Fourth EASA International Cooperation Forum

Date: 10-11 June 2014
Location: Hyatt Hotel, adjacent to EASA premises, Cologne, Germany
Participants: 106 participants from national and regional aviation authorities worldwide

Purpose

The purpose of the EASA International Cooperation Forum is to offer a platform through which partner Civil Aviation Authorities and Regional Air Navigation and Safety Oversight Organisations interested in EU civil aviation safety regulations can evaluate the latest challenges in regulatory oversight, provide feedback to EASA, and exchange information on the practical implementation of EU regulations in non-EU countries.

This event was the fourth such meeting and was conducted adjacent to EASA headquarters in Cologne, Germany.

Agenda

The forum centred across four different themes:

- *EASA update*: European Aviation Safety Policy, EASA gearing up to new challenges, Implementing ICAO Annex 19, Overview on New EASA Regulations.
- *Implementing the basics*: Transition to a Regional Safety Oversight Organisation, Managing States with Limited Resources, Metric for CAA institutional strength, The Regional Dimension as a solution, Complicated Basics for a Sustainable CAA.
- *ATM new challenges*: The technological challenge, Regulating ATM: Safety and performance, Global Seamless Sky, how to achieve it.
- *Future challenges*: Performance-based rules, Moving towards Risk Based Oversight, Using human performance and safety culture as tools for performance and risk based oversight, Contribution of a member state to International Cooperation.

The event was opened by Mr Thaddée Sulocki, EASA Head of International Cooperation, and the introduction was made by Mr Erick Ferrandez, EASA Technical Cooperation Programmes Section Manager.

EASA update

The panel was facilitated by Dr Nobert Lohl, EASA Certification Director.

- Mr Peter Sorensen, Policy Officer within DG Mobility and Transport at the European Commission, presented the European Aviation Safety Policy.
- Mr Jean-Marc Cluzeau, Head of Flight Standards with EASA, presented EASA's new organisational structure, geared to adapt EASA to the challenges of the next 10 years.
- Mrs Régine Hamelijnck, EASA Rulemaking Officer, presented EASA's response to the new ICAO Annex 19 on Safety Management.
- Mr Jules Kneepkens, EASA Rulemaking Director, presented an overview of the new and upcoming EASA regulations.

The principle objective of EU regulatory cooperation is to establish and maintain a high uniform level of civil aviation safety. In the European Union a multi-layered safety system works with clear separation between the technical level and the political level.

The transfer of responsibility from states was a long process and only possible through a strong common framework (the European Economic Community). The transfer only occurs in areas where centralisation is deemed an advantage.

After phased extensions, EASA now covers all domains of aviation safety. The organisation is being restructured to match the challenges of the next ten years. The new structure will provide a single point of contact for stakeholders by domain.

The sharing of safety data, from accident investigation, occurrence reporting and the SAFA programme, is an important component of the system.

Future challenges will include:

- the development of implementing rules for occurrence reporting;
- the entry into force of the new Third Country Operator authorisation regulation;
- the move towards a more proactive, evidence-based, risk and performance oriented safety system;
- modernising the regulatory approach to safety and the governance of the EASA system;
- developing rules for Remotely Piloted Aircraft Systems;
- intensifying cooperation with third countries and enhancing the EU's role in international relations.

Annex 19 has brought a new challenge as new performance based regulations must integrate with existing prescriptive rules. Critical success factors are data and safety intelligence, and developing a new approach to regulatory oversight.

EASA promotes an integrated approach to safety management. The starting point for the performance based model will be the ATM performance scheme.

Member States and EASA need to work together to enact their State Safety Plans. The European Aviation Safety Plan (EASP) has been setup to support the implementation of State Safety Programmes within EU Member States.

An adapted approach has been developed for General Aviation regulations, given the specific risk categories associated and accepted by the community.

Conclusions

- In the European Union a multi-layered safety system works with a clear separation between the technical level and the political level. The transfer of responsibility from states was only possible through a strong common framework.
- EASA's new structure will provide a domain-based single point of contact for stakeholders.
- Annex 19 brings a new challenge as new performance based regulations must integrate with existing prescriptive rules. Intelligence from Safety data and a new approach to regulatory oversight are required, plus implementation support for states.
- The new EASA regulations for General Aviation follow an adapted approach, reflecting the different risk categories accepted by the General Aviation community.

Implementing the basics

The panel was facilitated by Mr Vladimir Cebotari, Vice Minister of Transport in Moldova.

- Mr Emmanuel Akatue, Executive Director of BAGASOO, gave a presentation on Transition to an RSOO.
- Dr Omar Kaddouha, Flight Safety Director of DGCA Lebanon, made a presentation of Managing States with Limited resources.
- Mr Oscar Quesada, Deputy Director of ICAO SAM Regional Office, gave a presentation on Metrics of CAA institutional strength.
- Mr William Hotchkiss, Director General of CAA Philippines, presented the Regional Dimension as a solution.
- Ms Tamara Archuadze, Deputy Director of CAA Georgia, presented Complicated Basics for a Sustainable CAA.

