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European Cockpit Association
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2006-2007 Annual Report

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N.B.: Since 2005, ECA's Annual Report is in a new format compared to its previous Reports. As last year, the Report focuses on ECA's core activities during the past 12 months, and provides a short, readable overview on its activities, the state of play, and ECA's approach to the myriad of policy and legislative developments at EU level.

1 Political Issues

1.1 External Aviation Relations

1.1.1 EU-US Agreement

The Agreement between the EU and the United States was finally signed in March 2007. The political obstacles which had complicated the last phase of the negotiations were finally resolved in the 11th and 12th rounds of negotiations held in Washington and Brussels in February and March. ECA attended all negotiation sessions and preliminary meetings.

The overall impression of ECA is that the agreed text is possibly the best that the EU could get given the political circumstances on both sides of the Atlantic. Regarding ECA objectives, together with US-ALPA we obtained that the social impact of the agreement will be monitored and that social issues would be addressed by both sides. We have also ensured a seat in the Joint Committee (the body in charge of the monitoring and follow-up of the Agreement).

ECA also succeeded in inserting a clause into the Agreement to motivate the parties to enter in the second phase of negotiations. The clause says that, if the 2nd stage of negotiations is not completed within a specified time, either party may unilaterally suspend any part of the Agreement. ECA strongly supports the negotiation of a second phase in order to reduce the competitive advantages to the US industry still remaining in the new Agreement and to further address the social issues.

The Agreement will enter into force on the 30 March 2008. In order to prepare for this event, the EU and the US have organised two “preliminary” Joint Committee meetings, where ECA participated. The first one took place in Washington DC in June. During that meeting both Parties went through all aspects of the Agreement that need to be looked upon to ensure a proper and smooth (provisional) application of the Agreement as of 30 March 2008. In addition, a simple set of rules of procedure was agreed upon. On social issues, both sides agreed to start work on each side, focussing on possible

methodologies for measuring social effects, with the issue to be raised again in the autumn. The second meeting took place in November and addressed some technical and practical problems highlighted by the parties.

The European Parliament only has a consultative role in this area. However, in its resolution on the Agreement, giving a positive opinion, the need to address the social impact of the agreement was highlighted following some meetings with ECA.

1.1.2 Other External Relation Activities: India, Canada & the Consultative Committee

ECA President, Capt. Martin Chalk, attended a high-level Summit between the EU and India in Delhi. The EU wishes the pursuit of a ‘deeper relationship’ with India as it is one of its key economic partners. The EU also pursued the conclusion of a horizontal agreement on traffic rights between the EU and India that was signed earlier this year. The value for ECA of attending this Conference was the promotion of social standards and in the ‘unofficial’ meetings off the main conference.

The next major step in the Commission’s calendar is to kick off negotiations with Canada. The EU sees here an opportunity to enter into an Agreement that would integrate even further the two transatlantic markets than the Agreement with the US. ECA is preparing for this new challenge with our friends of ALPA-Canada.

ECA continues to be active in the Stakeholders Consultative Forum on EU External Aviation Policy. ECA attended the meetings in December 2006, February, March, June and October 2007. During these meetings the Commission informed the industry of all ongoing and planned negotiations and asked for particular interests to be defended during the negotiations meetings.

1.1.3 External Relations Working Group

The External relations working group met in Brussels in October. Capt. Carlos Salas was appointed as Chairman. Negotiations with the USA, Canada and the ECAA Member States were discussed. The WG advised that the current position on negotiations should be maintained, in particular with both Canada and for the second stage of the USA negotiations.

Coordination with ALPA-I was discussed and confirmed as integral to ECA's current aims and strategy, as well as coordination with ECA's own Member Associations in the ECAA States.

1.2 Social Dialogue

Since the last ECA Conference, ECA continued its active participation in the European Sectoral Social Dialogue on Civil Aviation. After the "revival" of the "Air Crew Working Group" in late 2005, ECA focussed most of its efforts on this Working Group, participated in the Plenary Session, in July, and the regular Steering Committee meetings. It also kept a watching brief on the ATM Working Group, focussing mainly on Just Culture aspects. The "Future of the Industry Working Group", however, had no activity in 2007 and was closed down, in summer.

At the Plenary meeting, reports from the working groups and the Commission were given, work programmes discussed, and Just Culture became an area of activity and of a future Working Group. At the meeting, the membership of the International Aviation Handlers' Association (IAHA) was provisionally approved. ECA also decided to leave the Chairmanship of the Social Dialogue to ETF (European Transport Workers Federation), to ensure continued good cooperation with ETF.

The Air Crew Working Group worked in its three major topics: the study on Cabin Crew Qualifications, the project on the protection of Aircrews' Privacy, and – to a lesser extent – on a project on the management of aircrew stress.

