



THIRTY-NINTH PLENARY (TRIENNIAL) SESSION

(Videoconference, 12 July 2021)

Agenda item 4: Presentation of the Focal Point reports

REPORT ON ECAC ACTIVITIES IN THE FIELD OF SAFETY

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SUMMARY

This paper presents the report of the ECAC safety activities, and in particular the activities of the ECAC Group of Experts on Air Accident and Incident Investigation.

ACTION TO BE TAKEN

The Plenary Session is invited to note the main achievements in the safety field for the period 2019-2021.

Introduction

1. This paper presents an overview of the implementation of ECAC's aviation safety activities during the 2019-2021 triennium, highlighting some of the main achievements in this domain.
2. To comply with the Work Programme 2019-2021, ECAC safety activities focus on:
 - a) the coordination of ECAC Member States' priorities in the 40th Session of the ICAO Assembly in 2019 and the High-Level Conference on COVID-19 (HLCC) in 2021 (as the 3rd High Level Safety Conference (HLSC 2021) was cancelled), in close cooperation with the European Commission, EASA and EUROCONTROL; and
 - b) The sharing of experience on accident and incident investigations between ECAC Member States' safety investigation authorities.

Implementation of the 2019-2021 Work Programme

3. In accordance with the ECAC Work Programme 2019-2021, the following objectives in the field of safety were defined:
 - to promote European priorities in safety with international partners, regional and international organisations; and
 - to increase the effectiveness of the ECAC Member States' safety investigation authorities.

European coordination at the 40th Session of the ICAO Assembly

4. Consistent with the positive experience at the ICAO High-level Safety Conference held in February 2015, ECAC, the European Commission, EASA and EUROCONTROL established effective coordination arrangements for the participation of ECAC Member States in the 40th Session of the ICAO Assembly (24 September - 4 October 2019). Moreover, the European Safety and Air Navigation Coordination Group (ESANCG), co-chaired by a representative of one Member State (representing ECAC) and one representative of the European Commission, was tasked with outlining the objectives to be pursued, drafting four European working papers and one information paper, and analysing the papers and positions of other ICAO States and organisations.

5. The European delegation achieved their main objectives as all European papers related to safety and air navigation (prioritisation of the evolution of the USOAP-CMA programme, effective cross-border oversight, review and expansion of Doc 9946, conclusions and main recommendations on ATM modernisation, and changes to draft Assembly Resolutions on Commercial Space transport and Technical Cooperation and Technical Assistance) were endorsed.

European coordination for the High-Level Conference (HLCC) on COVID-19

6. The ESANCG held frequent meetings from January 2021 to June 2021 to draft European working papers for the HLCC (12-22 October 2021) focusing on:
 - strengthening the resilience of aviation through the improvement of its crisis management framework;
 - remote oversight as a supplementary means to perform oversight; and
 - enhancing the GASP to support innovation and increasing consistency with other global plans.

These draft papers are currently being finalised.

Accident and incident investigation activities

7. The ECAC Group of Experts on Air Accident and Incident Investigation (ACC) is established as a practical, technical working body, able to adopt broad general positions, rather than a more formal decision-making entity. Its membership is drawn from all ECAC Member States, and includes several observer States, such as the United States, Canada, Israel, Indonesia and Singapore. In addition to the representatives of safety investigation authorities (SIA) and organisations (e.g. European Commission, EASA, EUROCONTROL and ICAO), the ACC group enjoys the contribution of aviation safety stakeholders such as aircraft manufacturers, engine manufacturers, airlines and pilots' associations. Since 2018, the ACC group has welcomed new observer organisations: European Regions Airline Association (ERA) and EMBRAER.

8. Meetings of the ACC group also provide an opportunity for participants to receive updates from other organisations (e.g. European Network of Civil Aviation Safety Investigation Authorities (ENCASIA), European Society of Air Safety Investigators (ESASI)) whose activities are either linked to accident investigations or which have an impact on the work of accident investigators. For example, the coordination between ENCASIA and the ACC group is ensured through the participation of a European Commission representative in the ACC group, and the fact that the chair of ENCASIA, Mr Rémi Jouty (France) is also the deputy chair of the ACC group. This ensures proper coordination of activities and avoids any overlaps.