Many countries are facing problems in implementing the basics for a sustainable Civil Aviation Authority. In most cases these problems are recurrent, meaning where countries are unable to overcome issues, there may experience available in how to overcome these problems. There are limited resources overall, which has direct effect on aviation systems.

The proper set-up and functioning of Regional Safety Oversight Organisation (RSOOs) presents challenges. The pooling of regional resources creates both opportunities and threats.

Strategic decision making is a tool for managing states with limited resources, and a prerequisite for regional cooperation and the pooling of resources.

The measurement of institutional strength is supported by many ICAO protocol questions. The regional dimension provides a solution to building the strength of Civil Aviation Authorities.

RSOOs are often unable to ensure financial stability because states are not in the position to contribute. Implementing a system of passengers fees can be one possible source of financing.

RSOOs should preferably be established as agencies or larger bodies. Before exploring the possibilities and benefits of forming RSOOs, countries should consider whether the structure of their NAAs are compatible and sustainable with this.

A joint body, such as EASA, allows for common regulations, certification, recognition of certificates, and so on.

Many countries would like to have more support on the possible ways for transposition and implementation of EASA regulations.

Some countries have ramp inspection and data analysis systems based on similar principles to the EU SAFA programme, such as FASA.

Accident investigation is a prime area for the pooling of resources, but for other areas there are more difficult prerequisites to be met, e.g.: the need to have similar regulatory frameworks, procedures, qualification requirements, etc.

The option of using industry to support the functioning of certain RSOOs is difficult, since many operators in those regions are on the air safety list, impacting their financial capabilities. In addition there is a potential conflict of interests, therefore employing experts from industry is a more sustainable approach.

There is a need to raise the issue of the autonomy of civil aviation authorities in front of governments. In most cases governments are only react when confronted with ICAO Significant Safety Concerns, the EU safety list, or being downgraded to Category 2 by the FAA.

The Philippines underlined the importance of EU projects being led by EASA.

Conclusions

- Governments are not always aware of the need to have effective and independent Civil Aviation Authorities.
- In the absence of human and financial resources, it is essential to have a simple, practical and workable management system.
- Where there is an evident lack of financial resources, regional assistance may be the best way forward.
- Pooling of resources between states is sometimes an option, but this requires a solid basis in order to work effectively.

ATM new challenges

The panel was facilitated by Mr Levan Karanadze, Deputy Director CAA Georgia.

- Mr José Calvo Fresno, SESAR JU Chief Regulatory Affairs, presented the Technological Challenge.
- Mr Jussi Myllarniemi, EASA Head of ATM/ANS and Aerodromes, made a presentation on Regulating ATM: Safety and Performance.
- Mr Vargas, COCESNA Executive President, gave a presentation on How to achieve the Global Seamless Sky.

The SESAR project is Europe's main response to the challenge of modernising ATM. The international dimension of the project is important to ensure interoperability. The next phase of SESAR will focus on deployment of the solutions developed.

Enhancing predictability and accuracy of traffic movements is a major objective. A higher level of automation will also be needed to realise new efficiencies. Humans should focus on decision making in highly complex situations where they can add value best.

For future systems it will be important that all entities are connected; be it airlines, air navigation service providers (ANSPs) or airports. Collaborative network planning needs to be based on fast, accurate and reliable information, which will be realised through the System Wide Information Management (SWIM) concept.

The next phase of SESAR, up to 2024, will concentrate on applied research to test new technology and methodologies. Large scale demonstration projects will be implemented, which will also be open to the participation of airlines, ANSPs and airports.

New SESAR projects will start from 2015. Interested parties should contact SESAR now.

Principles for interoperability need to be agreed. For airspace users the result should be seamless. The same performance targets should apply for everyone, while anyone should be free to offer their own solutions on how to reach the targets. ICAO ASBUs plays a critical role in this respect.

The technical regulations for safety should be written in a way to provide for interoperability. There is a clear link between technical requirements and safety objectives.

Following the Air France accident a one year project has been initiated by SESAR on flight tracking. This can be done through ADS-B, where available. It could be possible that research on this topic will be taken up again.

The EU situation can be well compared to that of a Regional Safety Oversight Organisation (RSOO). Safety aspects differ compared to those at a country level because in Europe and for RSOOs the responsibility is for a whole region. Europe should not be seen in parallel or competing with ICAO. There is a clear link between EASA rulemaking tasks and the ICAO regulatory structure.

With regards to SESAR the regulatory objectives are clear: there should be a seamless system to increase capacity while at the same time maintaining safety. An area for improvement are stand-alone safety performance indicators. Based on experience these have not proven to be very effective as there is a close interdependence between economic and capacity / performance factors. More work on indicators should be done to better take this into account. SESAR is a regulatory challenge. EASA needs to have a good understanding of the novelties to be introduced before it is deployed.

