



MAKING AN AVIATION POLICY IN EUROPE

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ABSTRACT: This article refers to the making policy issue. In Europe there is a big number of policy makers, such as European Commission, European Aviation Safety Agency, European Civil Aviation Conference or European Organisation for the Safety of Air Navigation. All of them are situated into EU and serve for European States. Members' states cooperate in Aviation matters thanks to all of the organization and agencies. It is a kind of "new governance" approach to European integration. This new "manager" is responsible for making an Aviation policy in the name of member states. The activities of European organizations are still changing due to the new emerging issues; in the past, there were responsible for making an Aviation Policy in the name of member states. The activities of European organizations are still changing due to the new emerging issues; in the past, there were responsible for strictly technical aspects of Aviation only, today more and more are involved into economy and navigation.

KEYWORDS: Aviation Policy, European Law, External Relations, Negotiations.

The growing interdependence between states with regard to diverse issues such as trade, security, human rights or transport has compelled the creation of international and regional organizations, often with supranational characteristics (European Union- EU). The EU is a unique entity, involving much more commitment than any other regional organization. Where the initial steps involved only 6 Western European states, today 28 are full members. The EU's development embodies a process of integration, where steps taken in one area have spilled over into others over time. It has involved the widening of membership and the deepening of ties among the members states, integrating their economies and societies more closely, expanding the authority of the community institutions over the member states.¹ European landscape has proven fertile terrain for the elaboration of a "new governance" approach to European integration.² EU is also law and policy maker, which is often criticized by many.³ This article presents some regional organizations and institutions, which are increasingly viewed as new lawmaking actors, which are to some extent autonomous from the states that establish them.⁴ They are creating the Aviation policy in the EU and with the relations to third parties. Those following organizations specialized in European Aviation are few in Europe: DG Transport, European Aviation Civil Conference (EACAC) or European Aviation Safety Organization (EASA). There are responsible for making Aviation policy in the name of their member states.

¹ M.P. Karns, A. Mingst, International organizations. The politics and processes of Global Governance, 2010, p. 159.

² Ch. Joerges, M. Weimer, A crisis for Managerialism in the EU: No alternative? p. 271 in: G. de Burca, C. Kilpatrick, J. Scott (ed.) Critical Legal Perspectives of Global Governance, ed. Oxford, 2013.

³ K. A. Armstrong, New Governance and the European Union: An Empirical and Conceptual Critique, in: (ed). G. de Burca, C. Kilpatrick, J. Scott, Critical Legal Perspectives of Global Governance, Oxford 2013 a legislative crisis.

⁴ A. F.-Snyman, Regional organisations and their members: the question of authority XLII CILSA 2009, p. 183 and next.

EUROPEAN COMMISSION (EC)

EC is a “bureaucratic arm” of the EU. While the EC formally reports to the Council of Ministers, it exercises a great deal of autonomy. Commission members tend to be highly trained technocrats/bureaucrats who are skilled, complex-problem solvers. They are often technical experts and adapt administrators in the area of energy, trade, transportation, finance and agriculture, rather than politicians with national constituencies. The Commission has several important powers that help it develop common policies for the EU. It has the power to initiate policy proposals and making law⁵. The Commission also has the power to execute EU policies. EC has also emerged as the “Guardian of the Treaties”. It is given the responsibility for implementing the multilateral treaties creating the EU and for building confidence among EU members.⁶

EC is than responsible for legislation and making Aviation policy the most. But it cooperates with Members States and many institutions, such as European Civil Aviation Conference- ECAC (having a bigger number of participants than EC) or European Aviation Safety Agency- EASA (EU agency with technical experts-it will be explained later in the article).

