



ECA Comments on the Revision of Regulation 2320 establishing common rules on aviation security

Following the conclusion of discussions in the Working Group on the Revision of Regulation 2320, the European Cockpit Association (ECA) would like to make some general comments. We suggest that these comments will be taken into consideration by the Commission when preparing its formal proposal.

Transparency & Stakeholder Involvement

Representing 34.000 European pilots, ECA expresses its satisfaction with the high degree of transparency and openness of the consultative process. The Working Group provided a good platform for exchanging views, experiences and expertise, thereby helping to improve the quality of the future legislation. This was particularly evident at the last Working Group meetings where stakeholders and national experts looked *together* into the issues at stake.

ECA considers this type of consultation, and the format of a Working Group – bringing together the Commission, stakeholder and Member State experts – as a good experience and an example to be repeated in the future.

Article 9A

ECA fully supports the new article 9A concerning the **institutionalisation of the SAGAS**. As stated above, there is a clear value added in having a broad and regular consultation.

Our association insists, however, that suitable mechanisms need to be developed to ensure a high level of involvement of national experts in this consultation – within the limits of the EU legal system.

Chapter 3.2

ECA supports the inclusion of a clear **reference to “in-flight” security** in the Regulation. Common standards in “in-flight” security are necessary for the establishment of a complete and coherent European approach to aviation safety.

EU involvement in this area should guarantee common standards and monitoring of the legislation, thus avoiding having “weak spots” that could

affect the security of the European aviation market. EU competences on in-flight security should also serve to present a unified European approach towards third countries and international organisations.

ECA would like to reiterate its position that the amended Regulation should expressly **recognise the principle of “captain’s authority”** (among others in order to comply with the requirements of Chapter VIII of the Tokyo Convention), and that any kind of security personnel on-board aircraft must receive specific training.

Chapter 6

ECA stresses that the **level of security should be the same for all sectors, since the threat level is not that different between different types of operations.**

ECA recognises the need to adapt individual measures to the specific sectors of operation.

Competences for Security

ECA considers that aviation security is an issue of common concern to all citizens. It is a central role of the public authorities to protect the population against unlawful acts.

ECA therefore suggests that the **principle of the public authorities’ competence for security** is explicitly inserted in the recitals of this Regulation.

If the public sector transfers this core responsibility to the private sector the authorities pave the way for “private security” with all the common problems experienced in that regard..

ECA looks forward to the official proposal from the Commission and is open to further discuss our concerns ahead of adoption of the proposal. We will continue to closely follow the proposed Regulation throughout the legislative process.

We hope that the end-result will be a strengthened Regulation that provides an adequate level of security for the aviation sector with the right checks and balances in place.

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