

**WORKING ARRANGEMENT
BETWEEN
THE EUROPEAN UNION AVIATION SAFETY AGENCY
AND
THE CIVIL AVIATION AGENCY OF MONTENEGRO**

**on the collection and exchange of information on the safety of
aircraft under the EU Ramp Inspection Programme**

The European Union Aviation Safety Agency ('the Agency'), and the Civil Aviation Agency of Montenegro ('the CAA Montenegro'), hereinafter referred to individually as a 'Side' and collectively as 'the Sides', have a common interest to achieve a high uniform level of civil aviation safety. The Sides note that, in accordance with ARO.RAMP.150(b)(5) of Annex II to Commission Regulation (EU) No 965/2012 of 5 October 2012¹, the Agency shall liaise with other third countries' authorities to facilitate, through working arrangements under Article 90(2) of Regulation (EU) 2018/1139², the improvement of civil aviation safety in Europe through the collection and exchange of aviation safety data.

The CAA Montenegro already participates in the EU Ramp Inspection Programme and, in this context, the Sides consider it desirable to ensure continued close cooperation in order to strengthen the EU Ramp Inspection Programme and to enlarge cooperation within the programme's scope, whilst maintaining a harmonised approach to the effective enforcement of international safety standards.

The Sides have therefore decided to establish this working arrangement to facilitate improved and comprehensive exchange of information, with a view to ensuring the effective enforcement of international safety standards with regard to third-country aircraft landing at any of the airports open to international air traffic located in the territories to which the EU Treaties apply or under the oversight of the CAA Montenegro.

1. Definitions

For the purpose of this Working Arrangement the following definitions will apply:

"Contributing Side", means the participating member that has contributed the information referred to in paragraph 4.1 and 6.1.

"EU Ramp Inspection Programme", hereinafter also referred to as "Programme", means the programme established in accordance with Annex II to Commission Regulation (EU) 965/2012 of 5 October 2012 for the ramp inspections of aircraft of operators under the regulatory oversight of another state (Subpart RAMP) when landed at aerodromes located in the territories subject to the provisions of the treaty, and subsequent exchange and analysis of the resulting information.

"Full participating member" means the national aviation authority of a state that has full access to the Ramp inspection tool and of which the ramp inspection data will be included in any data analysis.

¹ Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, published in the OJUE L 296 of 25.10.2012, p. 1-148

² Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) no 3922/91, published in OJ L 212, 22.08.2018, pp. 1-122

“International Safety Standards”, means the safety standards contained in the Convention on International Civil Aviation (‘Chicago Convention’) and its Annexes, as well as, where applicable at the time of the inspection, those in ICAO Regional Supplementary Procedures.

“Ramp inspection manual”, means the manual to describe best practices and give guidance to participating members performing ramp inspections. It covers the delivery, management and administration of ramp inspections as well as the ramp inspector qualification process.

“Ramp inspection Technical Requirements”, hereinafter referred to as “Technical Requirements”, means the EU legislation and other relevant material limited to the domain of ramp inspections specified in Annex 1 to this arrangement.

“Ramp inspection tool”, means the centralised database developed and maintained in accordance with ARO.RAMP.150(b)(2) of Annex II to Commission Regulation (EU) 965/2012 of 5 October 2012.

“SINAPSE” means the RAMP electronic community within the web-based software application hosted by the European Commission. The tool facilitates the effective communication amongst the experts within this closed community. Nominated experts become group members.

“System Wide Coordination (SWC)”, means the common risk-based system where the Agency calculates target number of inspections on certain operators meeting a pre-defined traffic threshold criterion.

“Third country aircraft”, means:

- a) for the Agency, an aircraft that is not under the regulatory oversight of a competent authority of an EU Member State or of a State participating in the Agency in accordance with Article 129 of Regulation (EU) 2018/1139.
- b) for the CAA Montenegro, an aircraft that is not under the regulatory oversight of the CAA Montenegro.

