

Measure 24: Safety of third country aircraft

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<p><i>Policy package:</i></p> <p>3D: Air transport safety, quality and environment</p>
<p><i>Measure 24:</i></p> <p>Safety of third-country aircraft</p>
<p><i>What is the problem being addressed ?</i></p> <p>At the beginning of '90s the so called "third aviation package" has created an internal aviation market where the rules for the operation of air services have been largely harmonised thereby providing a satisfactory basis for improving the safety of the Community citizens travelling by air on such services. Since then there was general agreement on the need to set in place a system for assessing the levels of safety actually achieved by foreign air carriers operating services to and from EU countries. Recent experience has shown that carriers from third countries do not always apply the minimum international safety standards while having access to the Community airports thereby creating a threat for Community citizens travelling with such carriers or living near community airports.</p> <p>In order to address this problem, some Member States already carry out ramp inspections of foreign aircraft but in an isolated manner. The purpose of this measure is to extend this practice to the whole Community territory. As a consequence, Member States would benefit of the strength of a common stance with regard to third countries and avoid that unsafe aircraft could be redirected to neighbouring airports where such inspections would not be carried out.</p>
<p><i>Measure's costs and/or benefits:</i></p> <p>According to the financial statement attached to the proposal for a Directive of the European Parliament and of the Council, the yearly running costs of the total programme to ensure the safety control for third country aircraft have been estimated at Euro 728.950. It is suggested that the Commission participation be limited to around 12% that is to say 85.000 Euro.</p>
<p><i>Legislative implementation at the EU level:</i></p> <p>The Directive 2004/36/CE of the European Parliament and of the Council of 21 April 2004 on the safety of third-country aircraft using Community airports has been published on the Official Journal of the European Union of 30 April 2004, entering into force on the day of publication.</p> <p>Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 April 2006.</p> <p>Since 1996 the European Civil Aviation Conference (ECAC) has been applying the Safety Assessment of Foreign Aircraft (SAFA) procedure as a means of systematically and transparently monitoring all aircraft suspected of posing a risk to aviation safety. The new Directive now formalises this SAFA procedure within the Community, introducing a coordinated approach with information exchanges as well as inspections, thus making it easier to identify potential aircraft defects at an earlier stage.</p>
<p><i>What are the objectives ?</i></p> <p>The objective of the measure is to contribute to the improvement of air safety by ensuring that third countries carriers comply with international safety standards. In order to reach this goal, it will be necessary to make inspections of foreign aircraft landing at Community airports, to collect and disseminate information on these aircraft and to take measures to ensure that corrective actions are taken.</p> <p>As the general objective is to improve safety by ensuring third countries carriers offer acceptable compliance with international safety standards, the main target population will be all the European travelling public as well as the populations living in the vicinity of airports. Passengers will be able to find out whether their flight is being run by an operator with a dubious safety record. In addition, non-EU aircraft can expect to be grounded and their crews may face inspections if there is good reason to suspect that safety rules are being flouted.</p> <p>A key demand of the European parliament concerning this measure, accepted by the Council, is that air carriers from the non-EU countries will be "named and shamed" throughout the EU if they fail to meet international safety standards. According to the Directive, the Commission must publish an annual report analysing the information gathered through control conducted by the Member States.</p> <p>Objective achievement can be measured monitoring the effective realisations of ramp inspections, their direct results in terms of corrective actions taken on the aircrafts, and the regular dissemination of the information on the safety level of the third country aircraft and air carriers as required by the Directive.</p>

Interactions with other WP measures:

The measure is complementary to Measure 18 “Common rules in the field of civil aviation and establishment of a European Aviation Safety Agency” in that it aims to ensure for third country aircraft the same level of safety achieved for Community aircraft. The Safety Assessment of Foreign Aircraft (SAFA) procedure used for ramp inspections, presently managed by the Joint Aviation Authorities (JAA) on behalf of the European Civil Aviation Conference (ECAC), could be transferred to the European Aviation Safety Agency when this will become fully operative.

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Output indicators:

The Directive establishes exchange of information between the national aviation authorities of the Member States. Such information shall, at the request of a competent authority, include a list of airports of the Member State concerned that are open to international air traffic with an indication, for each calendar year, of the number of ramp inspections performed and the number of movements of third-country aircraft at each airport on that list. In addition, the national aviation authorities collect standard reports (Annex I to the Directive) including safety information (pilot reports, maintenance organisation reports, incident reports, complaints) and information on action taken subsequent to a ramp inspection (aircraft grounded, aircraft or operator banned from the Member State concerned, corrective action required, corrective action implemented, recurrence of discrepancy). They collect also ramp inspections reports (Annex II of the Directive) containing the results of the single inspections. All this information shall be made available without delay to the Commission and, at request, to the European Aviation Safety Agency, in order to allow the publication of yearly aggregated information reports available to the public and the industry stakeholders. Therefore, when the Directive will be fully at regime (after 2006) there will be a plenty of data available to monitor de facto implementation of the measure, using for instance the following indicators:

- Number of ramp inspections performed per 1.000 flights of third country aircraft at the airports of the Member States, on an annual basis.
- Number of aircraft grounded and aircraft or operators banned/total number of ramp inspections in the Member States, on an annual basis.

Outcome indicators: intermediate impacts on transport markets

The measure would not only ensure safety but also help to counteract distortions of competition in an industry that has been extensively liberalised in recent years, limiting the possibility for third country aircraft operators of abating safety costs below minimum standard requirements. Thus, the measure will have impacts on the costs and productivity of third country operators, but these can be hardly monitored, considering that the information made available to the Commission will regard only inspections items and corrective actions, not cost or productivity consequences for the operators.

Outcome indicators: final impacts on transport users and non users

The measure is expected to enforce the international safety standards within the Community by harmonising the rules and procedures for ramp inspections of third-country aircraft landing at airports located in the Member States. Airlines from many parts of the world, especially Africa, Asia, South and Central America and Eastern Europe, have far higher accident rates than Western Europe. Under the proposed directive their planes can be grounded and their crews will face inspections when there is a reason to suspect that they do not comply with international safety standards. The Commission may take also any appropriate measures to cooperate with and assist third countries to improve their aviation safety oversight capabilities.

The expected impact is to improve safety of non-Community flights and achieve an uniform level of safety for all the flights within, to and from the European Community. A suitable indicators to monitor this impact is the “share of victims in aviation accidents over the EU territory by third country operators” (DGTREN-Eurostat). However, the time series of victims in aviation accidents usually doesn't show a regular pattern over time (due to the exceptional character of aviation incidents).