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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

The European Aviation Safety Programme

1. THE COMMISSION 2011 COMMUNICATION

The Commission Communication on "*Setting up a Safety Management System for Europe*"[1] published in 2011 described the safety challenges faced by the Union and its Member States and concluded on the necessity to develop a more proactive and evidence-based approach. It detailed a number of practical actions to meet these challenges.

A number of those actions have been implemented over the recent years, notably with the adoption of Regulation (EU) No 376/2014 on the reporting, analysis and follow-up of occurrences in civil aviation[2]. The Commission proposal for a Regulation of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and repealing Regulation (EC) No 216/2008 of the European Parliament and of the Council (COM (2015) 613) further contributes to implement the actions identified by the 2011 Commission Communication with a view to establish and maintain a high uniform level of civil aviation safety and environmental protection in Europe.

The Commission Communication on "*Setting up an Aviation Safety Management System for Europe*" was accompanied by a document describing the European Aviation Safety Programme[3].

2. THE 1ST EDITION OF THE EUROPEAN AVIATION SAFETY PROGRAMME DOCUMENT

The European Aviation Safety Programme[4] is composed of an integrated set of regulations at Union level, together with the activities and processes used to jointly manage the safety of civil aviation at European level. It is not a plan of activities but rather functionally corresponds at EU level to the State Safety Programme as described in Annex 19 to the Chicago Convention.

The European Aviation Safety Programme document explains how safety is managed in the EU and its Member States, including through Union legislation as well as other policies, practices and actions.

While it might include some prospective elements (as some of the activities or rules might be in place but not fully implemented) its main purpose is not to set a roadmap for the future. The European Aviation Safety Programme document presents a 'snapshot' of all the rules and processes which are contributing, in an integrated manner, to the prevention of accidents and to the safety of aviation activities in the Union.

The European Aviation Safety Programme document is not intended to replace Member States' Safety Programme documents but rather to complement them. Since many rules and

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[1] Communication from the Commission to the Council and the European Parliament, Setting up an Aviation Safety Management System for Europe, COM/2011/0670 final.

[2] Regulation (EU) No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007 (Text with EEA relevance); OJ L 122, 24.4.2014, p. 18.

[3] The European Aviation Safety Programme, SEC/2011/1261 final.

[4] As defined in Article 2(17) of Regulation (EU) No 376/2014 on the reporting, analysis and follow-up of occurrences in civil aviation.

activities related to aviation safety are adopted and coordinated at EU level, the European Aviation Safety Programme document should be referred to by the Member States within their own States State Safety Programme document to explain fully how aviation safety is managed within their national territories as required from them under the Chicago Convention. Indeed, as the EU has legislated in many areas of aviation safety it is not possible for the Member States to describe how they manage safety without including the EU dimension.

Furthermore, in certain areas, States' responsibilities under the Chicago Convention have been transferred to Union level. The European Aviation Safety Programme document explains how the EU addresses the international obligations that result from this transfer of responsibilities.

By describing the processes used to jointly manage safety at European level and, in particular, how the European Commission, the Member States and EASA cooperate to detect unsafe conditions and take actions to mitigate safety risks, the European Aviation Safety Programme document helps bring clarity on where the various responsibilities for safety lie within the EU and makes clear how the EU as a whole can achieve and maintain a satisfactory safety performance. It also provides transparency to all stakeholders with an interest in safety.

The European Aviation Safety Programme document is aligned with the format and structure of the description of a State Safety Programme as detailed in Annex 19 to the Chicago Convention:

– The first part of the document is dedicated to European safety policies and objectives. It notably encompasses the description of the European aviation legislative framework and explains the distribution of competencies between the Member States and the various actors at EU level. Finally, it details the mechanisms in place to enforce EU legislation.

– The second part focuses on European safety risk management. It describes the existing safety management requirements applicable to the industry and the Member States, and explains how safety risks are collectively assessed and mitigated within the EU.

– The third part addresses the European dimension of safety assurance and mainly details how safety oversight is performed within the EU and its Member States.

– Finally, the fourth part details the European activities in the area of safety promotion including training and international cooperation.

3. AN EVOLVING EUROPEAN AVIATION SAFETY PROGRAMME

In order to ensure it remains efficient in the prevention of accidents and the mitigation of risks, safety management needs to continuously adapt to changes in the aviation market, technological evolution and the emergence of new safety hazards. The European Aviation Safety Programme document therefore requires regular updates to reflect those changes. This necessity for the Commission to update it on a regular basis was recognised in the 2011 Commission Communication (Action 8 of the Communication).

Since the publication of the 1st version of the European Aviation Safety Programme document in 2011 several legislative changes have occurred in the EU. The new rules on Flight Time Limitations, on Third-Country Operators, for Flight operations, in the area of ATM/ANS, for aerodromes, on the reporting, analysis and follow-up of occurrences are some illustrations of the European legislative changes since 2011.

On top of the changed legal framework, the management of safety has evolved in other areas; one example is the evolution of the activities performed by EASA in the context of standardisation inspections. In addition, the European Safety Promotion dimension has been strengthened, notably after the reorganisation that took place at EASA in 2014.

The European Aviation Safety Programme is complemented by the European Plan for Aviation Safety that identifies the specific risks currently affecting the Union aviation safety system and proposes mitigating actions to address these risks. While so far the process for the development of the European Plan for Aviation Safety has been largely internal to EASA, the time is now right to give it a truly European dimension and ownership notably through stronger involvement of Member States and of industry. To this end, the process for the development and adoption of the European Plan for Aviation Safety has been revised to incorporate the lessons learned after the first implementation cycles. As it constitutes a vital element of safety management system at EU level the Commission has considered that the European Plan for Aviation Safety development, adoption and update process should be described in more detail in the European Aviation Safety Programme document.

The rules, activities and processes that are part of the European Aviation Safety Programme should be monitored in particular to assess their relevance and effectiveness. This monitoring of safety performance should rely on indicators that might include compliance with the rules, rate of certain type of safety events, number of accidents or fatalities and maturity of safety management systems.

These indicators are used by States to determine the national Acceptable Level of Safety Performance, which is required by ICAO and which indicates the minimum level of safety performance of civil aviation that should be achieved at national level. It is determined in the context of each State Safety Programme.

An Acceptable Level of Safety Performance to be achieved in the Union could equally be defined in the European Plan for Aviation Safety in order to better monitor safety performance of the EU aviation system and determine the changes that should be made at the various levels to achieve further safety improvements.

The 2nd edition of the European Aviation Safety Programme document, which reflects the above mentioned changes and describes the way aviation safety is currently managed in the European Union and its Member States, is adopted as an Annex to this Report.