



Republika e Kosovës  
Republika Kosovo - Republic of Kosovo



Autoriteti i Aviacionit Civil i Kosovës  
Autoritet Civilnog Vazduhoplovstva Kosova  
Civil Aviation Authority of Kosovo

# Aviation State Safety Programme of the Republic of Kosovo

SSP/MAN/Ver.2/20.06.2018

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## Foreword

The State Safety Programme belongs to the Republic of Kosovo as a State and is not contained within the authority of a single organisation or government department. However at a practical level as the Civil Aviation Authority of Kosovo has regulatory responsibility for aviation safety in Kosovo, the coordination of the State Safety Programme shall be undertaken by the CAA.

The Civil Aviation Authority has the responsibility to regulate the safety of air transportation in the Republic of Kosovo. We consider aviation safety as our highest priority, to that end we are committed to follow all ICAO safety standards and regulations in accordance with the General Law of Kosovo. Therefore we continuously strive to develop aviation safety and to create a civil aviation environment in accordance with international standards, through continuous monitoring, partnership with the industry and a high level of professional staff competence – as reflected in our mission.

The State Safety Programme of Kosovo integrates all necessary ICAO requirements, and is set out to insure the highest level of safety state wide, and sets out the future necessities in all aspects of safety requirements. The CAA's commitment to the SSP is clearly demonstrated by our work with the industry, our work as industry regulators and our continuous efforts in joining international organisation, while already implementing their regulations and requirements.

The first EASA SSP/SMS requirements have been adopted in the form of authority and organisation requirements with Regulation (EU) 290/2012 in the domain of flight and cabin crew and Regulation (EU) 965/2012 in the domain of air operations.

Above mentioned EU regulations are transposed in Kosovo's legal system through Regulation 04/2015 and Regulation 05/2015 respectively. When requirements will be progressively extended to other domains of the aviation system, as expected, we will follow the transposition into our legal system as per our transposition process.

The aim of the SSP is to combine elements of both prescriptive and performance based approaches to the management of safety. It is important to implement an SSP in conjunction with the implementation of an SMS by service providers. The aviation industry is continually changing, especially with the special circumstances that are present in the Republic of Kosovo. The complexity and sophistication of the system grows each year. Whilst many new regulations or innovations in the industry seek to enhance safety, it is essential that any change is assessed against the potential of new risks being introduced so that the right mitigations can be developed.

Abbreviations

Abbreviation	Meaning
LCA	Law on Civil Aviation
ICAO	International Civil Aviation Organization
SPP	State Safety Program
CAA	Civil Aviation Authority of Kosovo
EASA	European Aviation Safety Agency
ECAA	European Common Aviation Area
SMS	Safety Management System
ALoSP	Acceptable Level of Safety Performance
SPI	Safety Performance Indicator
ANSP	Air Navigation Service Provider
ANSA	Air Navigation Service Agency
AMO	Approved Maintenance Organisation
CAMO	Continuous Airworthiness Management Organisations
IRs	Implementing Rules
EU	European Union
EC	European Commission
MOR	Mandatory Occurrence Reporting
VOR	Voluntary Occurrence Reporting
SAFA	Safety Assessment of Foreign Aircraft
ATO	Approved Training Organizations



When the following terms are used in the Manual, they have the following meanings:

***Acceptable level of safety.*** Minimum degree of safety that must be assured by a system in actual practice

***Accident.*** An occurrence associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which:

a) a person is fatally or seriously injured as a result of:

- being in the aircraft, or
- direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
- direct exposure to jet blast, *except* when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

b) the aircraft sustains damage or structural failure which:

- adversely affects the structural strength, performance or flight characteristics of the aircraft, and
- would normally require major repair or replacement of the affected component, *except* for engine failure or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windscreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or

c) the aircraft is missing or is completely inaccessible.

***Aeroplane.*** A power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight.

***Aircraft.*** Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.

***Aerodrome certificate.*** A certificate issued by the appropriate authority under applicable regulations for the operation of an aerodrome.

