



Prepared by DigitalTrade4.EU

Proposals for Digitalisation Amendments to Delegated Regulation on the Organisation and Composition of the Board of Appeal of the European Union Aviation Safety Agency (EASA)

Feedback to the EU Commission

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About Us

The **DigitalTrade4.EU consortium** envisions a **seamlessly interconnected Europe** and **neighbouring regions** powered by harmonized standards for the digitalisation of trade documents and processes. By fostering the digital transformation of trade, we aim to promote economic integration, enhance cooperation, and ensure long-term trade facilitation across borders.

Our consortium is made up of **experts in their field**, including **108 full partners**—trade associations, logistics providers, shipping lines, banks and insurances, technology innovators, etc.—**from 17 European Union countries** (*France, Belgium, Netherlands, Austria, Estonia, Finland, Italy, Latvia, Spain, Germany, Sweden, Poland, Luxembourg, Lithuania, Slovenia, Denmark, Bulgaria*) and **22 non-EU countries** (*United Kingdom, Switzerland, Montenegro, Japan, Singapore, Hong Kong, Australia, New Zealand, India, Nepal, Canada, United States of America, Cameroon, Morocco, Egypt, Kenya, Pakistan, Nigeria, Brazil, Uzbekistan, Turkey, Ukraine*).

Our consortium is already **aligned with the fundamentals of the EU Competitiveness Compass**. Learn more:

1. How DigitalTrade4.EU Can Help Achieve the Objectives of the EU Competitiveness Compass (February 2025)

<https://www.digitaltrade4.eu/how-digitaltrade4-eu-can-help-achieve-the-objectives-of-the-eu-competitiveness-compass/>

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Executive Summary

This document, meticulously prepared by the DigitalTrade4.EU consortium, presents a comprehensive set of proposed amendments to the Delegated Regulation governing the Organisation and Composition of the Board of Appeal of the European Union Aviation Safety Agency (EASA). These proposals are deeply rooted in the European Union's overarching strategic commitment to a profound digital and green transformation across all its sectors. The core objective of these amendments is to significantly modernise the Board of Appeal's operational governance, achieving this by fully leveraging cutting-edge digital technologies and ensuring a seamless harmonisation of its procedures with the broader, ongoing EU-wide digitalisation initiatives.

The key objectives underpinning these proposed changes are multifaceted and critical for future-proofing the EASA Board of Appeal. They include the imperative to ensure secure and legally robust digital authentication for all parties, facilitate the seamless submission of digital evidence, and firmly establish the legal equivalence of electronic documents with their paper-based counterparts. Furthermore, the proposals aim to enable efficient remote proceedings, implement advanced digital solutions for comprehensive document management, enhance the verification of expert qualifications through digital means, and integrate AI-supported tools for streamlined case management. A strong emphasis is also placed on developing and maintaining robust cybersecurity frameworks, ensuring broad interoperability across various systems, and guaranteeing the mutual recognition of digital procedures and evidence across all EU Member States.

The anticipated impact of adopting these amendments is expected to be profoundly positive and far-reaching. We foresee a significant increase in the efficiency and speed of case handling, substantial reductions in administrative and compliance costs, and a marked improvement in overall transparency and traceability within the appeal process. Crucially, these changes will also lead to strengthened security protocols and enhanced legal certainty for all stakeholders.

Introduction

The European Union stands resolute in its unwavering commitment to fostering a comprehensive and transformative digital and green transition across every single sector of its economy and society. This profound commitment is not merely aspirational but is concretely articulated and actively pursued through foundational strategic documents and initiatives, including the ambitious Digital Single Market Strategy, the continuously evolving European Digital Identity Framework (eIDAS 2.0), and the steadily increasing reliance on sophisticated digital trust services in cross-border administrative and judicial procedures. To effectively maintain its crucial efficiency, uphold its inherent transparency, and preserve its vital relevance in the rapidly advancing digital era, the aviation sector—a cornerstone of European connectivity and innovation—must proactively embrace and seamlessly integrate these transformative developments. This imperative extends unequivocally to critical regulatory oversight and dispute resolution mechanisms, such as the EASA Board of Appeal.