2. Scope and Objectives

2.1 With a view to establishing and maintaining a high uniform level of civil aviation safety through the EU Ramp Inspection Programme, this Working Arrangement introduces a harmonised approach to facilitate the enforcement of International Safety Standards by the Sides. In particular, this Working Arrangement establishes working procedures for carrying out ramp inspections of Third country aircraft landing at airports located in the territory of Montenegro, as well as for the collection and for the exchange of information on the safety of aircraft using airports located in the territories of the

states that participate in the Programme³ and in the territory of Montenegro.

2.2 The CAA Montenegro will continue to be granted the status of Full participating member in the EU Ramp Inspection Programme as provided for in this Working Arrangement.

3. Harmonised rules and procedures for ramp inspections

3.1 For the purpose of achieving the scope and objectives of this Working Arrangement, the CAA Montenegro will ensure effective implementation of the Technical Requirements specified in Annex 1. For the purpose of assessing compliance with these requirements, the CAA Montenegro will be subject to RAMP standardisation inspections by the Agency as referred to in paragraph 8 of this Working Arrangement.

3.2 In particular, the CAA Montenegro will put in place the appropriate means to ensure that Third country aircraft suspected of non-compliance with International safety standards landing at any of Montenegro's airports open to international air traffic are subject to ramp inspections conducted in accordance with the Technical Requirements specified in Annex 1 to this Working Arrangement.

3.3 The list of Technical Requirements in Annex 1 to this Working Arrangement also contains optional technical requirements. The Sides may decide to apply one or more of these optional technical requirements. If, after coming into effect of this Working Arrangement, the CAA Montenegro wishes to apply additional optional technical requirements, it will notify the Agency of the provisions it intends to apply, as well as the proposed implementation date(s). Should the Sides decide to apply these optional technical requirements, this will be specified in the list of Technical Requirements in Annex 1 in accordance with paragraph 12.2 of this Working Arrangement. The applicability of optional provisions may be withdrawn at any time by the CAA Montenegro, following the same process for applicability.

4. Collection of information by the CAA Montenegro

4.1 The CAA Montenegro will, subject to all applicable laws of Montenegro, put in place a mechanism to collect any information deemed useful for the fulfilment of the objectives stated in Paragraph 2 of this Working Arrangement, including:

³ On the date of the signature of this Working Arrangement: Albania, Armenia, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Malta, Republic of Moldova, Monaco, Morocco, the Netherlands, North Macedonia, Norway, Poland, Portugal, Qatar, Romania, Serbia, Singapore, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Türkiye, Ukraine, the United Arab Emirates and the United Kingdom.

- (a) Results of ramp inspections conducted by the CAA Montenegro in accordance with the Technical Requirements, as specified in Annex 1 to this Working Arrangement;
- (b) Other relevant safety information, such as:
- i. important safety information accessible, in particular, through:
 - pilot reports,
 - maintenance organisation reports,
 - incident reports,
 - other organisations, independent from the inspection authorities,
 - complaints,
 - information received from whistle-blowers (such as, but not limited to, ground handling or maintenance personnel) regarding poor maintenance, obvious damage or defects, incorrect loading, etc.;
 - ii. information on action taken subsequent to a ramp inspection, such as:
 - aircraft grounded,
 - aircraft or operator banned,
 - corrective action required,
 - contacts with the operator's competent authority;
 - restrictions on flight operations;
 - iii. follow-up information concerning the operator, such as:
 - corrective action implemented,
 - recurrence of non-compliance.

4.2 The CAA Montenegro will ensure an active participation in the Programme by committing to carry out a minimum annual number of ramp inspections. The CAA Montenegro will consult with and propose to the Agency, by 1st October of each year, such number taking into account the guidance provided in the Ramp Inspections Manual. In identifying the number, particular attention will be given to risk-based priorities, while avoiding the over-inspection and under-inspection of operators, in accordance with the recommendations provided by the Agency.

