



# The EUROPEAN AVIATION SAFETY AGENCY

**Grégory Lièvre**  
**International Technical Cooperation**



# Presentation outlook

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- Overview of the safety oversight system in Europe
- Challenges for aviation safety regulators:
  - ✦ How to successfully develop and implement safety regulations at the sub-regional level?
  - ✦ The SMS and objective-oriented regulation approach and their consequences for the regulators
  - ✦ How to remain constantly up-to-date in an ever-changing international regulatory environment
  - ✦ How to better cooperate with the industry?
- Regional and sub-regional cooperation and harmonisation of safety in Africa: a European perspective
- How to better cooperate between Europe and Africa?

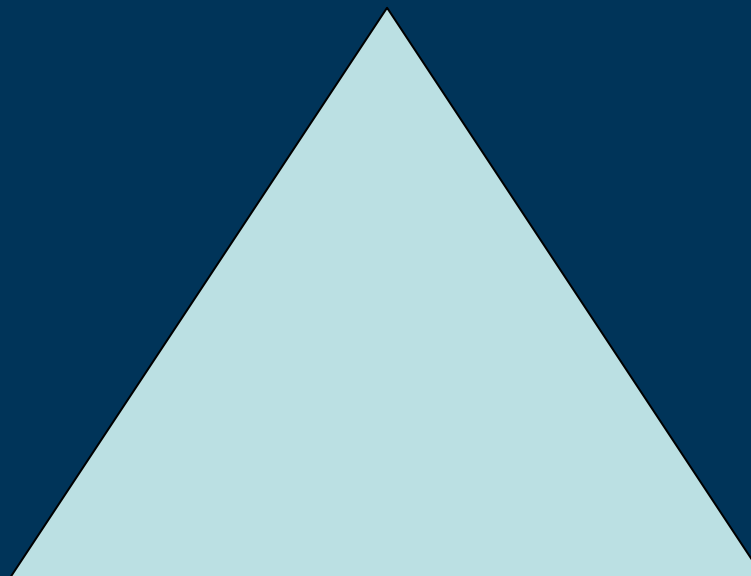


**European Aviation Safety Agency**

# European Aviation Safety System

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**European Commission**



**EASA**

**Member States**



# Regulatory framework

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## The principles

### DECENTRALISATION IS THE RULE...

The EC Treaty is based on the principle that the Community **acts as a legislator**, while **Member States apply** Community law under Community control.

Community law is directly applicable (full part of Member States legal order).

Legal remedies for individuals and enforcement means are provided by Member States judicial systems.



# Regulatory framework

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## The principles

### ... CENTRALISATION THE EXCEPTION

The EC Treaty provides however for the **delegation of executive powers** to the **Commission** (hard law) or an **executive agency** (soft law)

In such cases:

- Delegated powers shall be strictly defined to allow judicial control of executive acts
- Judicial remedies available to individuals and enforcement means shall be specified when delegated powers allow individual decisions



# The EASA system

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- Rulemaking is better done in a centralised manner
- Implementation of the rules is better done at the state's level (e.g. oversight, issuance of certificates)
- Standardization is done by EASA to ensure uniform implementation of the rules
- But even implementation is sometimes better done in a centralised manner.



# The EASA system

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- The Agency's initial mandate covered initial and continuing airworthiness
- The first extension of EASA remit added **air operations, pilot licensing** and **foreign organisations/operators**.
- The next extension of EASA remit should cover **airport** and **ATM** safety.



# Regulatory framework: present division of executive powers

	TC STC ETSOA	DOA	POA	CofA/ Noise Cert.	CAMO A	MOA	MTOA	AML
EASA country	<b>EASA</b>	<b>EASA</b>	<b>MS<sup>1</sup></b>	<b>MS</b>	<b>MS</b>	<b>MS</b>	<b>MS</b>	<b>MS</b>
Non- EASA country	<b>EASA</b>	<b>EASA</b>	<b>EASA</b>	n/a	<b>EASA</b>	<b>EASA</b>	<b>EASA</b>	<b>MS<sup>2</sup></b>

