

Making a List

Published lists of air carriers and civil aviation authorities that are up to par — and those that fall short — are playing an increasingly influential role in aviation safety.

BY LINDA WERFELMAN

In October 2005, spurred by a trio of deadly air carrier accidents¹ two months earlier, the European Parliament voted to create a blacklist of unsafe airlines and to ban those on the list from operating in Europe.

More than three years later, in its ninth revision — at press time, the 10th revision was due to be released soon — the blacklist has become, along with safety assessments conducted by the International Air Transport Association (IATA), the International Civil Aviation

Organization (ICAO) and the U.S. Federal Aviation Administration (FAA), a major tool for evaluating aviation safety.

The various evaluation tools work together in ways that had not been anticipated, said William R. Voss, president and CEO of Flight Safety Foundation.

“There’s a synergy that’s developed among all of these efforts that’s putting pressure on countries throughout the world to improve aviation safety,” Voss said. “The interaction is creating

a different tone in the industry. In the long run, that’s very beneficial.”

Antonio Tajani, European Commission vice president in charge of transport, said that the EU blacklist “is essentially a tool that ensures safer skies in Europe. Through this list, Europeans and non-Europeans alike flying in Europe know that there exists a certain degree of safety on which they can rest assured.”²

Nevertheless, some skepticism remains, said Nicholas A. Sabatini, retired FAA associate administrator for aviation safety and now an aviation safety consultant.

“I don’t believe in blacklists,” Sabatini said, adding that they may nevertheless serve a useful purpose on a temporary basis, in the absence of other evaluation tools. “What I don’t like is that you don’t know what the criteria are.”

The Foundation initially opposed the creation of blacklists, but Voss said it is difficult to argue against the listing of airlines that have been involved in numerous accidents in a short period. “It’s hard to say that their placement on a blacklist isn’t warranted,” he said.

“The blacklist has had a pretty strong effect. It got a lot of people’s attention, and amplified the impact of some of the other safety evaluation programs.”



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The November 2008 blacklist names 169 airlines, including all air carriers certified by civil aviation authorities (CAAs) in Angola, Democratic Republic of Congo, Equatorial Guinea, Indonesia, the Kyrgyz Republic, Liberia, Gabon, Sierra Leone and Swaziland. The blacklist also names four airlines whose operations within the EU are subject to restrictions.

Airlines are placed on the blacklist if they are found deficient in safety criteria that “relate essentially to the findings of SAFA [Safety Assessment of Foreign Aircraft] inspections carried out at European airports, the use of badly maintained, antiquated or obsolete aircraft, the inability of the airlines involved to remedy any identified shortcomings and the inability of the authority responsible for overseeing an operator to perform this task,” the EU said.³ Updates of the list are published on the EU Web site and posted in European airports.

The objective of the blacklist is not only to identify safety issues but also to resolve them, said Fabio Pirotta, European Commission spokesperson for transport.

“It should be seen as a complementary tool to other initiatives aimed at keeping Europe’s skies safe,” Pirotta said. “A case in point is the work undertaken by the European Aviation Safety Agency (EASA), whose primary role is that of a controller of the work of the national CAAs in order to verify whether EC law is correctly applied in member states.

“EASA also collects information on compliance of aircraft and their operation with ...

ICAO safety rules and standards on the basis of inspections of aircraft carried out at EC airports, and on accidents and incidents reported by a member state. In this way, the agency can identify risks and contribute to [the enhancement of] air safety.”

Airline Audits

About two years before the first publication of the EU blacklist, IATA established its Operational Safety Audit (IOSA) program, designed to evaluate airline operational management and control systems.

In that time, the IOSA program has conducted more than 700 audits and listed more than 300 airlines on the IOSA Registry. Beginning in 2008, listing on the IOSA Registry became a requirement for membership in IATA, and about 20 operators have been removed or have voluntarily withdrawn from membership for failing to meet IOSA standards or, in some cases, failing to undergo an audit.