4.3 In case the Sides have decided, in accordance with paragraph 3.3, to apply the technical requirement on the annual programme criteria related to the Agency's "System Wide Coordination" (SWC) of ramp inspections, paragraph 4.2 becomes inapplicable. The CAA Montenegro will ensure an active participation in the Programme by committing to carry out the number of ramp inspections as established by the Agency in accordance with ARO.RAMP.150(b)(4)(iii) and its acceptable means of compliance (AMC).

5. Exchange of information and cooperation between the Sides

5.1 The CAA Montenegro will, subject to all applicable Montenegro's laws:

- enter the information referred to in paragraph 4.1 of this Working Arrangement into the Ramp inspection tool through a direct secure access within a maximum of 21 calendar days as from the date of its collection;
- permit that the Agency analyses the information received from the CAA Montenegro for the purposes of conducting regular or *ad hoc* analyses or when preparing the Programme annual report as provided for in the Technical Requirements in Annex 1 of this Working Arrangement;
- accept to undergo RAMP standardisation inspections under the conditions specified under paragraph 8 and 10 of this Working Arrangement;

5.2 The Agency will:

- store the safety information received from the CAA Montenegro in the Ramp inspection tool;
- provide the CAA Montenegro with direct access to the Ramp inspection tool;
- provide the CAA Montenegro with the necessary instructions for accessing the Ramp inspection tool;
- make available to the CAA Montenegro the results of the Agency's analyses of the data on Third country aircraft stored in the Ramp inspection tool;
- provide the CAA Montenegro with the Ramp Inspection manual, including updates thereof, as set out in Annex 1 to this Working Arrangement;
- grant the CAA Montenegro personnel responsible for the collection, processing and exchange of ramp inspection-related information, access to the Agency's training programmes, courses and other workshops developed to improve the understanding of the Programme with the aim of reaching a common standard in the performance of ramp inspections;
- facilitate the actual involvement of the CAA Montenegro in the ramp inspectors exchange programme aimed at allowing inspectors of the CAA Montenegro to obtain practical experience and contributing to the harmonisation of procedures;
- provide to identified CAA Montenegro staff, access to the RAMP electronic community in SINAPSE (as referred to in Paragraph 9.1);

- take all necessary measures to guarantee the security and confidentiality of the information/data stored in the Ramp inspection tool in accordance with the provisions of paragraph 6 of this Working Arrangement.

6. Ownership of data, confidentiality, and conflict of interest

6.1 Ownership of the data, information and material exchanged under this Working Arrangement, including the data, information and material in the Ramp inspection tool, will remain with the Contributing Side. Under no circumstances will the access to the data and information or its extraction from the Ramp inspection tool, SINAPSE or any other source be interpreted as ownership or entitlement to intellectual property rights.

6.2 All records, documents, source code, data, designs and other materials produced, written, developed, created or delivered by the Agency to establish and maintain the Ramp inspection tool, including the database itself, will remain the exclusive intellectual property of the Agency.

6.3 Without prejudice to 6.1, all data contributed by the CAA Montenegro will be stored and used by the Agency in the context of the management of the Ramp inspection tool. The Sides further decide that the Agency may extract, copy and reproduce, in full or in part, such data, for statistical, safety assessment and oversight purposes. This benefit will continue in case of termination of this Working Arrangement.

6.4 The CAA Montenegro will, in accordance with its national legislation, take all necessary measures to ensure appropriate confidentiality of the data and information to which it has access under this Working Arrangement. The CAA Montenegro will use this information solely for the exercise of its responsibilities related to the maintenance and improvement of civil aviation safety.

6.5 Where the CAA Montenegro receives a request, from a third party, for data or information for which the CAA Montenegro is not the Contributing Side, the CAA Montenegro will consult with the Agency in order to take a decision that does not jeopardise the fulfilment of the safety objectives of this Working Arrangement, as laid down in paragraph 2.1. If the Agency provides a reasoned advice against disclosure of the requested information, the CAA Montenegro will, within its powers, reject the request and if necessary, take legal action to enforce such rejection.

