



"[air navigation control, [...] is a task involving the exercise of public authority and is not of an economic nature, since that activity constitutes a service in the public interest which is intended to protect both the users of air transport and the populations affected by aircraft flying over them". (Extract of decision C.364/92 of the European Court of Justice).

Aix en Provence 5th April 2010

ATCEUC Position paper on Safety

What is needed ?

The system measuring safety must be based on clear, reliable and easily measurable indicators. A certain number of incidents (often precursors to accidents) must be constantly monitored, both for en route and airport operations (some states already monitor some of them). The collection of safety related data and its communication to the PRB shall now become compulsory, as is the case for any other performance indicator.

What indicators should be implemented to begin ?

Two indicators could be implemented in a first phase,. They will not give a complete view of the Safety level, but will nonetheless give precious indications.

- *Runway incursions:*

A runway incursion occurs when an aircraft accidentally enter the runway. The number of incursion is widely recognised and used in many major European airports as a robust safety indicator for airport operations. It is easy to measure, reliable and undisputable.

- *Separation Minima Infringement*

Air traffic control keeps aircrafts at a safe distance from each other. The minimal distance allowed between aircrafts at the same altitude depends on the type of airspace (approach, en route) and the radar systems available for air traffic control. It is established by the competent authorities of each provider.

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A loss of minimal separation occurs whenever two aircrafts fly too close from each other, below the minimal legal separation. That indicator is made of two elements :

- The number of times when it occurs
- The severity of the infringement, established using a percentage of the legal minimum distance.

Why is it needed ?

Now. It is essential to implement it from the very beginning of the performance scheme.

- to get a clear picture of the current situation, in order to establish a basic reference situation to which future data will be compared.
- to evaluate the possible impact of measures implemented in other performance areas (such as capacity, or cost efficiency) on Safety.
- to turn a declaration of intent into reality. Safety is everyone's top priority. But a top priority status cannot only be declared. It must also be transformed into acts.

What is in the current proposal ?

The current proposal focuses only on the maturity of the systems used to measure safety, and on their implementation. (Risk Analysis Tool, ...) This is useful, and supported by ATCEUC. But it simply does not reflect the safety level. It should already be implemented and operating all throughout Europe.

The same can be said on just culture¹. The draft regulation focuses on the "minimum level of the measure of the just culture", rather than on its actual implementation.

In one word, the current proposal will allow Europe to determine if it has a mature system to measure Safety. **But it will not measure it.**

What is missing ?

Real data, real figures, reflecting the trends in incidents or significant events in ATM. A true **measure** of safety. The current proposal does not contain any.

¹ This issue underlies the whole process of safety management. The second single sky package has moved ATM from a national to an European field, addressing sovereignty issues on the way. This has yet to take place for safety reporting, and national legal issues will have to be solved to enhance the quality of safety related data available to national authorities. A process that could be fostered by the on-going transformation of the European directive 94/56/EC into a regulation.