In 2015 EC launched of An Aviation Strategy for Europe⁷ in which is stated that Aviation is a strong driver of economic growth, jobs, trade and mobility for the European Union. It plays a crucial role in the EU economy and reinforces its global leadership position. An Aviation Strategy is needed to ensure that the European aviation sector remains competitive and reaps the benefits of a fast-changing and developing global economy. This Aviation Strategy will therefore provide a strong contribution towards delivering on the core priorities of European Commission, such as market growth (improving services, market access and investment opportunities with third countries, guaranteeing a level playing field), monitoring and reducing capacity constraints and improving efficiency and connectivity⁸. The priority is maintaining high EU safety and security standards, by shifting to a risk and performance based mind-set. In some areas EU actions are also welcome. Those are: reinforcing the social agenda and creating high quality jobs in aviation, protecting passenger rights, promoting a new era of innovation and digital technologies, contributing to a resilient Energy Union and a forward-looking Climate Change Policy.

⁵ V. Correia, *L'Union européenne et le droit international de l'aviation civile*, p. 843, Bruylant. The author considers that European Aviation legislation does not endanger the Chicago Convention 1944 rules, but make it more detailed and comprehensive for the Europe.

⁶ K. K. Paese, *International organizations*, p. 26-27.

⁷ Communication from the Commission to the European Parliament, The Council, the European economic and Social Committee and the Committee of the Regions. *An Aviation Strategy for Europe COM/2015/0598 final*.

⁸ Creating the Internal Market removed barriers to competition. 25 years ago, competition was low and prices were sky-high. A last minute getaway or a weekend city trip with friends could only be dreamed of for many Europeans. Today, thanks to the wider choice of travel, offered by more airlines competing on the market, flying has become more affordable! The dream of flying turned into a reality for people right across the EU. (EU Aviation: 25 years of reaching new heights at: https://ec.europa.eu/transport/modes/air/25years-eu-aviation_en).

The European Aviation Strategy indicated an action plan, in which there is a list of necessary revisions of regulations or treaties, new legislative proposals, evaluations and new implementing acts. These actions have both: internal or international dimensions (such as agreements negotiations with third parties).⁹

The mission of EC is to help the EU aviation sector to remain competitive and to grow while ensuring connectivity, sustainability and high EU standards notably in safety. In particular, EC focus is on implementing the 2015 Aviation Strategy for Europe; ensuring the proper functioning of the internal aviation market and the continuous development of its external dimension through aviation agreements and relations with third countries. EC policy supports the capacity and efficiency of European airports and air traffic management infrastructure and provides a legal framework for the functioning of these sectors. The highest priority is air transport safety and protection of the environment. Following by the Chicago Convention 1944¹⁰ EC is enabling and supporting technological progress in aviation. EU strongly coordinates with multilateral organizations on aviation matters (International Civil Aviation Organization-ICAO and ECAC), developing international transport relations in its area of responsibilities, including with third countries and relevant international fora.

The big challenge of EC and its internal units is also to create a truly seamless, safe and efficient Single European Sky (SES)¹¹ and to promote the deployment of operational and technical solutions in a timely and coordinated manner. To achieve these objectives, the EC SES Unit has the following activities: developing and implementing a performance (and charging) framework for the provision of air navigation services (including target setting, monitoring and reporting) in the areas of cost, efficiency, capacity, environment and safety, and ensuring that the rules governing the SES are applied correctly and in due time. The other responsibilities are: facilitation and monitoring of the setting up and operations of functional airspace blocks (FAB's) and industrial partnerships; establishment and monitoring of centralized network functions, that contributes to the performance of the European Air Traffic Management Network and support to the European Aviation Crisis Coordination Cell (EACCC) in order to respond to unexpected reductions in airspace capacity.

EC within its units promotes of the operational and technological modernization of the European Air Traffic Management (ATM) infrastructure at R&D and deployment level under the SESAR project.¹² The promotion of European and global interoperability of different systems and applications that communicate,

⁹ https://ec.europa.eu/transport/modes/air/25years-eu-aviation_en.

¹⁰ The Convention on International Civil Aviation, Chicago 1944, ICAO Doc 7300.