6.6 The national legislation referred to in paragraph 6.4, as well as the internal rules and other procedures of the CAA Montenegro implementing such legislation will be notified to the Agency ultimately upon signature of this Working Arrangement. The CAA Montenegro will promptly inform the Agency of any changes to such legislation, rules or procedures.

6.7 The Agency will, in accordance with European Union legislation, take the necessary measures to ensure appropriate confidentiality of the information received under this Working Arrangement. The Agency will use this information according to relevant European Union legislation.

6.8 The CAA Montenegro will take all necessary measures either to prevent or to effectively address (as soon as it becomes aware of such situation) any situation of conflict of interest that could compromise the impartial and objective performance of

the personnel involved in ramp inspections or in the collection, processing or exchange of information. Such situation could arise in particular as a result of economic interest, political or national affinity, family or emotional ties, or any other relevant connection or shared interest. Furthermore, the CAA Montenegro will inform the Agency of any such conflict of interests in writing without delay. In particular, the CAA Montenegro will ensure to the extent practicable that, if inspectors are engaged in activities with undertakings or associations of undertakings, such situations will not compromise the inspector's independence in a way that threatens the integrity of the Programme or the confidentiality of associated data.

7. Regulatory cooperation

7.1. The Sides will take any appropriate measures to cooperate with each other as regards any proposed significant changes to the applicable laws, regulations and administrative provisions regarding the collection and the exchange of information on the safety of aircraft using airports located in the territories of the EU Member States, in the territories of non-EU States who participate in the Programme and in the territory of Montenegro.

7.2. In particular the Sides will:

- (a) inform and consult each other, as practicable and with sufficient notice, of any intended regulatory changes;
- (b) offer each other, as practicable, an opportunity to comment on the intended regulatory changes; and
- (c) respond to questions raised by the other Side in relation to the intended regulatory changes.

7.3 The implementation of this Working Arrangement by the Sides does not affect or prejudice compliance with:

- the obligations pursuant to the Chicago Convention and its Annexes;
- the relevant provisions of Regulation (EU) 376/2014⁴ or any other EU legislation applicable to occurrence reporting;
- prior contractual commitments between both Sides.

8. RAMP standardisation inspections

8.1 The CAA Montenegro will undergo RAMP standardisation inspections carried out by the Agency in order to verify compliance of the CAA Montenegro with the rules and

⁴ Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007

procedures set out in this Working Arrangement and in particular with the Technical Requirements as set out in Annex 1. RAMP standardisation inspections will be conducted by the Agency in full compliance with the principles and rules referred to in Annex 2. RAMP standardisation inspections may include a review of the national legislation of Montenegro in force relevant to this Working Arrangement and notably of the national provisions referred to in Paragraph 6 of this Working Arrangement.

8.2 The CAA Montenegro will duly take into account the findings resulting from the standardisation reports of the visits carried out in accordance with the procedures set out in Annex 2 and will act upon them accordingly.

8.3 If, according to the information provided by the CAA Montenegro, a timely proposed remedial action plan has been fully or partially implemented such that it satisfies the Agency, the CAA Montenegro will remain a Full participating member of the Programme.

8.4 If the information referred to in Paragraph 8.3 does not satisfy the Agency or where no satisfactory remedial action is timely proposed or is not duly implemented by the CAA Montenegro, the Agency will address a supplementary report to the CAA Montenegro.

8.5 If the Agency has issued a supplementary report in accordance with paragraph 8.4, consultations will be held between the Sides. If no consultations are held, or if no decision is taken following such consultations, cooperation under this Working Arrangement will be suspended in accordance with paragraph 12.3.

8.6 RAMP standardisation inspections will include participation of the standardisation team, as observers, in actual ramp inspections performed by the CAA Montenegro's inspectors.

