

Useful links

[Air safety website](#)
[Air transport public consultations website](#)

Background documents

[Council Directive 94/56/EC of 21 November 1994 establishing the fundamental principles governing the investigation of civil aviation accidents and incidents](#)
[Council Directive 2003/42/EC of the European Parliament and of the Council of 13 June 2003, on occurrence reporting in civil aviation](#)
[Privacy statement](#)

Aviation: possible revision of Council Directive 94/56/EC of 21 November 1994 and of Council Directive 2003/42/EC of 13 June 2003



► Useful links - Background documents

Aviation safety stands today at a very high level. However, air traffic in Europe is expected to grow significantly in the coming decades. In order to maintain that safe track record, and further improve the safety levels, additional measures must be taken. The European Commission has indicated in its White Paper on European Transport Policy for 2010 and in the mid-term review of the White Paper its policy to at least maintain the current safety standards, despite the growing volume and complexity of air operations.

Directives 94/56/EC and 2003/42/EC were established to increase aviation safety by learning from aviation accidents and incidents. Directive 94/56/EC established Aviation Accident safety Investigation Independent Bodies (AIBs) at National level. Subsequent Directive 2003/42 introduced occurrence reporting by individual aviation professional, in all cases where safety concerns might emerge. These occurrences may in fact be precursor of an accident at a later date, so their early identification and analysis, might prevent more severe accidents in the future. The same Directive 2003/42 initiated the development of software tools (programme ECCAIRS under the responsibility of the EC Joint Research Centre - JRC), potentially suitable for a central European safety data base architecture, which could allow Aviation Authorities and Agencies, at National and European level, to share common information in order to undertake their respective studies and analysis.

The White Paper on Transport also addressed the issue of accident investigation. It was indicated that transport accidents and incidents should be better investigated, independently

and only for safety purposes. The Commission therefore established a group of independent experts, whose task was, inter alia, to recommend improvements to existing legislation. A restricted consultation process was carried out within this framework. The related Aviation Sub Group of this group of independent experts concluded its work in May 2006, and indeed it identified the need to revise the existing subject legislation. The European Commission has assigned the company ECORYS the task to carry out an impact assessment study for a possible revision of both Directives 94/56/EC & 2003/42/EC. An important element of the impact assessment is the stakeholders' consultation process. In this process relevant stakeholders are asked for their opinion concerning the various options for such a revision. Results of stakeholders' consultation are input in the impact assessment study, which is an important contribution for determining the intervention logic and possible consequences of an intervention.

In order to assess the possibility for further action on the EU level, the Commission has published a short consultation paper on the subject, which includes 6 questions. If you feel that your opinion would benefit this Impact Assessment, you are invited to fill in this questionnaire.

Your answers will remain confidential and they will be used only for this assessment, by the European Commission and its consultant ECORYS. Only the summary results of the study, including a statistical analysis of the totality of the replies, will be published on the web in the second half of 2007.

The closing date is 2 March 2007.

Please note that:

- *The session time is limited to 1 hour 30 min, which means that you should submit your reply within this allotted time. If you would exceed this timeframe, your replies would unfortunately be lost.*
- *If your replies need to be co-ordinated internally, we suggest that you print the blank questionnaire, make it circulate among your colleagues/ services and elaborate your reply off-line (eg in MS Word). At the end, a designated person should enter the answers online (you can "copy/paste" text you prepared in word).*
- *After you have clicked on "submit", you should get a confirmation page stating that your reply has been recorded. If this is not the case, and if the survey page is re-loaded instead, please check if you have filled in correctly all compulsory questions, or if you have not exceeded the maximum number of characters for free text questions. In this case, an error message appears next to the question for which something is wrong or missing.*

Your Details

Please provide us with your contact details:

Organisation (optional)

Peopil

Unit / Department (optional)

Name contact person (optional)

Dr Wolfgang Resch

Function (optional)

Execuive Director

Email address (optional)

Telephone number (optional)

QUESTIONS

1. The European Commission is considering whether there is a need to revise the Directives 94/56/EC & 2003/42/EC. Does the current situation in your opinion call for such EC intervention? (optional)