While the current draft Commission Delegated Regulation on the Board of Appeal represents a commendable and essential step towards modernising the governance of appeals within EASA, it is evident that a critical need for further, more extensive enhancements persists. These improvements are not merely incremental; they are fundamental to fully harness the immense potential of digital technologies and to ensure the seamless harmonisation of the Board's procedures with other ongoing and ambitious EU-wide digitalisation initiatives. The amendments meticulously proposed within this document are specifically designed with precision to strengthen both the legal foundation and the operational effectiveness of a wide array of digital tools, sophisticated electronic documentation, advanced remote participation capabilities, and robust verifiable digital identity solutions. This comprehensive approach aims to integrate these elements across all facets of the Board's crucial and complex work, ensuring it remains at the forefront of digital governance.

Potential Digitalisation Touchpoints in the EASA Board of Appeal and Aviation Regulatory Framework

#	New Topic / Function	Potential Digitalisation Touchpoint	Examples / Tools
1	Environmental and sustainability (ESG) disputes and reporting	Automated ESG data collection, validation, and supervision	AI/ML dashboards, ETDR-based reporting, CSRD templates
2	Technical disciplines (UAS, VTOL, digital systems)	Certification of aviation software/hardware, IoT authentication	eIDAS 2.0, LEI/vLEI, IoT authentication, Zero Trust architecture
3	Selection of members based on expertise	Digital expert database, competence verification	vLEI, EUDI Wallet, competence blockchain
4	Digitalisation of appeal procedures	E-procedure portal, digital signatures, remote participation, automated document management	eIDAS 2.0, QES, EUDI Wallet, AI-based sorting
5	Environmental labelling disputes (ReFuelEU Aviation)	ESG data audit, digital evidence	DPP, eIDAS 2.0, blockchain-based audit
6	Digitalisation of registry and document management	E-registration, secure document exchange, automated file archiving	ETDR, Single Window, eFTI/eCMR/eAWB
7	Ensuring legal and technical expertise for each case	Case-based expert involvement via a digital competence registry	LEI/vLEI roles, EUDI Wallet authorisations
8	Legal equivalence of e-documents	Cross-border recognition and contestation of digital documents	eIDAS 2.0, QES, MLETR framework
9	AI and automation in case and decision management	Automated pre-selection and analysis of routine and standardised disputes	AI-based process robots, document analytics
10	Digital identity (LEI/vLEI, EUDI Wallet)	Reliable identity for airlines, drone operators, etc.	vLEI, EUDI Wallet, blockchain-based certificates
11	Secure data exchange in critical aviation systems	Digital authentication for IoT devices, airports, ATM/ANS systems	eIDAS 2.0, LEI/vLEI, Zero Trust, QKD
12	Remote proceedings and digital communication	Electronic handling of disputes and decisions, secure remote participation	eIDAS 2.0, e-communication platforms, video courts

Policy Context and Rationale

The European Union is committed to advancing a comprehensive digital and green transformation across all economic and societal sectors. This ambitious commitment is not merely a policy statement but is tangibly reflected and actively pursued through key strategic initiatives and legislative frameworks.

These include the forward-looking Digital Single Market Strategy, the continuously evolving and strengthening European Digital Identity Framework (eIDAS 2.0), and the increasingly widespread and critical use of digital trust services in facilitating seamless cross-border administrative and judicial procedures. In this rapidly advancing landscape, the aviation sector—a vital artery of European connectivity and a cornerstone of its economic competitiveness—including its intricate regulatory oversight and crucial dispute resolution mechanisms such as the EASA Board of Appeal, is under an imperative to not only keep pace with these transformative developments but to actively embrace and integrate them. This proactive approach is essential to ensure that the sector remains optimally efficient, fully transparent, and fundamentally fit for purpose in the demanding digital age.

