ENAC on the grounds that "the relevant EU legislation, as is well known, does not require the National Supervisory Authority to involve trade union representatives in the annual consultation on cost transparency and the unit rate to be applied in the following year."

This response appears to contradict the guidance provided by the Performance Review Body (PRB) in its *Guidance Material for the Development*

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of Draft RP4 Performance Plans, issued on 21 October 2024, which clearly states:

38 *In addition, NSA(s) shall ensure, where relevant, that airport operators, airport coordinators and professional staff representative bodies are given the opportunity to comment on the draft performance plan. This could be fulfilled through participation in the consultation meeting itself (which may be organised as an online consultation meeting) or, where deemed more appropriate, through consultation in writing. It is advised that written comments are collected by the lead NSA responsible for submitting the draft performance plan to the Commission.*

It is therefore evident that, in ENAC's view, the comments of ATCEUC are not considered relevant. We strongly disagree with this interpretation.

In a country where the air transport sector — particularly Air Traffic Management — requires high levels of coordination, transparency, and trust among stakeholders, the decision to exclude both national and European trade union organisations representing workers from critical consultations is deeply concerning. Limiting engagement to a promise of sharing only the final outcomes undermines the principles of social dialogue and participatory governance. Such an approach risks eroding trust, weakening collaboration, and ultimately compromising the effectiveness and legitimacy of the decisions being taken.

ATCEUC reaffirms its full willingness to participate constructively in such consultations.

However, ATCEUC categorically rejects the notion of being relegated to a secondary forum or excluded altogether.

We therefore urge the European institutions, once again, to take action to ensure that this unacceptable exclusion does not persist.

Sincerely,

Volker Dick
ATCEUC President