

Safety Investigations – Setting the Scene

The role of EASA

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Your safety is our mission.

Summary – Why/How EASA is involved in Annex 13

- Annex 13 and EU Regulation Nr. 996/2010
- Safety Investigations - Participation of EASA
- Role of EASA in ENCASIA
- Setting the scene: Key Challenges and Highlights

The objectives of the EU Reg Nr 996/2010



- Regulation (EU) 996/2010 implements international standards and recommended practices as described in ICAO Annex 13
- **EU legislation** covers accident investigation, incident reporting, confidentiality/protection, along ICAO principles and goes beyond (ENCASIA, SR management)

*It sets down an obligation for each EU MS to establish an **independent national civil aviation safety investigation authority**, to investigate accidents and serious incidents in order to improve aviation safety and prevent future occurrences, **without apportioning blame or liability.***

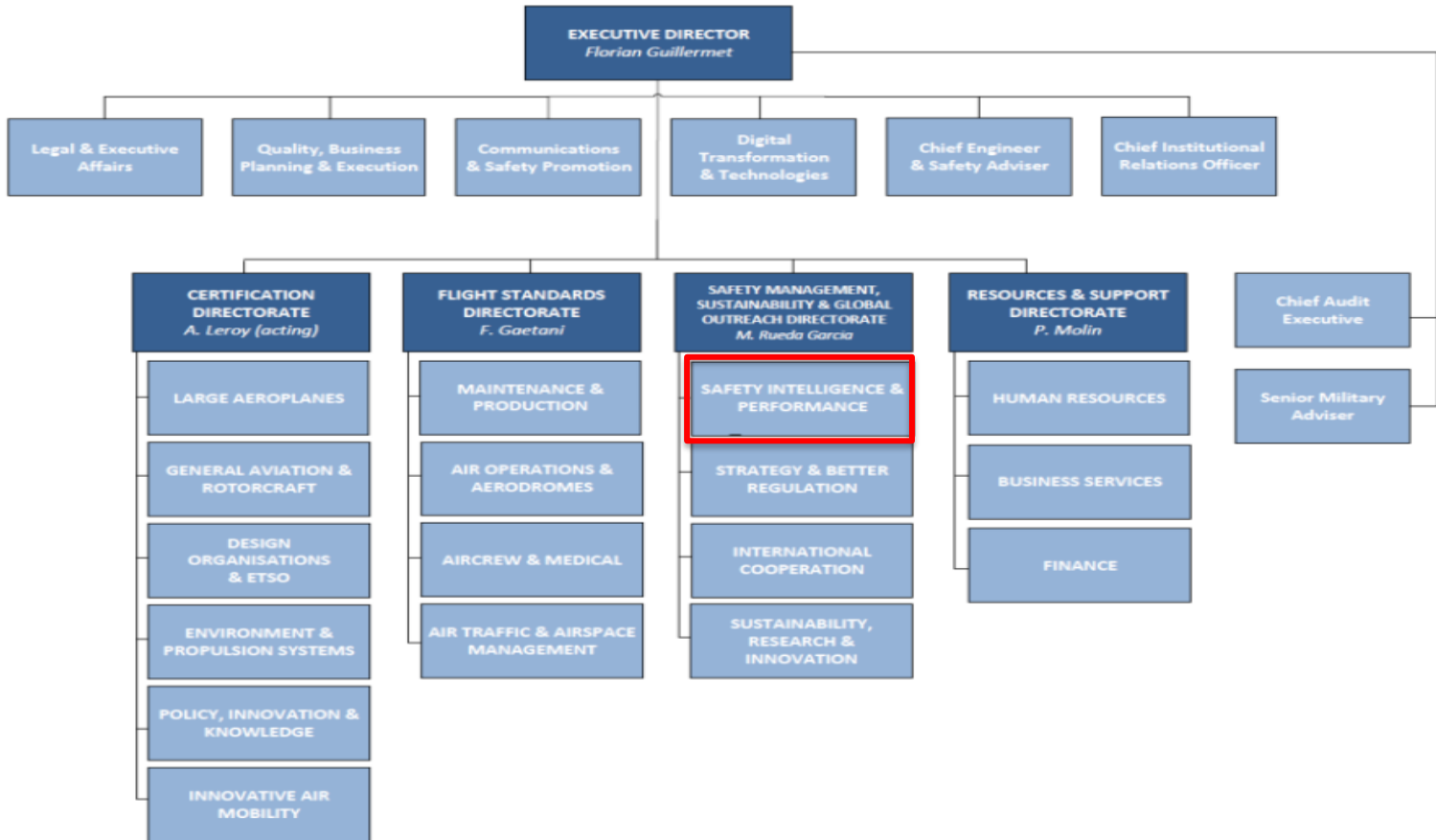
Safety Investigations - Participation of EASA