1) EASA, when requested by a MS

2) The MS receiving the application

Note: this table does not include the extension of scope



# Regulatory framework: present regulations structure

**Basic Regulation**  
Regulation (EC) 216/2008 of 20/02/2008

**ER :**  
Annexes I to V

Agency  
Opinion

Regulation (EC) 1702/2003 on  
Airworthiness and Environmental  
Certification

Regulation (EC) 2042/2003  
on Continuing Airworthiness

Agency  
Opinion

Annex (Part 21)

*Section A: Application  
Requirements*  
*Section B: administrative  
Procedures*  
*Appendices: EASA forms*

- Annex I (Part-M):  
Continuing Airworthiness  
Requirements
- Annex II (Part-145):  
Maintenance Organisation  
Approvals
- Annex III (Part-66):  
Certifying Staff
- Annex IV (Part-147):  
Training Organisation  
Requirements

*Section A: Technical  
Requirements*  
*Section B: Administrative  
Procedures*  
*Appendices: EASA forms*

Guidance  
Material  
Part 21

Certification  
Specifications

AMC 20	CS AWO	CS 22
AMC 21	CS ETSO	CS 23
CS 25	CS Definitions	CS 27
CS 34		CS 29
CS 36		CS VLA
CS E		CS VLR
CS P		
CS		
APU		

AMC &  
Guidance  
Material  
Part M,  
145,66,147

Agency  
CS ,  
AMC &  
GM

Parliament and Council  
European Commission  
EASA



**European Aviation Safety Agency**

**EASA**

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# **A few words about the Agency**



# The Agency

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- **European Community (EC) Agency**
- **Legal personality**
- **Independent in relation to technical matters**
- **Legal, administrative and financial autonomy.**
  
- **Vision:**
  - ✦ **EU citizens should benefit from the safest and the most environmentally friendly civil aviation system in the world.**
  
- **Mission:**
  - ✦ **Our mission is to promote the highest common standards of civil aviation safety and environmental protection in Europe and worldwide.**



**Operational since 28 September 2003**  
**HQ in Cologne since 1<sup>st</sup> November 2004**





# The Agency

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- The Agency's budget is fed by:
  - ✦ a Community (+ associated States) contribution,
  - ✦ fees for certification tasks and
  - ✦ charges for other services provided.
  
- The revenues from fees shall cover all certification costs.
  
- The budget shall be balanced.
  
- The fees and charges are specified by a Commission regulation.
  
- EASA current staffing level: more than 400 persons. Expected by end of 2009: approximately 500 persons.



## **Overview on some EASA key functions**

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- Rulemaking
- Certification
- Standardization
- SAFA Programme
- Safety Initiatives



# Presentation outlook

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# Challenges for aviation safety regulators

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How to successfully develop and implement safety regulations at the sub-regional level?

(an EASA perspective on the African context)

- In Africa, different institutional frameworks:
  - ★ Some Regional Economic Commissions with delegated Executive Powers (e.g. UEMOA) => « top-down » approach; high level of integration (close to the EASA/EU Model)
  - ★ Some Regions with a « looser » institutional framework (e.g. BAG) => « bottom-up » approach; very pragmatic
- Every Region must “invent” the model that suits its local institutional, cultural, economical and political constraints



Different institutional solutions are possible  
Symposium on Regional Aviation Safety Agencies

