

AEA POSITION STATEMENT ON AVIATION SAFETY (23rd SEPTEMBER 2005)

Background

August 2005 was one of the worst months in history in terms of fatal accidents (five in total). However those terrible events should be seen in context and the aviation system, in particular in Europe, remains fundamentally safe.

As a result of a lot of media attention for those accidents, the EU Institutions and ECAC have put safety issues again high on their agenda and are discussing an expansion of the Safety Analysis of Foreign Airlines (SAFA) programme including an EU wide blacklist of unsafe airlines.

AEA position on European Safety Issues

All AEA members are committed to safety and have continued to invest in new equipment and procedures to enhance the already very high safety levels, despite the challenging economic climate. The aviation system, in particular in Europe, remains fundamentally safe. As usual the accidents will be analyzed and lessons will be learned to avoid a repeat of those terrible events.

The year 2004 was the safest in terms of fatalities since the creation of ICAO in 1944 and the second lowest in terms of the number of accidents. In 2004 there were 410 fatalities worldwide on 2 billion passengers transported. In 2003 and 2004, there have been no fatal accidents involving a European airline (based in a JAA Member State).

Despite those excellent results there is no reason for complacency and **aviation will have to continue to work in partnership to enhance its already excellent safety levels.**

In the past, industry, airlines and Authorities in Europe have worked in partnership to improve safety through the European Joint Aviation Authorities (JAA) and through direct participation of industry and airlines to working-groups drafting new rules. This has resulted in the excellent safety levels in Europe. **It is important that this partnership is continued in future by the European Aviation Safety Agency (EASA).** The nature of aviation safety rules is such that they can not be written in isolation without involvement of experts from the airlines and industry, who are familiar with day-to-day operations and safety trends

In 2002, the European Aviation Safety Agency (EASA) was created as an EU Agency based in Cologne responsible for aviation safety in the field of aircraft certification and maintenance. Its scope will in the near future be extended to flight operations, flight crew licensing and oversight of third country operators flying to the EU. The JAA will cease to exist and EU National Aviation Authorities (NAAs) will only remain responsible for local oversight in line with common EASA rules. This is a logical consequence of the common EU aviation market, which requires a single safety regulator.

In the near future, EASA is also expected to conduct standardization inspections of the EU National Aviation Authorities (NAA), which remain responsible for oversight of organizations and airlines based in their territory. In this context, **the AEA and other organizations represented in the EASA Advisory Board are very concerned about the lack of resources (lack of EU public subsidy to the EASA budget) available at EASA for such standardization inspections of EU NAAs and the lack of resources for EASA to train NAA inspectors which need to apply the common EASA rules.** The fact that EASA intends to rely on NAA inspectors to do standardization inspections of other NAAs could lead to conflicts of interest and would be detrimental to standardization within the EU.

A recent accident has highlighted that some EU NAAs still have a lot to learn. For airlines, which have a long history of safe operations a lack of capability at the NAA is not a major problem since it is not because there is a lack of capability at some NAAs that all airlines based in those countries are lacking safety culture. However, a lack of capability at some NAAs might become a problem if new airlines lacking safety culture are created in those countries, as result of the EU enlargement. Therefore, **it is crucial for the EU common aviation market that EASA has the resources to provide a proper inspection and training of all the EU NAAs.**

In the longer term the lack of resources at EASA for training & standardization could undermine the credibility of EASA and could put safety at risk. A lack of standardization within EASA would also undermine the level playing field within the common EU aviation market. Therefore, **the AEA and other interested parties are calling on all the EU governments and the European Commission to commit to provide proper public funding to EASA for this key task of standardization and training.**

With regard to third country operators, there is already a European Commission Directive on Safety Assessment of Foreign Airlines (SAFA Directive) which requires all EU Member States to set up a system to inspect foreign airlines landing at EU airports for their compliance with ICAO Standards. In case of serious short-comings those inspections have led to some airlines been denied further access to the airspace and being put on a blacklist or in case of less serious short-comings some airlines have been put under increased supervision. As result of recent accidents some countries have made public those blacklists and discussions have started on an EU wide blacklist.

The AEA is concerned about the fact that the ICAO system is not working, which has resulted in a lack of trust between the ICAO Member States. If the ICAO system would function properly there would be no need for safety inspections on third country operators. Therefore, the AEA strongly encourages the EU Member States and EU to take action to ensure a proper functioning of ICAO in order to ensure a uniform high level of safety oversight in all ICAO Member States, similar to the high safety levels achieved in Europe.

In the absence of a working ICAO system, the **AEA understands the legitimate political wish to address safety concerns with some third country operators.** However, experience has shown that the SAFA inspections have been lacking common criteria and that in some cases EU based airlines have been delayed for non-safety related reasons due to SAFA inspectors not being up to speed with EU regulations (e.g. asking for paperwork not required under EU law). Therefore, the **AEA believes that the SAFA Programme should be transferred to EASA and that there is a need to define better criteria for those inspections and to provide proper training to all SAFA inspectors.**

The facts that in several EU Member States, SAFA inspections are also conducted on EASA based airlines seem to indicate a lack of trust in the EASA system and a lack of trust between the EU National Aviation Safety Authorities. **The AEA believes it would be more productive to limit SAFA inspections to non-EU/non-EASA airlines, in particular coming from countries which lack safety oversight.** EU/EASA based airlines, are subject to oversight by their National Aviation Authority (NAA), in line with the common EASA rules applicable to EASA based airlines. EASA should have more resources to inspect all the EU NAAs in order to ensure an uniform level of safety oversight in all EU countries. The current EU public funding to EASA for standardization activities is inadequate and should be increased.

The AEA believes that with regard to safety concerns with some non-EU airlines, **there is a need for common criteria, including inspections, before deciding to ban a certain airline for safety reasons,** which can only be a last resort if all other means have been exhausted. The AEA strongly believes that **in first instance there is a need to try to address safety concerns with a third country operator through supporting the Authority responsible for oversight of the airline in question.** This is in particular important to avoid overreaction which might result in retaliation to EU based airlines.

Within the EU, there is also a **Directive on Safety Occurrence/Incident Reporting** in Civil Aviation, which requires the EU Member States to implement such a system by 4th July 2005. This directive complements the long existing safety reporting systems already available at most established airlines. **The AEA believes that this important directive will only achieve its goals if a common EU occurrence database is created and managed by EASA, to be used as input for its future safety strategy.** Also, in this case, the EU Governments and European Commission will have to provide the **proper funding to EASA to fulfill this important task.**

Finally, since most accidents still happen with some airlines based in Africa, Latin-America and some parts of Asia, **it is important that the EU, together with other more developed parts of the world, continues to support ICAO/IATA in its efforts to enhance safe in those regions which still have a lot to do to improve their safety levels.** Also in this case EASA could play a role, provided the proper EU public funding is provided.

This position was adopted following the AEA Technical & Operations Committee 02/05 meeting which met in Rome on 23rd September 2005.

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