- **Art 8**, EU Reg. Nr. 996/2010 requires EU AIAs to invite EASA to appoint a representative to participate:

- ❑ as an adviser to the investigator-in-charge in any safety investigation conducted by an EU AIA;

- ❑ as an adviser appointed under this Regulation to assist accredited representative(s) of the Member States in any safety investigation conducted in a third country to which an EU AIA is invited to designate an accredited representative.

Safety Investigations - Participation of EASA



Safety Investigations - Participation of EASA



□ 1 Section Manager

✓ Accident/Incident Investigation and Safety Recommendation follow up

✓ 1 Senior Safety Investigation Officer

✓ 3 Safety Investigation Officers

- ✓ 1 Safety Recommendation

- ✓ 1 Investigation functional mailbox management

- ✓ 1 having SIA background

✓ 1 SNE (Seconded National Expert) Safety Investigation Officer

✓ CSR – Confidential Safety Reporting

- ✓ 2 CSR Officer

Safety Investigations - Participation of EASA

Active participation into safety investigation as EASA Technical Advisor

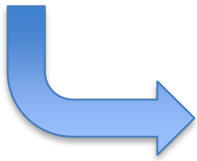
Internal circulation of data supporting other EASA processes

To feed the EASA SRM with data from investigations

Safety Recommendation management process involving representatives from all the EASA domains

Participation into international cooperation projects as AIG experts (i.e. APAC CAT activity and USOAP)

Issue of the Quarterly and Annual Safety Recommendation Review



Need to maintain a working coordination with European Union (and non-EU) Accident Investigation Authorities

Safety Investigations - Participation of EASA

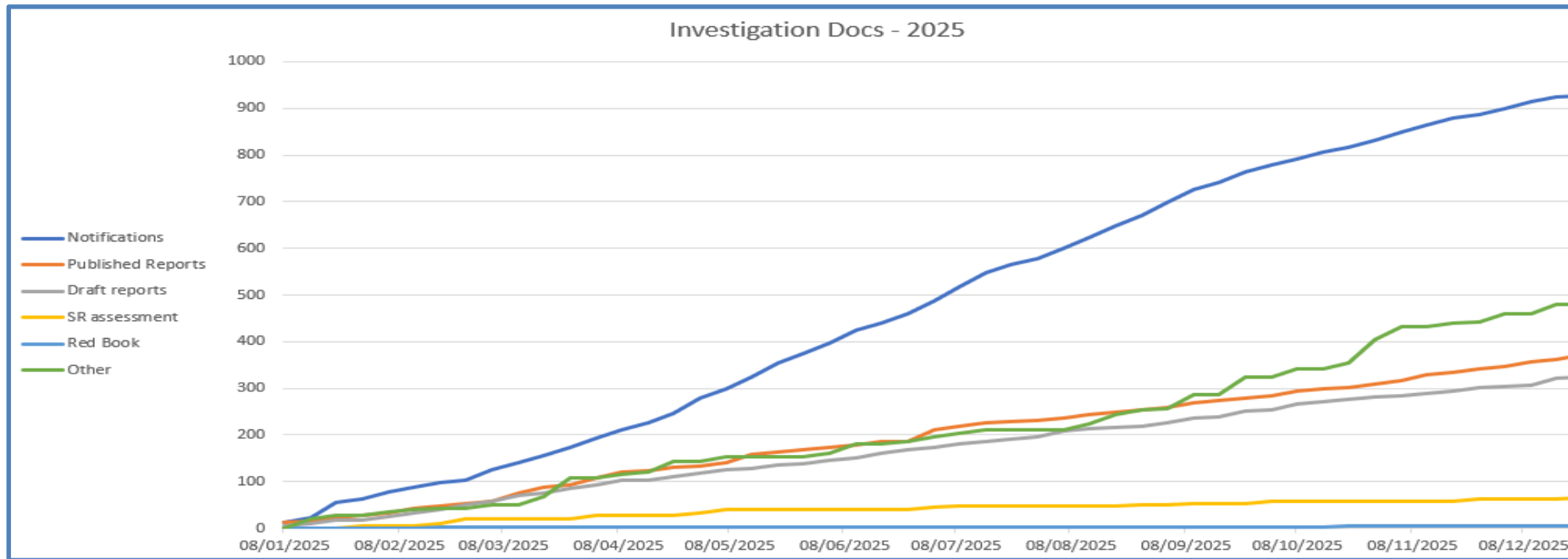
EU Type Certificate Holders:



and others...



Safety Investigations - Participation of EASA



- ❑ More than 900 notifications.
- ❑ More than 300 draft/final reports.
- ❑ About 500 comms classified as “Other” (mainly related to ongoing investigations).

Example: EASA participation requested by non-EU Country

- Accident on B737 MAX, 10/03/2019:
 - ❑ At the beginning of the investigation, no EU AIAs was involved within the investigation led by Ethiopian AIA (AAIB);
 - ❑ EASA had no rights as per EU Reg 996/2010 to participate to the investigation;
 - ❑ EASA received a request to participate into the investigation process as per Annex 13



RESPONSIBILITY OF THE STATE CONDUCTING THE INVESTIGATION

Note.— Nothing in the following provisions is intended to preclude the State conducting the investigation from calling upon the best technical expertise from any source.

ENTITLEMENT OF ACCREDITED REPRESENTATIVES

Advisers

5.24 A State entitled to appoint an accredited representative shall also be entitled to appoint one or more advisers to assist the accredited representative in the investigation.

Note 1.— Nothing in the above provisions is intended to preclude a State participating in an investigation from calling upon the best technical experts from any source and appointing such experts as advisers to its accredited representative.

Annex 13

Safety Investigations - Participation of EASA

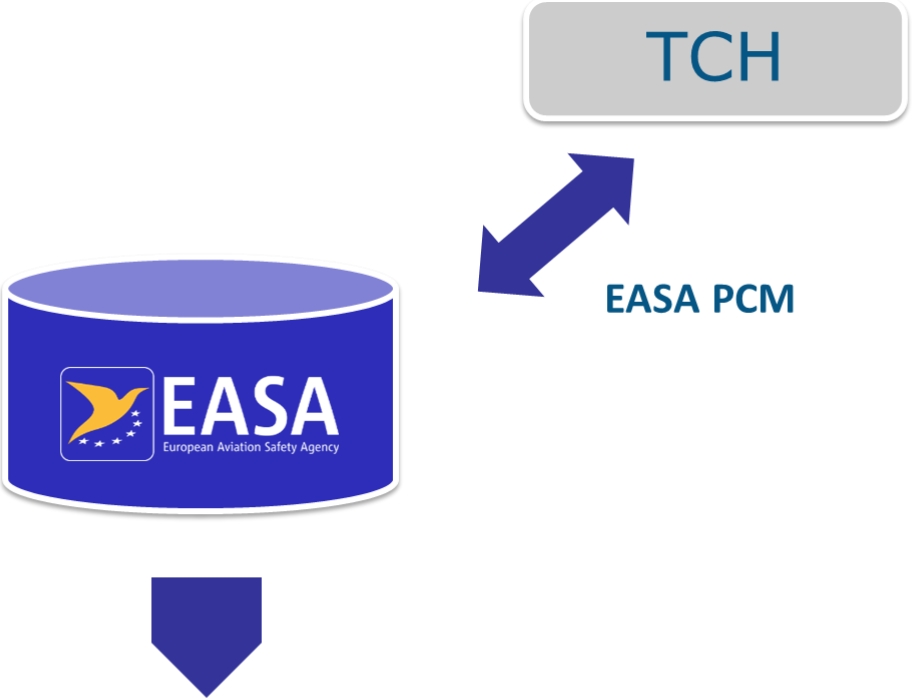
❑ Go-Team missions with EASA TA since 2015:

- ❑ 2015 – A320 Germanwings in France
- ❑ 2015 – ATR72 TransAsia Airways in Taiwan
- ❑ 2015 – A321 Metrojet in Egypt
- ❑ 2016 – EC225 in Norway
- ❑ 2016 – A320 EgyptAir in Egypt
- ❑ 2018 – A109 in Mexico
- ❑ 2019 – B737MAX Ethiopian Airline in Ethiopia
- ❑ 2019 – Fokker 100 in Kazakhstan
- ❑ 2020 – A320 PIA in Pakistan (To BEA, Paris, during Covid lockdown)
- ❑ 2022 – AN12 in Greece
- ❑ 2023 – ATR72 in Nepal
- ❑ 2024 – A350 Japan Airlines in Japan
- ❑ 2024 – ATR72 in Brazil



Covid {

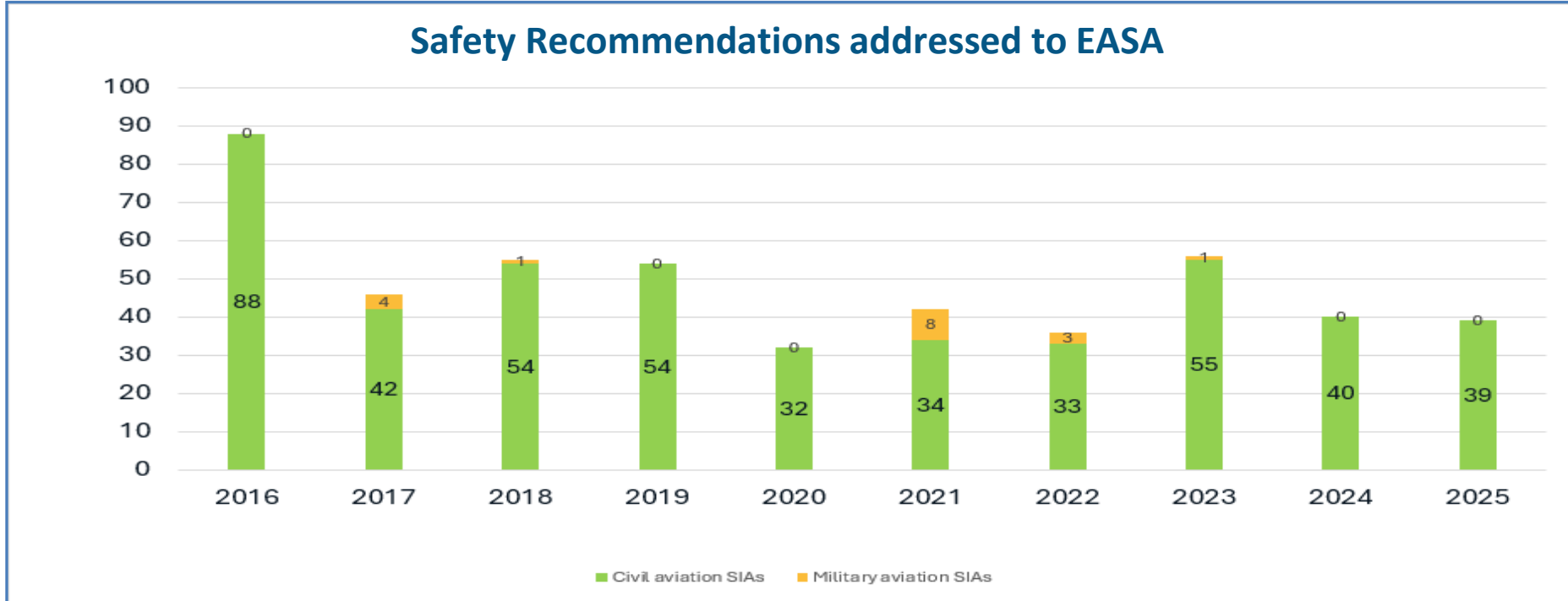
Safety Investigations - Participation of EASA



