

ERA POSITION ON DIRECTIVES 2003/42 ON OCCURRENCE REPORTING AND 94/56 ON ACCIDENT/INCIDENT INVESTIGATION

2003/42 – Occurrence Reporting

As air traffic in Europe is expected to grow significantly in coming decades, there is a need to constantly improve aviation safety by learning from aviation accidents and incidents. It is therefore vital that safety event data should be easily and securely exchanged between operators and regulators, in order that safety lessons may be learned as quickly as possible and ‘best practice’ developed to mitigate the reoccurrence of any future events.

ERA fully supports the non blame concept on which a successful occurrence reporting system is based. There has been a marked improvement in the safety culture where such a system has been in operation. The ability for an individual to admit an error, which others can subsequently take note of and subsequently amend their own procedures or training, in order to prevent similar errors, is of benefit to all concerned. It is especially valuable for smaller airlines where lower fleet numbers necessarily limit the ability ‘to learn from within’ and hence the value of other operators’ experience is consequently higher.

However the concept has to be on the basis of trust that:

- the occurrence report is confidential
- the occurrence report will be used to assist other operators to avoid a similar mistake
- the occurrence report will not be used in a court of law to instigate legal proceedings.

ERA has been an ardent supporter of the ‘Just Culture’ ideal and will continue to support and promote the provision of such an ideal in occurrence reporting ie free from threats of legal action, career inhibition risks etc, unless such actions resulted from wilful misconduct, non adherence to Standard Operating Procedures (SOPs) or under the undue influence of alcohol or any other form of substance abuse.

ERA additionally confirms that neither the Association nor its members condones deliberate acts of endangerment and criminal damage. ERA will support any legal action brought in such cases.

94/56 - Accident/Incident Investigation

Ideally significant safety events need to be independently investigated by aviation experts.

Short Term: ERA would like the EC is to encourage the establishment of mandatory coordination mechanisms among individual EU states’ Accident Investigation Branches [AIBs]. It is inexcusable (and substantially against the public interest) that existing institutional boundaries and justice systems prevent the free exchange of safety data that could help further enhance existing EU safety standards and thereby save the lives of EU citizens. Safety recommendations and the collective development of best practices derived from such data would make strong positive contributions to air safety in the EU and should be actively and urgently encouraged by all member states.



Without some additional regulatory EU pressure, certain states remain unwilling to assist in this way even after pressure from their own respective operators. We must have the mandatory backing to prevent some EU states purely paying 'lip service'.

This will then create a level of trust between AIBs and operators that will build a constructive relationship on accident and incident investigation in Europe and develop safety best practice to ensure the increase in aviation safety is in proportion to the envisaged growth in the air traffic in Europe in the coming decades.

Long Term: ERA proposes the establishment of an independent European Accident Investigation Agency requiring:

- a basis that is not rooted in traditional EU structures (in which positions are distributed even-handedly between member states) but using recognised best expertise and therefore almost certainly resulting in recruitment of personnel from existing Accident Investigation Boards in the EU's primary aerospace manufacturing industry states
- an institutional structure that is impervious to the influence of national interests
- funding by Community contributions and un-associated with the European Aviation Safety Agency
- the willingness of the EU27 states to relinquish individual representation in ICAO in order that no EU state differences or variations are filed.
- the revision of individual legislative structures in the EU27 that currently prevent any form of confidential occurrence reporting systems and, in its place, the establishment at and EU level of similar levels of trust that are currently experienced between individual AIBs and their respective operators.

This will require a considerable change in the culture of some of the individual states of the EU27 and this will require time and the establishment of a gradual level of confidence and cooperation between the individual AIBs.

The necessary first step toward achieving the level of trust and cooperation amongst AIBs must come from the implementation of the establishment of a mandatory coordination mechanism among individual EU states Accident Investigation Branches [AIBs].

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