***Aeronautical Information Publication (AIP).*** A publication issued by or with the authority of a State and containing aeronautical information of a lasting character essential to air navigation.

***Air operator certificate (AOC).*** A certificate authorizing an operator to carry out specified commercial air transport operations.

***Approved maintenance organization.*** An organization approved by a Contracting State, in accordance with the requirements of Annex 6, Part I, Chapter 8 – Aeroplane Maintenance, to perform maintenance of aircraft or parts thereof and operating under supervision approved by that State.

Note. – Nothing in this definition is intended to preclude that the organization and its supervision be approved by more than one State.

***Approved training.*** Training conducted under special curricula and supervision approved by a Contracting State that, in the case of flight crew members, is conducted within an approved training organization.

***Approved training organization.*** An organization approved by a Contracting State in accordance with the requirements of Annex 1, 1.2.8.2 and Appendix 2 to perform flight crew training and operating under the supervision of that State.

***Certification,*** A process performed by the appropriate authority in order to approve an established provider of Aviation related services.

***Certified aerodrome.*** An aerodrome whose operator has been granted an aerodrome certificate.

***Hazard.*** A condition or an object with the potential to cause injuries to personnel, damage to equipment or structures, loss of material, or reduction of ability to perform a prescribed function.

***Helicopter.*** A heavier-than-air aircraft supported in flight chiefly by the reactions of the air on one or more power-driven rotors on substantially vertical axes.

***Incident.*** An occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation.

***Licensing Authority.*** The Authority designated by a Contracting State as responsible for the licensing of personnel.

***Level of safety.*** Degree of safety of a system, representing the quality of the system, safety-wise, expressed through safety indicators.

**Operational personnel.** Personnel involved in aviation activities who are in a position to report safety information.

**Quality management.** Coordinated activities to direct and control an organization with regard to quality.

**Quality system.** Documented organizational procedures and policies; internal audit of those policies and procedures; management review and recommendation for quality improvement.

**Safety.** The state in which risks associated with aviation activities, related to, or in direct support of the operation of aircraft, are reduced and controlled to an acceptable level.

**Safety management system (SMS).** A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.

**Safety performance.** A State or a service provider's safety achievement as defined by its safety performance targets and safety performance indicators.

**Safety performance indicator.** A data-based parameter used for monitoring and assessing safety performance.

**Safety performance target.** The planned or intended objective for safety performance indicator(s) over a given period.

**Safety risk.** The predicted probability and severity of the consequences or outcomes of a hazard.

**State safety programme (SSP).** An integrated set of regulations and activities aimed at improving safety.

## 0. Introduction

One of the obligations of the Republic of Kosovo is to create an environment in which the aviation sector can perform its activities at the highest possible safety level. The Civil Aviation Authority of Kosovo is responsible for developing and maintaining the State Safety Programme (SSP) in accordance with the requirements of the International Civil Aviation Organization (ICAO) and Regulations from EU Acquis communautaire that is referred to or contained in Annex I or II of the Agreement on the Establishment of a European Common Aviation Area.

Currently, standards for an SSP are contained in ICAO Annex 19 Second Edition, July 2016. ICAO describes a SSP as “an integrated set of regulations and activities aimed at improving safety”. The requirement for the SSP recognizes that States, as well as service providers, have safety responsibilities and provides a framework within which service providers are required to establish a Safety Management System (SMS).

The SSP of the Republic of Kosovo has been developed using the ICAO SSP framework and guidance material, including the ICAO SSP gap analysis document. Where possible, the headings proposed by ICAO in its framework document have been adopted in this document.

ICAO standards also require that the Acceptable Level of Safety Performance (ALoSP) to be achieved is established by the State(s) concerned. The concept of establishing an ALoSP attempts to complement the current approach to safety management based on regulatory compliance with a performance based approach. Some guidance on what constitutes an ALoSP is provided by ICAO. In summary, the ALoSP consists of; a start point, Safety Performance Indicator (SPI), an in year Safety Performance Target (SPT) and the safety requirements to achieve the target (operational procedures, technology, systems and programmes to be detailed within the CAA Safety Plan).