Yes







No



No opinion

2. Could you rank the four policy options according to your preference?

1 = lowest preference, 4 = highest preference

	1	2	3	4	No opinion
Option 1: Retaining of current situation ("do nothing")  (optional)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Option 2: Promotion of voluntary coordination (but no additional EU regulations)  (optional)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Option 3: Modify the Directives 94/56/EC & 2003/42/EC  (optional)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Option 4: Establish a central European body tasked to carry out safety investigations in transport  (optional)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Could you provide us with your motivation for this ranking? (maximum 2000 characters) (optional)

Investigation of civil aviation accidents and incidents is often the subject of delay, particularly where there are a number of possible technical causes of an accident which have to be eliminated. If the task of carrying out such investigations was to be passed to a central European body there is a risk of additional bureaucracy and there is a risk that additional delays will occur.

While the Directives probably require some modification, a central European body would be more effective if it were to co-ordinate the investigations carried out by the national bureaux, monitor the quality of the investigations carried out by the national bureaux and identify and enforce the implementation of all appropriate recommendations made by the national bureaux in its investigation reports. More suggestions as to the function of such a body are suggested in the response to question 4 below.

Any proposals for change should be mandatory and not voluntary - this is the best way to ensure that all member states achieve the same standards.

4. "Option 3" includes a number of central functions. To which extent do you agree that these functions should be addressed centrally in Europe?

	Agree	Partially agree	Do not Agree	No opinion
Central European filing system of occurrence reports, in the context of a 'just culture' (optional)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Common training and competence scheme for investigators (optional)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
European safety data repositories for investigation reports and recommendations serving AIBs, EASA, NAAs, EUROCONTROL (optional)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Investigation reports can best be written in a ICAO language (the concerned AIB can choose one of the three EU ICAO languages) (optional)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Summaries of investigation reports and recommendations can best be written in English. (optional)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Central European coordination mechanism that arranges for the sharing of investigators, meaning that member states could make use of the expertise of AIBs in other member states through a central coordination mechanism (optional)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Central European mechanism that ensures that all safety recommendations, issued by national investigating authorities, are	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

disseminated to all interest parties within Europe (optional)

Central mechanism that regulates the accountability for the addressees to reply to safety recommendations (optional)

Central mechanism that monitors the status of the implementation of safety recommendations (optional)

Other functions that need to be organised on a European level (optional)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Remark on "option 3" central functions (maximum 2000 characters) (optional)

At present, member states have responsibility for the investigation of aviation accidents occurring within their territory. The quality of the investigations does vary from member state to member state. One of the main aims of a European Transport Safety Board should be to ensure consistently high quality investigations are performed. This can be achieved through a central training programme and also a competency framework for investigators which might include a range of qualifications to be achieved at different levels of competency. The proposal for the sharing of investigators can also assist with this.

Any recommendations made in the reports of the national bureaux should not only be disseminated but also implemented, with sanctions being imposed upon stakeholders and/or member states for failure to implement recommendations in appropriate circumstances. The Board could also carry out audits in relation to the compliance of member states with minimum safety standards.

Once established, the Board should also liaise with non-European air accident investigation teams where accidents occur in countries outside of the EU and which either involve European carriers and/or European citizens. In countries

5. "Option 4" addresses a European Transport Safety Body (all transport modes), comparable with the US equivalent (= National Transport Safety Board). In case this option should be pursued, do you agree that this safety body should include all modes of transport or do you think this should be limited to an Aviation Safety Body (that would address only civil aviation)? (optional)

<input checked="" type="checkbox"/> Yes, all modes of transport	<input type="checkbox"/> No, only civil aviation	<input type="checkbox"/> No opinion
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6. Do you have any other remarks / comments? (maximum 2000 characters) (optional)

The role of any European Transport Safety Board should be regulatory in nature but it should not undertake investigations itself. It should encourage "Best Practice" and have an educational role as well as the ability to comment on any general or specific concerns about the provision of safe transport and the regulation of transport methods within EU member states.

SUBMIT