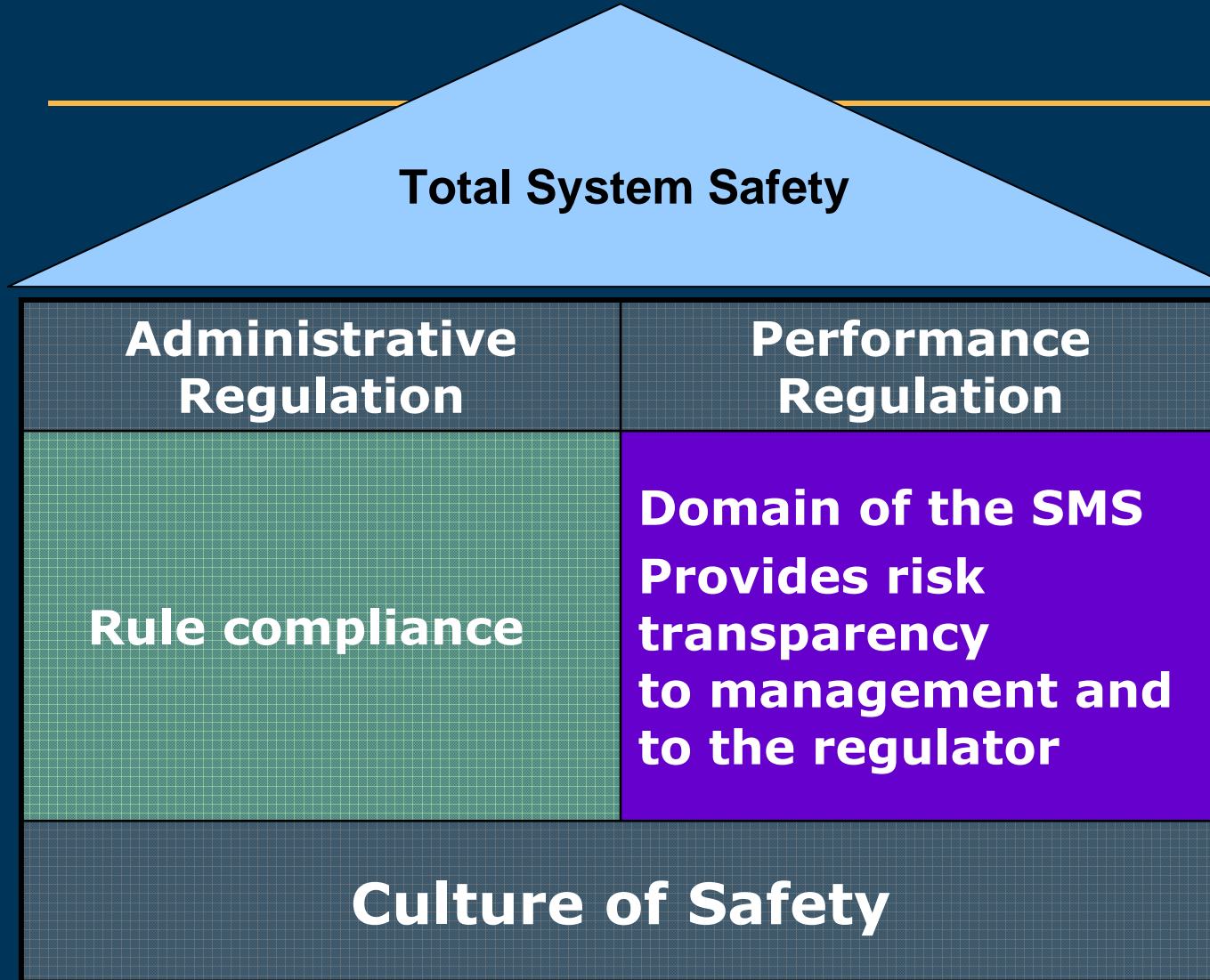


# Challenges for aviation safety regulators

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## The SMS and objective-oriented regulation approach and their consequences for the regulators

- Old system: prescriptive approach only (compliance-based regulations)
- SMS approach: objective-oriented regulation
  - ★ The regulator sets safety objectives
  - ★ The industry must achieve the prescribed level of safety
  - ★ The oversight is essentially (but not exclusively) exercised on the system





# Challenges for aviation safety regulators

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How to remain constantly up-to-date in an ever-changing international regulatory environment?

## ➤ The European system

- ✦ Solid rulemaking planning mechanism
- ✦ Fully transparent and open rulemaking system
- ✦ Internal coordination mechanism for ICAO State letters
- ✦ Coordination with the EC, Member States and Industry

## ➤ For our partners

- ✦ Official Journal of the EU, EASA Web site
- ✦ EASA International Cooperation Forum
- ✦ EASA International Cooperation Synapse Community



# Challenges for aviation safety regulators

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## How to better cooperate with the industry?