## 1. Safety Policy, Objectives and resources

Safety Policy is in Attachment 1 of this document

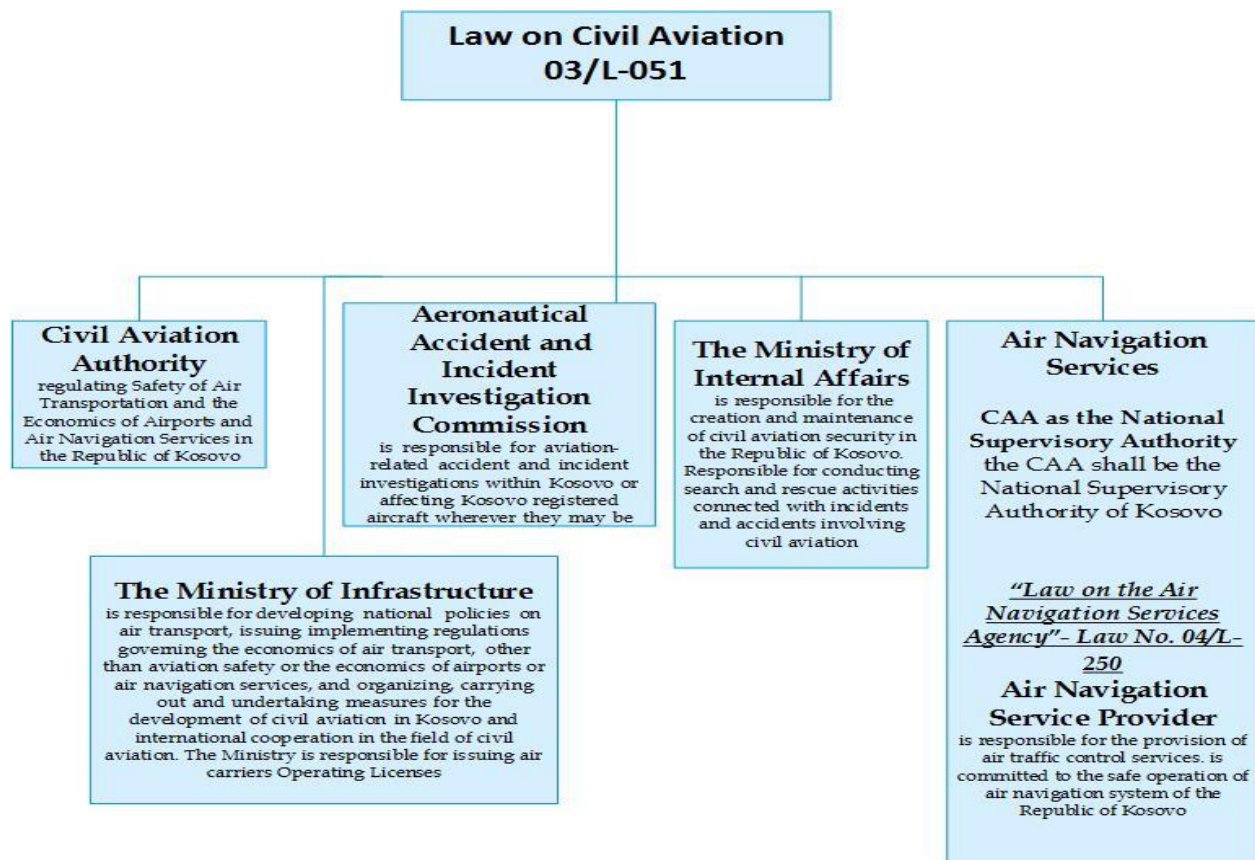
### 1.1 Safety Responsibilities and Accountabilities for SSP

The primary legislation that deals with aviation matters in Kosovo is the “Law on Civil Aviation” - Law No. 03/L-051 which entered into force on the 15<sup>th</sup> of June 2008. Civil aviation legislative framework is supplemented by the “Law on the Air Navigation Services Agency”- Law No. 04/L-250 which entered into force on the 20<sup>th</sup> of March 2014.