8.7 While performing its tasks during the RAMP standardisation inspections, the Agency will be assisted by the CAA Montenegro in gaining unimpeded access to its relevant premises, lands or means of transport.

8.8 The Agency may request the CAA Montenegro to add observers to the standardisation team when performing the RAMP standardisation inspections to Montenegro; similarly, the CAA Montenegro may request for CAA Montenegro inspectors to observe RAMP standardisation inspections to other participating members. However, the observers are not considered as standardisation team members.

9. Access to data and information

9.1 As a Full participating member, the CAA Montenegro is to have access, subject to the provisions of this Arrangement and the terms and conditions of the Ramp inspection tool, to the following data and information contained in the Programme:

- The Ramp inspection tool;
- The technical documentation related to the Programme;
- Technical cooperation activities on Ramp Inspection as mutually decided;
- EASA Ramp Inspection Prioritisation List;
- EASA Ramp Inspection Regular Analysis;
- The Ramp Inspection digital community on SINAPSE;
- The general coordination meetings of the Programme.

10. Expenses

10.1 Notwithstanding the provisions of paragraph 10.2, each Side will bear the cost incurred for its application of this Working Arrangement, such as participation of the CAA Montenegro to the general coordination meetings referred to in paragraph 9.1 of this Working Arrangement.

10.2 Travel and subsistence costs incurred by standardisation team members when performing RAMP standardisation inspections in Montenegro under this Working Arrangement will be borne by the CAA Montenegro, as per the Agency's travel rules⁵.

10.3 Without prejudice to paragraph 10.2 the CAA Montenegro is to bear all travel and subsistence costs incurred by CAA Montenegro inspectors when participating as observers in RAMP standardisation inspections to other participating members as allowed for in Paragraph 8.8. Similarly, observers to RAMP standardisation inspections in Montenegro are to bear their travel and subsistence costs.

11. Liaison activities

11.1 The CAA Montenegro will appoint a RAMP National Coordinator who will act as the focal point for the implementation of this Working Arrangement.

11.2 The CAA Montenegro will be invited to take part in the general coordination meetings referred to in paragraph 9.1 involving all the stakeholders participating in the Programme.

12. Commencement, transitional measures, modification, suspension and discontinuation

12.1. This Working Arrangement will be operational as from the date of signature by the latter Side's duly authorised representative.

⁵ The Agency's travel rules are laid down in the Decision of the Executive Director of the Agency on the general terms and conditions for the reimbursement of travel and subsistence expenses to outside persons (ED Decision 2013-010-F).

12.2. This Working Arrangement may be modified in writing by mutual consent of the Sides.

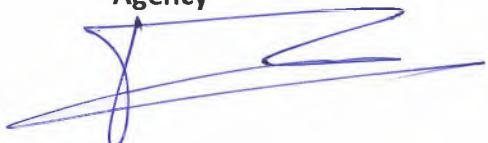
12.3. Cooperation under this Working Arrangement may be suspended in case of persistent or significant failure to comply with the provisions thereof. Each Side may notify the other Side of its intention to suspend cooperation under the Working Arrangement and the grounds for this suspension. Such suspension will take immediate effect at the date of the written notification. The Side that initiated the suspension may withdraw such suspension by notifying the other Side, in writing, of such withdrawal or initiate the termination of the Working Arrangement in accordance with paragraph 12.4.

12.4 This Working Arrangement will continue to have effect until discontinued by either Side by written notice. Such discontinuation will come into effect 60 calendar days after the date of receipt of the written notification, unless the notice of discontinuation has been withdrawn by mutual consent before the expiry of the aforesaid period.

12.5 This Working Arrangement repeals and replaces the Working Arrangement on collection and exchange of information on the safety of aircraft using EU airports and airports of non-EU States that participate in the EU SAFA Programme, including airports of Montenegro, signed between the Sides on 15 May 2012.

