



ECC Recommendation

(04)01

**WITH REGARD TO FORBIDDING THE PLACING ON
THE MARKET AND USE OF JAMMERS IN THE CEPT
MEMBER COUNTRIES**

approved 13 February 2004

amended 08 February 2013

INTRODUCTION

“Jammers” can be defined as any apparatus, designed, used, intended or adapted for the purposes of causing deliberate interference to radiocommunications.

Various types of jammers have been found in CEPT member countries such as GSM, GPS, video-link and wireless LAN jammers. There is no legitimate civil use for these jammers as their sole purpose is to disrupt the operation of authorised radio utilisations.

CEPT administrations and also the European Commission have expressed their concern about jamming devices, which may pose an uncontrollable threat to the authorised utilisation of spectrum.

Within the European Union, the legality of jamming, including GSM and GPS jamming, has been discussed on several instances in the context of the R&TTE (1999/5/EC) and the EMC Directives (2004/108/EC). These discussions have made clear that EU Member States neither permit nor wish to permit radio communications to be disrupted by jamming devices operated by members of the public.

It is not possible to construct jammers that comply with the R&TTE or the EMC Directive. Such devices cannot therefore be legally placed on the market within the Community for use under these Directives.

Therefore, where such products claim compliance with the R&TTE or the EMC Directive, Member States' market surveillance authorities are under an obligation to take them from the market under the provisions of those Directives and to notify such actions to the European Commission.

For other CEPT countries that are not EU members and that have not implemented the R&TTE and EMC Directives, national provisions may prevent the placing on the market and the use of this equipment.

It is noted that the only exception to the above position could be the deployment of jamming devices in the context of national authorised use. Member States retain their entire freedom with regard to military radio installations.

ECC RECOMMENDATION OF FEBRUARY 2004 ON WITH REGARD TO FORBIDDING THE PLACING ON THE MARKET AND USE OF JAMMERS IN THE CEPT MEMBER COUNTRIES AMENDED FEBRUARY 2013

“The European Conference of Postal and Telecommunications Administrations,

considering

- a) that jammers are designed to make the use of radio systems impossible in the areas where they are placed;
- b) that the legality of jamming has been discussed at several instances within the CEPT and within the EU in the context of the R&TTE and the EMC Directives;
- c) that these discussions have made it clear that there is no legal basis to allow that communications be disrupted by jamming devices operated by the public;
- d) that it is not possible to construct jammers that comply with the R&TTE or the EMC Directive and therefore such devices cannot be legally placed on the market within the European Union for use under these Directives;

recommends

- 1) that CEPT administrations should:
 - not allow the placing on the market nor the use of jammers except in the very limited context of authorised use which may be permitted by a national legislation;
 - take appropriate measures to stop the transmissions of jammers;
 - exchange information on market surveillance activities with regard to jammers.”