



**COOPERATION ARRANGEMENT
BETWEEN
THE EUROPEAN AVIATION SAFETY AGENCY
AND
THE LUFTFAHRTAMT DER BUNDESWEHR
CONCERNING
AVIATION SAFETY**

(short title: EASA-LufABw Aviation Safety Cooperation Arrangement)

INTRODUCTION

The European Aviation Safety Agency (EASA)

and

The Luftfahrtamt der Bundeswehr (LufABw),

hereinafter referred to individually as a “Participant” and collectively as the “Participants”,

CONSIDERING Regulation (EC) N°216/2008 of the European Parliament and the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency and repealing Council directive 91/670/EEC, Regulation (EC) 1592 and Directive 2004/36/EC;

CONSIDERING that the main mission of EASA is to ensure the proper functioning and development of civil aviation safety with a view to establishing and maintaining a high uniform level of civil aviation safety in Europe;

NOTING that according to Regulation (EC) N°216/2008, EASA also contributes to facilitating the free movement of goods, persons and services and to promote cost-efficiency in the regulatory and certification processes to avoid duplication at national and European level;

CONSIDERING the administration competence of the Ministry of Defence of the Federal Republic of Germany in the field of aviation in its area of responsibility in accordance with the German *Luftverkehrsgesetz*;

CONSIDERING the mission and tasking of the LufABw within the area of responsibility of the Ministry of Defence of the Federal Republic of Germany assigned with the German Armed Forces *Zentrale Dienstvorschrift A 270/3 Das Luftfahrtamt der Bundeswehr als nationale militärische Luftfahrtbehörde vom 02.11.2016*;

CONSIDERING that in accordance with Regulation (EC) N°216/2008, in particular its Article 1(2) (a) and (3), European Union (EU) member states shall, as far as practicable, ensure that military activities or services have due regard to the objectives of Regulation (EC) N°216/2008 and that any military facilities open to public use offer a level of safety that is at least as effective as that required by the essential requirements of Regulation (EC) N°216/2008;

CONSIDERING Council Decision of 23 September 2013 on the security rules for protecting EU classified information (2013/488/EU);

RECOGNISING the necessary interdependency of civil and state aviation operations due to the fact that they occur in the same airspace;

RECOGNISING the commonalities between state and civil aircraft;

WILLING to develop a closer cooperative relationship between the EASA and the LufABw, with a view to achieving a higher level of aviation safety, through an appropriate harmonisation of activities related to aviation safety and certification requirements, while preserving the integrity of both Participants and noting the particularities of the military aviation domain;

RECOGNISING that closer coordination and cooperation of their respective activities and mutual support, including the possibility for the exchange or secondment of staff, will necessarily result in a more efficient use of resources and avoid duplication of work;

RECALLING that this Cooperation Arrangement (CA) will not impact the EU regulatory framework, nor the German or any EU member state's existing regulatory frameworks of consultation with a Party or a third party;

have reached the following understandings for a cooperation in the matters of aviation safety.

SECTION 1 DEFINITION

In this CA and subsequent Implementing Arrangements (IA) the following terms, bear the meaning as defined bellow.

Term	Definition
Information	Knowledge or data that can be communicated by any means, regardless of form or type, including, but not limited to, that of a scientific, technical, business, or financial nature, and also including photographs, reports, manuals, threat data, experimental data, test data, computer software, designs, specifications, processes, techniques, inventions, drawings, technical writings, sound recordings, pictorial representations, and other graphical presentations, whether in magnetic tape, computer memory, or any other form, and whether or not subject to intellectual property rights or any other legal protection.
Third Party	Any person or legal entity other than the Participants and their representatives and members of staff.

SECTION 2 IMPLEMENTATION

- a) The Participants will establish, respectively in accordance with the relevant provisions of Regulation (EC) N°216/2008 and LufABw constituent acts, a work programme setting out the specific cooperation tasks to be implemented.
- b) The Participants will establish specific IAs detailing the terms, conditions, mechanisms and procedures for consultation, cooperation and Information sharing necessary to effectively implement this CA and in particular the cooperation activities referred in the work programme.
- c) The provisions of this CA will be the means to make way for mutually profitable and cost efficient cooperation projects between the Participants..