¹¹ The Single European Sky is a EC initiative by which the design, management and regulation of airspace will be coordinated throughout the European Union (ECAA area). This is expected to benefit all airspace users by ensuring the safe and efficient utilization of airspace and the air traffic management system within and beyond the EU. Airspace management is planned to move away from the previous domination by national boundaries to the use of 'functional airspace blocks' the boundaries of which will be designed to maximize the efficiency of the airspace. Within the airspace, air traffic management, while continuing to have safety as its primary objective, will also be driven by the requirements of the airspace user and the need to provide for increasing air traffic. The aim is to use air traffic management that is more closely based on desired flight patterns leading to greater safety, efficiency and capacity (https://en.wikipedia.org/wiki/Single_European_Sky).

¹² www.ec.europa.eu.

exchange data, and use the information in air traffic management is also one of the EC tasks.

In this field the cooperation of civil-military for the best use of airspace and strengthening of the dialogue on social and military aspects of the SES is crucial. SES has also an international dimension at operational and technological level.

That is why EC cooperates with EASA and EUROCONTROL¹³ in the field of air traffic management and air navigation services.

EU policy in Aviation safety is very demanding. The biggest target for EU is to ensure that Europe remains among the world's safest aviation regions and to contribute to the maximum level of aviation safety worldwide. To achieve these objectives, the EC has the following activities: implementing aviation safety policy at the Union level by ensuring that the common EU aviation safety rules are applied correctly and in due time; taking enforcement action towards Member States and dealing with complaints in these areas, further developing the legal framework where necessary, including by seeking the adoption of the new basic aviation safety Regulation, and by developing and adopting implementing rules in new areas (e.g. on drones). The cooperation with EASA is crucial. EC is responsible for overseeing the work and governance of EASA, including monitoring the EASA rule, making, certification and standardization programmes, and international relations between EASA and third countries. Administrative and financial monitoring is also included. Commission is preparing its active participation in the EASA Management Board.

EC develops also the legal framework in relation to the safety of non- EU air carriers (including safety authorizations and ramp inspections). EC updates the list of air carriers subject to operating restrictions in the EU (safety lists), including on site assessments. EC must implement and further develop aviation safety relations with third countries, including through implementing existing, and negotiating future aviation safety agreements with key aeronautical third countries.

It seems that the European policy needs to be permanently updated and develop, for example in the area of accident and incident investigation and prevention (contracts with other entities, such as the ECR/ECCAIRS database as well as through assistance and cooperation projects with third countries in the field of aviation safety). EC should strongly cooperate on daily basis in the area of aviation safety carried out by international organizations, including ICAO.

¹³ EUROCONTROL is an intergovernmental organization with 41 Member and 2 Comprehensive Agreement States. We are committed to building, together with our partners, a Single European Sky that will deliver the air traffic management (ATM) performance required for the twenty-first century and beyond. Over 1,900 highly qualified professionals spread over four European countries work at EUROCONTROL, deploying their expertise to address ATM challenges. EUROCONTROL expertise is unrivalled: covering both operational and technical elements, advising on both civil and military aspects of ATM, having experience at bringing States with different needs together for a common goal (www.eurocontrol.int).

EUROPEAN CIVIL AVIATION CONFERENCE (ECAC)

Founded in 1955 as an intergovernmental organization, ECAC seeks to harmonize civil aviation policies and practices amongst its Member States and, at the same time, promote understanding on policy matters between its Member States and other parts of the world. ECAC's mission is the promotion of the continued development of a safe, efficient and sustainable European air transport system.¹⁴

ECAC's long-established expertise in aviation matters, pan-European membership and close liaison with ICAO enable it to serve as a unique European forum for discussion of every major civil aviation topic. It enjoys active cooperation with its sister organizations through Memoranda of Understanding and with the European Commission, EUROCONTROL, the European Aviation Security Training Institute¹⁵ and the JAA Training Office.¹⁶ It has particularly valuable links with industry and organizations representing all parts of the air transport industry. Pragmatic and co-operative arrangements are in place for ECAC's engagement with other international organizations. For subjects on whom work is led elsewhere, ECAC's added value lies in being able to coordinate and integrate views on a wider pan-European basis.

