



# 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 27 May 2016**

## 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 for disrupting most of the technologies in several frequency ranges such as GSM, UMTS, LTE, GPS, PMR, 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 EU, the EEA and EFTA under these Directives.

Therefore, where such products claim compliance with the R&TTE or the EMC Directive, national 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 above mentioned 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 security where EU members are free to regulate the use. Member States also 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 MAY 2016**

“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 EMC and Radio Equipment related 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 the legal situation has not changed when the Radio Equipment Directive (2014/53/EU)<sup>1 2</sup> and the new EMC-Directive (2014/30/EU)<sup>3</sup> were introduced.
- e) that it is not possible to construct jammers that comply with the Radio Equipment Directive 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.”

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<sup>1</sup> Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC

<sup>2</sup> It should be noted that the Radio Equipment Directive 2014/53/EU replaces the Radio & Telecommunications Terminal Equipment (R&TTE) Directive, and comes into effect from June 13th, 2016. A transitional period (running from June 13th, 2016, to June 12th, 2017) exists for products falling within the scope of both the R&TTE Directive and the Radio Equipment Directive, whereby radio equipment may be placed on the market using either the Radio Equipment Directive or the R&TTE Directive. Therefore, since the R&TTE Directive can also be applied during this transitional period, it should further be noted that neither is it possible to construct jammers that comply with the R&TTE Directive, and such devices cannot be legally placed on the market for use under the R&TTE Directive.

<sup>3</sup> Directive 2014/30/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility (recast)