



EDITORIAL

Finding a New Approach to Loss of Control



Safety trends in recent years have shown that Loss of Control (LoC) continues to be a major contributor to aviation accidents, including large transport aircraft. Globally coordinated

action to implement safety management and facilitate the integration of new technologies is even more urgently needed in these times of air traffic growth.

EASA will focus its next annual Safety Conference on the theme of 'Staying in Control - Loss-of-Control Prevention & Recovery'. Through this conference, which has confirmed speakers from all concerned stakeholder groups, EASA hopes to make important progress in developing a new approach for preventing and recovering from loss of control.

The conference will look into the history of LoC occurrences, relevant Human Factor considerations, operational procedures and recommendations, training, EASA rulemaking activity in the area and the most recent scientific research.

The conference will take place in Cologne from the 4 to the 5 October and full registration information is available on the EASA website.

I hope to see you there!

Patrick Goudou, EASA Executive Director

New Era of Harmonised Air Traffic Controller Licensing in Europe

The 31 August marked the entry into force of new Regulation for the licensing and medical certification of air traffic controllers. Commission Regulation (EU) No 805 / 2011, the first Implementing Rule of EASA's extended competence to Air Traffic Management (ATM), creates uniform requirements and mandates the Europe-wide recognition of all air traffic controller licenses, associated ratings, language endorsements and medical certificates.

Upon the request of the Council of Ministers and the European Parliament, EASA prepared a draft proposal to establish a Regulation in the field. Published as Opinion No 3/2010 on 28 May 2010, the proposal was further developed by the European Commission in close cooperation with the Agency and Member States until its adoption on 10 August 2011.

Building on a European Directive from 2006, the Regulation replaces potentially differing national rules and offers greater professional mobility for air traffic controllers. Air traffic controllers holding a license issued in accordance with the Regulation will be able to work in all Member States.

More information can be found on the EASA ATM mini-site <http://easa.europa.eu/atm/>. The Regulation can be downloaded from the website of the Official Journal of the European Union.

2011 Europe/US International Aviation Safety Conference

This year's conference took place in Vienna, Austria.

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2011 Europe/US International Aviation Safety Conference Highlights

The 2011 Europe/US International Aviation Safety Conference organised jointly with the FAA took place in Vienna, Austria from 14 – 16 June 2011 under the theme 'Enhancing global safety: Future challenges'. Over 400 participants from all over the world attended the conference which started with a keynote panel where industry called for the work of the authorities to aim for harmonisation, standardisation, efficiency and simplification. The principal topics addressed during the conference included:

Total System Approach: Discussions about the role of partnerships, aviation organisations and the related regulatory challenges have demonstrated recognition of the Total System Approach. The success of voluntary groups such as CAST, ECAST, IHST, and EGAST is crucial and these must continue their positive work.

Safety Management Systems: Stakeholders expressed concerns about Safety Management Systems (SMS). It was underscored that they should be unique for each organisation and that requirements from the US, EU and other authorities must be aligned. SMS is a clear ICAO requirement which has to be followed. In Europe, EASA will continue to develop this SMS, the European Aviation Safety Programme, the European Aviation Safety Plan and the State Safety Plans.

Information sharing: The Global Safety Information Exchange (GSIE) signed between IATA, ICAO, US, and the European Commission puts in place the legal basis and mechanism to deliver results in information sharing. This showed a real step forward with discussions at the conference focussing on what data to share and how to share it.

EU-US BASA: This milestone for the transatlantic relationship in aviation safety entered into force on 1 May 2011. Stakeholders emphasised that this must contribute to achieve simplicity and overcome



Conference Keynote Panel

fragmentation in the bilateral rules and procedures. With this agreement, concrete tasks requested by stakeholders have already been defined:

- The Bilateral Oversight Board (BOB) will discuss and decide on new annexes.
- The sub-BOBs on maintenance and certification will:
 - Focus on the assurance that the existing annexes are clearly implemented;
 - Propose new annexes in order to improve the system and the bilateral agreement itself.