Within the Air Crew WG, ECA has been leading the action on Flight Data Protection – FDP. Based on the ECA Flight Data Protection Working Group, ECA experts focused on identifying best practices on the protection of Flight Data, based on summaries made from agreements collected from different Member Associations. In September, ECA experts presented the result of their work to the AEA (Association of European Airlines). This first meeting had been set up in the view of developing a common code of conduct or an agreement between employers and employees. As recommended by ICAO, a common framework would enhance aviation safety, facilitate the introduction of new technologies, favour the protection of fundamental rights and respect for privacy at work. The AEA members are now examining the documentation provided by ECA and will propose further steps at the beginning of December.

Having pressed for several years to start the work on the revision of the Working Time Directive for mobile staff in civil aviation, the employers' side eventually agreed to start the review process (however without committing to a revision). This decision was preceded by an update from a Commission representative on the Commission analysis of the transposition of this directive. Only 4 out of 27 reports (expected from all EU Member States) on the Directive's transposition had been received. Therefore, Commission analysis had been delayed – at least until December 2007. However, in view of the upcoming revision of the Directive, ECA has set up a group of experts to prepare for and to follow the revision. A first meeting with the employers is to take place in December.

1.3 Study on the Social Effects of Liberalisation of EU Air Transport

After intense deliberations with stakeholders (incl. ECA), in 2006, the Commission launched a study, in 2007, to evaluate the principal trends of the

development in air transport in the EU since the full opening of the market in 1997 and its impact in terms of direct jobs, working and wage conditions.

ECA has actively participated in this study both as part of the Steering Committee that monitored the work of the consultants who carried out the study and as coordinator and facilitator of interviews and collection of data concerning pilots' conditions.

The study is the first of this kind organised by the Commission. It is very important for future European lawmaking because the Commission is obliged by the Lisbon Agenda to take into account the social impact of its proposals. It could also be important in the context of the revision of the "3rd Package" (see separate article below).

The study is expected to be finalised in November 2007. ECA's main objective at this moment is to avoid external interference altering or watering-down the findings of the study, or preventing a proper follow-up of its recommendations. Most probably, a further more elaborate study will be launched in the future, in order to deepen certain aspects of this study and its findings.

1.4 Revision of the «3rd Package» of Aviation Liberalisation

ECA has actively followed the proposal of the Regulation revising the "3rd Package" of Aviation Liberalisation and the related legislative process in the European Parliament (EP) and Council of Ministers.

The revision of the 3rd Package will define the economic rules governing civil aviation for the next decades. Therefore, ECA considered this dossier as a matter of priority and concentrated a lot of efforts in preparing a comprehensive position paper and in advocating our position vis-à-vis the European Parliament and the Commission.

The ECA position focused on three main aspects: 1) the need for a social clause guaranteeing crews the social benefits

from the place where they actually work, 2) the need for better oversight provisions for wet leasing of foreign aircraft, and 3) the need for a tight link between the operating license and the place where the flights occur in order to avoid "flags of convenience".

The European Parliament made amendments covering most of these points, in line with ECA's suggestions. However, the Council has been blocking the Parliament's proposal on the social clause and has further amended the texts concerning the definition of principal place of business.

ECA will continue to follow the developments in this dossier during the second reading of the proposal in the Parliament and in the Council.

1.5 Revision of the European Directives on Accident Investigation & Occurrence Reporting

The improvement of aviation safety is based on the feedback knowledge derived from systematic accident/incident reporting and analysis. In that context, ECA has been closely following the European Commission's plans to revise two directives: the first one on Accident Incident Investigation (from 1994) and the second one on Occurrence Reporting (from 2003). ECA's intention is to use this revision to make the legislation more pragmatic and geared toward safety, particularly by improving the protection of the reporter. While ECA has doubts about the legislative process, it considers this revision as a unique opportunity to make both directives an effective tool for accident and incident prevention, in particular, by strengthening the principle of Just Culture.

To this effect, ECA – and its Flight Data Protection Working Group – participated in the survey/ impact assessment carried out by a consultancy (ECORYS) on several options for revising the two Directives. ECA shared these views with the Commission and other stakeholders (among others through the EASA Advisory

Board), and led a Social Dialogue / stakeholder delegation in a meeting with the European Commission to discuss the way forward on the revision. ECA also analysed the current Directives to identify areas and opportunities to improve them. A Working Group meeting in September agreed upon an ambitious work programme to prepare for the Directives' revision and the Commission's consultation process in 2008.

2 Professional Issues

2.1 Flight Time Limitations (FTL)

For more than 14 years, FTL has been one of ECA's major policy issues to be followed at EU level. In January 2007, the new EU-OPS Regulation 1899/2006 eventually entered into force. EU Member States have until 16 July 2008 to implement it, including Annex III, Subpart Q on Flight Time Limitations (FTL, thereby introducing a harmonised minimum set of FTL across Europe).

During the legislative process, ECA had spent – successfully – considerable effort on securing a scientific and medical evaluation of Subpart Q, to be carried out by EASA. As a result, EASA set up an informal FTL Advisory Group to advise the Agency on the related tender. For several months, ECA actively participated in this Group with two representatives and – jointly with the other stakeholders – shaped the tender document, which contains all relevant points that should be evaluated.