Public authorities with responsibilities and functions in the field of civil aviation in Kosovo are:

- a. the Ministry of Infrastructure
- b. the Civil Aviation Authority of Kosovo
- c. the Ministry of Internal Affairs
- d. Aeronautical Accidents and Incidents Investigation Commission
- e. Air Navigation Services Agency

The Ministry of Infrastructure, the Civil Aviation Authority of Kosovo, the Ministry of Internal Affairs, and the Aeronautical Accidents and Incidents Investigation Commission perform functions assigned to them by the present law and any international agreement referred to in Article 3 of Kosovo Law 03/L-051. The Air Navigation Services Agency performs duties assigned to them in Article 16 of Kosovo Law 04/250.



## 1.2 Responsibilities of the Ministry of Infrastructure

The Ministry of Infrastructure is responsible for developing national policies on air

transport, issuing implementing regulations governing the economics of air transport, other than aviation safety or the economics of airports or air navigation services, and organizing, carrying out and undertaking measures for the development of civil aviation in Kosovo and international cooperation in the field of civil aviation. The Ministry is responsible for issuing air carriers Operating Licenses.

The Minister coordinates the activities of the Ministry with the CAA and any other domestic or foreign public authority with responsibilities in the field of civil aviation in accordance with Article 6 of Kosovo Law 03/L-051.

### **1.3 Responsibilities of Civil Aviation Authority**

The Civil Aviation Authority of the Republic of Kosovo is an independent regulatory agency that was established pursuant of Article 130 of the Constitution. The CAAK is a budget organization and a public authority as described in article 14.1 of Kosovo Law 03/051.

It is the responsibility of the Civil Aviation Authority of Kosovo to regulate the safety of air transportation in the Republic of Kosovo, in accordance with article 15 of Kosovo Law 03/051.

The Civil Aviation Authority of Kosovo also has the duty and authority, within the competencies of the CAA referred to in paragraph 1 Article 15 of the present law to issue implementing regulations transposing the Standards issued by ICAO in accordance with Article 3.4 of Kosovo Law 03/051.

Within the CAA, the person who has the position of inspector must be authorized by the Director General. In the CAA, inspectors have been deployed, trained and accredited on the following: on airworthiness, flight operations, general aviation, aerodromes and air navigation services. Based on the Article 15.1 (h) of Civil Aviation Law and the Regulation 08/2011 on Inspectors Credentials and Authorizations, the oversight personnel of CAA is authorized to access and inspect any civilian aircraft, aviation facility or aviation personnel in Kosovo.

CAA differs from other independent agencies due to its legislative competencies. Based on the competencies vested by Law No. 03/L-051 on Civil Aviation, the CAA is authorized to issue bylaws for implementation of the Law on Civil Aviation transposing international civil aviation standards (known as Standards and Recommended Practices "SARP" as Annexes to the International Convention on Civil Aviation – Chicago Convention) and for the implementation of EU legislation in the field of civil aviation, both in terms of ECAA Agreement and others, which are applicable to EU countries, but that have not yet become part of this Agreement.

The size of CAA and the number of professional personnel of total 30 is suitable to the size and complexity of industry in Kosovo. One Airport operator and one Air Navigations Service Provider are certified currently in Kosovo. No Air operators' certificate has been issued and no Aircraft Maintenance Organization is certified.

#### **1.4 Responsibility of the Ministry of Internal Affairs**

The Ministry of Internal Affairs is responsible for the creation and maintenance of civil aviation security in the Republic of Kosovo. The Ministry of Internal Affairs receives technical support from the CAA regarding aviation safety implications.

#### **1.5 Search and Rescue**

The Ministry of Internal Affairs is also responsible for conducting search and rescue activities connected with incidents and accidents involving civil aviation. In the State of Kosovo, the Emergency Management Agency, a unit within the Ministry of Internal Affairs is responsible for such activities. In carrying out search and rescue, the Ministry of Internal Affairs follows the applicable rules of ICAO and the EU/ECAA, and the implemented European Civil Aviation Conference (ECAC) recommendations in accordance with article 84 of Kosovo Law 03/051. The Ministry of Internal Affairs is also responsible for issuing, implementing regulations which establish rules and procedures for the conduct of search and rescue.