The full conference proceedings including presentations and conference notes can be downloaded from <http://easa.europa.eu/conf2011/>. The next Europe/US International Aviation Safety Conference will take place in Cleveland, Ohio on 12 – 14 June 2012.



The Europe/US International Aviation Safety Conference is co-chaired by the two main technical aviation safety authorities of Europe and the US. Since 1983, the conference has been hosted in annually rotating order by the Federal Aviation Administration (FAA) and the Joint Aviation Authorities (JAA), taken over on the European side by EASA in 2005.

Unmanned Aerial Systems – Friend or Foe?

Unmanned Aircraft Systems (UAS) are the future. This is the vision of the UAS industry and, with the rapid advancement in digital systems and automation, there is a certain inevitability that their time is coming. At present, the prime growth area in the civil market is small UAS (aircraft below 150kg) and state aircraft, both of which are excluded from the Agency's remit and operate under the safety oversight of Member States, usually in segregated airspace and not over highly populated areas. However, to fully achieve the UAS industry's vision, UAS will come in all shapes and sizes and operational constraints will have to be relaxed to allow the same rights to access airspace as manned aircraft.

While the civil UAS market has not grown as quickly as predicted, in part due to the current economic climate, the Agency has seen the first signs of its expansion with applications for type-certification.

“Are the same fears regarding ‘pilotless aircraft’ still present today?”

David Haddon, the focal point for UAS airworthiness within the Agency's Rulemaking Directorate, attributes this growth partly to the Agency's commitment to develop the regulatory groundwork

that led to publication in 2009 of the 'Policy Statement on Airworthiness Certification of Unmanned Aircraft Systems'. David states that “while this is only the beginning, it does set some top-level objectives and lays the foundations on which to build. It has enabled the industry to move forward with the knowledge of what the Agency expects and can or cannot accept”.

UAS are aircraft and the EU and EASA have an obligation to include them within an all-encompassing regulatory framework. With this in mind, the European Commission has recently created a UAS panel with the objective of providing political leadership and identifying and removing unnecessary barriers to UAS market development. ICAO, who in the past excluded 'pilotless aircraft' from the mainstream of the convention on international commercial air transport, has also recognised the need for action. An ICAO UAS study group is currently redressing this issue, and plans to overhaul the Annexes to the convention to allow UAS integration.

However, the Agency is aware that the widespread introduction of UAS is likely to be met with public anxiety and the manned aviation community and general public may rightly question whether those same fears regarding 'pilotless aircraft' are still present today or have they been largely overcome in the evolution to UAS. David believes that

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“The European Commission has created a UAS panel to remove unnecessary barriers”



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Unmanned Aerial Systems – Friend or Foe?



Tracker (DRAC) Unmanned Aerial Vehicle

UAS can bring a positive contribution to safety in a number of ways. They may replace much larger manned aircraft in specific roles, be better able to mitigate the effects of failure conditions than manned aircraft and bring advanced technologies that could later benefit the operation of all aircraft.

UAS also bring additional social, economic and environmental benefits. Recent events on volcanic ash and nuclear radiation monitoring have given

us a glimpse of the potential diversity and benefits of UAS operations.

.....
“Recent events have given us a glimpse of the potential benefits of civil UAS operations”

The UAS industry is quick to highlight these benefits, but David adds a note of caution: “While UAS can add to safety, we need to be vigilant in the short-term as the introduction of UAS bring additional risks that may adversely affect safety. Many current UAS stem from military designs that weren’t certified to civil standards and whose accident record falls short of our expectations. Furthermore, we are finding that many small and medium enterprises, with no or little previous aviation experience, are entering the UAS market as a way of

diversifying and expanding their businesses”.

So are UAS friend or foe? It is probably too early to say and only time will tell. Ultimately it will be society that determines the fate of UAS and their safety record will be a prime criterion on which they are judged. The industry needs to adopt a step-by-step approach that builds confidence and allows the market to develop in a safe and sustainable way.

EASA Supporting the Commission Initiatives for Unmanned Aircraft Systems

2011 has been important for civilian Unmanned Aircraft Systems (UAS). Following the 37th ICAO Assembly, ICAO published Circular 328 which recognises that UAS are 'aircraft' and therefore subject to the Chicago Convention and its Annexes. Most Annexes therefore need amendment.