This tender was launched in summer 2007, aimed at attracting a panel of renowned scientists to carry out the evaluation. However, when the tender failed to attract bidders, ECA insisted vis-à-vis EASA that the tender needs to be re-launched. The deadline for submitting proposals under the relaunched tender was end of Oct. and ECA closely monitors the further process. Final results of this study, incl. recommendations on how to improve Europe's FTL rules, are expected for summer 2008.

In parallel, and together with its Member Associations, ECA monitored the national processes of implementing Subpart Q in EU Member States. Based on a questionnaire, ECA collected information on inclusiveness of national implementation processes, risks of regression on existing safety levels, etc. On specific occasions, ECA also assisted Member Associations in getting involved in their national implementing processes, writing to Ministers and Civil Aviation Authorities, where needed. ECA prepared some guidance material, such as a short Reference Guide on Subpart Q, a PowerPoint presentation on the key elements of Subpart Q, Non-Regression material, etc.

ECA also closely followed the drafting of new FTL "Implementing Rules" which will replace the EU-OPS rules in future. A first draft prepared by EASA raises several concerns, in particular the risk of downgrading the legally binding EU-OPS rules to legally non-binding EASA Certification Specifications.

In autumn 2007, the ECA FTL Campaign Committee was formally replaced by the broader FTL Working Group. It had its first meeting on 3 November, focusing largely on national implementation, as well as on the revision of EASA Regulation 1592/2002 where FTL is at stake (see separate article below). Before that, the Campaign Committee had met twice in 2007.

2.2 Trans-National Airlines and Collective Bargaining

The structures that some Trans-National Airlines may adopt appear to be more and more complex. It becomes very challenging to clearly define a TNA and to determine under which law the pilots work. At the ECA Conference in November 2006, ECA Member Associations accepted the "TNA Convention" that proposes a 'roadmap' that ECA members can use to enter into specific cooperation agreements for individual companies that employ and/or base their pilots in different European jurisdictions. The ECA TNA Working Group and the TNA Steering

Committee carried forward several aspects related to this convention and prepared an ECA Seminar on TNAs.

In May 2007, fifty representatives from all over Europe gathered at the ECA Seminar, in Brussels, to discuss the challenges faced by pilots and their associations due to the “trans-nationalisation” of the aviation industry. The Seminar, supported by the European Commission, held workshops on specific aspects of the TNA phenomenon, and included valuable contributions from the European Commission, the European Parliament, Eurofound, NAUTILUS, ETF, and ECA Member Associations.

ECA will encourage the European Institutions to adopt some of the suggested actions to build a legal framework for collective negotiations in Europe. ECA will also keep on giving support to its Member Associations to follow this roadmap and its suggested guidelines for improving Trans National representations.

2.3 RoadShow / Industrial Toolbox

In order to bring assistance to its Member Associations, ECA - representing also the European Region of IFALPA - set up a RoadShow Working Group in July. The aim of this WG is to visit Member Associations that wish so and do not have the resources, to update them on current hot (industrial) issues, to provide them with best knowledge available of where future challenges may be, and to promote ECA to the pilots of the Member Association.

ECA also developed an “Industrial Toolbox” for its Member Associations, composed of information on Trans-national Airlines (TNAs), mergers, CLA negotiations, language proficiency, etc. In order to start collecting information for its industrial Roadmap, ECA visited the ShCPA – Sheremetyevo Cockpit Personnel Association in Moscow and has been a support to help ShCPA to organise its relations with Aeroflot.

2.4 Regional and Medium Sized Airline Benchmarking

The Regional and Medium-sized Airlines Working Group met in March 2007 to discuss the best possible way to define the criteria for establishing a benchmarking process which is of value to this type of airlines and their representatives.

This benchmarking work will be a useful tool to help understand the different working conditions within the RegMed companies. The Working Group aims to answer the growing need for information exchange and discussion (e.g. on contract and working conditions of pilots working in similar types of airlines).

2.5 Support to MAs

In 2007, ECA gave active support to Member Associations in different subjects.

ECA is following with concern the case of our colleague Capt. Cvetko Marinkovic. This Serbian pilot is waiting for a court ruling awarding him compensation for his dismissal back in 2002. This case has already lasted more than 5 years, whereas the normal labour procedure in this country should not exceed 6 months. At the request of Serbian Cockpit Association, ECA has written several letters to the Serbian Government, the EU, and the UN representatives in Serbia. The ECA President has also offered to meet with the management of the airline in question.

ECA collected information concerning part time work upon request of HUNALPA and BeCA who were engaged in CLA negotiations. Other MAs asked for assistance in their negotiations with National Authorities concerning the implementation of Sub-part Q.

HUNALPA also requested legal support to stop a Hungarian carrier programming crews over the flight and duty time limits set in their CLA. HUNALPA was successful in sorting this problem with the Company.

Many Member Associations requested support regarding abuses in the application of security regulations. Zurich, Barcelona and Copenhagen are examples of such cases.

