

ELEVENTH AIR NAVIGATION CONFERENCE

Montreal, 22 September to 3 October 2003

**Agenda Item 2: Safety and security in air traffic management
(ATM)**

**2.1 Safety management systems and programmes
:**

**EUROPEAN LEGISLATION ON OCCURRENCE REPORTING IN
CIVIL AVIATION AND USE OF COMMON INFORMATION
EXCHANGE NETWORK**

(Presented by the European Commission)

SUMMARY

The European Community is strengthening the legislation in the aviation safety field on the basis of common requirements and common implementation mechanisms. To that end, the European Community has created an agency in charge, in a first step, for certification and maintenance and is developing common rules for the prevention of accidents and incidents.

A new European Community legislation requires member States to set up a mandatory system of reporting of occurrences in civil aviation, to collect, store and protect safety-relevant information and to participate in an exchange of information as provided in Annex 13. In order to facilitate the compliance by the member States with this legislation, the Joint Research Centre of the European Commission has developed an automated tool which ensures compatibility between the national reporting systems and creates a network for the exchange of information. This tool, which implements ICAO Standards, has also been supplied to ICAO for the support of the ADREP system, enabling the member States of the European Union to comply with their reporting obligations to ICAO in an automated manner. It has also been distributed to a number of ICAO States for their own use.

The conference is invited to take note of this new legislation, to invite the Council to reinforce the existing SARPs by introducing similar requirements and to encourage States to use compatible exchange tools for the benefit of the whole civil aviation industry.

1. INTRODUCTION

1.1 Amongst the various important developments involving the civil aviation industry in the European Community, much effort has been devoted to the strengthening of the safety-related legislation. The principles applied to reach that aim are based on the establishment of common requirements and common implementation mechanisms. A recent example of this has been the creation of a European Aviation Safety Agency that will be tasked, in a first step, to deal with certification and maintenance of aeronautical products in Europe. Another aspect of the European efforts in the improvement of safety is the development of common rules for accident and incident prevention. These rules are largely based on and fully in line with the ICAO standards and recommended practices.

1.2 Annex 13 — *Aircraft Accident and Incident Investigation* — requires States to establish a mandatory incident reporting system to facilitate collection of information on actual or potential safety deficiencies and recommends the promotion of establishment of safety information sharing networks. It also recommends that States establish a voluntary incident reporting system. These provisions are contained in Chapter 8 under the title Accident Prevention Measures.

1.3 After having adopted a directive on accident investigation in 1994, the European Commission decided that, in order to be more pro-active, it was also necessary to draw the safety lessons from other types of occurrences which are more frequent and constitute very often precursors of accidents. Having studied the situation in the member States of the European Union, it appeared that the level of treatment of incidents

was very different from one State to another and that it would be necessary to improve this level and to enable exchange of information to help earlier detection of potential safety threats.

1.4 Due to the difference of level and the incompatibility of the national systems, it was felt necessary to start first with the development of supporting tools and, on the basis of the insight gathered, to draft the necessary enabling legislation.

2. DEVELOPMENT OF THE ECCAIRS SYSTEM

2.1 Study showed that a number of member States of the European Union were using automated tools for collection, storage and/or analyses of incident reports submitted under their civil aviation regulation, but none were compatible. Some other member States had a regulation but did not benefit from automated systems. Finally, in some member States, there was no national obligation to collect incident reports. It was therefore decided that a system should be developed in order to enable exchange of information between incompatible systems and that this system could also be supplied as a tool for those member States which would need one.

2.2 The Joint Research Centre of the Commission was tasked with developing such a system under the ECCAIRS programme (European Co-ordination Centre for Aviation Incidents Reporting Systems). The data base contained in ECCAIRS uses ICAO's Accident/Incident Data Reporting (ADREP) taxonomy as a basis in order to ensure a common basis with the international aviation industry. In this way, it also facilitates the member States compliance with their international reporting obligations.

2.3 ECCAIRS is presently in use in a number of member States as a stand-alone system, it is in different stages of introduction in a number of other member States and should be established as a network after the entry into force of the directive on occurrence reporting. It has also been selected by ICAO to run the ADREP data base and will enable the member States of the European Community to transfer data directly to ICAO.

3. DIRECTIVE ON OCCURRENCE REPORTING

3.1 In December 2000, the European Commission adopted a proposal for a directive of the European Parliament and of the Council on occurrence reporting in civil aviation. This proposal was submitted to the European Union institutions for formal adoption and, after a number of amendments, was formally adopted.

3.2 The main provisions of this directive are summarised hereunder:

- a) member States shall require that a number of safety related occurrences are reported by civil aviation personnel to a designated authority;
- b) this authority shall collect the information and will store it in a data base compatible with that of the other member States, the Commission supplies its own system to member States wishing to use it;

- c) there will be an exchange of information between the member States and the Commission;
- d) all the participating authorities will have access to the information but further dissemination will be limited, taking into account on the one hand the need to protect information and, on the other hand, the need to ensure that safety information reach those which could use it to further improve the level of safety;
- e) provisions are laid of to ensure the confidentiality of information and the protection of reporters except in case of gross negligence; and
- f) in addition, member States are encouraged to set up voluntary confidential reporting systems.

4. **ACTION BY THE CONFERENCE**

4.1 The European Community and its member States call upon the conference to:

- a) note the principles and the provisions contained in the European Union directive, fully in line with relevant existing SARPs contained in Chapter 8 of Annex 13 concerning occurrence reporting and in particular is applying regional exchange of safety data.

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