By June, the ICAO Air Navigation Commission (ANC) approved drafts for Annex 2 (Rules of the Air) and 7 (registration) proposing that UAS need airworthiness certificates, like 'manned' aircraft, that pilots, even if on the ground, require a license, and that the commercial air operators need to be under safety oversight by the competent authority.

Task MDM.030 in the EASA Rulemaking Programme is due to create in future the technical and operational rules necessary for safe operation of civilian UAS. Of course such rules will be inside the scope of the Basic Regulation. However EASA Implementing Rules (and associated Acceptable Means of Compliance and Certification Specifications) will not be sufficient to open the market for civilian UAS.

But, why do we need to open this new market? We know that in the recent decades many jobs have been created by the information society. UAS will neither replace conventional transport aircraft, nor 'invade' the airspace volumes mostly used by them. On the contrary UAS will 'colonize' parts of the airspace today not congested (e.g. low level) for the purpose of acquiring information.

“ICAO published Circular 328 which recognises that UAS are aircraft”

On 23 June 2011, the European Commission announced the creation of a panel to develop proposals for possible community action in order to promote development and use of UAS. The panel will organise a total of five workshops on the following topics:

- market demand;
- insertion in 'non-segregated' airspace led by Luc Tytgat of Eurocontrol (September 2011);
- safety issues led by Michael Smethers, Chairmen of the EASA Management Board (October 2011);

- societal aspects;
- future research & development.

The final report is expected in March 2012. It may contain proposals for funding (also of regulatory/standardisation bodies) and for possible amendment of basic EU law including the EASA Basic Regulation and regulations related to the internal market and single sky.



EASA Rulemaking Update



Update on Proposed Third Country Operator Requirements

EASA published a Notice of Proposed Amendment (NPA) No 2011-05 for future requirements applicable to Third Country Operators (TCO) engaged in Commercial Air Transportation (CAT) in Europe on 1 April 2011. The period for submitting comments closed on 8 July 2011. The Agency received some 230 comments to this public consultation.

The regulatory proposal aims to enhance safety by ensuring continuous compliance with international aviation safety standards and consistency within the EU. It intends to simplify, harmonise and streamline the authorisation process for TCOs by establishing a single uniform, proportionate and risk based authorisation system throughout the EU replacing the various existing national systems.

The current proposal foresees the following assessment methodology: if eligible, a TCO can directly register and submit an application to EASA, which will be responsible for issuing the authorisation. Based on a confidence model which considers various parameters such as the results of internationally recognised safety reports (e.g. USOAP, SAFA reports) an assessment category will be allocated to each TCO. The assessment categories A, B or C provide for different levels of assessment intensity.

The majority of operators will be allocated in assessment Category A, for which a desktop review will be sufficient. Operators in Categories B and C will be assessed through consultations and on-site visits respectively. At the end of

the assessment phase the Agency will formally decide on each application. A positive decision will be followed by the issue of an authorisation which will be valid across the territory of the EU.

For the purpose of fulfilling its oversight responsibilities and maintaining a high level of safety, the Agency will establish a TCO Oversight Programme. Through this programme, EASA will continuously observe, analyse and update relevant safety data, perform ad-hoc investigations in case of deteriorating data and conduct periodic-re-assessments.

The proposal further foresees a transition phase, which allows for transition rights for all operators that have been permitted by a Member State to operate into, within or out of their territory during the period two years prior to the date Part-TCO becomes applicable. All operators eligible for transition rights should register as soon as possible to ensure a smooth transition.

EASA is now carefully reviewing each reaction and will amend the rule text accordingly. Comments received during the public consultation period, their associated responses by EASA and the resulting, amended rule text will be published early October 2011 in the Comment Response Document (CRD). Stakeholders will have the possibility to react on the CRD for a period of 2 months. The Agency will present a final Opinion to the European Commission, which serves as the basis for the adoption of an Implementing Regulation expected in 2012.

EASA Rulemaking Update

Opinion 04/2011 – Air Operations

On 1 June 2011, EASA published Opinion 04/2011 for a Commission Regulation establishing Implementing Rules for Air operations for community operators.

