THE EUROPEAN AVIATION SAFETY POLICY

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Objectives of EU regulatory cooperation

Maintaining high level of aviation safety:

- **Common set of directly applicable safety rules**

- **Establishment of the European Aviation Safety Agency:**
  - *Competences now covering all domains of aviation safety (AW, OPS, FCL, ATM and ADR). Implementing rules developed*

- **Accident investigation and occurrence reporting**

- **Safety assessment of foreign aircraft (SAFA):**
  - *EU wide list of unsafe airlines to protect EU citizens (+ SAFA ramp inspection programme); Operational restrictions may be imposed, as a measure of last resort, if ICAO standards not respected*

The EU aviation safety policy – Who does what ?

A multi-layered safety oversight system

- **European Commission**
  - *proposes and adopts legislation*
  - *takes enforcement action at the EU level in case of non-compliance*

- **European Aviation Safety Agency (EASA)**
  - *responsible for assisting the Commission in rulemaking*
  - *monitoring implementation of rules by the Member States*
  - *certain certification tasks*

- **Member States**
  - *responsible for implementing legislation and enforcing actions at the national level*

EASA – One-stop shop safety

- *Centralised development of essential requirements & implementing rules*

- *Centralised adoption at EU level and unified and standardised application*

- *Centralised development and adoption of acceptable means of compliance & guidance material, airworthiness codes*

- *Centralised issuance according to one common set of rules of certificates and approvals*

- *Central verification at EU level through standardisation inspections of National Aviation Authorities and technical investigations of certificate holders*

- *Pooled research in the field of its expertise & coordinate such activities among EU member States*

Rulemaking

- EASA prepares an **independent technical opinion** for the Commission after consultations with the interested parties

- Commission presents a **formal legislative proposal** (only Commission has the "right of initiative") on the basis of EASA's opinion

- In case of technical **implementing rules**, proposal adopted through a simplified Committee procedure

- In case of **basic rules**, proposal adopted by the European Parliament and the Council of Transport Ministers

- In addition EASA adopts guidance material, certification specifications and acceptable means of compliance (**soft law** to assist industry in showing compliance)

Certification

- *Aircraft, personnel and operations have to demonstrate compliance with the essential requirements and implementing rules*

- *EASA responsible for certification of product design and approval of organisations in third countries*

- *Certificates issued in compliance with EU law are **by law** recognised by all the Member States*

- *Mutual recognition agreements possible with non-EU countries*

Standardisation

- **EASA carries out standardisation inspections** in States to monitor how they implement EU Regulations

- In case of **non-compliance**, States must establish and implement remedial action plans within agreed timelines. EASA verifies implementation of corrective actions

- Standardisation may impact **mutual recognition** and trigger **enforcement action** by the Commission

Learning from accidents and occurrences

Regulation (EU) No 996/2010 on the investigation and prevention of accidents and incidents in civil aviation

- *The responsibility for accident investigation rests with the Member States*

- *All accidents and serious incidents in civil aviation must be the subject of a safety investigation*

- *The independence of safety investigation authorities is strengthened*

- *Est. of the European Civil Aviation Investigation Authorities Network – ENCASIA;*

- *Clarification of EASA's role as 'advisor' in investigations.*

- *Enhanced provisions on the disclosure of sensitive information.* 8

Learning from accidents and occurrences

New Regulation (EU) 376/2014 on the reporting, analysis and follow-up of occurrences in civil aviation

- *Applicable as of November 2015, replacing current Directive 2003/42/EC on occurrence reporting in civil aviation*

- *Better collection of occurrences*

- *Better exchange of information between the MS and with EASA*

- *Improved quality and completeness of data*

- *New requirements on information analysis and adoption of follow up actions at national and EU levels*

- *Better protection against inappropriate use of safety information*

- *Better protection of reporter to ensure the continued availability of information (Just Culture)*

Safety Assessment of Foreign Aircraft

- *SAFA: ramp inspection programme to verify compliance of aircraft, crew and operations with applicable ICAO requirements*

- *Applies to both third country as well as EU registered aircraft*

- *SAFA database managed by EASA (quality control)*

- *Inspection procedures harmonised across the EU (common checklist, methodology, and classification of findings)*

- *SAFA inspectors allowed to take enforcement action including grounding of aircraft*

- *Open for participation of non-EU countries*

Safety List : Objectives

- *Stop operation of unsafe airlines in the EU*

- *Inform citizens travelling outside EU about increased safety risks*

- *Inform passengers about the identity of the air carrier actually operating the service*

- *Help aviation authorities and operators in addressing their safety deficiencies*

- *The ban to fly in EU airspace is a only a temporary measure … until the State / the airlines resolved the safety situation and can demonstrate compliance*

Future developments/challenges

- *Development of implementing rules for new Regulation (EU) 376/2014*

- *Entry into force of new Regulation (EU) 452/2014 relative to Third Country Operator (TCO) authorisations*

- *Move towards a more proactive, evidence-based, risk and performance oriented safety system.*

- *Modernising the regulatory approach to safety and the governance in the EASA System*

- *Developing rules for remotely piloted aircraft systems (RPAS)*

- *Intensifying cooperation with third countries and enhancing overall role in international relations*

For more information

"Air Transport Portal of the European Commission"

- **http://ec.europa.eu/transport/air_portal/index_en.htm**
- **http://www.easa.eu.int/home/index.html**
- **http://ec.europa.eu/transport/air/safety/safety_en.htm**