



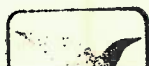
Working Arrangement

between

**the European Union Aviation Safety Agency
(EASA)**

and

**La Unidad Administrativa Especial de Aeronáutica Civil de
la Republica de Colombia
(AEROCIVIL)**



The European Union Aviation Safety Agency (EASA) and the Unidad Administrativa Especial de Aeronáutica Civil de Colombia (Aerocivil), hereinafter referred to as the “Parties”,

Having in mind that EASA may cooperate with the competent Authorities of third countries and act as a Regional Safety Oversight Organisation within the ICAO framework in matters covered by its legal mandate¹;

Considering the common interest and the benefits of a joint approach of the Parties to achieve a high uniform level of civil aviation safety, security and environmental protection;

Recalling the responsibilities of Colombia under the Convention on International Civil Aviation² (The Chicago Convention);

Noting the interest of Colombia to implement aviation safety, security and environmental protection requirements and implementation procedures, harmonized or approximated with those of the European Union (EU);

Taking due account of the fact that Aerocivil is undergoing a restructuring process and that Colombia would like to go through a regulatory convergence process with the International Civil Aviation Organization (ICAO) standards following the EU system and EU aviation safety rules and EASA measures;

Recognizing the continuous trend towards multinational design, production and operation of civil aeronautical products;

Considering the need to reduce the economic burden imposed on the aviation industry and protectionist barriers together with the demand to further promote industrial and scientific cooperation;

Being entitled by their respective constituting acts to implement working arrangements in the field of civil aviation safety³;

Have agreed to conclude this Working Arrangement as follows:

1. PURPOSE AND SCOPE

1.1. The purpose of this working Arrangement is to:

- a) Further formalize a reinforced partnership between the Parties in the aviation safety domain;
- b) Define the EASA assistance to Aerocivil with regards to the institutional and regulatory harmonization and approximation of the Colombian legislation with the applicable EU standards and technical requirements in the field of aviation safety, interdependencies between safety and security⁴ and environmental protection.
- c) Define the EASA assistance to the Aerocivil, as appropriate, in carrying out the tasks related to the obligations of Colombia under the Chicago convention; and

¹ 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. OJ L 212, 22.8.2018.

² Convention on International Civil Aviation, December 7, 1944, 61 Stat. 1180, 15 U.N.T.S. 295; Ref. to Colombian Law 12 from 1947

³ For EASA, Article 90(2) to Regulation (EU) 2018/1139.

⁴ EASA supporting tasks in the area of security as any other supporting activities will be carried out in accordance with the EASA legal mandate under 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. OJ L 212, 22.8.2018.

- d) Define the working relationship between the Aerocivil and EASA in order to facilitate and accomplish the Aerocivil acceptance or validation of certificates issued by EASA in respect of products, parts and appliances, for which EASA carries out, on behalf of the member States of the EU and other States participating in its activities, the functions and tasks of the state of design⁵. This working agreement also covers cooperation on continuing airworthiness aspects in relation to the EASA approved products, parts and appliances which are validated or accepted by Aerocivil and the related export airworthiness documentation where such products, parts and appliances are to be delivered to Colombia.

1.2. The scope of this Working Arrangement covers all regulatory aspects in the domains of civil aviation safety, interdependencies between safety and security and environmental protection related to products, parts, appliances, personnel, organisations, aerodromes, and related equipment and ATM/ANS and related systems and constituents subject to regulation (EU) 2018/1139 and its delegated and implementing acts.

1.3. Any kind of support activities to be carried out by EASA under this WA will be always subject to the necessary available financial and human resources. The same applies to Aerocivil.

2. DEFINITIONS

As applicable, the terminology used in this Working Arrangement is based on the definitions set out in Regulation (EU) 2018/1139 and its delegated and implementing acts.

3. INSTITUTIONAL, REGULATORY COOPERATION AND TECHNICAL ASSISTANCE

3.1 Aerocivil has the will to approximate its institutional- regulatory system to that of the EU and, as appropriate, to harmonise, to the maximum extent possible, the aviation legislation of Colombia, including in the domain of aerospace, innovation and investigation of accidents and incidents with the EU law. In this context, Aerocivil will develop and maintain a list of the differences between its national legislation and the EU legislation in the aviation domain.

3.2 Upon request of Aerocivil and subject to the availability of resources, EASA will provide Aerocivil with information on its rulemaking activities.

3.3 Where feasible, EASA will consider the participation of Aerocivil experts in EASA events, workshops and seminars related to the promotion, implementation and interpretation of the relevant UE legislation. This excludes the participation of Aerocivil in technical groups and bodies of EASA.

3.4 Upon request of Aerocivil, and subject to the availability of resources, EASA will assist Aerocivil in the implementation of the EU legislation through on-site fact-finding audits/assessments in Colombia. The purpose of such fact-finding audits will be to support the Aerocivil assessment of the level of the harmonization of the Colombian legislation with the EU legislation.