Based on the principles set out by the Management Board together with the European Commission, the Agency's proposal transposes the contents of EU-OPS and JAR-OPS 3 and aligns the requirements with ICAO SARPs Annex 6 Part I and Part III Sections 1 and 2, as much as possible.

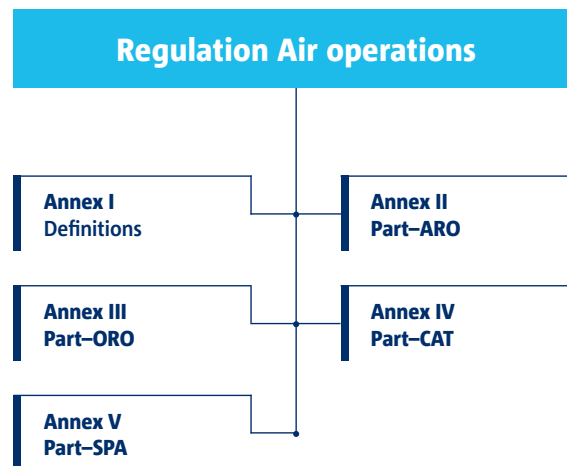
The development of these requirements was based on the following objectives: maintain a high level of safety, ensure proportionate rules where appropriate, and guarantee flexibility and efficiency for operators and authorities.

This Opinion is the result of an extensive consultation process involving authorities, associations, operators and aviation experts. It contains a Cover Regulation and five Annexes. The graphic to the right summarizes the published package.

Description of the documents:

- The Cover regulation contains transition periods and the scope of the Opinion.
- Annex I contains within one document all definitions used in the Annexes attached to this Regulation.
- Annex II – Part-ARO covers all Authority requirements in the field of air operations.
- Annex III – Part-ORO includes requirements addressed to organisations conducting commercial air transport (CAT) operations. This Part will in the future also contain requirements for commercial operators other than CAT and non-commercial air operators of complex motor-powered aircraft.
- Annex IV – Part-CAT contains at this stage the technical requirements for CAT operations of aeroplanes and helicopters; in the future, this Part will also contain CAT operations with other aircraft categories, as balloons and sailplanes.
- Annex V – Part-SPA holds the requirements for operations requiring a specific approval. For the time being, the requirements for Part-SPA only address CAT operations. However, in the future, this Part will contain requirements for commercial and non-commercial operations, as far as they are applicable.

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Current status and next steps

The EASA Committee started with an initial assessment of the Opinion during its meeting from 28 to 30 June 2011. The European Commission expressed its intention to adopt the rule text at the next EASA Committee meeting in October 2011.

The Opinion for the remaining Annexes of this Regulation, Annex VI – Part-NCC, Annex VII – Part-NCO, and Annex VIII – Part-SPO will be published

at a later stage.

The Opinion can be downloaded from the Agency's website:

<http://easa.europa.eu/agency-measures/opinions.php>.



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EASA at the 2011 Paris Air Show

The Agency had an important presence at Le Bourget this year with both its main stand and its dedicated careers area drawing many interested visitors and stakeholders.

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EASA publishes new brochure: Why is aviation safe?



EASA has published a new brochure. Designed for the general public, the brochure describes the processes in place to ensure flying. It explains why aircraft are certified before they are allowed to fly, how aviation safety is monitored, the importance of standardised aviation safety rules, and the benefits of international cooperation.

English, French and German versions of the brochure can be downloaded from the General Publications section of <http://www.easa.europa.eu>.

EU-US Bilateral Oversight Board meets for the first time

The first meeting of the EU-US Bilateral Oversight Board (BOB) established by the EU-US Bilateral Aviation Safety Agreement was held by videoconference on 30 June 2011. The main purpose of the BOB is to be responsible for ensuring the effective functioning of the Agreement including handling

disputes, amending the Annexes to the Agreement, adopting additional Annexes and making proposals to the Parties to otherwise amend the Agreement. The next second meeting of the BOB is scheduled to take place on 9 December 2011.



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