“There have been cases where airlines have elected to abandon their initial audit to undergo a new audit being better prepared,” said IATA Corporate Communications Specialist Martine Ohayon.

She said that IATA works with the EC to harmonize the differing perspectives of their two programs: “The EC blacklist is driven more by the results of ramp inspection programs (where an individual airline is concerned) or because of concerns about state oversight capability. ... IOSA is a fundamental examination of an airline’s operational safety practices conducted

Left: An Antonov An-2 sees action with Thom’s Airways in the Democratic Republic of Congo as a “bush taxi,” painted with the livery of a local beer company. Right: Lion Air is an Indonesian budget airline whose fleet includes this McDonnell Douglas MD-82.



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An extravagantly painted Airbus A320-232 is flown by Siem Reap Air, based in Cambodia.

largely at the airline headquarters. Each program is looking at different things.”

Evaluating CAAs

Rather than focusing on airlines, the FAA International Aviation Safety Assessment (IASA) Program, established in 1992, aims to improve aviation safety by evaluating the CAAs of countries with air carriers that operate — or are seeking authority to operate — in the United States. The evaluations result in issuance of one of two ratings: Category 1 for those that comply with ICAO standards and Category 2 for those that do not.

At press time, 79 countries were rated Category 1; 22 had received Category 2 ratings.

The FAA says that Category 2 ratings are applied “if one or more of the following deficiencies are identified:⁴

- “The country lacks laws or regulations necessary to support the certification and oversight of air carriers in accordance with minimum international standards;
- “The CAA lacks the technical expertise, resources and organization to license or oversee air carrier operations;
- “The CAA does not have adequately trained and qualified technical personnel;
- “The CAA does not provide adequate inspector guidance to ensure enforcement of, and compliance with, minimum international standards; and,
- “The CAA has insufficient documentation and records of certification and inadequate continuing oversight and surveillance of air carrier operations.”

If a country receives a Category 2 rating, its air carriers may continue any existing operations in the United States but may not expand service as long as the Category 2 rating remains in effect.

“It is up to the CAA in that country to remedy the findings and ask for a reassessment when the CAA is ready,” said FAA spokeswoman Alison Duquette. “The whole idea is that they work to improve on what we found. Some CAAs can do this rather quickly and some cannot, depending on many economic and political factors in that country.”

The detailed criteria inherent in IASA and in ICAO’s Universal Safety Oversight Audit Programme (USOAP) provide “the value and the power” of such programs, said Sabatini, who recalled the creation of IASA, in the aftermath of the Jan. 25, 1990, crash of an Avianca Boeing 707 in Cove Neck, New York, U.S. The airplane ran out of fuel after repeatedly being placed in weather-related holding patterns toward the end of a flight from Bogotá, Colombia, to New York. Seventy-three of the 158 people in the airplane were killed.⁵

“Before that, no one assessed other member states to determine their compliance with ICAO Annexes 1, 6 and 8 [dealing with personnel licensing, aircraft operation and airworthiness], the results of which would indicate the effectiveness of their oversight of their air carriers,” he said.

ICAO Audits

Like IASA, USOAP audits ICAO member states, not airlines, to determine how effectively they have implemented aviation safety oversight systems and the status of their implementation of a specific set of ICAO’s safety-related standards and recommended practices.

A USOAP audit focuses on the same categories evaluated by IASA: the country’s primary aviation legislation; specific operating regulations; state civil aviation system and safety oversight functions; technical personnel qualification and training; technical guidance, tools and provision of safety critical information; licensing, certification, authorization and approval obligations; surveillance obligations; and resolution of safety concerns.⁶

The mandatory program, which began in 1999, conducts about 40 audits every year — a pace that requires each member state to host a USOAP audit at least once every six years.

In 2006, ICAO pressed its member states for consent to allow the posting of at least portions of their USOAP audits in the Flight Safety Information Exchange on the ICAO Web site.⁷ By the end of 2008, audit results comprising at least a one-page chart from 161 of 190 member states had been posted. Unlike IASA, USOAP does not assign a rating to supplement the posted information.