9. Mr Robert Carter (United Kingdom) chaired the ACC group from September 2017. Having completed his first term, he stepped down in February 2020 and in May 2020 Directors General appointed Mr Crispin Orr (United Kingdom) as the new chair. The second mandate of Mr Rémi Jouty (BEA, France) as deputy chair of ACC group will end on 4 December 2021. A call for nomination was sent by the ECAC Secretariat on 16 June 2021, and ECAC Member States have been invited to nominate candidates by 1 September 2021.

10. In 2016, Directors General endorsed an amendment to the Code of Conduct on Cooperation in the field of Accident/Incident Investigation, to replace the existing reference to the Council Directive 94/56/EC by a reference to EU Regulation 996/2010 and, the 10 ECAC Member States that have not yet done so to sign this Code of Conduct would be invited to sign this Code of Conduct later this year.

11. Consistent with the 2019-2021 Work Programme, these ACC meetings enable in-depth exchange of information on a wide range of topics, such as:

- **Organisation of safety investigation authorities in Member States:** Detailed presentations (from e.g. France, Netherlands, Germany, Italy, Romania and United Kingdom) enable a comprehensive understanding of their respective resources, capabilities and scope of activity. This has contributed to increasing the mutual understanding between safety investigation authorities.
- **Update of recent/ongoing investigations:** Presentations contributed to the exchange of experience on the conduct of investigations and the challenges facing investigators in both aircraft and helicopter accidents/incidents. Accidents such as the Air France A380 fan rotor separation in September 2017 over south-west Greenland, the fatal loss of control accident with a Pipistrel Alpha Electro, near Stadskanaal airfield in October 2018, a serious incident involving a Boeing 757 (G-DHKZ) with the main cargo door inadvertently opening during climb out in 2020, the accident to a Piper PA-46 Malibu (N264DB) on 19 January 2019 in the English Channel and the accidents and return to service of Boeing 737MAX were among the accidents/incidents, are among those recently discussed.

- **Annual review of accidents and serious incidents:** This review is performed based on the accidents and serious incidents reported by Member States, and it leads to discussions on the main trends in terms of causes (e.g. incidents linked to the use of new technologies, airprox incidents involving drones) and tools used in investigations.
- **Lessons learnt from recent/ongoing investigations:** Lessons learnt from several recent investigations are shared among the ACC group, for example:
 - The challenges of finding a balance between being transparent with accident related data and the need to protect these data, the associated issues and benefits as well as the interaction and sharing of data with judicial authorities.
 - The issues encountered by SIAs to deal with the initial media pressure during a major accident investigation and its most critical part in the first 48 hours after the accident, especially for small SIAs, which do not have a dedicated communication team/officer.
 - Similarly, the sensitivity related to the communication with victims and their families (e.g. best ways to involve them in all communication and information sharing activities) in particular when there is the added pressure of investigating a highly-publicised accident.
 - The challenges of conducting air accident investigations during a pandemic and measures to manage the risks so that the work can continue.

12. **ACC workshops:** Due to the COVID-19 pandemic, the ACC workshop initially scheduled in 2020 was cancelled. The next workshop is scheduled to take place on 13-14 October 2021 in Bratislava and will focus on unmanned aircraft systems (UAS).

13. **International engagement:** ECAC has observer status in the ICAO Accident Investigation Panel (AIGP) and continues to participate in the meetings (e.g. AIGP/6, May 2021) with the objective of promoting European priorities in ICAO and better informing ACC members of the developments in this Panel. The ECAC Secretariat shared the expertise of ACC members with ICAO by sending the recently adopted ECAC ACC Guidance Note on Conducting Investigations during a Pandemic to the ICAO Secretary General on 2 February 2021.

Other safety-related activities

14. Recent years also saw a growing interaction between the safety and security fields, mainly in relation to cyber security. The European Coordination Group on aviation Cyber Security matters was created in March 2021 (its structure and Terms of Reference being adopted during DGCA/156 in May 2021) to organise and coordinate European positions, to maximise shared understanding and develop common positions on cyber security matters for ICAO meetings and events.

Action to be taken

15. The Plenary Session is invited to note the main achievements in the safety field for the period 2019-2021.

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