ECA also supported our Greek member HALPA. In 2007, ECA facilitated on several occasions in the Olympic Airways/Aviation merger case, visiting HALPA and providing advice based on ECA Merger Policy.

The ECA President is also organising a meeting with Iberia President to support the re-admission of Capt. Miguel Angel Gordillo, who was unfairly dismissed after refusing to take a flight because of safety concerns.

In early November, ECA assisted SEPLA in the context of Spanish pilots having been held hostage by the government of Chad, after having operated a plane for a non-governmental organisation that the Chadian government accused of child abduction. ECA facilitated contacts with and action by the European Commission, the Spanish Permanent Representation in Brussels and other actors. The aim is to ensure that crews do not become the "bargaining chip" of governments that want to achieve political aims by refusing the crews to return to their country.

3 Technical Issues

3.1 Security

The ECA Security Working Group met twice this year (March, September). Its work is dominated by the dissatisfaction expressed by many of our members regarding the new European security procedures. The Working Group has developed strategy to improve the situation by (re)defining the position of the pilots in the security chain and by promoting instruments capable of differentiating pilots from other non-security related staff.

This strategy was approved by the ECA Executive Board. ECA experts are now lobbying the EU institutions and the

Member States to review the rules concerning pilots and to adopt facilitating tools such as a European Crew ID card and common Background checks.

ECA made an official proposal for including a European Crew ID in the future security regulation. Several presentations concerning the role of pilots in the security chain were made in different occasions and fora.

ECA attended the meetings organised by the Commission in the Security area: the Stakeholders Aviation Security Advisory Group (SAGAS) and the Implementing Regulation Working Groups. The main topics dealt with in these meetings are the revision of the current security regulations and the follow up of the ban of liquids.

The Revision of the security regulations is also dealt with in the European Parliament and in the Council of Ministers. ECA had lobbied the institutions to introduce provisions concerning the responsibility of the Captain and the need for harmonised in-flight security provisions. These suggestions were adopted by the Parliament together with a joint industry request to have public funding of security measures. The Council does not accept this last amendment and the dossier risks being blocked.

3.2 Multi-crew Pilot Licensing

After ECA's successful lobbying in favour of a gradual introduction of the new MPL training concept in Europe, and for the establishment of a JAA MPL Advisory Board, the implementation at national level and its European monitoring have dominated 2007.

The ECA representative to the MPL Advisory Board reported a lack of transparency and real difficulties for the Board to receive the necessary information to effectively monitor MPL training programmes. As a result, ECA started contacts at all levels, prepared position papers and advocacy letters, mobilised the media, and asked its Member Associations to write to and meet their national authorities to promote

effective oversight of the implementation of MPL.

As a result of this coordinated campaign and of some media attention, the situation seemed to get better towards the end of 2007. In November, the MPL Advisory Board invited all Training Organisations having MPL programmes to a hearing organised in Cologne, which ECA also attended. The Advisory Board also called upon national authorities to set up national Advisory Boards to ensure the new training programmes are properly introduced, monitored and assessed. This is a positive step in ensuring the transparency of the system and the compliance with the ICAO requirements.

ECA experts work in close cooperation with IFALPA and participate actively in the work of the IFALPA MPL Task Force.

3.3 Single European Sky (SES) – General Progress

3.3.1 SES Developments

There were some critical developments in Single European Sky, in 2007, which ECA closely followed. The most noteworthy are summarised below:

- The Commission continued to work with Eurocontrol in the preparation of numerous regulatory, non-regulatory and Community specifications mandates. Consultations on rules for, *inter alia*, air traffic flow management, aeronautical data integrity, data link services, mode S interrogator code allocation were completed in 2007. Work is also afoot in the Commission to finalise the conditions for the future application of three airspace concepts (European upper flight information region, functional airspace blocks, route and sector design) for the airspace below flight level 285. Future rules are currently being prepared for next year on e.g. surveillance performance and interoperability requirements, and a safety/ risk classification scheme etc.
- The Commission also underlined its commitment to extend EASA's competences to the area of air traffic management and air navigation services. A Notice of Proposed Amendment to 1592/2002 (i.e. an EASA stakeholder consultation) should be published by the end of November 2007.
- In July 2007, a 'High Level Group' on the future aviation regulatory framework (which was established by Jacques Barrot, Vice-President of the Commission), delivered its final report. The Group has come up with a list of ten recommendations and a roadmap with concrete measures on how to boost performance of the air traffic management system. The report alleges that improvements can only be achieved through strong regulation where market forces fail, and by changing the governance to ensure that the users who fund the system have a stronger role in decision making. The group calls on the Commission to appoint an "Aviation System Coordinator" to drive forward improvements in capacity and efficiency both in the air and on the ground. The recommendations provide input for the Commission's planned enhancement of the current "Single European Sky" legislation. The recommendations identify the steps needed to ensure that SESAR, the programme aimed at modernising Europe's air traffic management system, can be successfully implemented.
- The Commission plans a first review report of the Single European Sky, incorporating the high Level Group recommendations. This report will take the form of a Commission Communication, which is expected to be adopted by the end of 2007. This would then lead to concrete Legislative proposals by spring 2008.
- The SESAR Project – at which ECA participates with two experts – had its third "Deliverable" accepted by Eurocontrol and the Commission, in Oct. 2007. The completion of the draft concept of operations was a

considerable hurdle in the process, but was finalised to the relative satisfaction of all stakeholders, incl. ECA (see separate article below).