ECAC works closely and cooperatively with other regional organizations and individual Contracting States of ICAO, including the United States, on a range of civil aviation issues of common interest, including training activities in the security, safety and environmental fields. ECAC also conducts, at regular intervals, international symposia, workshops, seminars and training events.

ECAC meets in Plenary Session once every three years at the European Parliament in Strasbourg, the birthplace of ECAC. The Triennial Session establishes ECAC's work programme and budget for the next three years. Items are considered for inclusion into ECAC's work programme if: the subject is of importance and interest to a large number of Member States or to other European organizations; an acceptable solution to the problems involved seems possible; and the results expected to be achieved can make an effective contribution, in particular to the work of the European Commission and to ICAO.

ECAC's 44 Directors General of Civil Aviation meet at regular intervals, typically three times each year, to review, discuss and resolve policy issues. On a yearly basis, the ECAC Forum takes place and this gives Directors General an opportunity for informal strategic discussions on issues of topical importance. The ECAC Coordinating Committee, which steers ECAC's business between these meetings, comprises the President of ECAC (elected for a three-year term of office), three Vice-Presidents and up to seven "Focal Points", all of whom are Directors General of Civil Aviation taking responsibility for leading specific fields of ECAC activity, with the help of specialist working groups and task forces. The ECAC Secretariat based in Paris, under the direction of its Executive Secretary, comprises a multinational team of experts with wide

¹⁴ <https://www.ecac-ceac.org>.

¹⁵ www.easti.eu.

¹⁶ www.jaato.com The Joint Aviation Authorities Training Organisation (JAA TO) is an Associated Body of ECAC, presently offering training courses in aviation safety with a focus on European rules and regulations.

experience in all aspects of civil aviation (security, environmental protection etc.).

ECAC's mission is the promotion of the continued development of a safe, efficient and sustainable European air transport system. In so doing, it seeks to: harmonize civil aviation policies and practices amongst its Member States, and promote understanding on policy matters between its Member States and other regions of the world. The revised policy statement on "ECAC's Strategy for the Future" was endorsed by ECAC's Directors General of Civil Aviation in 2015.¹⁷¹²³

As Europe's largest and longest-standing aviation organization, ECAC has a unique status in the region and a key role to play in supporting its Member States as they address issues affecting the European civil aviation sector, in particular in relation to safety, security, environment, air navigation and economics. It fulfils organizations of the European civil aviation community, such as the European Union (including the European Aviation Safety Agency (EASA), EUROCONTROL agency and industry associations. ECAC's priorities are: to act as a pan-European aviation think-tank (organization of the ECAC/EU Dialogue with the air transport industry and the annual ECAC Forum. ECAC acts as a facilitator and supports the adoption and implementation of EU standards in all its Member States), to support its Member States in developing harmonized pan-European positions and solutions (close co-ordination with the European organizations, bringing to the task ECAC's unique European-wide membership at major ICAO meetings, joint EU/ECAC co-ordination, the 44 ECAC Member States develop common positions on issues of common interest and can speak with one single voice) and to serve as a center of expertise for its Member States (the work of several working groups which elaborate standards and good practices, perform analyses and draft position papers and policies, also taking into consideration the need to prevent overlaps and duplication with other European aviation organizations, building ECAC audit and capacity building programmes for security)

ECAC PRIORITIES

Through security audits and a wide range of capacity building activities ECAC supports its Member States in their implementation of European security requirements. The promotion of the One Stop Security concept between EU and non-EU Member States was introduced. The priority for ECAC is to cooperate with key partners from regional/ sub-regional organizations or individual States and to build partnerships and share experiences with them. There are also some funds for the benefit of particular regions (such as Africa), which strengthen international working relationships with them.