- d) The present CA does not create any enforceable rights or obligations and will not affect in any way the scope or exercise of EASA and LufABw competences and its decision making processes.
- e) In the spirit of cooperation and friendly relations, any dispute regarding the interpretation of the provisions of this CA arising during its implementation will be resolved by amicable settlement among the Participants.

SECTION 3 OBJECTIVES

The objectives of this CA are to:

- a) identify areas of common interest;
- b) establish a framework allowing an enhanced cooperation between the Participants to take place;
- c) implement cooperation activities in a timely manner, subject to availability of resources;
- d) allow the exchange of information, as appropriate;
- e) allow for closer coordination and cooperation and mutual support, including the possibility for the exchange or secondment of staff, and;
- f) establish mutually agreed terms, conditions, mechanisms and procedures for implementing the cooperation.

SECTION 4 CORE AREAS OF COOPERATION

The cooperation between the Participants will comprise the Airworthiness, Flight Operations, Licensing/Organisation Approvals/Recognition and Aviation Medicine domains and inter alia will focus on the following:

- a) Aviation safety;
- b) Incident reporting systems;
- c) Cybersecurity in aviation;

- d) Remotely Piloted Air Systems (RPAS), including airworthiness and integration into the airspace;
- e) Performance Equivalence, and;
- f) Air Traffic Management (ATM) with a particular focus on Communication, Navigation and Surveillance (CNS).

The Participants may agree on additional areas of cooperation in the future by mutual consent. Such extensions would be formalised through amending this Section in accordance with Section 7. b of this CA.

SECTION 5 GOVERNANCE

- a) This CA and its principles of cooperation will be implemented by mutual agreement and regular consultation between the Participants.
- b) This CA will be governed through the EASA/LufABw Steering Committee (SC). The SC will be responsible for ensuring the effective implementation of this CA and will meet on a regular basis to ensure its execution.
- c) The SC will be co-chaired by the EASA Executive Director and the LufABw Director General, who will designate primary points of contact within each organisation facilitating an effective implementation of this CA. The principle of decision-making of the SC will be the unanimous consensus of its co-chairing members.
- d) Additionally, the Participants will organise at least one annual meeting to review the status of the activities in the area of common interest. The outcome of each meeting will be recorded by the hosting Party in minutes of meeting which will be made available to the other Party.
- e) The Participants will define working methods to implement this CA which will be adapted to the relevant activities and the available resources.
- f) The Participants will act in good faith to support the achievement of the objectives of this CA and in compliance with its Section 2.

SECTION 6 CONFIDENTIALITY


In line with the terms of this CA and the subsequent IAs, it is understood that each Party will treat any information received from the other Party within the framework of this CA as confidential and will not disclose it to any Third Party without prior consent of the other Party, except as provided by law. The Participants will use, store, handle and safeguard all classified Information exchanged or generated in connection with this CA in accordance with their respective security regulations and procedures.

SECTION 7 ENTRY INTO FORCE, DURATION, AMENDMENT, WITHDRAWAL AND TERMINATION

- a) This CA will be effective from the date on which it has been signed by the last Participant and will be valid for a period of ten (10) years.
- b) This CA may be amended at any time by written mutual consent of the Participants.
- c) Either Participant may withdraw from this CA at any time with at least sixty (60) days' written notice to the other Participant. All Information received by or from a withdrawing Participant prior to the effective date of withdrawal will be retained by the recipient Participant subsequent to withdrawal, subject to the provisions of this CA.
- d) This CA may be terminated at any time by mutual written consent of the Participants.

For the

**EUROPEAN AVIATION SAFETY
AGENCY**



Patrick Ky
Executive Director of the EASA



Date



Location

For the

LUFTFAHRTAMT DER BUNDESWEHR



Major General Dr. Ansgar Rieks
Amtschef Luftfahrtamt der Bundeswehr



Date



Location