- The Council Regulation on the SESAR Joint Undertaking (JU) was adopted at the Council. The JU's Administrative Board held its first formal meeting in June. An Executive Director and a small team of administrators have already commenced work to take on the implementation of the SES as of March 2008 (see separate article below).
- The National Supervisory Authorities struggled to meet the extended deadline to certify their national air traffic services, in accordance with the SES Common Requirements. It is expected that these requirements will have been met by almost all Member States by the end of 2007.
- The Performance Review Commission completed an "evaluation of the impact of the SES initiative on air traffic management (ATM) performance".
- The Industry Consultation Body (ICB) met six times in Plenary. There were also six meetings of the institutional subgroup and four meetings of the interoperability subgroup. A new subgroup on Airspace and Service Provision was created. This new group has already met twice in 2007, under the chairmanship of IATA. A delegation from the ICB was also invited to attend the Single European Sky Committee to represent its positions on the Draft regulation on performance review and the High Level Group report. The group is also currently preparing its position on the SESAR Concept of Operations.

3.3.2 ECA's Role in SES Developments

Throughout the year, ECA followed closely and contributed to the intensive work of the ICB. The main issue pre-occupying the group was the High Level group work. The chairman of the ICB was appointed as a member of the High Level Group, along with representatives from the users, the

service providers and the airports. This put increasing pressure on the ICB chairman to represent the views the professional staff and the manufacturers. It proved a fruitful exercise and the final report was welcomed by the majority of the stakeholders as a good basis on which to prepare for the future.

Other major topics of ICB debate were the SESAR project and its "Deliverables" two and three, the role of the ICB in the SESAR Joint Undertaking and the deployment phase, the realisation of the HLG recommendations and institutional reform, reviewing the best and most efficient processes for implementing rules, mandates and Community specifications for interoperability, the performance review regulation etc.

ECA also put much effort into coordinating positions with the professional controller and engineer staff organisations in the context of the SESAR project, presence on the SESAR Joint Undertaking Administrative Board as well as the ICB. Moreover, ECA, IFATCA and IFATSEA wrote a joint letter to Transport Commissioner Jacques Barrot on the professional staff opinion on the High Level Group report.

Under the auspices of the Social Dialogue, ECA participated in the organisation of a Just Culture conference in Bucharest in June. The ECA Technical Director Juan Carlos Lozano chaired the regulatory session of the Conference, while Neil Johnston was the animator of one of the breakout technical sessions. Also present was the chairman of the IFALPA Accident Analysis Committee, along with Fiona Mc Fadden of ECA staff. The Commission sponsored the event, which was deemed an overall success. Follow-up actions are underway to convince Commissioner Barrot to work closely with EU Commissioner for Justice Frattini to better promote just culture in particular, in the revision of the directives on accident investigation and mandatory occurrence reporting (see also separate article above on the Accident Investigation and Occurrence Reporting Directives).

3.4 SES – SESAR Project

Capt Paul Vissers and Neil Johnston ensured an ECA presence in the SESAR project throughout the year. This required intensive work, particularly on the Concept of Operations where the acceptance of all stakeholders was key. ECA was invited to present its opinion and concerns to the Executive Board (EXCOM) of SESAR on two separate occasions demonstrating the commitment the project team had to accommodating the professional staff position. However there is still a lot of work to do before SESAR is completed satisfactorily in March 2008.

3.5 SES/ SESAR Joint Undertaking

On the Administrative Board (AB) of the SESAR Joint Undertaking, ECA is (provisionally) represented by a representative from the International Federation of Air Traffic Controllers Associations. The AB had three preparatory meetings in the first semester of 2007, before its first formal meeting in June. Since then, there have been three further meetings and a further two scheduled before the end of 2007. The AB is chaired by the director of Aviation in the DG TREN, who is a formal member of the Board representing the Member States (through the Single European Sky Committee). The second member is Eurocontrol. Both institutions currently control 45% of the voting rights. The Users represent the final 10%. All stakeholder representatives at the AB have veto rights, including the professional staff.

The work programme for the SESAR AB will be provided in the form of the Master Plan, otherwise referred to as the final “Deliverable” of the SESAR definition phase. This is due in March 2008. In preparation, the AB has been assisting in decisions to set up the JU administratively and staff recruitment. It has also been studying the JU Financial Regulation which will provide the funding for the body over the future thirteen years of its life. A difficult question under current debate is expanding the membership of the JU to future investors from industry. Currently there are industry proposals on the table to fund the implementation to the order of

1.5 billion euro. This will entail the redistribution of the current voting rights. Community instruments will provide for a further two billion euro of funds to complete the SES. It is noteworthy that some of the resources will be provided in-kind.