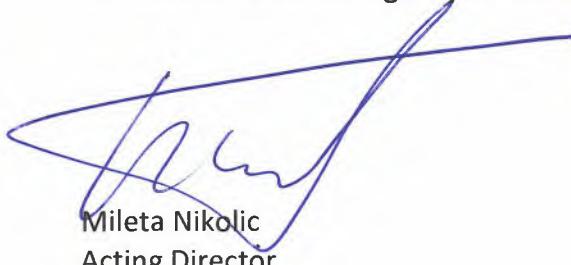
Signed in duplicate in the English language, both texts having equal validity.

For the European Union Aviation Safety Agency



Luc Tytgat
Acting Executive Director

For the Civil Aviation Agency of Montenegro



Mileta Nikolic
Acting Director

Date: 12 December 2023
Place: Cologne

Date: 12 December 2023
Place: Cologne

Annex 1

Ramp inspection Technical Requirements

For the purposes of this Working Arrangement, "Technical Requirements" means the following EU legislation and other relevant material limited to the domain of ramp inspections:

- Commission Regulation (EU) 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council, as amended, limited to:
 - **Annex I: Definitions for terms used in Annexes II to VIII**
 - **Annex II: Side Requirements for Air Operations (Part-ARO):**
 - **Subpart GEN:**
 - ARO.GEN.115 – Oversight documentation;
 - ARO.GEN.120 – Means of compliance, paragraphs (b) (c) and (e);
 - ARO.GEN.125 – Information to the Agency, paragraph (a) only;
 - ARO.GEN.200 – Management system, paragraph (a) items (1), (2) and paragraphs (b) and (d);
 - ARO.GEN.210 – Changes in the management system;
 - ARO.GEN.220 – Record-keeping, paragraph (a) items (1), (2), (9), (10), (11) and (12) and paragraph (c);
 - ARO.GEN.300 – Oversight, paragraphs (d) and (f);
 - ARO.GEN.305 – Oversight programme, paragraphs (a) and (f);
 - **Subpart GEN, in case of approval of ramp inspection training organisations;**
 - ARO.GEN.220 – Record-keeping, paragraph (a) items (4) and (6);
 - ARO.GEN.300 – Oversight, paragraph (a) items (1) and (2), as well as paragraphs (b) and (c);
 - ARO.GEN.305 – Oversight programme, as paragraphs (b) and (c);
 - ARO.GEN.350 – Findings and corrective actions – organisations;

- **Subpart RAMP**, entirely, however the provision of ARO.RAMP.106 – Alcohol testing is optional, unless explicitly opted in by both Sides.

The Sides have decided to apply the provision of ARO.RAMP.106 – Alcohol testing once the CAA Montenegro national legislation applies and is notified to the Agency.

- **Acceptable Means of Compliance and Guidance Material** (AMC/GM) for the requirements referenced above, however, the annual programme criteria related to the Agency's "System Wide Coordination" of ramp inspections are optional, unless explicitly opted in by both Sides.

The Sides have decided to apply the annual programme criteria related to the Agency's "System Wide Coordination" of ramp inspections.

- **The Ramp inspection manual** developed and published by the Agency.

Annex 2

Standardisation principles and procedures

1. The Agency will perform the standardisation inspections referred to in this working arrangement in accordance with Commission Implementing Regulation (EU) No 628/2013.⁶
 2. Notwithstanding the above, the following provisions of Regulation (EU) No 628/2013 do not apply:
 - a. Article 6 – National Standardisation Coordinator
 - b. Article 17 paragraph (6) – Findings follow-up and closure
 - c. Article 22 paragraphs (3)(b) and (4) – Supplementary actions
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⁶ Commission Implementing Regulation (EU) No 628/2013 of 28 June 2013 on working methods of the European Aviation Safety Agency for conducting standardisation inspections and for monitoring the application of the rules of Regulation (EC) No 216/2008 of the European Parliament and of the Council and repealing Commission Regulation (EC) No 736/2006.