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To: EUROPEAN UNION AVIATION SAFETY AGENCY (EASA)

In attention:

Mr. Luc Tytgat – Acting Executive Director

E-mail:

Strategy & Safety Management Directorate

E-mail:

Aerodromes

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Certification Directorate

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Subject: Law *providing some budgetary fiscal measures* could affect European legislation, SARPs and national legislation by the Romanian state authorities

We inform you that Romanian Airports Association looks with concern at the fact that a Law was promulgated *providing some budgetary fiscal measures* that could affect European legislation, SARPs and national legislation by the Romanian state authorities.

Although the law was put up for public consultation, the airports submitted written observations and arguments requesting to be exempted from these measures, but these were not taken into account by the Romanian state authorities.

Among the measures provided by the law which will have a major impact on airports activities and which could affect European legislation, SARPs and national legislation, we list the following:

- ⇒ Modifying management structure and organizational charts by reorganizing internal structures;
- ⇒ Elimination of vacant positions, implicitly the impossibility of hiring new personnel;
- ⇒ Affecting staff remunerations with coordination attributions.

Specifically, we point out the fact that, if Romanian Airports will not be exempted from the application of these budgetary fiscal measures, it is possible that these will no longer be able:

- ⇒ to provide adequate resources and which may affect the principles of human factors implicitly human performance;
- ⇒ to maintain the conditions associated with the aerodrome operator certificates issued by the Romanian Civil Aviation Authority pursuant to the EU Regulation. no. 1139/2018 of the European Parliament and of the Council and the EU Regulation no. 139/ 2014 of the European Commission and implicitly the requirements of the European Union Agency for Aviation Safety.

Therefore, we kindly ask you to support Romanian Airports by sending to the Ministry of Transport and Infrastructure and to the Ministry of Development, Public Works and

**Infrastructure a point of view specifying the necessity and importance of exempting Romanian Airports from the application of these budgetary fiscal measures.**

Romanian Airports Association emphasizes the fact that, with regard to the airport domain, in the event of promulgation of this normative act, it could produce serious negative effects on the airport domain, specifically on airports and personnel carrying out activities with an impact on aeronautical safety and security, **which would be contrary to the requirements related to the applicable international and national legislation for aerodromes, such as:**

- Commission Regulation (EU) No 139/2014 – *ADR.OR.B.015(b)(5)/ AMCI ADR.OR.B.015 (b)(5)-para.(a), ADR.OR.D.005(b)(2), GM1 ADR.OR.E.005 (j)<sup>1</sup>*;
- Regulation (EU) 2018/1139 - *ANNEX VII - Essential requirements for aerodromes*;
- ICAO Annex 17 – Aviation Security - *Human Factors principles and Human Performance*;
- SIB EASA 2023 – 05 – *point 3 - Aerodromes* ;
- EPAS 2023-2025 - *Volume II - EPAS Actions 2023 Edition, Chapter 9 – „The actions in this chapter aim to maintain a high uniform level of safety in the Member States, ensuring compliance with the ICAO SAPRs and a harmonised approach, also with regard to the alignment of the applicability dates. This will support the free movement of services within the Member States and concurrently ensure convergence of rules at the global level.”*;
- Doc ICAO – *Insider threat toolkit*;
- Romanian Air Code – *Article 29*.

Namely, article 89 of Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the domain of civil aviation and establishing a European Union Aviation Safety Agency, requires “*the Commission, the Agency, other Union institutions bodies, offices and agencies and the Member States*” to “*cooperate with a view to ensuring that interdependencies between civil aviation safety and related socio-economic factors are taken into account including in regulatory procedures, oversight and implementation of just culture [...] to address socio-economic risks to aviation safety*”.

**In conclusion, the Romanian Airports Association consider that in the event of the adoption of this normative act, without excluding airports, will generate the following particularly serious consequences:**

**1) Affecting the terms of the airports certificate**, due to the fact that the management system will be significantly affected and that adequate human resources can no longer be ensured, in the context of the accelerated increase in passenger traffic at Romanian airports, for the performance of all aerodrome activities according to the EU Regulation. no. 139/2014.

**2) Decreasing safety, security and quality standards related to airport activity.**

**3) Affecting human and organizational performance through:**

- a) *blocking airport activity,*
- b) *resignations in bulk,*
- c) *performing an activity at low quality standards, according to the remuneration received and, much more seriously, the appearance of premises that facilitate the existence of the risk that may arise from employees who may commit or facilitate ACTS OF ILLEGAL INTERVENTION or VIOLATION OF SECURITY RULES,*
- d) *the distortion of civil aviation activity, by reference to the reorganization of organizational structures and the decrease in financial motivation of employees, implicitly the lack of superlative quality conditions for jobs in aviation.*

<sup>1</sup> with reference to *Doc ICAO 9683*





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**4) Distortion of the competitive market at European level**, affecting in this sense the competition between international airports in Romania and other airports in Europe.

**5) Inducing additional stress to employees** who carry out activities with an impact on aeronautical safety and security and who are subject to the provisions of national and international safety and security norms, meaning that the aspect that stress, as a psychosocial particularity, represents one among the most frequent human factors generating incidents and accidents in the domain of aviation.

Regarding all the above, we kindly ask you to consider any necessary means to support us by sending a point of view to the Ministry of Transport and Infrastructure and the Ministry of Development, Public Works and Infrastructure that underlines the need for a MEMORANDUM so that Certified Romanian Airports to be exempted from the application of these budgetary fiscal measures.

With great respect,

PRESIDENT  
ROMANIAN AIRPORTS ASSOCIATION  
PhD Eng David CICEO

