



No backdoor changes to the safety of European aviation: ETF calls for strict limits on EASA and SES amendments in the Military Mobility Proposal

In response to the current geopolitical challenges, the European Commission adopted, on 19 November 2025, its Proposal for a Regulation establishing a framework of measures to facilitate the transport of military equipment, goods and personnel across the Union (the “Military Mobility Regulation”). The proposal also includes amendments to Regulation (EU) 2018/1139 (the “EASA Basic Regulation”) and Regulation (EU) 2024/2803 (the “Single European Sky Regulation”).

While the objective of enhancing military mobility is recognised¹, the proposed amendments to the EASA Basic Regulation and Single European Sky (SES) Regulation go beyond this objective. They introduce structural changes to the EU aviation safety, oversight and service provision framework that are neither limited to military mobility nor restricted to emergency or crisis situations.

Given Europe’s globally recognised high level of aviation safety, any such changes must be subject to a dedicated, comprehensive and evidence-based legislative process, including full stakeholder consultation. They should not be introduced indirectly through a defence-related legislative instrument.

The European Transport Workers’ Federation (ETF) therefore **calls on the European Council and the Parliament to reject the proposed amendments to the EASA Basic Regulation and SES Regulation within the Military Mobility Regulation² unless strictly limited to clearly defined military mobility needs.**

Wrong Legislative Vehicle to Reform Aviation Safety and Service Provision

The overriding concern is that a military mobility initiative is being used to propose structural changes to the EASA Basic Regulation, which would go on to affect all other prescribed aviation safety rules.

Due to the lack of strict and clear definitions, it is clear that the proposed amendments far surpass the scope of military mobility itself and instead apply to the broader set of safety rules in place across the aviation sector, including in civil aviation. Such changes should, therefore, be more appropriately addressed in the context of the future full revision of the EASA Basic Regulation. Involvement in past revisions has proven the value of the structured engagement with social partners, where issues stemming from exemptions and flexibilisation could be flagged within the process of a full impact assessment. With aspects such as real-life operational pressures on workers and the weakening of safety culture failing to be taken into consideration, implementing such proposed changes without the proper processes, safeguards, and simply under the guise of military mobility, would be disastrous for safety.

¹ [ETF position on Military Mobility](#)

² Article 49 and Recital 62 of the Proposal for a Regulation establishing a framework of measures to facilitate the transport of military equipment, goods and personnel across the Union



Likewise, the proposed amendments to the SES Regulation limit derogations only in duration, but not to specific military mobility needs. Any such amendments should similarly be subject to the appropriate stakeholder consultation mechanisms on matters related to implementation³.

Concerns over Broad Structural Changes

Our fundamental concern with the proposal is therefore that it introduces changes to the horizontal rules of the EASA Basic Regulation. These go far beyond military mobility scenarios, which have not been clearly defined, instead touching on the broader frameworks around exemptions and new technologies. A specific example is the explicit mention of exemptions from requirements for “innovative ... services or business models”, which confirms that the proposal is not limited strictly to military use, and with no associated definition of such models. The SES-related amendments similarly do not limit derogations from ATM/ANS service provision rules to specific military needs. This would set an unacceptable precedent where the rules are opened up to interpretation and for potentially any number of undefined commercial operations. The EASA Basic Regulation and SES framework must remain the foundation of high safety and service provision standards and cannot adequately do so without the proper safeguards and clarity of the rules.

Regulatory Sandboxes would Weaken Oversight

ETF opposes the introduction of regulatory sandboxes under the current formulation of the proposal in the EASA framework.

On one hand, it is clear that innovation in the aviation sector is essential and is not at all a novel concept, however, it must similarly be pointed out that aviation safety in this context is the result of consistently applied and clearly defined rules. The legal certainty that comes with this approach and, therefore, the resulting robust and consistent oversight is of vital importance in ensuring that new technologies are safe to use across the EU. Sandboxes would act as parallel regulatory systems with differing approaches, which reduce their predictability and would result in greater pressure on the shoulders of oversight authorities. When ensuring that such rules are properly followed, consistency is already not a guarantee between Member States and their national competent authorities (NCAs). Adding further complications could lead to an unravelling of the level playing field between Member States, whose NCAs are subject to differing expertise, resources and capacity provision at the national level. The intention for the adoption of EASA guidance to ensure consistency and harmonisation across Members States cannot replace clear legal limits prescribed by the Regulation.

In the context of the previous revision of the EASA Basic Regulation, ETF had the opportunity to warn about the dangers of too heavy a reliance on such flexible approaches, where the possibility of a fully harmonised approach to oversight ceases to exist. In the safety critical aviation sector, social partners must continue to have the opportunity to formally provide evidence of the pitfalls of poor oversight and the operational realities for workers – within a framework of consistent and specific safeguards, clear definitions and a defined scope of military use cases.

No Expansion of Flexibility

ETF rejects the expansion of the scope for flexibility and exemptions within the EASA Basic

³ Article 49 and Recital 67 of Regulation (EU) 2024/2803



Regulation.