3.5 For the purpose of carrying out these fact-finding audits/assessments, EASA may use its standardisation methods and principles⁶ if deemed practicable, with the approval of the Aerocivil.

⁵ The European third country that participate in the activities of EASA under Article 129 of Regulation (EU) 2018/1139 are Iceland, Liechtenstein, Norway and Switzerland.

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. OJ L 179. 29.6.2014.



3.6 Upon request of Aerocivil, and subject to the availability of resources, EASA may assist Aerocivil in the development and implementation of the necessary measures to correct the findings identified in the course of the Universal Safety Oversight Audit Programme (USOAP) of the ICAO in Colombia, as well as with the establishment of Colombia State Safety Programme (SSP), Safety Management System (SMS), Fatigue Risk Management System (FRMS) and ramp inspections in accordance with ICAO standards and recommended practices.

3.7 Upon request of Aerocivil, and subject to the availability of resources, EASA may provide Aerocivil with capacity building and assistance in the preparation of the ICAO CORSIA (Carbon Offsetting and Reduction Scheme for International Aviation) implementation elements, in line with EU experience, ICAO standards, ICAO ACT CORSIA program and best practices.

3.8 To the maximum extent feasible, the Parties will consider the sharing of safety information and safety enhancement initiatives, as well as exchanging information on the safety issues and mitigation measures identified in the Aerocivil SSP and the European Plan for Aviation Safety (EPAS).

3.9 In view of a possible Aerocivil interest to ultimately join the EU Ramp Inspection Programme and subject to the availability of resources, EASA will support Aerocivil, upon Aerocivil request, in providing training for Aerocivil ramp inspectors on the relevant EU standards and procedures.

3.10 EASA may provide, upon request of Aerocivil, with support to the implementation of Aerocivil strategic plan and capacity building for institutional strengthening.

4. ACCEPTANCE OF CERTIFICATES AND APPROVALS

4.1 The following certificates and documentation issued or approved in accordance with Regulation (EU) 2018/1139 and the delegated and implementing acts adopted on the basis thereof will be validated or directly accepted by Aerocivil in accordance with the applicable Colombian legislation:

- a) Aerocivil will validate an EASA Type Certificate (TC), a Restricted Type Certificate (RTC) or a Supplemental Type Certificate (STC) by issuing an Aerocivil certificate on the basis of the relevant EASA certificate. Upon Aerocivil's request, and in order to facilitate such validation, EASA and Aerocivil may share information as appropriate, in particular where Aerocivil identifies that differences may exist between its airworthiness requirements and those of the EU.
- b) Aerocivil will accept an approval of a major design change issued under EU legislation without any further technical investigation or validation and as equivalent to its own certificate issued in accordance with its legislation and procedures. When requested by Aerocivil, EASA and Aerocivil may share information to facilitate such acceptance as appropriate, in particular where Aerocivil identifies that differences may exist between its airworthiness requirements and those of the EU.
- c) Aerocivil will accept European Technical Standard Order Authorisation (ETSOA), an approval of a minor design change and an approval of a major or minor repair design issued under EU legislation without any further technical investigation or validation and as equivalent to its own certificate issued in accordance with its legislation and procedures. EASA and the Aerocivil may share information to facilitate such acceptance, as appropriate, particularly when the Aerocivil identifies that there may be differences between their airworthiness requirements and those of the EU.

4.2 The Parties agree to cooperate in the development of implementing Procedures for Airworthiness (IPA) further specifying the validation or acceptance process by Aerocivil.



4.3 This Working Arrangement does not allow EASA sharing third parties' documents protected by Intellectual Property Rights (IPR);

4.4 This Working Arrangement is without prejudice to the responsibilities that Aerocivil and EASA respectively have under international, EU and/or national law.

5. CONTINUING AIRWORTHINESS

5.1. EASA will inform Aerocivil about the known unsafe conditions by providing a copy of the necessary mandatory instructions and corrective actions by email at the following address: certificaproductosaeronauticos@aerocivil.gov.co

5.2. In accordance with the applicable Colombian legislation, Aerocivil will timely notify EASA of any unsafe condition or a potentially unsafe condition associated with the design or manufacturing of the products, parts and appliances for which EASA carries out, on behalf of the Member States of the EU and other States participating in its activities, the functions and tasks of the State of Design, and which are in service or registered in Colombia. The cooperation between the Parties under this Article will be without prejudice to the reporting obligations of EASA design approval holders under Commission Regulation (EU) No 748/2012.