The current draft Commission Delegated Regulation on the Board of Appeal represents a significant and commendable step towards modernising the governance of appeals within EASA. It acknowledges the need for adaptation and improvement. However, it is evident that further, more extensive and proactive improvements are still critically needed to fully leverage the immense potential of digital technologies. This includes harmonising the Board's procedures with the plethora of other ongoing and ambitious EU-wide digitalisation initiatives. The comprehensive amendments meticulously proposed within this document are therefore specifically designed with precision. Their primary aim is to significantly strengthen both the legal basis and the operational effectiveness of a wide array of digital tools, sophisticated electronic documentation, advanced remote participation capabilities, and robust verifiable digital identity solutions. This holistic approach seeks to integrate these elements across all facets of the Board's crucial and complex work, ensuring it remains at the forefront of digital governance and capable of addressing future challenges.

Objectives of the Proposed Amendments

The proposed amendments pursue the following objectives:

1. To ensure that all parties, experts, and officials involved in Board of Appeal proceedings can securely authenticate their identities, submit evidence, and sign documents digitally, with full legal certainty under eIDAS 2.0 and related EU legislation.
2. To provide for the legal equivalence of electronic documents and signatures to paper-based versions, supporting fully paperless and borderless workflows.
3. To enable and regulate the use of secure remote and digital procedures—including hearings, deliberations, and notifications—thus improving efficiency, accessibility, and resilience.
4. To introduce digital solutions for the management and archiving of documents, the verification of expert competences, and the use of AI tools for routine case-management tasks.
5. To guarantee a high level of cybersecurity and interoperability in all digital systems and to ensure the mutual recognition of digital evidence and procedures across all EU Member States.
6. To enhance the security and authenticity of interactions by mandating the use of EU-recognised digital identity solutions and trust services for all parties involved.
7. To streamline administrative processes and improve efficiency by enabling the use of AI and automated tools for routine case-management tasks, while ensuring human oversight for final decisions.
8. To promote environmental sustainability and cost savings by facilitating paperless workflows through the legal recognition of electronic documents and signatures.

Summary of Key Amendments

1. **Digital Identity and Trust Services:** All parties to proceedings, including Board members and external experts, shall use EU-recognised digital identity solutions and trust services for secure authentication and electronic signatures. This will strengthen the integrity of digital interactions and facilitate secure, cross-border exchanges.
2. **Legal Recognition of Electronic Documents:** All documents submitted to or issued by the Board may be in electronic form and are legally equivalent to paper documents, provided they are signed with qualified electronic signatures in accordance with Regulation (EU) 2024/1183 (eIDAS 2.0).
3. **Remote and Digital Proceedings:** The Board may conduct its proceedings, including deliberations and hearings, remotely through secure digital platforms. E-filing and digital evidence exchange should become the default unless exceptional circumstances dictate otherwise.
4. **Digital Registry and Document Management:** The registry shall be equipped to handle the secure digital registration, management, and archiving of all case documents, supporting the use of Electronic Trade Document Registries (ETDR) and similar secure digital solutions.
5. **Digital Expert Databases and Competence Verification:** The selection and verification of technical and legal experts may be based on digital credentialing tools (e.g., vLEI, EUDI Wallet), ensuring up-to-date and auditable records of competence.
6. **Cybersecurity and Interoperability:** All digital systems used for Board of Appeal proceedings must comply with state-of-the-art cybersecurity standards and support interoperability with other EU and Member State systems.
7. **AI and Automation:** AI and automated tools may be used for administrative and preparatory tasks, provided that all final decisions remain the exclusive responsibility of human Board members and that transparent oversight is maintained.
8. **Mutual Recognition:** Digital documents, signatures, and remote procedures recognised in one Member State for Board of Appeal purposes shall be accepted by all others, in line with eIDAS 2.0.

Suggested Changes to Legislation

1. Article 1 – Composition of the Board of Appeal and qualifications of the members

Amendment proposal (new paragraph):

Selection and verification of technical and legal experts for the Board of Appeal may leverage digital expert databases and verifiable credentials, such as vLEI (verifiable Legal Entity Identifier) and EUDI Wallet-based qualifications based on Regulation (EU) 2024/1183 (eIDAS 2.0), to ensure up-to-date and auditable competence records. Digital credentialing systems must comply with EU cybersecurity standards (e.g., Zero Trust Architecture) to prevent unauthorized access or tampering, ensuring the integrity of expert qualifications.