- The European system
  - ✦ EASA recognises the need to establish a formalised coordination mechanism with the industry
  - ✦ Safety Standards Consultative Committee (SSCC)
  - ✦ ESSI
  - ✦ Other panels, working groups etc.
  - ✦ Comments on Notices of Proposed Amendments
  
- EASA encourages similar mechanisms in other regions (e.g. BAGRAST) and coordination between regional aviation safety teams



# ESSI/ECAST Pledge Signatories

### PLEDGE OF COMMITMENT FROM ESSI MEMBERS

We the undersigned acknowledge that:

- through our positions and by means of our organisations we each have key roles to play in maintaining and enhancing the level of safety within the European aviation system, and can achieve this more effectively through joint cooperation,
- experience has shown that there is need for active, frequently reviewed and updated safety programs,
- in many areas these safety programs have common goals, and the sharing of experience and knowledge between our organisations would enhance aviation safety programs within Europe,
- a European partnership of interested, expert and affected parties guiding a coordinated European aviation safety initiative with strategic plans can be effective in identifying these common goals and coordinating the sharing of experience and knowledge,
- such a European aviation safety initiative can be used to provide recommendations, guidance and solutions on safety matters to all concerned parties,
- aviation within Europe can benefit from safety program experience and knowledge from the global aviation community,
- a common European partnership can avoid duplication and be used to coordinate European safety programs with other safety initiatives elsewhere and
- for a European Strategic Safety Initiative (ESSI) to be effective sufficient expert resources (both human and material) are required to conduct the work at both decision-making and working levels.

We the undersigned therefore agree to:

- be equal members within the ESSI;
- commit to providing, in partnership reasonable resources to ensure that this initiative is effective and
- take reasonable actions necessary to enhance safety within our own organisations as a result of ESSI recommendations, guidance and solutions in the ESSI area(s) in which we participate (commercial aviation, rotorcraft and/or general aviation).

Dabrick Goudou  
EASA Executive Director



- **Airbus S.A.S.**
- **Aircraft Engineers International (AEI)**
- **Alenia Aeronautic S.p.A.**
- **Boeing Commercial Airplanes**
- **Civil Aviation Authority UK**
- **DGAC France**
- **Dutch Ministry of Transport, Public Works and Water Management**
- **Embraer - Empresa Brasileira de Aeronáutica**
- **Ente Nazionale Aviazione Civile Italy**
- **European Transport Safety Council**
- **European Aviation Safety Agency (EASA)**
- **Federal Office of Civil Aviation Switzerland**
- **Fokker**
- **International Air Transport Association (IATA)**
- **International Federation of Airworthiness (IFA)**
- **National Aerospace Laboratory (NLR)**
- **Rolls-Royce plc**
- *More than 50 member and partner organisations*



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## **Why is the regional approach valid for Africa ?**

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- No alternative for relatively “small” countries, with low levels of traffic (source: ICAO-ACIP)
- Facilitates fair competition (common regulations)
- Lower cost-efficiency ratio
- Single entry point for international technical assistance
- Regional inspectors benefit from aggregated levels of traffic at regional level, hence opportunities to rapidly gain and maintain operational experience



## **Why is the regional approach valid for Africa ?**

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- Regional organisations are less subject to external interference than national administrations
- National disparities are obstacles to the implementation of the Yamoussoukro Decision
- The regional approach facilitates the development and exchange of best practices
- The regional approach is recommended by the Global Aviation Safety Roadmap (Focus Area n°5)



## Differences with Europe

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### Europe:

- Industry played a central role
- Massive manufacturing industry => initial airworthiness regulation first (JAR 25)
- Dense industrial framework, major aeronautical activity (manufacturers and operators), important linguistic diversity
- Pooling of significant and “historical” expertise existing at national level (well established NAAs)

Different context, constraints and objectives in Africa  
=> maybe different solutions



## Regional approach: strengths and weaknesses

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### Strengths / opportunities

- Existing Regional Economic Commissions (e.g. UEMOA, CEMAC, SADC, EAC)
- In some sub-regions, long cooperation experience in the aviation field (e.g. ASECNA)
- In some sub-regions, common language
- Existing “models” (e.g. EASA, ACSA, CASSOA)
- Available expertise in most sub-regions
- Principle endorsed by the AU (Libreville Declaration), AFCAC, ICAO (AFI-RAN) and the Industry (GASR)
- Support from donors and technical partners
- Potentially positive role of regional Leaders
- ...