ECAC serves as a center of expertise for Europe on the development of technical specifications and common testing methodologies for security equipment, and the conduct of laboratory tests under the Common Evaluation Process of security equipment. This expertise is also widely recognized by

¹⁷ DGCA/145 on 3 December 2015 (www.ecac-ceac.org).

ECAC's international partners. Furthermore, ECAC develops with EU recommendations in areas of cyber security, unpredictability, behavior detection and in elaborating guidance material.

FACILITATION

ECAC as only European organization deals with all aspects of facilitation (e.g. immigration, customs, health). It's strategic on a pan- European basis for efficiency in air travel, especially for persons with reduced mobility and persons with disabilities.

ENVIRONMENT

The environmental impacts of the aviation sector are for ECAC of primary importance. ECAC's activity on environment matters, in particular on the issue of climate change and the implementation of Global Market-Based Measures, is performed in close cooperation with the EC. ECAC collaborate amongst European aviation organizations in order to prevent overlaps or duplication with their respective activities, and create complementarities and synergies.

AVIATION AND ECONOMICS

ECAC is a valuable forum for pan-European consideration of the economic dimension of international air transport, including future trends and challenges (e.g., global competition). The annual ECAC Forum and periodic ECAC/EU Dialogues with the air transport industry are important vehicles for debating economic issues. ECAC is lively interested in mutual understanding and cooperation on economic matters of interest to ECAC Member States, such as European air transport competitiveness and connectivity as well as other emerging issues.

TRAINING

Training in issues such as safety and security is important to create an aviation culture. ECAC promote aviation training through the continuation of the management of the Network of Training Organizations, with the objective of creating conditions to share best practices amongst several European aviation training organizations, and by offering encouragement to its two associated bodies (JAA TO and EASTI) to develop training courses which meet the demands of ECAC Member States.

EXTERNAL RELATIONS

Since its creation ECAC has established and maintained cooperative relationships with non-ECAC States and organizations. They have been extended progressively to all regions of the world. Today ECAC has signed a series of formal agreements with international and regional organizations (e.g., ACAC¹⁸, AFCAC¹⁹ and LACAC²⁰), and with a number of individual States. Generally, these agreements focus on a comprehensive cooperation based on the exchange of information and mutual participation in meetings and events, while a few agreements have a more limited scope focusing on aviation security. ECAC has established and actively maintains a framework of relations and dialogue with external partners, including major emerging aviation States. ECAC's external relations promote pan-European positions and priorities at ICAO and at other major international events, ensuring that they are well represented there and establishment of new cooperative relationships and strengthen of those with existing partners, within and beyond Europe.²¹

ECAC has been providing the major focus for inter-governmental cooperation in air transport matters in Europe throughout 60 years now. Membership and expertise of this pan-European organisation enables it to respond to the increasingly complex needs of the air transport industry in Europe.

ECAC is very active in campaigning for the elections to the ICAO Council every three years. Recently it has been observed that more and more EU members were ICAO Council representatives (as states alone or as representatives of rotation groups)²². That is the reason why ECAC promote the ICAO cooperation with other regions.²³

ECAC works in very close co-operation with governmental organisations, such as: Council of Europe, European Aviation Safety Agency (EASA), EUROCONTROL, European Parliament, International Civil Aviation Organization (ICAO), Organization for Economic Co-operation and Development (OECD), Universal Postal Union and regional organisations, such as: African Civil Aviation Commission (AFCAC), Arab Civil Aviation Organization (ACAO), Latin American Civil Aviation Commission (LACAC).

Moreover, ECAC engages in regular dialogue with a wide range of organisations representing all parts of the aviation industry, including airlines (Airlines International Representation in Europe-Aire, European Business Aviation Association-EBAA, The European Express Organization EEO,

¹⁸ DGCA/145 on 3 December 2015 (www.ecac-ceac.org).