Justification: Digital tools for competence verification enable real-time validation of qualifications, reducing the risk of relying on outdated or falsified credentials. This enhances transparency and trust in the appointment of experts, which is critical for the integrity of the appeal process. Furthermore, digital credentialing supports the agility of the Board to respond to emerging technical fields and regulatory developments in aviation.

2. Article 3 – Role of the rapporteur

Amendment proposal (new paragraph):

Where appropriate, the rapporteur may use secure digital platforms and tools, including AI-supported case analysis, to prepare internal meetings and draft decisions, provided that transparency and confidentiality are ensured and all final decisions remain under human oversight.

Justification: The use of digital tools and AI can streamline administrative and analytical tasks, freeing up time for the rapporteur to focus on substantive legal and technical issues. This improves the overall efficiency of the case-handling process and can reduce delays in decision-making. Importantly, retaining human oversight ensures that fairness, accountability, and due process are maintained.

3. Article 4 – Registry

Amendment proposal (add or expand paragraphs):

1a. The registry shall support secure digital registration, management, and archiving of appeals and related documents, including the use of an Electronic Trade Document Registry (ETDR) or other secure digital solutions that meet EU cybersecurity and data protection standards.

Justification: Digital registries facilitate more efficient and transparent document handling, making it easier to track, manage, and retrieve case files. They also support compliance with EU data protection requirements by ensuring secure storage and controlled access. Integrating such systems positions the Board of Appeal as a modern, responsive body aligned with the digital transformation objectives of the European Union.

1b. All documents submitted to and issued by the Board of Appeal, including appeals, notifications, evidence, and decisions, may be in electronic form and shall be legally equivalent to paper-based documents, provided they are signed using qualified electronic signatures (QES) or trust services in accordance with Regulation (EU) 2024/1183 (eIDAS 2.0).

Justification: Legal recognition of electronic documents fosters a paperless workflow, which can lead to cost savings and environmental benefits. It also enhances accessibility for parties and authorities operating across different Member States, facilitating cross-border cooperation. By ensuring equivalence with traditional documents, the Board's procedures remain robust and credible.

1c. The Board of Appeal, its members, and parties to the proceedings shall use EU-recognised digital identity solutions and trust services for authentication, submission of electronic evidence, and the signing of documents in all proceedings where feasible.

Justification: Digital identity and trust services improve the security and authenticity of interactions between the Board, parties, and third parties. They help prevent fraud and unauthorised access while simplifying the user experience. This approach aligns with EU policy on trusted digital public services and is increasingly expected in all areas of cross-border governance.

4. Article 5 – Deliberations

Amendment proposal (new paragraph):

Deliberations may be conducted in whole or in part remotely using secure digital platforms, provided that confidentiality, authenticity, and data integrity are ensured.

Justification: Remote deliberations provide greater flexibility for Board members and allow the Board to function even in cases of travel disruption or public health emergencies. This supports business continuity and enables participation of the most relevant experts, regardless of their location. Properly implemented, remote tools can maintain high standards of confidentiality and procedural integrity.

5. General Provision – Cross-Border Recognition

New article (suggested as Article 9, or recitals / final provisions):

Digital and remote procedures, as well as electronic documents and signatures, recognised by one Member State for Board of Appeal purposes, shall be mutually recognised by all Member States, in line with Regulation (EU) 2024/1183 (eIDAS 2.0) and other relevant EU law.

Justification: Mutual recognition of digital acts and procedures eliminates barriers to the Digital Single Market and fosters legal certainty for all parties involved. It also helps avoid duplication of effort and inconsistencies between Member States' approaches to digital evidence and procedures. This ensures that all participants enjoy equal access to justice, regardless of their location within the EU.