## Regional approach: strengths and weaknesses

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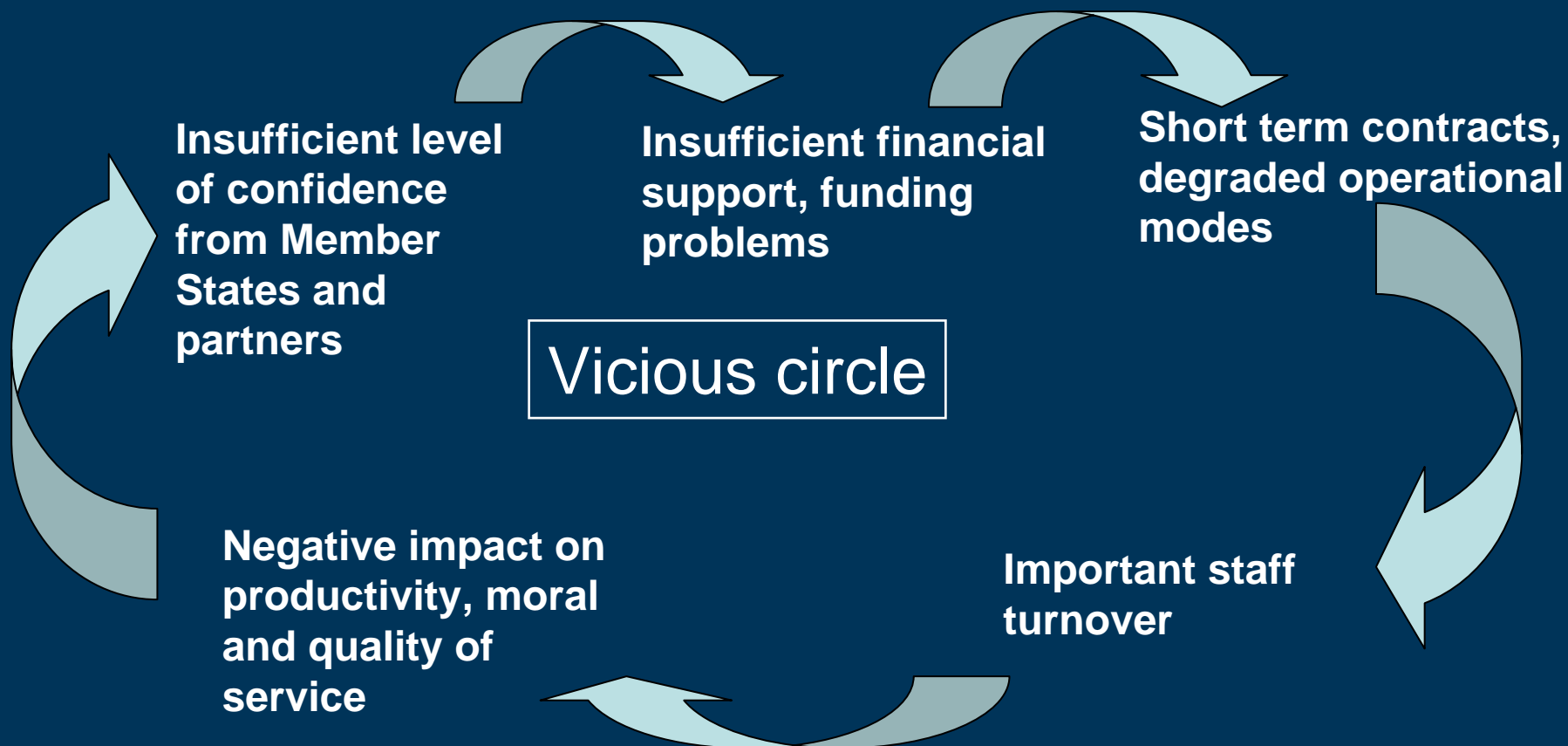
### Weaknesses / threats

- In most sub-regions, relatively low aviation activity  
=> Limited financial resources
- In some sub-regions, insufficient planning:
  - ✦ No mid-and long-term vision
  - ✦ No transition plan
  - ✦ No clear definition of future agencies' mandate and transfers of powers
- In some sub-regions, insufficient political will; strong reluctance to change
- In some sub-regions, Agency funding problems