#### **1.6 Responsibilities of the Aeronautical Accident and Incident Investigations Commission**

The Aeronautical Accidents and Incidents Investigation Commission (AAIIC) is a unit within the Office of the Prime Minister. The AAIIC is completely independent of the aviation industry, the CAA, the Ministry of Infrastructure, the Ministry of Internal Affairs and other public authorities and officials.

The AAIIC is responsible for aviation-related accident and incident investigations within Kosovo or affecting Kosovo registered aircraft wherever they may be, in accordance with Article 31 of Kosovo Law 03/L-051. If deemed necessary by the AAIIC it shall work in association with other national and international bodies engaged in the same function. The AAIIC of Kosovo is also responsible for the preparation of information and recommendations on flight safety.

#### **1.7 Responsibilities of the Air Navigation Service Provider**

The Republic of Kosovo has responsibility for the provision of air traffic control services



in accordance with article 2 of Kosovo Law 04/L-250.

The Air Navigation Services Agency of the Republic of Kosovo is committed to the safe operation of air navigation system of the Republic of Kosovo as established in article 5 of Kosovo Law 04/L-250.

## 1.8 Primary Aviation Legislation

The initiative to propose laws may be taken by the President of the Republic of Kosovo from his/her scope of authority, the Government, deputies of the Assembly or at least ten thousand citizens as provided by law. The adaptation of a new law is described in Article 80 of the Constitution.

The Civil Aviation Authority of Kosovo has the sole responsibility to implement civil aviation legislation and give effect to policies adopted by the Ministry of Infrastructure or the government in the field of civil aviation. In Kosovo the CAA is also responsible for supervising and ensuring effective implementation of civil aviation legislation, standards, rules, procedures and orders, except where the present law or another primary normative act specifically and exclusively assigns such a function to the Ministry or another public authority.

The Republic of Kosovo on the basis of Article 65 (1) of the Constitution of the Republic of Kosovo and in accordance with the provisions of the Comprehensive Proposal for the Kosovo Status Settlement of 26 March 2007 (UN Doc. S/2007/168/Add.1) has adopted the Law on Civil Aviation.

Civil Aviation activities in the State of Kosovo are carried out in accordance with the provisions of the present law, the Convention on International Civil Aviation of 7 December 1944, and the Agreement on the Establishment of a European Common Aviation Area.

### 1.8.1 EU legislation - International Treaties

As stated in Article 3 of the Law on Civil Aviation, any directly applicable provision of the Agreement on the Establishment of a European Common Aviation Area shall prevail over any provision or aspect of Kosovo law that is inconsistent therewith.

Any element of the EU's *acquis communautaire* that is referred to or contained in Annex I or II of the Agreement on the Establishment of a European Common Aviation Area shall be directly applicable in Kosovo and shall prevail over any provision or aspect of Kosovo law that is inconsistent therewith.



Amendment of, or withdrawal from international agreements require a two thirds (2/3) vote of all deputies of the Assembly as described in Article 18 of the Constitution.

## 1.9 Enforcement Policy

We recognize the fact that “voluntary compliance” with the regulations is the most progressive and effective approach to achieving aviation safety. Voluntary compliance is based on the idea that members of the aviation community have a shared interest, commitment, and responsibility to aviation safety, and that they will operate on the basis of common sense, personal responsibility, and respect for others.

It is the objective of the Civil Aviation Enforcement Program to promote compliance with aviation regulations in Kosovo. We consult the relevant stakeholders on the process of new regulation issuance or amendments of the existing legislation. Furthermore, we issue Technical Publications as guidance to the industry on easier implementation of regulations.

However, we also strongly believe that Enforcement is not an option, it is a commitment to aviation safety.

The SSP implementation plan includes the identification criteria for the Enforcement policy to allow operators SMS resolve minor safety issues. This will then be reflected in the SMS Guidance Manual for operators, TP 26.