3.6 EASA – Current Status

3.6.1 EASA Developments

EASA went from strength to strength in 2007. At the end of the year, its staffing levels will be close to 400. It now would like to increase the staffing levels to 620 by 2011. It has begun to better streamline its financing ensuring that the European Commission contribution is dedicated to non-certification activities, allowing the Agency to concentrate on core issues such as safety analysis.

One of the biggest changes to the Agency’s operations in the past year has been the introduction of a new Fees and Charges Regulation (Commission Regulation 593/2007). Introduced in June 2007, it has moved the fees levied to Industry for certification and oversight work from an hours-based model to a flat fee system. The Regulation is intended to ensure the financial stability of the Agency by covering all costs incurred in such activities with fees charged for them. The new Regulation has been in force less than one year, so it is not yet possible to say with certainty that this aim has been achieved. However, initial indications are that the fees raised will be sufficient to cover all such costs. Nonetheless, the Regulation has met with significant opposition from Industry, and the Agency’s management has spent significant amounts of time with Industry, explaining the interpretation of the Regulation and ensuring it has been implemented fairly and accurately. This issue has not yet been completely resolved.

The rulemaking programme for 2007 was ambitious. But with time the Agency tackled the outstanding tasks from 2006. ECA also provided experts for some of the drafting groups (e.g. Electronic flight bag). The ECA EASA Steering Committee and

TLO Working Group continue to review the rule-making tasks and are also preparing experts for participation in these groups.

Responses to a number of Notices of Proposed Amendments (NPAs) were coordinated from the ECA office, in close cooperation with IFALPA. Notably, ECA responded to the consultation on the Essential Requirements for Aerodromes and its subsequent Comment Response Document. Also the ECA team monitors developments of the Essential Requirements for Air Traffic Management. A number of other tasks such as the consultation on the certification of ADS-B in non-radar areas, the certification of oxygen masks and advanced NPA on de-icing etc were fulfilled.

ECA continues to ensure a good attendance at the Safety Standards Consultative Committee and assures the chairmanship of the subgroup on Flight standards through Hans Ulrich Raulf from VC. The new ECA Technical Board Director, João Moutinho took up his position at the EASA Advisory Board (EAB), replacing Juan Carlos Lozano over the summer. ECA also participated in subgroup activities of the EAB, e.g. the EASA budget and work programme group, a small task force to study the revision of the accident investigation and mandatory occurrence directives group etc.

3.6.2 Operations & Licensing

At technical level, EASA has been very busy preparing the “Implementing Rules” for operations and licensing. ECA had a team of six experts who participated in the operations and licensing core drafting groups and their subsequent breakout subgroups. The work schedule was very heavy for the ECA pilots.

On the Operations side, the task of the OPS.001 Working Group primarily involved the transposition of the JARs OPS rules into the EASA Implementing Rules structure for OPS. The task proved too ambitious for some of the groups and EASA disbanded some groups to finalise the work internally. However, the core groups will be convened in November and December to discuss the finalisation of drafts.

On the licensing side, EASA convened a drafting group FCL.001 to prepare the transposition of JAR FCL into the EASA Implementing Rule system. ECA experts were appointed by the Agency to participate in this core group as well as in the three subgroups reporting to the core group (training, authorities, and medical).

As was the case for OPS, ECA experts had to cope with a very heavy agenda (almost monthly meetings) and tight time schedules, as well as with a lot of pressure coming from the Agency and from external interests. The inputs from ECA experts have been impressive, although the Agency’s resistance to take on board some of their well-funded arguments has created some difficulties that were addressed at political level.

The next step in the licensing and operations field is to prepare for and participate in the NPA process that will officially approve the new EASA Operations and Licensing Implementing Rules. To manage this NPA process, the ECA Training, Licensing & Operations Working Group has started working on the draft EASA rules and is coordinating ECA’s activities in this area. This will be a considerable task that will need strong commitment from all ECA Member Associations.

3.7 EASA – 1592/2002 Regulation Revision

Since the publication of the Commission proposal to revise the EASA Regulation 1592/2002, in late 2005, ECA has been closely following this dossier throughout the legislative “co-decision” process (involving the European Parliament – EP – and the Council of Ministers). The revision aims primarily at extending the Agency’s scope to air operations, pilot licensing and the safety of the third country aircraft.

In its advocacy work, ECA has been particularly active vis-à-vis the EP, supporting the extension of EASA’s scope to operations and licensing, as well as to make sure the achievements gained in EU-OPS on Flight Time Limitations (FTL –

see separate article above) are not lost when the OPS mandate is transferred to EASA.

Based on a detailed position paper, ECA advocated its point of view both during the EP Transport Committee's deliberations and the EP Plenary vote. One of ECA's main focuses was to convince the EP to counter some proposals made by the Council, which ECA believes would have been detrimental to flight safety in Europe.

In early 2007, the German Council Presidency started an informal "Trilogue" process (involving Council, EP, and Commission) to negotiate a compromise by June 2007. When this attempt failed, the Portuguese Presidency revived the Trilogue, aiming at finding a settlement by the end of 2007.