USOAP audits currently are in their second cycle, which will end in December 2010, when they will be replaced by a new review program involving the continuous monitoring of CAA actions.

“The concept of continuous monitoring is based on the establishment of a system that will continuously monitor the safety oversight capabilities of contracting states and ensure that states develop, maintain and apply national regulations that conform to the ICAO standards and recommended practices,” said Roberto Kobeh González, president of the ICAO Council. “It incorporates the principles of safety management, focusing on a systematic identification of deficiencies in the state safety oversight capability, assessment of associated safety risks and implementation of strategies to rectify deficiencies and mitigate risks.”⁸

CAA reviews conducted under USOAP and IASA are vital, Voss said.

“It’s not enough to have a beautiful airline with a sparkling reputation,” he said. “The CAA oversight has to be just as good.”

Notes

1. The August 2005 accidents involved a Helios Airways Boeing 737-300, a West

Caribbean McDonnell Douglas MD-82 and a TANS Peru Airlines 737-200. The Helios 737 crashed near Grammatikos, Greece, on Aug. 14, killing all 121 passengers and crew. The final report on the accident said that the flight crew failed to notice that the airplane’s pressurization mode selector had remained in the manual position after maintenance the night before the flight. They — and everyone else in the airplane — were incapacitated by hypoxia, and the airplane crashed after its fuel supply was exhausted. On Aug. 16, the MD-82 crashed into a swamp near Machiques, Venezuela, killing all 160 passengers — most of them from the French Caribbean island of Martinique — and crew. Reports said that the crew of the charter flight lost control of the airplane after both engines flamed out. On Aug. 25, the TANS 737 crashed in a hailstorm during a visual approach in Pucallpa, Peru. Forty-five of 98 people in the airplane were killed, and 55 were injured. Peruvian investigators said the probable cause of the accident was the decision to continue the approach and landing in severe weather conditions.

2. Europa. *Airlines Banned From European Skies: Commission Updates Its Blacklist*. Nov. 14, 2008. <<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/1707&format=HTML&aged=0&language=EN&guiLanguage=en>>.
3. Europa. *Rapid Agreement Reached on Airline Blacklist*. Nov. 16, 2005. <<http://europa.eu/rapid/pressReleasesAction.do?r>

ference=IP/05/1429&format=HTML&aged=0&language=EN&guiLanguage=en>.

4. FAA. *IASA Results Definitions*. June 14, 2005. <www.faa.gov/safety/programs%5Finitiatives/oversight/iasa/definitions>.
5. U.S. National Transportation Safety Board (NTSB). *Aircraft Accident Report: Avianca, The Airline of Colombia, Boeing 707-321B, HK 2016, Fuel Exhaustion, Cove Neck, New York, January 25, 1990*. NTSB/AAR-91/04. April 30, 1991. The NTSB said the probable cause of the accident was the flight crew’s “failure ... to adequately manage the airplane’s fuel load, and their failure to communicate an emergency fuel situation to air traffic control before fuel exhaustion occurred.”
6. ICAO. *Universal Safety Oversight Audit Programme (USOAP)*. <www2.icao.int/en/ssa/soa/usoap/Pages/default.aspx>.
7. The Internet address is <www.icao.int/fsix/auditrep1.cfm>.
8. Kobeh González, Roberto. Speech to the 45th Conference of Directors General of Civil Aviation of the Asia and Pacific Regions, Kuala Lumpur, Malaysia. Nov. 24, 2008.

Further Reading From FSF Publications

Rosenkrans, Wayne. “Inspector Scrutiny.” *AeroSafety World* Volume 2 (August 2007): 30–35.

Rosenkrans, Wayne. “Leading a Quest for Transparency.” *AeroSafety World* Volume 2 (February 2007): 39–41.

The state-owned national airline of Angola uses the Boeing 777-200ER for long-haul operations.