¹⁹ AFCAC- African Civil Aviation Commission.

²⁰ LACAC- Latin America Civil Aviation Commission.

²¹ Ecac's strategy for the future, December 2015 endorsed by ECAC Directors General of Civil Aviation at DGCA/145.

²² There are few rotation groups formed by EU states in the ICAO Council, such as ABIS, CERG, NORDICAO.

²³ M. Vaugeois, La représentation des États Européens au sein de l'Organisation de l'Aviation Civile Internationale a l'aube de la trente-neuvième sessions de l'Assemblée, *Revue Française de Droit Aérien et Spatial*, p. 255-263; p. 263 Important role of EU in ICAO 7 states EU (2013-2016), big achievements in paying contributions- in rotation groups presence; M. Polkowska, Poland in the Council of the International Civil Aviation Organization (ICAO), p. 74 ZLW 63, 1, 2014.

European Regions Airline Association-ERA, International Air Transport-IATA), airports (Airports Council International European Region, ACI Europe), manufacturers (AeroSpace and Defence Industries Association of Europe-ASD) and training entities (European Aviation Security Training Institute-EASTI) and training entities (European Aviation Security Training Institute -EASTI, JAA TO, Singapore Aviation Academy) and others (International Council of Owner and Pilot Associations –IAOPA, International Federation of Air Line Pilots' Associations –IFALPA, European Cockpit Association-ECA, International Federation of Air Traffic Controllers' Association-IFATCA, European Organization for Civil Aviation Equipment (EUROCAE) or Airport International).

ECAC and the EC work in close cooperation on all aspects of European air transport. In 1995, they agreed that it would be worthwhile to bring leaders of the air transport industry – representing scheduled, non-scheduled and regional airlines as well as airport management – together periodically with the Directors General of ECAC's Member States. The objective was to provide a forum that would facilitate open and thought-provoking discussions between the regulators and senior aviation industry representatives on a wide range of air transport issues, and to assess future implications and challenges.

Since 1995 ten ECAC/EU Dialogues have taken place across Europe. Typically organised every two or three years, they have covered a wide range of topics, including airport capacity, economic issues, aviation and the environment, air passenger rights, improving the passenger experience and whether this should be achieved through competition or regulation, the competitiveness of the European air transport in a global environment and, in 2017, financing aviation.

The Dialogues attract approximately 150 delegates who are principally Directors General of Civil Aviation and their senior colleagues, and senior representatives of European airlines, airport operators, air navigation service providers, manufacturers, academics and European industry organizations. They continue to offer a welcome forum for the air transport industry and thanks to the seniority of the speakers contributing to each event, provide a stimulating and informative debate.²⁴

EUROPEAN AVIATION SAFETY AGENCY (EASA)

EASA is more than EC and ECAC technical institution, but its scope has been extended significantly during last years. The EASA mission is to ensure the highest common level of safety protection for EU citizens, the highest common level of environmental protection, Single regulatory and certification process among Member States, Facilitate the internal aviation single market and create a level playing field and work with other international aviation organizations and regulators. EASA input has a significant importance for European policy.

EASA is responsible for draft implementing rules in all fields pertinent to the EASA mission. EASA certifies and approves products and organizations, in fields where EASA has exclusive competence (e.g. airworthiness). EASA provides oversight and support to Member States in fields where EASA has

²⁴ www.ecac-ceac.org.

shared competence (e.g. Air Operations, Air Traffic Management) and promotes the use of European and worldwide standards. EASA cooperates with international actors in order to achieve the highest safety level for EU citizens globally (e.g. EU safety list, Third Country Operators authorizations). EASA consists of 32 EASA member states (28 plus 4- Switzerland, Norway, Liechtenstein, and Iceland).