Until now, provisions for flexibility under Article 71 of the EASA Basic Regulation were intended for exceptional, urgent and unforeseeable situations, where flexibility was absolutely necessary. While we already increasingly see and consistently raise concerns around the application of Alternative Means of Compliance (AltMoCs) and their use in routine operations, this proposal goes even further and broadens the possibilities for granting exemptions. Without clear rules on limits, duration or other safeguards, exemptions would be allowed for “innovative ... services or business models”, which introduces economic and commercial considerations into a framework that should be based on safety.

It is unacceptable that safety would become of secondary concern within the very framework that should govern it and we insist that flexibility cannot become a structural feature of the EASA Basic Regulation – any flexibility should remain clearly justified, strictly limited in its scope and duration, and truly exceptional.

Aviation Safety must remain Clear, Consultative and Well-Defined

Finally, ETF underlines that aviation safety cannot be reduced to technical compliance alone. The operational dimension, including working conditions, fatigue, reporting culture and the ability of workers to raise safety concerns without pressure, is a fundamental component of the system. Any introduction of flexibility mechanisms or experimental regulatory tools must therefore be subject to prior and meaningful consultation with social partners at both EU and national level, ensuring that the impact on safety culture and operational realities is properly assessed and addressed.

ETF reiterates its commitment to upholding a robust, harmonised and high-level EU aviation safety system. While recognising the importance of facilitating military mobility, this objective cannot justify the introduction of structural changes that weaken the coherence of the regulatory framework or create uncertainty in its application. Aviation safety rules must remain clear, predictable and uniformly applied across the Union.

ETF therefore calls on the co-legislators to ensure that the integrity of the EASA Basic Regulation and SES Regulation are preserved. Any necessary adaptations must be narrowly defined, strictly limited to military mobility, and subject to appropriate safeguards. Failing this, the proposed amendments must be removed and addressed instead through a dedicated and transparent revision of the EASA Basic Regulation, or prescribed stakeholder consultation processes of the SES Regulation.

ETF proposes the following amendments to article 49 of the Military Transport regulation (COM(2025)0847):

Amendment to article amending Regulation (EU) 2018/1139 (EASA Basic Regulation) Article 49 – paragraph 2

Proposal for a regulation

Amendment

2. in Article 71, paragraph 1 is replaced by the following:

‘1. Member States may grant exemptions to any natural or legal

2. in Article 71, paragraph 1 is replaced by the following:


‘1. Member States may grant exemptions to any natural or legal

person subject to this Regulation from the requirements applicable to that person pursuant to Chapter III, other than the essential requirements laid down in that Chapter, or to the delegated or implementing acts adopted on basis of that Chapter, in the following circumstances:

- (a) in the event of urgent unforeseeable circumstances affecting those persons or urgent operational needs of those persons;
- (b) when those requirements prevent the certification, use or operation of innovative technologies, products, equipment, systems, components, operational concepts *or business models.*'

The exemptions referred to in the first subparagraph may be granted where all of the following conditions have been met:

- (a) it is not possible to adequately address those circumstances or needs in compliance with the applicable requirements;
- (b) safety, environmental protection and compliance with the applicable essential requirements are ensured, where necessary through the application of mitigation measures;
- (c) the Member State has mitigated any possible distortion of market conditions as a consequence of the granting of the exemption as far as possible; and
- (d) the exemption is limited in scope and duration to the



person subject to this Regulation from the requirements applicable to that person pursuant to Chapter III, other than the essential requirements laid down in that Chapter, or to the delegated or implementing acts adopted on basis of that Chapter, *only where strictly necessary for specific military mobility operations and limited in scope and duration*, in the following circumstances:

- (a) in the event of urgent unforeseeable circumstances affecting those persons or urgent operational needs of those persons;
- (b) when those requirements prevent the certification, use or operation of *dual use* innovative technologies, products, equipment, systems, components, operational concepts.

The exemptions referred to in the first subparagraph may be granted where all of the following conditions have been met:

- (a) it is not possible to adequately address those circumstances or needs in compliance with the applicable requirements;
- (b) safety, environmental protection and compliance with the applicable essential requirements are ensured, where necessary through the application of mitigation measures;
- (c) the Member State has mitigated any possible distortion of market conditions as a consequence of the granting of the exemption as far as possible; and

extent strictly necessary and it is applied in a non-discriminatory manner.

In such a case, the Member State concerned shall immediately notify the Commission, the Agency and the other Member States, through the repository established under Article 74, of the exemption granted, its duration, the reason for granting it and, where applicable, the necessary mitigation measures applied.’;

(d) the exemption is limited in scope and duration to the extent strictly necessary and it is applied in a non-discriminatory manner.

In such a case, the Member State concerned shall immediately notify the Commission, the Agency and the other Member States, through the repository established under Article 74, of the exemption granted, its duration, the reason for granting it and, where applicable, the necessary mitigation measures applied.’;

**Amendment to article amending Regulation (EU) 2018/1139 (EASA Basic Regulation)
Article 49 – paragraph 5**

Proposal for a regulation

Amendment

5. the following new Article 86a is inserted:

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Regulatory sandboxes

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1. Regulatory sandboxes may be established by a Member State or the Agency, at their own initiative or upon request from an organisation, to contribute to the following objectives:

1. Regulatory sandboxes may be established by a Member State or the Agency, at their own initiative or upon request from an organisation, **where necessary to address the Union’s gap in the field of military mobility**, to contribute to the following objectives:

(...)

(...)

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