CAA has developed Cooperative Enforcement Process, Resolution Enforcement Process before the Punitive Enforcement Procedure is used.

If the voluntary compliance is deemed not to be effective, the enforcement powers provided by a legal framework have been delegated to CAA inspectors, who have the responsibility and authority to conduct enforcement procedures in order not to harm safety of operations in any circumstances.

The Aviation Regulation Enforcement system is defined in the Enforcement Policy Manual of CAA, based on the Enforcement mandate given to the CAA by the Law on Civil Aviation including the punitive provisions. Punitive provisions are deemed to be needed only after having used all other sources like the cooperative process that involves daily standard oversight activities and the resolution enforcement process that usually requires agreement on immediate actions, involves counseling or formal warnings.

When deemed needed, CAA will initiate appropriate punitive actions as per Title IV of Law on Civil Aviation.

### **1.9.1 Operating Regulations**

The EASA Basic Regulation-EC 216/2008 has been transposed as CAA Regulation No. 03/2009 in the Republic of Kosovo. This regulation and all implementing rules (IRs) contained within are therefore binding to Kosovo. EASA also issues a number of non-binding publications, such as certification specifications, acceptable means of compliance and guidance material. These are not necessary to adapt as long as the state complies with all IRs. As Kosovo is not an EASA member state as of now, it has not been subjected to EASA audits, to confirm compliance with the Basic Regulation and all IRs.

All ICAO Annexes are transposed by regulations in the Republic of Kosovo.

### **1.9.2 SSP documentation, Framework and Regulations review**

SSP documents are stored in accordance with the relevant procedure of the CAA (PRC Document Management AACK/ZCS-PRC 01). SSP documents are always reviewed in order to confirm that they are up to date with the applicable standards and that they are appropriate to the complexity and interrelation of processes. As mentioned above the CAA has an established procedure which describes how documents should be reviewed. This process is also used for the SSP. The review of the SSP will also include the revision of a gap analysis in accordance with the Safety Management Manual (ICAO Doc 9859).

### **1.9.3 State system and functions**

Primer responsibility for the SSP rests with the CAA of Kosovo, since the CAA is the specialised aviation safety regulator and performs safety-related function, it coordinates the establishment and implementation of the SSP. In the Republic of Kosovo, the Government has nominated the Director General of the CAA to act as the Accountable Executive for the State Safety Programme of Kosovo. The person holding this position shall coordinate all required activities among state stake holders for the implementation of the SSP, as defined by Law on civil aviation.

The Government has also nominated the SSP Committee, with the following members:

- Director General of CAA-chairman
- Director of Civil Aviation Department in the Ministry of Infrastructure-member
- Head of Accident and Incident Investigation Commission-member
- Head of the Agency for the Management of Emergencies-member
- Director of Agency for Air Navigation Services-member

The Safety Committee is the high level forum for the coordination of State Safety related issues in Civil Aviation. It is used as a mechanism for the consolidation, communication and sharing of safety information amongst its regulatory and administrative organizations involved in the SSP

For a better operational Safety Management the Accountable Executive has nominated a Safety Council within CAA, consisting of the managerial level involved in safety, to analyze and resolve safety concerns within competences deriving out of Civil Aviation Law.

Accountable Executive has nominated the position of the Quality and Safety Manager of the CAA as a position in charge of coordinating all activities that are necessary for the development and implementation of the State Safety Programme, to report directly to the Accountable Executive.

Besides the Safety Council, there are also working groups established, one to follow the implementation of the SSP requirements as listed in GAP analysis and another group in CAA to analyze the safety data of the reporting system.



#### 1.9.4 Qualified technical personnel

The CAA believes that the staff is the most valuable asset, and we always support staff

by means of education and continuous training to have them become and remain competent and qualified for the jobs they perform.

