

# SITREP ON 2006/23/CE IN PORTUGAL

**Law Project 198/X - ATC Communitarian Licensing**

July 9, 2008



associação nacional de sargentos



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During the last two weeks, ANS was received, through formal request, by all the Political Parties represented in Parliament.

It has been our primary goal to present each one with technical, legal facts and arguments, enough to sustain our position, that its unthinkable to try to exclude Military ATC from something that they are naturally and rightfully part of.

In cooperation with Portuguese Air Force technical departments, and with ATC, within and outside ANS, positions were aligned, information was exchanged, and a joint cooperation status was achieved, since the Portuguese Air Force had not been formally invited to state its views anywhere, and thus was unable to do it on its own initiative.

All Political Parties agreed that our request was a fair pretension, and promised their good will towards creating a consensus position, able to take aim towards the National interest, instead of petty political gains.

Today the Parliament debated this Law Bill, in a general manner, and all the Political Parties (including the Government Party) told the Government exactly what they had told us: they mostly approve this Law Bill, but they also think it's inevitable to change the article that excludes Military ATC from obtaining an EC License.

Arguments presented evolved around European reality on this issue (and many thanks to all the National SITREPS that Derek was kind enough to send us), around the reconnaissance that Military personnel was at least as skilled and competent as the civilian counterpart, as fully demonstrated in several International Airports (Lajes-Azores, Kabul-Afghanistan), and of course, around the disaster scenarios one could wonder if this Law Bill passed as is:

- Military ATCS risking prison for illegal ATS without legal license;
- Civilian Traffic diverted from military air space with the increase of time and costs;
- All legal procedures the Portuguese State risked facing by not implementing the Directive.



Overall this was an important day, due to this little victory in a “battle” (the war is not over yet) but mainly due to the fact that we proved beyond a shadow of a doubt that military professional associations can reach places and are able to do things that military Chiefs cannot, and that by working together both can gain. We all achieved a victory today but let’s wait for the final document so we will see formally written in law what we are expecting.

It was very important, for the record, that members of the Parliament stated in their formal speeches, the relevant work performed and documents provided by ANS in order to overcome the difficulties and, after this token of recognition, they saluted ANS representatives that were attending the public parliamentary debate on the balconies of the Parliament. ANS members and ATC Sergeants and Officers were present.

Military Professional Associations can not, and do not want to replace or fight the proper chain of command, but because they are not subdued to it, they can write their own agenda defending its associates.

Our deepest gratitude and thanks to all the European comrades who pitched in for this work. Many thanks to Derek and Mikko for gathering and relaying all the info. You guys were amazing in the amount and quality of the work you presented us. Thank you for being there for us.

Forgive us the lateness of this report, but the amount of work needed to keep up has been a little overwhelming.

Our best regards

António Lima Coelho and Paulo Contreiras

