

EUROPEAN ECONOMIC AREA  
STANDING COMMITTEE  
OF THE EEA EFTA STATES

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SUBCOMMITTEE II ON  
FREE MOVEMENT OF CAPITAL AND SERVICES

EEA EFTA STATEMENT ON THE ESTABLISHMENT OF A EUROPEAN  
AVIATION SAFETY AUTHORITY (EASA)

**EXECUTIVE SUMMARY**

The EEA EFTA States support the initiative to establish a European Aviation Safety Authority (EASA), provided it is based on a pan-European dimension ensuring equivalent third country participation. The EEA EFTA States are pleased to note that the Commission emphasises the importance of ensuring participation by third countries in the Community EASA. It is imperative that a complete and seamless transition from JAA (Joint Aviation Authorities) to EASA is ensured for all full members and candidate members of the JAA. The objective of the EEA EFTA States is full participation in the decision making of EASA and in the implementation process. The institutional solutions will have to be compatible with the existing arrangements between the EU and the EEA EFTA States. The EEA EFTA States are prepared to negotiate and co-operate with the EU, and they suggest that a dialogue for this purpose be initiated at an early date ~~,inter alia,~~ to prepare the envisaged terms, conditions, and modalities for their participation.

**STATEMENT**

1. Referring to the EEA EFTA Statement of 23 June 2000 (submitted on the occasion of the meeting of the EU Transport Council on 26 June 2000) the EEA EFTA States would like to reiterate their continued support for the establishment of a European Aviation Safety Authority (EASA) for the development and adoption of high and uniform standards in the field of aviation safety, provided that it is based on a pan-European dimension ensuring equivalent third country participation.

2. The EEA EFTA States note that the Transport Council has decided that the establishment of EASA as a Community Agency is the preferred option of the European Community. The Commission has worked out a detailed proposal for a Regulation establishing the EASA. The EEA EFTA States are pleased to note that the Commission

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emphasises the importance of ensuring participation by third countries in the Community EASA and that the proposal for a Regulation contains provisions aiming at negotiating formalised arrangements with such countries. In this context the EEA EFTA States would like to draw attention to the fact that Iceland and Norway are among the founding members of the Joint Aviation Authorities (JAA) ~~that and are among-constitute~~ EU's main negotiating partners in the process of establishing an EASA with a broader pan-European dimension. However, it is imperative that a complete and seamless transition from JAA to EASA be ensured for all full members and candidate members of the JAA as well as the harmonised implementation of the existing and forthcoming JAA safety requirements. This entails participation on equal footing in the work of EASA, for those JAA States that are not EU Member States. To this end it is important that formal discussions be initiated with the JAA organisation as the entity currently responsible for the drafting and promulgation of the Joint Aviation Requirements.

3. ~~However,~~ the proposal for a Regulation suggests that third country co-operation shall be based on existing arrangements, i.e. in the case of the EEA EFTA States the EEA Agreement. ~~The EEA EFTA States would like to emphasise that the modalities for their participation in EASA should provide for an involvement in the work and activities of the Agency that corresponds to the level of obligations undertaken by those States.~~ The objective of the EEA EFTA States is full participation in the decision making of EASA and in the implementation process. The EEA EFTA States' involvement in the work and activities of the Agency should correspond to the level of obligations undertaken by those States. The institutional solutions will have to be compatible with the existing arrangements between the EU and the EEA EFTA States and in accordance with the principles underlying the two-pillar structure of the EEA Agreement. The effect of the decisions of the EASA in the EEA EFTA States is also among the questions that need further consideration. These elements ~~will~~ould be crucial when assessing whether the terms on which the EEA EFTA States are to participate in the EASA are in conformity with the constitutional requirements of the EEA EFTA States.

4. The EEA EFTA States have understood that Article 54 of the proposed Regulation, as currently drafted, provides an adequate basis for negotiating a truly comprehensive involvement of the EEA EFTA States in the EASA. This is very much welcomed. The EEA EFTA States are prepared to co-operate, and to negotiate and co-operate with the EU in this important venture. ~~In such negotiations to include the EEA EFTA States in the work of EASA, T~~he elements referred to in paragraph 3 must be borne in mind when determining the participation of the EEA EFTA States in the work of EASA. Consequently, they suggest that a dialogue for this purpose be initiated at an early date, ~~inter alia,~~ to prepare the envisaged terms, conditions, and modalities, for participation by EEA EFTA States in the proposed Community Agency. By initiating this dialogue at an early stage, it would be possible to resolve resolving the issues related to the participation of the EEA EFTA States to our mutual satisfaction can be ensur~~These matters would need to be clarified~~ in parallel with the deliberations in the EU institutions, thus avoiding that problems arise after and not await the final adoption of the Regulation establishing EASA.

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