Every year, EASA publishes the Single Programming Document (SPD) containing a multi-year view on the activities it strives to achieve over the next three years. Its name is derived from the fact that today it merges a number of policy documents into one.

The SPD describes the resources available to the Agency and how these resources will be deployed in order to achieve a safer European Aviation Space. Hence it is aligned with the European Plan for Aviation Safety; one section describes the annual work programme, detailing objectives and expected results including performance indicators; one section contains the multi-annual work programme and sets out the overall mid-term priorities of the Agency; it contains a description of the actions to be financed and an indication of the financial and human resources allocated to each action, in accordance with the principles of activity-based budgeting and management

The SPD is prepared by the Agency and ultimately adopted by EASA's Management Board in every December, in the year prior to its entering into force. The consolidated annual activity report (AAR) describes the way in which the Agency has implemented its annual work programme, budget and staff resources.

The report shall outline the activities carried out by the Agency and evaluate the results thereof with respect to the objectives, performance indicators and timetable set, the risks associated with those activities, the use of resources and the general operations of the Agency, and the efficiency and effectiveness of the internal control systems. AAR is prepared by EASA between February and May and then adopted in June by EASA's Management Board. It provides its members and interested third parties a comprehensive overview of the Agency's successes.²⁵

EUROPEAN PLAN FOR A VIATION SAFETY (EPAS)

EPAS is a key component of EASA's integrated Safety Management System (SMS) at the European level, and is constantly being reviewed and improved. As an integral part of the EASA Work Programme, the Plan is developed by the Agency in consultation with the Member States and industry. The Member States are committed to the implementation of the Plan through their State programmes and plans. The EPAS covers a five years period and addresses issues, as: systematic (playing a significant role in accidents and incidents), operational (related events reported during operations), safety or emerging (e.g. new cybersecurity threats or risks associated with flying over conflict zones). EPAS includes also the Rulemaking Programme (RMP) and is organized in four drivers: safety, environment, efficiency/proportionality and level playing field.

²⁵ www.easa.europa.eu.

ANNUAL SAFETY REVIEW (ASR)

The Annual Safety Review (ASR) has been published since 2005 and each edition continues the evolution of the review from previous years with further safety risk portfolios being provided. The analysis aims to identify the most common key risk areas (outcomes) and associated safety issues that lead to accidents in each of the different operational aviation domains.

EASA STRUCTURE AND POLICY

The EASA Management Board brings together representatives of the Member States and the European Commission. The Management Board is responsible for the definition of the Agency's priorities, the establishment of the budget and for monitoring the Agency's operation. Through the rulemaking process EASA contributes to the production of EU legislation and implementation material related to civil aviation safety and environmental compatibility.²⁶

CONCLUSION

As presented in the above article, the list of European and EU aviation organizations and agencies in Europe responsible for making legislation and policy is growing. On the other side we can observe the kind of evolution of European aviation organizations work. They are very active in legislation and cooperate with themselves and with international different Aviation fora. The interesting observation is that those tasks of European organizations are still changing due to the new emerging issues such as suborbital flights, drones operations or cybersecurity. EASA, as an example, in the past, was responsible for strictly technical aspects of flights, these days it extended its area of interests and changed its internal structure having more responsibilities connected to navigation and economy. ECAC is actively involved into political aspects of international relations due to the strong link to the ICAO activities and the Council elections (every three years). It's also more and more visible and makes more expertise preparing documents and making audits. So the scope of activities organizations, which make an Aviation policy, has recently dramatically changed. The only risk is that is not possible that everyone can do the same and the activities are doubled and too much legislation is being produced. Hopefully those changes of presented model of aviation European governance will serve for the benefit to the Aviation itself.

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²⁶ F. Manuhutu M. Gerhard, Perspectives of the Aviation Safety Agency, ZLW 64 Jg 2/2015 p. 310-331; Reforms in EASA are needed, too many existing safety regulations, gaps and inconsistencies soft law more needed.