# Transition phase

## Risk of vicious circle





## **Regional approach: the way forward?**

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- Information to decision-makers
- Political involvement
- Technical assistance (e.g. ACIP, EASA)
- Financial support (e.g. AfDB, EC)
- => Symposium on regional aviation safety agencies



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# EASA International Cooperation

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- Three main types of activities:
  - ✦ Arrangements and agreements
  - ✦ EASA Representatives
  - ✦ Technical assistance



## The Agency's international relations

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- EASA's international cooperation activities should be considered as a continuous effort:
  - ✦ Technical assistance aims at improving some partner authorities' safety oversight capability
  - ✦ When a partner authority's safety oversight capability is considered to have reached a certain level, a working arrangement may be signed
  - ✦ When a partner safety oversight system is considered to be equivalent to the European one, a formal bilateral aviation safety agreement may be signed by the Community



## **EASA cooperation with Africa – Objectives**

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- The main overall objectives of the EASA Technical cooperation policy in Africa are to:
  - ✦ Contribute to improving aviation safety;
  - ✦ Establish partnership with the relevant pan-African and sub-regional Civil Aviation organisations.
  
- EASA overall objectives are in line with:
  - ✦ The joint European Commission / African Union Commission initiative for improvement of aviation safety in Africa (the “Tajani/Ibrahim Aviation Plan”);
  - ✦ ICAO Safety Objectives for the Africa – Indian Ocean Plan (as endorsed by the Special AFI-RAN Meeting);
  - ✦ The Global Aviation Safety Roadmap.



## EASA cooperation with Africa – Objectives

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- Long-term objectives for the Continent include:
  - ✦ Contributing to the emergence of “Sister” Organisations in Africa;
  - ✦ Entering into Bilateral Aviation Safety Agreements / Working arrangements with these Organisations, whenever they have reached an appropriate level of maturity;
  - ✦ Removing all African airlines from the list of airlines banned within the EU;
  - ✦ Bringing African country non-compliance rates to ICAO SARPs close to the World average;
  - ✦ Reducing Africa region accident rate to a level that will be close to the world average.



## **EASA Technical assistance Proposed strategy**

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- Priority given to regional projects
- Assistance to the European Commission
- Assistance focused on sustainable projects
- « Project management approach »:
  - ✦ Definition of clear objectives and performance indicators,
  - ✦ Identification of accountable stakeholders,
  - ✦ Definition of clear and realistic timelines
  - ✦ Etc.



## Our method (1/2)

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- Identify reliable African partners, who could contribute to sustainable aviation safety enhancement in Africa;
- Develop continent-wide activities on global problems affecting the whole continent;
- Initiate and manage and/or contribute to focused, operational, technical assistance programmes favouring sub-regional level, with COSCAPs, regional aviation safety agencies or regional economic commissions;
- Provide technical assistance to aviation safety rulemaking activities, especially at the sub-regional level;



## Our method (2/2)

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- Continue to provide advice to requesting partners, including the European Commission, upon request;
- Maintain close working relations with key donors and technical partners involved in aviation safety in Africa;
- Contribute to capacity building activities, mainly at the sub-regional level, with a specific emphasis on transitions between COSCAPs and Regional Aviation Safety Agencies;
- Manage focused technical assistance projects, at national level, under a framework contract between EASA and the European Commission.



# EASA International Cooperation Forum

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- Open to EASA / EU aviation safety rules users
- First meeting held in Cologne (29 – 31 October 2008)
  - ★ More than 100 participants, and approx. 50 States and organisations
  - ★ Follow-up action plan
  - ★ Synapse International Cooperation Community (Web-based secure community)



## **EASA technical cooperation activities Concrete examples**

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- Workshop on EASA / EU aviation safety rules
- Symposium on Regional Aviation Safety Agencies (in cooperation with AFCAC and other partners)
- Technical assistance to partner States / organisations' rulemaking activities
- Assistance to the development of ramp inspection programmes (« SAFA »)



**Generally: focus on highly technical matters**



## **Our expectations from our African Partners**

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- Consistent and clear definition of needs
- Clear vision on local strategic choices (especially at sub-regional level)
- Co-decision process on technical assistance projects
- Higher level of priority given to the aviation sector, both at national and regional level, within EDF resource allocation process



**European Aviation Safety Agency**

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**Thank you for your attention!**

**Any question ?**