Despite not being a transparent process and being dominated by big, political issues, ECA focused on shaping the Trilogue's outcome as much as possible. After little initial success, some impact is starting to be felt. In particular, ECA is working to have a Council proposal changed, by which Member States could choose to disregard EASA rules on FTL when approving individual FTL schemes. Also, ECA insists that EASA's legally binding Implementing Rules for FTL must include all substantive provisions of EU-OPS Subpart Q. Finally, ECA lobbies against the inclusion of Non-technical Skills into EASA's new Essential Requirements for pilot licensing.

3.8 EUROCONTROL

ECA continues its presence at Eurocontrol. It attends the Provisional Council meetings, Stakeholder Consultation Group, Air Space and Navigation Team, ATM procedures development Sub-Group, NATO/EUROCONTROL ATM Security Coordination Group (NEASCOG), Airborne Separation Assistance Systems Thematic Network (ASAS-TN2) and its Requirements Focus Group, CASCADE (Co-operative ATS through Surveillance and Communication Applications Deployed in ECAC) programme, and its

Operational Focus Group; Runway Safety Team etc.

ECA also attended a number of stakeholder workshops at the agency, including Just Culture, Responsibility and Liability in ATM, ATM Security, Allclear, Airspace Classification etc.

ECA is consulted on all opinions prepared by Eurocontrol to be submitted to the Commission (see Single European Sky section above).

Eurocontrol has appointed a new Director General, David Mc Millan, who will take over from Victor Aguado in January 2008. It is expected that the new Director General will further refine the recommendations of the High Level Group (of which he was a member) and implement change and reform within the agency that is reflective of the future governance needs for aviation and ATM, in particular.

3.9 Joint Aviation Authority (JAA)

The JAA continues to exist. It has moved to the EASA premises in Cologne and has a skeleton staff which addresses primarily operations and licensing rulemaking. The JAA has been subcontracting its work to EASA since the beginning of 2007 and is formally referred to as JAA-T (Transition).

ECA continued to attend the meetings of the Operations Sectorial Team, the Licensing Sectorial Team and the CNS/ATM Subgroup. All three teams have met this year. ECA also attended the Regulation Sectorial Team (RST) meetings. ECA intends to continue its presence at least until the adoption of revision of 1592/2002 providing EASA with the mandates for operations and licensing next year.

3.10 Air Traffic Management and Aerodromes Working Group

In 2007, ECA restructured its Air Traffic Management Working Group to

accommodate aerodromes. This was considered necessary to keep abreast of the developments at EASA level and to ensure proper synergies between the two areas to cater for a substantial amount of overlap in the content of both areas. The first meeting of the "ATMA" Working Group was held in May and the co-chairs for ATM and aerodromes were elected. These co-chairs now ensure technical oversight on the ATM and aerodromes area for ECA on an on-going basis.

3.11 Technical Seminar

ECA organised a technical seminar in January in Brussels to regroup all the technical experts working for ECA. The objective was to provide an overview of how ECA functions, to clarify the relationship with IFALPA, and inform them about ECA's work with EU Institutions. The status of ECA's technical work was discussed and we hopefully attracted new candidates to represent ECA to external partners. The seminar was well attended and was deemed a success. There were breakout sessions on specific technical topics and EASA was a topic of much discussion.

3.12 Unmanned Aerial Vehicles

ECA continues to accompany the introduction of UAVs into the non-segregated airspace. In this regard the work with EUROCAE Working Group 73 has been intensified.

This working group develops a code that might be the basis for certification of design and operation of UAVs, as well as qualification of the UAV-pilots. The operational view of airline pilots in this WG is highly appreciated by the industry. Thomas Mildenberger was assigned to chair the work for task 1.6: "operational approval aspects, pilot training".

In addition, ECA took part in a research project of EU's framework 7, namely the IFATS-project (Innovative future air transport system), which researched the

prerequisite for an automated air transport system without dedicated pilots or controllers. ECA took the stance that some outcomes might be worth being introduced to assist pilots/controllers. Complete automation is neither feasible nor achievable; human errors would still be present, but in un-researched and more problematic fields (latent instead of active errors), certification of 'real autonomous' behaviour of UAVs (non-deterministic software) is at present not conceivable.

On behalf of ECA and IFALPA, the position of the airline pilots was presented at the Euro-UAV-meeting – the world's biggest UAV-event – in Paris in June, as well as at the UAVnet-meeting in Madrid in October.

4 Organisational Issues

4.1 ECA Structure & Board

Since June 2005, ECA has worked under a streamlined organisational structure, based on a revised Constitution and a small Executive Board, with specific competences assigned to each Director. Since the last General Assembly, four ECA Conferences have convened ECA Member Associations, in Brussels (Feb.), Dubrovnik (March), Brussels (June) and Madrid (Nov.).

Based on this structure, ECA has been proactive in representing pilots' interests in the EU, with its Executive Board meeting every month in Brussels for at least two days.

