



PRESS RELEASE

Brussels, 3rd April 2009

Italian Criminal Prosecutions again Threaten the Safety of Air Passengers and Flight Crew

The European Cockpit Association (ECA), representing over 38,000 professional Pilots from 36 European countries, is dismayed that once again the compulsion to apportion blame has outweighed the greater need to improve the safety of air transport.

In Palermo last week, sentences totalling 62 years were passed against the pilots and management of the airline Tuninter in connection with the August 2005 accident of an ATR72 aircraft off the coast of Sicily.

The technical investigation into the circumstances leading to the crash revealed that it happened because an incorrect fuel gauge sensor was fitted to the aircraft which, in turn, led to a double engine failure due to fuel exhaustion. The pilots reacted to the loss of power in a textbook fashion and completed a successful ditching at sea – albeit regrettably with several casualties. Under the internationally accepted approach to accident investigation such circumstances would not be grounds for a criminal prosecution.

ECA strongly believes that this prosecution was totally unwarranted given the facts of the accident. Once again it calls into question the Italian Government's commitment to the improvement of air safety. Italy has been criticised in the past for its stance on accident related prosecutions and this case provides another example of this short-sighted policy. Seeking to apportion blame and to punish will only make future accident investigations more difficult (as involved individuals may withhold crucial information for fear of being prosecuted based on their testimony), thereby reducing the opportunities to learn from previous accidents.

ECA calls on the Italian Government to act now to amend Italian law in line with EU-wide directives on Accident Investigation and Incident Reporting, which will improve the safety of the travelling public.

ECA also calls upon the European Commission, EU Member States and the European Parliament to make best use of the forthcoming proposal to change the EU laws on accident investigations, in order to prevent national prosecutors from harming aviation safety rather than promoting it.

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