6. PRODUCT AIRWORTHINESS SUPPORT ACTIVITIES

6.1 Aerocivil will accept an export certificate of airworthiness regarding a new aircraft delivered to Colombia and issued by EASA on the basis of an individual EASA Form 52 in accordance with a Production Organisation Approval (POA) granted under Commission Regulation (EU) No 748/2012 and which states that aircraft is in compliance with an EASA Type Certificate validated by Aerocivil.

6.2 Aerocivil will accept an EASA approved Flight Manual (FM) in the English language, which is provided with each aircraft to be delivered to Colombia. In the case of engines and/or propellers, EASA approved Installation Drawing and Manual, an Operating Instruction Manual as well as a Maintenance and Overhaul Manual in the English language will be accepted by Aerocivil for each engine and/or propeller to be delivered to Colombia.

6.3 Each new engine and/or propeller, as well as each new part and appliance, will be delivered to Colombia with an individual EASA Form 1, issued by a POA holder in accordance with Commission Regulation (EU) No 748/2012. Aerocivil will accept EASA Form 1.

7. TRAINING

Upon request and where resources permit, the Parties will cooperate in the provision of training related to their respective regulatory oversight activities in the fields covered by this Working Arrangement. Provision of such training may be on a cost recovery basis in accordance with the applicable EU legislation.

8. COSTS

8.1 As appropriate, the institutional, regulatory and technical assistance activities referred to in Article 3 of this Working Arrangement could be funded through the relevant EU technical assistance programmes, in accordance with their terms and conditions.



8.2 Without prejudice to paragraph 8.1, the Parties agree to bear respective costs incurred from the application of this Working Arrangement.

9. COMMUNICATION

9.1 The Parties will assign focal points to facilitate the implementation of this Working Arrangement. All routine communication will take place between these focal points. The following list shows the focal points to this Working Arrangement and it may be amended by exchange of letters.

For EASA:	For AEROCIVIL:
Strategy and Safety Management Directorate European Union Aviation Safety Agency Postfach 10 12 53 D-50452 Cologne, Germany Mr Frank STEFFENS Head of International Cooperation Department Phone: +49 221 89990 4021 E-mail: frank.steffens@easa.europa.eu	Unidad Administrativa Especial de Aeronáutica (Aerocivil) Grupo Gestión de Estándares Internacionales Avenida El Dorado No.103-15 Quinto Piso 110911 Bogotá – Colombia Phone:(571)2963419 estandaresinternacionales@aerocivil.gov.co

9.2 All communication undertaken in execution of the Working Arrangement will be conducted in the English language.

10. CONFIDENTIALITY

10.1 Aerocivil and EASA shall, in accordance with the applicable laws and regulations of Colombia or of the EU, maintain confidentiality of data and information received under this Working Arrangement. Such data and information shall only be used by Aerocivil or EASA for the purpose of this Working Arrangement.

10.2 The relevant legislation of Aerocivil in force referred to in paragraph 10.1, as well as the internal rules and other procedures of Aerocivil implementing such legislation, will be notified to EASA ultimately upon the signature of this Working Arrangement. Aerocivil will promptly inform EASA of any changes to such legislation, rules or procedures.

10.3 The relevant legislation of European Union in force referred to in paragraph 10.1, as well as the internal rules and other procedures of EASA implementing such legislation, will be notified to Aerocivil ultimately upon the signature of this Working Arrangement. EASA will promptly inform Aerocivil of any changes to such legislation, rules or procedures.

10.4 Where either Party receives a request from a third party for information in its possession that originates from the other Party, it will consult with that other Party in order to ensure the fulfilment of the objectives of this Working Arrangement, notably those laid down under paragraph 10.1 and it will not disclose such information to a third party without the written consent of the other Party, except when otherwise provided by the applicable legislation.



11. ENTRY INTO FORCE, AMENDMENTS, CONSULTATIONS AND TERMINATION

11.1. This Working Arrangement shall enter into force on the date of its signature.

11.2. This Working Arrangement may be amended in writing by mutual consent of the Parties.

11.3. Any disagreement regarding the interpretation or application of this Working Arrangement shall be resolved by common accord between the Parties.

11.4. This Working Arrangement will continue to apply until terminated by either Party by written notice. Such termination will be effective sixty calendar days following the date of receipt of the written notification, unless the notice of termination has been withdrawn by mutual agreement before the expiry of the aforesaid period.

11.5. For the fulfilment of this Working Arrangement, labour relations between the Parties will not be created, so in no case will they be considered jointly responsible or substitute employer.

Signed in duplicate in the English language.

**For the European Union Aviation Safety Agency
(EASA)**



Mr Patrick KY
Executive Director

Date: 15. DEZ. 2020

Place: Cologne

**For the Unidad Administrativa Especial de
la Aeronáutica Civil de Colombia
(AEROCIVIL)**



Mr Juan Carlos SALAZAR GÓMEZ
Director General

Date: 7 Dec 2020

Place: Bogotá