Airworthiness Directives / SIB / Other mitigation actions

Safety Investigations - Participation of EASA

- The Agency uses a customised version of the EU SRIS2, administered by the Safety Investigation Section



Role of EASA in ENCASIA



- **Art. 7.1:** *Member States shall ensure that their safety investigation authorities establish between them a European Network of Civil Aviation Safety Investigation Authorities - ENCASIA [omissis].*

EASA takes part as an observer and contributes in WG activities

- ✓ **WG 2 – Cooperation (and best/good practices of investigation in Europe)**

- Drafting of best/good practices about the coordination between AIAs and EASA (IIC/AccRep and EASA Technical Advisor).

- ✓ **WG 6 – Safety Recommendations and WG 7 – ICAO matters**

- Drafting guidelines on the use of SRIS2.
- Analysis/Tests on the use of (E2) for direct notification “AIA to AIA” and “AIA to EASA”.
- E2/SRIS2 IT development and Training on SRIS2 (and E2 about the notification functions).
- (WG7) Collections of feedback on SL and drafting of a letter related to the ENCASIA position

Key Challenges

- AIAs to achieve an effective status of independency
- Regulatory gaps to separate Annex 13 from judicial investigations
- Lack of provisions to make the Final Reports publicly available

Difficulties to attract, recruit and retain qualified/experienced investigators

Training of investigators: weak programmes/plans/records/OJT

- Lack of systematic recording of Safety Recommendations
- Lack of procedures for mutual access and analysis of data gathered by CAAs and AIAs

Highlights

Interdependency does not mean isolation

- ❑ Cooperation between stakeholders can only make the system more effective:
 - ❑ Technical Advisor “active” roles since the beginning of the investigation process (Aviation Authorities, Manufacturers, Operators);
 - ❑ Draft report – commenting phase;
 - ❑ CAW – potential issues to be assessed promptly;
 - ❑ Safety Recommendations – draft and follow up.

AIA to lead and coordinate the whole process

Thank you for your attention!

Questions?



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An Agency of the European Union 

The objectives of the EU Reg Nr 996/2010

- The Regulation **applies** to safety investigations into accidents and serious incidents which occur:
 - ❑ in territories of an EU Member State;
 - ❑ outside the territory of Member States and involving Member State registered or operated aircraft; or
 - ❑ in territories where an EU Member State (MS) may appoint a representative or has a special interest by virtue of, for example, fatalities to its citizens.
- The Regulation **does not apply** to safety investigations into accidents and serious incidents which involve aircraft engaged in military, customs, police or similar services

Safety Investigations - Participation of EASA

- Whereas (9):
 - ❑ *EASA carries out on behalf of the Member States the functions and tasks of the State of Design, Manufacture and Registry when related to design approval, as specified in the Chicago Convention and its Annexes. Therefore EASA, in accordance with Annex 13 to the Chicago Convention, should be invited to participate in a safety investigation in order to contribute, within the scope of its competence, to its efficiency and to ensure the safety of aircraft design, without affecting the independent status of the investigation. National civil aviation authorities should be similarly invited to participate in safety investigations.*



The responsibility for accident investigation remains with the EU Member States.

The objectives of the EU Reg Nr 996/2010

- The responsibility for accident investigation remains with the EU Member States.
- All accidents and serious incidents in civil aviation must be subject of a safety investigation (art. 5.1).....
- ...other than aircraft specified in Annex I to the Reg. (EU) Nr. 2018/1139):
 - ❑ Historical aircraft;
 - ❑ Aircraft built by “amateur”;
 - ❑ “Ultra Light” aircraft (i.e. with MTOM less than 450 kg for two-seater);
 - ❑



Safety Investigations - Participation of EASA

- EASA issues a Quarterly SR report:
 - ❑ It lists all the SR addressed to EASA and received on a three months timeframe, and all the SRR issued by EASA on the same timeframe
 - ❑ It is sent to all the EU National Aviation Authority and EU AIA

- **EASA publishes an Annual SR Review:**
 - ❑ Statistics and list of all the SR and SRR worked on the previous year.
 - ❑ Publicly available on the EASA website.