At the June Conference, ECA elected a new Board Director for Technical Affairs, Capt. João Moutinho (from Portugal). This election was made necessary when it became impossible for the initial director, Juan Carlos Lozano, to attend Board meetings due to his employer withdrawing union days from his home association SEPLA. Capt. Moutinho therefore covers the second part of the 2-year term attributed to this position. He covers in particular ECA work vis-à-vis EASA and ECA's TLO Working Group (Training, Licensing & Operations).

At the ECA Conference in November 2007, in Madrid, four of the seven Executive Board Directors are up for (re)election:

- Vice-President (currently Capt. Henk DE VRIES)
- Professional Affairs Director (currently Capt. George KARAMBILAS)
- Technical Affairs Director (currently Capt. Heinz FRÜHWIRTH)
- Administrative and Financial Affairs Director (currently Capt. Odd HAUGSBAK).

Two of the above current Directors (Henk and Heinz) have indicated their readiness to serve for another term while two positions are entirely up to new candidates. The tenure of the new positions will be two years, i.e. until November 2009.

4.2 ECA Enlarges Further

In 2007, ECA continued its growth in terms of pilots and national associations represented. Over the past 12 months, ECA welcomed three new pilot associations into membership:

- Estonian Airline Pilots Association (Estonian ALPA) – Nov. 2006
- Georgian Airline Pilots Association (Georgian ALPA), as an associate member – Nov. 2006
- Hungarian Airline Pilots' Association (HUNALPA) – June 2007

4.3 Cooperation with IFALPA

Since the signature of a comprehensive Protocol of cooperation between ECA and IFALPA (International Federation of Airline Pilots' Associations) in May 2006, and building on their close relationship since their 2003 agreement, both organisations further deepened their cooperation in 2007.

At two occasions, IFALPA held its regional meeting (Europe) in conjunction with the

ECA Conferences, updates about Annex 19 were given as well as on industrial matters. In Spring 2007, the ECA and IFALPA technical departments met for a 2-day meeting on technical issues and ways of further streamlining cooperation on a day-to-day basis. Wherever possible, ECA also attends IFALPA's Committees, such as the Industrial Committee in Mexico (Oct. 2007), or the IFALPA Negotiating Seminar.

4.4 New Policy Advisor

In May 2006, ECA created a new position of "Policy Advisor", in order to reinforce ECA's presence vis-à-vis the European aviation regulators.

After her dynamic and well-appreciated one-year contribution to the ECA team, Ms. Deren DERYA, was offered the opportunity to join the European Commission. ECA subsequently looked for a suitable successor and very soon hired Ms. Céline CANU, a French economist.

Céline, who started with ECA in July 2007, focuses on issues such as: Trans-national Airlines, Social Dialogue, Data Privacy Protection, Regional & Medium Sized Airline Benchmarking, Industrial affairs, etc.

Before joining ECA, Céline worked at Euractiv, a European affairs Internet news portal, as a freelance consultant, and as a trainee in DG TREN (Transport) of the European Commission.

4.5 ECA Working Groups

After having confirmed and formalised the ECA Working Group (WG) Structure in 2005, ECA continued to use this tool as the primary way to systematically involve Member Associations in ECA's day-to-day work. In 2007, a new WG was created the so-called "Road-show WG", aimed at helping Member Associations on specific issues, and to further promote ECA and European issues vis-à-vis their members. The ATM WG was expanded to cover also

Airport matters, and the Training & Licensing WG became the “TLO” WG to include also operational matters. The FTL Campaign Committee was formally replaced by the FTL WG to better cover the national implementation process of Subpart Q.

There are currently 10 Working Groups in place, which are open to all ECA Member Associations, plus an informal “Steering Group” on EASA matters:

- Air Traffic Management & Airports (ATMA) WG
- External Relations WG
- Flight Data Protection WG
- Flight Time Limitations (FTL) WG
- Industrial WG
- Regional / Medium-Size Airlines WG
- Road-show WG
- Security WG
- Training, Licensing & Operations (TLO) WG
- TLO / EASA Steering Group (informal)
- Trans-national Airlines (TNA) WG

One Board Director is responsible for each Working Group, in addition to the WG Chairman / Co-Chairmen and the ECA Secretariat’s staff. All Working Groups are reviewed once per year, in July, to assess their mandate and justification for being re-conducted for another year.

4.6 ECA Meeting Database, Website & Cockpit News

The ECA Secretariat reorganised certain sections of the ECA website. This work is still going on. A new Intranet will replace the old one in November 2007, to allow for easier filing at the Secretariat and to offer better service for Member Associations.

The online Meeting Database – available to all MAs – has been used and updated to coordinate and plan ECA activities in key areas.

RSS (Really Simple Syndication) feeds are being used to allow users to subscribe to the website and view the latest content.

During 2007, ECA continued to issue its monthly short and concise news bulletin – the Cockpit News. This bulletin is also available on ECA’s website in high-resolution PDF and text format. Several Member Associations post it on their sites and include it in their news magazines.

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