6. General Provision – Data Security and Interoperability

New article or addition to Article 4 or recitals:

All digital systems used for Board of Appeal proceedings shall comply with state-of-the-art cybersecurity standards (such as Zero Trust Architecture) and ensure interoperability with relevant EU and Member State systems, including for the secure exchange of sensitive or classified information.

Justification: Modern cyber threats require robust security architectures to protect sensitive case materials and personal data. Ensuring interoperability allows for efficient cooperation with other EU bodies and national authorities, reducing friction and delays. This not only safeguards the Board's operations but also enhances trust in its digital transition.

7. Article 7 – AI and Automation in Case Management

Amendment proposal (new paragraph):

The Board of Appeal may use artificial intelligence (AI) tools and automated workflows for administrative and preparatory tasks, such as document review, case sorting, and deadline management, provided that final decision-making authority remains with human members and appropriate transparency and oversight mechanisms are in place. The Board must ensure AI tools comply with the EU AI Act, including transparency requirements for high-risk systems, and conduct regular audits to prevent algorithmic bias.

Justification: The careful use of AI in administrative processes can increase the speed and efficiency of case management, helping to handle larger volumes and complex datasets. Transparent oversight mechanisms ensure that parties can trust the process and that the Board retains full legal responsibility for its decisions. Maintaining human oversight is crucial for the legitimacy and fairness of outcomes. This aligns with EU regulatory frameworks and addresses stakeholder concerns about AI fairness.

Anticipated Impact

The adoption of these amendments will deliver significant benefits, including greater efficiency and speed in case handling, reduced administrative and compliance costs, improved transparency and traceability, and strengthened security and legal certainty. Parties, especially those located in other Member States, will find it easier to access and participate in appeal proceedings. The Board itself will be better positioned to manage growing volumes and complexity of appeals, particularly as aviation continues to evolve towards digital and data-driven models.

To address implementation challenges, the Board of Appeal should establish a transition task force to provide training for members and external parties, allocate funding for cybersecurity upgrades, and pilot digital tools in low-risk cases before full deployment.

Furthermore, these changes support the EU's broader aims of digital sovereignty, sustainability (by reducing paper usage), and competitiveness in global regulatory best practice.

Conclusion and Next Steps

These amendments represent a pivotal and necessary step to comprehensively align the EASA Board of Appeal with the profound and ongoing digital transformation sweeping across EU public administration and justice systems. By decisively embracing advanced digital identity solutions, legally robust e-signatures, flexible remote proceedings, and intelligent AI-based support, the Board will be empowered to offer a truly modern, highly resilient, and exceptionally user-friendly appeal system. This modernized system will be fully interoperable across the entire European Union and meticulously equipped to navigate and overcome future regulatory challenges, particularly those arising from the increasingly complex and data-driven nature of the aviation sector.

Looking ahead, the successful implementation of these amendments will require a concerted effort from all stakeholders. This includes close collaboration between EASA, national aviation authorities, industry partners, and legal experts to ensure a smooth transition and widespread adoption of the new digital processes. Continuous monitoring and evaluation of the implemented digital tools and procedures will be crucial to identify areas for further improvement and adaptation. Furthermore, ongoing training and capacity building for Board members, administrative staff, and external parties will be essential to maximize the benefits of these digital advancements.

The DigitalTrade4.EU consortium stands ready to support EASA and the European Commission in these crucial next steps. We advocate for the establishment of dedicated working groups to develop detailed implementation guidelines and best practices for each proposed amendment. Piloting these digital solutions in a controlled environment could provide invaluable insights before full-scale deployment. Moreover, fostering a culture of continuous innovation within the Board of Appeal will ensure that it remains agile and responsive to emerging technological advancements and evolving user needs. This proactive approach will not only solidify the Board's position as a leader in digital governance but also reinforce the EU's broader objectives of digital sovereignty, sustainability, and global competitiveness in regulatory best practices. The full realization of these proposals will mark

a significant milestone in enhancing the efficiency, accessibility, and integrity of aviation appeals across Europe.

The roadmap outlined in Appendix 1 provides a concrete timeline for aligning these amendments with broader EU trade and sustainability objectives, including cross-border recognition of digital product passports and AI governance frameworks.

