

10PRL06

IFALPA reminds Indian Government that safety improvement comes from open reporting rather than pointless punishment

Chertsey 1 October: The International Federation of Air Line Pilots' Associations (IFALPA) was surprised to learn week of the plans by the Indian government to introduce new regulations which will allow punishment and penalties for those found to have transgressed the rules laid down in the country's air navigation regulation. Accordingly the Federation, at the request of its member association in India, The Indian Pilots' Guild, has sent a letter to the ministry of transport calling for GSR 532 (E) the bill introducing the new punishment policy to be rejected.

The Indian government seems to believe that this action will result in further improvement to air safety in India. Experience has shown that this belief is exactly contrary to the reality.

In the letter IFALPA encourages the Government of India to follow the principles laid out in the ICAO SMS manual Document 9859. Noting Chapter 2.3 in particular which "*traces the evolution of the science of accident prevention and the development of management techniques intended to cure the root causes of accidents prior to any actual occurrence*". Experience has shown that effective safety reporting is the cornerstone of any safety improvement programme and to introduce a draconian system of punishment such as that contained in GSR532 (E) will have the effect of strangling that vital voice that will lead to long term sustainable improvement that it is seeking and in reality will have a detrimental effect on air safety.

Accordingly the letter "*calls on the Indian Government to reconsider its fundamental approach to the management of aviation safety, to embrace the approach set out in the ICAO Safety Management Manual and to sharply limit the application of criminal sanctions associated with any breach of the aviation regulations. We believe that by so doing the Government of India will do a great service to the travelling public both within India and globally. IFALPA appreciates your anticipated attention to these points and stands ready to assist in any way possible in the improvement of safety within India*".

Notes to Editors

The International Federation of Air Line Pilots' Associations represents in excess of 100,000 pilots in more than 100 countries world-wide. The mission of IFALPA is to be the global voice of airline pilots, promoting the highest level of aviation safety and security world-wide and providing services, support and representation to all of its Member Associations. See the Federation website www.ifalpa.org

For more information contact Gideon Ewers, IFALPA Media Communications Officer +44 1932 579041 or on gideonewers@ifalpa.org

A Copy of the letter's full text is attached

The International Federation of Air Line Pilots' Associations



31 August 2009

The Honourable Mr Praful Patel
Minister for Civil Aviation
Ministry of Civil Aviation
New Delhi.
India

Dear Minister

The International Federation of Air line Pilots' Associations (IFALPA) which represents over 100.000 professional pilots in over 90 Countries, including India, wishes to express its' great concern with the enactment of GSR 532(E) as published in the Gazette of India on 16 July 2009. Our Member Association in India, the Indian Pilot's Guild has responded to the Director General as required by the posting in the Gazette.

As your regulations apply to any aircraft operating within India, the referenced sanctions can directly impact our worldwide membership. While we can readily understand the desire of the Indian Government to enforce regular compliance with regulations intended for the maintenance of the highest level of safety, we cannot understand the draconian approach chosen for enforcement.

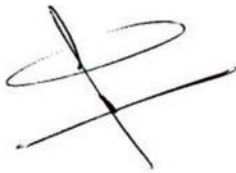
We recall that the International Civil Aviation Organization has recently mandated that air carrier operations, air navigation service provision and aerodrome operations be managed in accordance with the principles of a Safety Management System (SMS) overseen by a State Safety Program (SSP). The principles of SMS are clearly laid out in the ICAO SMS manual Document 9859. Chapter 2.3 of that manual traces the evolution of the science of accident prevention and the development of management techniques intended to cure the root causes of accidents prior to any actual occurrence. As one reads further into the description of modern safety management one finds, at paragraph 2.8.16 the statement "*Effective safety reporting is a cornerstone of the management of safety*"

We believe that experience has shown that draconian enforcement provisions such as those found in the new GSR 532(E) act directly contrary to any program of effective safety reporting. Without significant limitations and conditions, the sanctions listed cannot but have a chilling effect on any reporter. This opinion is further reinforced by the provisions of Attachment E to ICAO Annex 13 dealing with voluntary disclosure. Accordingly, it may be concluded that by this enactment, the Government of India has in fact lessened the chances of significant improvement in safety within Indian aviation.

We call upon the Indian Government to reconsider its fundamental approach to the management of aviation safety, to embrace the approach set out in the ICAO Safety Management Manual and to sharply limit the application of criminal sanctions associated with any breach of the aviation regulations. We believe that by so doing the Government of India will do a great service to the traveling public both within India and globally.

IFALPA appreciates your anticipated attention to these points and stands ready to assist in any way possible in the improvement of safety within India.

Yours faithfully



Captain Carlos Limon
President

cc Director General of Civil Aviation – India
Mr Benjamin – Secretary General ICAO
Mr Bisignani – Director General and CEO IATA
Mr Voss – President and CEO Flight Safety Foundation