To assure the sufficient number of human resources in the CAA before compiling a recruitment plan an assessment is performed to analyse and identify personnel needs. The assessment is a systematic process that is being performed in CAA in bi-annual basis. The assessment shall consider the following elements:

1. The number and profiles of personnel
2. Organisational Strategy and Objectives
3. Tasks and responsibilities of organisational structures based on the internal Regulation
4. Working plan (Action and Oversight plan)
5. Legal obligations and changes in the EU and ICAO legislation

Technical departments can divide the assessment based on two main pillars of activities, the legislation development and the continuous oversight. Time needed for one person to perform one specific task, the competency level of personnel to cover areas of responsibility are some elements that should also be considered during the assessment. Using this methodology, we calculate the time and personnel needed in order to fulfill our objectives, assuring in mean time that all the necessary competences are within our personnel towards reaching our objectives.

After the assessment of personnel needs, HR consolidates the plan in accordance with the MAP Regulation 02/2014 on personnel planning for civil servants. The plan then gets the approval by DG through the approval of the annual working plan. Technical personnel must meet qualification requirements described in departmental manuals in order to get authorized as a safety inspector in any of the aviation fields. Requirements for every inspector profile include a training in safety management.

The Training plan is initiated by the Management structure in order to require from staff the identification of training needs for the following year. Training is identified based on the requirements for achievement or maintenance of credentials or based on the need for the development of competency within the scope of work at the CAA.

Training records for all CAA personnel are kept in Human Resources department.

#### **1.9.5 Technical guidance, tools and provision of safety-critical information**

Policies and guidance materials both for the industry and for CAA staff are developed for enabling ease of understanding and compliance with the regulations and standards. These materials are readily available, regularly updated and published on the CAA website, and disseminated by other means as well, such as via email to the relevant

stakeholders.

The ANSP publishes the Aeronautical Information Publications (AIPs), Aeronautical Information Circulars (AICs), and Notices to Airmen (NOTAM) after they have been approved by the CAA. These publications can also be found on the CAA website.

## **2. State safety risk management**

### **2.1 Licensing, certification, authorization and approval obligations**

CAA has established processes to certify, licence, authorise and approve operators or individuals, based on requirements that derive from the legislation in force. All processes and procedures concerning the certification, licencing, authorisations and approvals that CAA issues are described in Manuals of departments within CAA.

### **2.2 Safety management system obligations**

The CAA Regulation 01/2003 obliges all service providers to establish, maintain and adhere to an SMS that is appropriate to the size, nature and complexity of the operations authorised to be conducted under its certificate and the safety hazards and risks related to the operations.

In accordance with the same regulation, The CAA is responsible for the acceptance and oversight of the service provider's SMS and for the harmonisation of the SMS requirements in the entire civil aviation industry in the Republic of Kosovo.

Besides the secondary legislation, a guidance manual has also been published to guide the industry on the development and implementation of the SMS, TP 26 "Safety Management System (SMS) for Service Providers". This manual is intended to provide guidance material to service providers on the implementation of Safety Management Systems (SMS). It has been developed to give sufficient understanding of SMS concepts and the development of management policies and processes to implement and maintain an effective SMS. Guidance on SMS scalability for small organisations is TP 09.

CAA accepts the service operators SPIs based on the internal procedure following this criteria:

- Subject of SPIs – do they address risk priorities and what is the source of that information – reports, events, audits, risk assessments?
- Validity of SPIs – do they realistically measure the extent, magnitude and proximity of the risk?

- Targets – is the degree of improvement ambition commensurate with the seriousness of the risk, i.e. if it is a serious and pressing risk there should be an aggressive / ambitious improvement target

The following subchapters describe the applicable Safety Management System requirements for Aviation Service Providers in the Republic of Kosovo.

### **2.2.1 Air Operator SMS Requirements**

Regarding Safety Management System requirements for Air Operators the applicable requirements are specified in CAA Regulation No. 3/2009 transposing EC Regulation 965/2012 Laying down Technical Requirements and Administrative Procedures Related to Air Operations.

### **2.2.2 AMO and CAMO SMS Requirements**

Regarding Safety Management System requirements for Approved Maintenance Organisation and Continuous Airworthiness Management Organisations for maintenance of aircraft and/or components falling under CAA Regulation No. 3/2009, the applicable requirements are specified in CAA Regulation No. 5/2009 transposing EC Regulation 2042/2003 on the Continuing Airworthiness of Aircraft and Aeronautical Products, Parts and Appliances, and on the Approval of Organisations and Personnel Involved in these tasks.

