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Datum:

13/06/2012

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Declaration of Intent

between

BEA - France
(Bureau d'Enquêtes et d'Analyses)

and

The Aeronautical Accident and Incident Investigations Commission of Kosovo

on

Co-operation Relating to Aircraft Accident and Incident Investigations

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ARTICLE 1

Objective and Areas of Cooperation

The sole objective of both Parties in entering into this Declaration of Intent is the improvement of aviation safety.

The Parties will cooperate in shared accident and incident investigation, awareness training and sharing of information and expertise consistent with the Safety and Reciprocal Prof of Annex 13 to the Chicago Convention.

The Parties will develop a regular exchange of information in the following areas:

1. Civil aviation accidents or incidents in which one or other of the Parties has a particular interest, without necessarily designating an authorised representative;

2. The organization, methods and techniques employed in conducting investigations;

PREAMBLE

The Aeronautical Accident and Incident Investigations Commission (AAIC - Kosovo) and the Bureau d'Enquêtes et d'Analyses pour la Sécurité de l'Aviation civile (BEA – France), hereinafter referred to collectively as “the Parties”, or individually as “the Party” or “each Party”,

Reaffirming the objective enshrined in Annex 13 to the Convention on International Civil Aviation (“the Chicago Convention”) that the sole objective of the investigation of an aircraft accident or incident shall be the prevention of accidents and incidents and that it is not the purpose of the investigation activity to apportion blame or provide a means of determining liability;

Committed to enhancing the capabilities and professionalism of their respective aircraft accident investigators;

Desiring to share expertise and experience relating to aviation investigation;

Recognising their common interest in establishing a lasting framework for cooperation in the area of aviation investigation;

HAVE REACHED THE FOLLOWING ARRANGEMENT:

ARTICLE 1

Objective and Areas of Cooperation

- 1 The sole objective of both Parties in entering into this Declaration of Intent the enhancement of aviation safety.
2. The Parties will cooperate in aircraft accident and incident investigation, investigation training and sharing of information and expertise, consistent with the Standards and Recommended Practices of Annex 13 to the Chicago Convention.
3. The Parties will develop a regular exchange of information in the following areas:
 - Civil aviation accidents or incidents in which one or other of the Parties has a particular interest, without necessarily designating an accredited representative;
 - The organisation, methods and techniques employed in conducting investigations;

- Communication (publication of reports, communication with the families, and the media).

4. Further, the BEA will provide, free of charge and where practicable and within its facilities, the service of its investigators, flight recorder read-out and analysis expertise and other technical resources.

ARTICLE 2

Confidentiality

1. The Party that receives materials from the other Party shall handle the materials according to their confidentiality or proprietary status, within the bounds of the respective laws of the two States. Drafts, internal, or working documents that have been transmitted, except when explicitly indicated to the contrary, are to be considered as proprietary/confidential documents and are not to be shared with third parties.

2. Parties will protect the confidentiality even after termination of this Declaration of Intent.

ARTICLE 3

Amendment

This Declaration of Intent may be amended in writing at any time by mutual consent of the Parties through a direct Exchange of Notes.

Any disagreement regarding the interpretation or application of this Declaration of Intent including all amendments thereto will be resolved by consultation between the Parties.

ARTICLE 4

Applicable Legislation

In the implementation of this Declaration of Intent the Parties will abide by the applicable legislation in their respective country. Neither Party will require the other Party to abide by the applicable legislation in its own country except as agreed to by other Party in writing.

ARTICLE 5

Implementation and Duration

This Declaration of Intent will be effective on the date of signing and will remain in effect unless it is terminated by either Party giving sixty days' notice in writing to the other Party.

ARTICLE 6

Financial Matters

Unless otherwise agreed, each Party should bear its own cost for the implementation of the matters set out in this Declaration of Intent.

In the case where the BEA participation is requested specifically in Kosovo under this Declaration of Intent (i.e. outside the situation where the BEA would normally designate an accredited representative), the BEA will participate where practicable and its investigators' travel and subsistence expenses will be borne by the Aeronautical Accident and Incident Investigations Commission of Kosovo according to the provisions that are usually applicable to the BEA's agents.

ARTICLE 7

Coordination and focal points for implementation

The contact person in the BEA for the implementation of this Declaration of Intent:

Head of Information and International Affairs
Bureau d'Enquêtes et d'Analyses pour la Sécurité de l'Aviation Civile
Aéroport du Bourget, Bâtiment 153
93352 Le Bourget Cedex - FRANCE

Tel: +33 1 49 92 72 00 / 01 or +33 1 49 92 72 13

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E-mail: alain.guilldou@bea-fr.org

The contact person in Kosovo for the implementation of this Declaration of Intent:

Mr. Kreshnik GASHI
Chairman of the AAIC
Government Building VII Floor, Office N° 715
Street "Nënë Tereza" n.n.
10000 Prishtinë, Kosovë
Tel: +381 38 200 14 622
Private Mobile number: +377 45 210 210
On-duty mobile: +377 45 356 666
E-mail: kreshnik.gashi@rks-gov.net

ARTICLE 8

Entry into Effect

This Declaration of Intent takes effect on the date of signature and it will remain in effect until either of the parties gives 60 day notice of termination in writing to the other party.

Signed in duplicate in Le Bourget (France) on 5 June 2012.

Le Directeur du BEA


Jean-Paul TROADEC

Mr. Jean-Paul TROADEC
BEA Director
Bureau d'Enquêtes et d'Analyses
pour la sécurité de l'aviation civile - France



Mr. Kreshnik GASHI
Chairman of the AAIC
Aeronautical Accident and Incident
Investigations Commission - Kosovo