Appendix 1. EU Green-Digital Trade Leadership Roadmap (DigitalTrade4.EU, 2025)

activity	objective	indicative metrics	tools/enablers
1. EU-Singapore DTA & Expand DEPA Partnerships	Strengthen digital trade diplomacy in Asia through high-standard agreements.	- 5+ new digital trade agreements with key Asian partners (e.g., Japan, India, ASEAN) by 2030 - 15% increase in EU-Asia digital services trade by 2028	DEPA framework, EU-Singapore DTA, Global Gateway Initiative, eIDAS 2.0
2. Implement Digital Product Passports (DPPs)	Ensure traceable, sustainable supply chains aligned with EU Green Deal.	- 50% adoption of DPPs by 2030 - 20% reduction in supply-chain carbon intensity by 2030	EU Sustainable Products Initiative, CBAM incentives, UNECE Recommendation 49
3. Fund Secure Digital Corridors in Asia	Build interoperable digital infrastructure for EU-Asia trade, prioritizing cybersecurity resilience	- ~€2B allocated via NDICI-Global Europe - 10+ blockchain-based traceability pilots by 2027	NDICI-Global Europe, ASEAN digital customs systems, EU Customs Data Hub, ENISA threat intelligence platforms
4. Harmonize Digital Standards (MLETR/eIDAS 2.0)	Enable cross-border recognition of e-documents and digital identities.	- 90% mutual recognition of e-signatures by 2028 - 70% SME adoption of eIDAS wallets	MLETR framework, eIDAS 2.0, EU Transport Law updates, UN/UNECE protocols
5. Implement LEI and vLEI for Supply Chain Trust	Harmonise and simplify legal entity identification across borders	- 90% entity coverage with LEI by 2030; 50% vLEI use in customs and eFTI transactions	ISO 17442, vLEI, eIDAS 2.0, UNECE UID
6. Launch Green-Digital Trade Academy	Upskill SMEs and officials on DPPs and carbon accounting.	- 40% increase in SME participation by 2027 - 60% cost savings for SMEs	Erasmus+ grants, COSME programme, tiered compliance thresholds
7. Integrate ESG into Trade Finance	Link trade finance to sustainability metrics for cheaper capital access.	- €10B/year unlocked for green trade finance - 30% lower Scope 3 emissions by 2030	InvestEU guarantees, CSRD-aligned reporting, FinTech platforms
8. Enforce Platform Interoperability	Prevent vendor lock-in and empower SMEs.	- 100% compliance with CJEU rulings by 2026 - 50% reduction in platform dominance	Court of Justice of the European Union (CJEU) Case C-233/23, DEPA, eIDAS 2.0, Digital Markets Act (DMA)
9. Global Digitalisation Projects with EU Standards	Extend EU digital infrastructure and norms globally.	- 20+ co-funded projects by 2030 - 80% interoperability with EU systems	Digital Europe Programme, CEF funding, EU-Asia Digital Standards Taskforce
10. Advance UNECE Transparency Protocols	Globalize EU sustainability standards for supply chains.	- 100% alignment with UNECE Rec. 49 by 2028 - 30% reduction in greenwashing claims	UNECE CEFACT, W3C Verifiable Credentials, EU CBAM registry
11. Pilot CBAM-DPP Corridors	Link trade finance to verifiable ESG metrics for tariff incentives.	- 20% CBAM compliance cost reduction - 50% DPP adoption by 2030	IoT carbon trackers, CBAM rebate schemes, EU Customs Single Window

Table 2. The roadmap above, DigitalTrade4.EU's input to the European Commission's "International Digital Strategy" operationalises the recommendations outlined in this document. For instance, Activity 1 (EU-Singapore DTA & Expand DEPA Partnerships) directly supports the harmonisation of international digital standards, while Activity 8 (Global Digitalisation Projects) aligns with efforts to promote dual-use infrastructure globally. These activities collectively reinforce the EU's ability to leverage digital trade diplomacy as a tool for both economic growth and strategic security.