SESAR requires the separation of oversight and provision of services. Provision of services is open to competition. In many cases the state remains the main ANSP, while oversight is organised independently. A robust regulatory framework is essential for this. It is essential to ensure proportionality when regulating at regional level to be able to accommodate small private or state owned companies in the same regulation.

COCESNA provides an example of how a group of countries can enhance air navigation services (ANS) efficiency based on the concept of a seamless airspace. Starting small with the provision of training at regional level COCESNA now gives advice to its members on how to comply with ICAO requirements. Characteristics of the seamless sky are that operations are standardised (e.g. definitions, procedures, navigation performance requirements, etc.); that they are harmonised, meaning they respond to flight performance schemes and are based on air traffic flow; and that they are interoperable (e.g. ATM automation systems are closely linked to ICAO requirements and regional goals correspond to these). A progressive strategy is required in line with national and regional needs, which complies with the global planning framework. Most important is that an agreement about how to move forward with modernisation is reached as a group and supported by the individual members through their commitment to implementation and realisation of activities.

Funding should not be the main concern when considering ATM modernisation projects. Instead an assessment should be done of how much value-added a modernisation project can potentially deliver to users through improving efficiency. It is also important to provide legal certainty to investors. ATM modernisation projects at regional level are particularly attractive in this respect, as they can provide economies of scale.

Conclusions

- SESAR JU is busy working on the future of Air Traffic Management, with more than 300 projects employing more than 3000 people worldwide.
- Working with global partners is essential for global compatibility. The EU ATM Master Plan is good basis as it closely maps ICAO ASBUs.
- Cooperation between the development of SESAR and EASA regulations is necessary to realise deployment, efficiency and safety objectives.
- A key objective of COSCESNA is to achieve efficiency whilst maintaining safety. There is a need to agree as a group on future plans and upgrade priorities.
- Global cooperation between regulators, developers and industry should continue based on ICAO ASBUs.

- SESAR JU will be open to new members and provide new opportunities for cooperation: there will be new SESAR 2020 projects by summer 2015.
- Regulators should further improve indicators to better link safety with economic and capacity factors.

Future challenges

The panel was facilitated by Captain Gustavo Barba Roman, Manager Regulations & Policies, UAE GCAA.

- Mr Jean-Pierre Arnaud, EASA Rulemaking Officer, gave a presentation on Performance Based rules.
- Mr Gian Andrea Bandieri, EASA Standardisation Team Leader, made a presentation on Moving towards Risk Based Oversight.
- Captain Joachim Wirths, Head of Operations at CAA Qatar, presented Using human performance and safety culture as tools for performance and risk based oversight.
- Ms Elisabeth Dallo, Director of International Cooperation at DGAC France, delivered a presentation on Contribution of a Member State to International Cooperation.

A prescriptive regulation is a regulation that specifies requirements for mandatory methods of compliance. A performance based regulation is a regulatory approach that focuses on desired, measurable outcomes.

Effective regulatory compliance is the driver for safety performance. Performance based regulations focus on facts, rather than belief, as you cannot manage what you cannot measure. Some areas are more suited to this than others.

Performance-based regulations complement rather than replace prescriptive rules. They mean seamless integration of the eight ICAO critical elements and SSP framework under the approach of the Deming cycle.

Performance based rules still need to be proven. The need to correctly manage risk is becoming greater with reduction of budgets and an increasing scarcity of resources. Oversight should focus on what matters. EASA is beginning a "better regulations" project accordingly.

SMS allows areas not covered by regulations to be identified and addressed.

Statistics are difficult to compare across different cultures. The collection of data could be brought into more systematic in order by ICAO. Use of a single system such as ECCAIRS could help synchronise data. Trained risk managers are required. National culture and systems have to be taken into account. The difference between accountability and responsibility has to be understood.

Understanding the context of an authority is essential to shape a true partnership between assisting and assisted authorities. International cooperation has to be part of the organisation's roadmap. This has to avoid duplication of efforts.

The assisting authority is an only advisor, responsibility for implementation remains with the assisted authority. The essential elements for effective technical cooperation are competence, customisation and mutual confidence.

Conclusions

- Effective regulatory compliance is the driver for safety performance. Performance based regulations focus on desired measurable outcomes.
- Performance-based regulations complement rather than replace prescriptive rules. They mean seamless integration of the eight ICAO critical elements and SSP framework under the approach of the Deming cycle.
- Understanding the regional context of the authority is essential to shape a true partnership between the assisting and assisted authorities.
- The essential elements for effective technical cooperation are competence, customisation and mutual confidence.

Close and Actions

Dr Norbert Lohl, EASA Certification Director closed the ICF 4 after presentation of main conclusions. An initial follow-up action list will be distributed very soon and will be implemented before next ICF.

Attachments

The participants list, presentations and all related documents to the ICF 4 are available through the EASA ICF SINAPSE platform and EASA website: http://www.easa.europa.eu/newsroom-and-events/events/4th-international-cooperation-forum-icf-4