

EU LAWS AND POLICIES

EU AVIATION SAFETY AND IMPACT ON INDIAN AIR TRANSPORT

Prof. Ludwig Weber

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EU AVIATION SAFETY POLICY

- CONSUMER-ORIENTED
- LARGELY CONSUMER-DRIVEN
- ELEMENTS:
 - EASA
 - AIRLINE BLACKLIST
 - RAMP INSPECTIONS + DATA BANK
 - HARMONIZATION OF RULES + PROCEDURES

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- EUROPEAN AVIATION SAFETY AGENCY
 - SET UP IN 2002 BY EU REGULATION
 - 27 EU MEMBER STATES
 - COMMON RULEMAKING FUNCTIONS IN:
 - AIRWORTHINESS
 - OPERATIONS
 - LICENSING
 - COMMON INSPECTION FUNCTIONS:
 - RAMP INSPECTIONS (SAFA)

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OTHER COMMON FUNCTIONS:

- CERTIFICATION

TYPE CERTIFICATE (e.g. A 380)

IN FUTURE: C of A

- LICENSING

IN FUTURE: CERTAIN ANNEX 1
LICENSES

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EU BLACKLIST OF OPERATORS

- REASONS

HIGHLY PUBLICIZED AIR CRASHES INVOLVING NON – COMMUNITY CARRIERS (e.g. BIRGENAIR)

PROTECTION OF PASSENGERS + PUBLIC AGAINST RISK OF AIR CRASH; TRANSPARENCY; COMMON CRITERIA FOR OPERATING BAN

- LEGAL BASIS

REG.(EC) 2111/2005 ON A COMMUNITY LIST

- LIST

COM REG.(EC) 474/2006 as last amended by 1400/2007 (28/11/07)

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- STRUCTURE

TWO-PART LIST: ANNEX A – OPERATING BAN
ANNEX B - OPERATING RESTRICT.

OPERATING BAN: TO APPLY IN ALL MEMBER STATES

BAN DOES NOT CURTAIL TRAFFIC RIGHTS

OBLIGATION TO INFORM PAX ABOUT OPERATOR

OBLIGATION TO REIMBURSE OR REROUTE PAX

PENALTIES FOR NON-COMPLIANCE:
EFFECTIVE, PROPORTIONATE AND DISSUASIVE

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- IMPACT

OPERATING BAN: OPERATOR MAY NOT FLY TO/FROM OR WITHIN THE EU, INCL. ECAA

OPERATING RESTRICTIONS: OPERATOR MUST RESPECT RESTRICTIONS WHEN FLYING TO/FROM OR WITHIN THE EU;

WET-LEASE OPERATIONS PERMITTED.

ART.3 OF COM.REG.(EC) 473/2006 PROVIDES FOR JOINT CONSULTATIONS WITH THIRD STATES

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- CONSULTATIONS UNDER REG.473/2006 BETWEEN COM/MS AND THIRD STATES:
 - NORMALLY BEFORE OPERATING BAN IS IMPOSED
 - IN CASE OF URGENCY, IMMEDIATELY AFTERWARDS
 - BUT: IN CASE OF URGENCY, ADVANCE NOTIFICATION

EXAMPLES: CONSULTATIONS WITH AFGHANISTAN, KYRGYSTAN, NORTH KOREA, PAKISTAN, AND THAILAND IN 2006 AND 2007

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- COMMENT ON PRESENT SITUATION

ON LIST A: 151 OPERATORS FROM 14 STATES, OF WHICH 5 IN ASIA

ON LIST B: 2 OPERATORS FROM 2 STATES, OF WHICH 1 IN ASIA

SO FAR, NO NEGATIVE IMPACT ON BILATERAL RELATIONS

BUT: COMMERCIAL IMPACT ON CERTAIN OPERATORS

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EASA RAMP CHECKS AND DATA BANK

- RAMP INSPECTIONS: MOSTLY RANDOM INSPECTIONS OF A/C WHILE AT THE RAMP
- PREVIOUSLY HANDLED BY JAA
- SINCE 1 JAN. 2007 HANDLED BY EASA
- PROCEDURE SET OUT IN COM REG.(EC) 768/2006

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- RAMP CHECKS AND DATA BANK

NEW FEATURES UNDER REG.768/2006:

- MANDATORY PROGRAMME
- ENHANCED DATA COLLECTION
- MANUAL ON COMMON STANDARDS
FOR RAMP CHECKS
- YEARLY REPORT TO COM & PUBLIC

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- RAMP CHECKS AND DATA BANK
- DATA ON 2006:
 - 5401 INSPECTIONS OF
 - 762 OPERATORS FROM 122 STATES
 - RESULTING IN 8383 FINDINGS
 - 50% MINOR, 36% SIGNIFICANT, 13% MAJOR FINDINGS

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- RAMP CHECK DATA ON 2006:
 - 133 INSPECTIONS OF 26 ASIAN OPERATORS FROM 14 ASIAN STATES
 - 9 INSPECTIONS OF INDIAN OPERATORS (AIR INDIA)
 - FOR ALL 26 ASIAN OPERATORS:
265 FINDINGS, OF WHICH 127 SIGNIFICANT AND 57 MAJOR

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- RAMP CHECK DATA ON 2006:
- No. OF FINDINGS BELOW AVERAGE :
NACC, EUR, PAC REGIONS
- No. OF FINDINGS ABOVE AVERAGE :
ASIA, ME, NORTH AFR
- HIGHEST NO. OF ALL FINDINGS:
AFRICA, RF, BELARUS, CENTRAL ASIA

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- HARMONISATION OF RULES AND PROCEDURES
 - BY EASA
 - AIRWORTHINESS, OPERATIONS, LICENSING
 - ACCIDENT INVESTIGATION, CONSUMER RIGHTS AND OTHER AREAS
- HIGH-LEVEL GROUP ON AVIATION REGULATION (ATM): REPORT OF JULY 07 RECOMMENDATIONS ON PATH TO SINGLE EUROPEAN SKY

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- EASA WORKING ARRANGEMENTS AND TECHNICAL AGREEMENTS :
 - WITH 14 EUROPEAN STATES (NON-EU)
 - WITH 7 NON-EUROPEAN STATES AND INTERSTATE AVIATION COMMITTEE

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- CONCLUSIONS

EU SAFETY POLICY IMPACTS CARRIERS
FROM INDIA DIRECTLY:

- EASA RAMP INSPECTIONS
- EU BLACKLIST
- EASA CERTIFICATION AND LICENSING

RAMP INSPECTIONS DATA MAY CONTRIBUTE TO
IMPROVE SAFETY

FUTURE RELATIONS MAY BE GUIDED BY COMMON
OBJECTIVES

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THANK YOU