### **2.2.3 Production and design Organisation SMS Requirements**

Regarding Safety Management System requirements for Production Organisation for production of aircraft and/or components falling under CAA regulation No. 3/2009, the applicable requirements are specified in CAA Regulation No. 4/2009 transposing EC Regulation 1702/2003 laying down implementing rules for the Airworthiness and Environmental Certification of Aircraft and related products, parts and appliances, as well as for the certification of Design and Production Organisations. Currently there are no organizations involved in the production or design of any aircraft related products, parts and appliances in the Republic of Kosovo.

### **2.2.4 Aerodrome Operator and Ground Handler SMS Requirements**

Regarding Safety Management System requirements for Aerodrome Operator and Groundhandler, the applicable requirement is specified in EU Regulation 139/2014 of 12 February 2014, laying down requirements and administrative procedures related to aerodromes which is in the transposition process in Kosovo legislative system. Currently the Regulation 1/2008 requires the SMS from aerodrome operators.

### **2.2.5 ANS Provider SMS Requirements**

Regarding Safety Management System requirements for ANS Providers, the applicable requirement is specified in CAA Regulation No. 7/2012 transposing the Commission Implementing Regulation, (EU) No 1035/2011 on laying down common requirements for the Provision of Air Navigation Services.

### **2.2.6 ATO SMS Requirements**

Regarding Safety Management System requirements for Approved Training Organisations, the applicable requirement is specified in CAA Regulation No. 5/2015 transposing Commission Regulation (EU) 1178/2011 laying down technical requirements and administrative procedures related to Civil Aviation Aircrew.

### **2.2.7 Aero-Medical Centre SMS Requirements**

Regarding Safety Management System requirements for Aero-Medical Centers, the applicable requirement is specified in CAA Regulation No. 5/2015 transposing Commission Regulation (EU) 1178/2011 laying down technical requirements and administrative procedures related to Civil Aviation Aircrew.

## **2.3 Accident and incident investigation**

Pursuant to Article 31, section 4 of the Law on Civil Aviation, the AAIC is responsible for investigating accidents and incidents in civil aviation. The AAIC has adopted Regulation (KHAIA/ZKM) No.01/2016 “establishing the fundamental principles for investigation of the Aeronautical Accidents and Incidents in the Republic of Kosovo” transposing EU regulation No 996/2010.

Under article 31.8 on the Law of Civil Aviation, members of the AAIC shall be selected and appointed by the Government after receiving the recommendations of an ad hoc panel of senior civil servants and advisors appointed by the Government to identify and recommend candidates for the AAIC.

The method of investigation and the procedure shall be determined by the AAIC, taking into account the regulation for functioning of AAIC, AAIC Regulation (KHAIA/ZKM) No.01/2016, principles and objectives of AAIC, the manual for the aeronautical accident investigation of AAIC, and the manual for investigation of aeronautical accidents and incidents prepared by the International Organization of Civil Aviation.

The outcome lessons from accidents or serious incidents shall be used for the improvement of safety of operation. The investigations shall in no case be apportioning blame or liability. The Civil Aviation Authority of Kosovo shall take the necessary measures to ensure that the safety recommendations made by the AAIC are fully implemented.

## **2.4 Hazard identification and safety risk assessment**

CAA is developing the procedures to identify hazards and assesses safety risks associated with identified hazards from the collected safety data. This is being performed by the Safety Committee and it is described in the “Safety management” document at CAA.

### **2.4.1 Safety data collection**

Article 86 of Law on Civil Aviation stipulates that the CAA shall also maintain statistics, collect and disseminate data, and provide reports on the safety of civil aviation in Kosovo. The CAA has created a secondary database where it, collect, categorizes, analyses and stores all ORs. The database allows for some quantitative analyses of the occurrences. A working group nominated at CAA that in accordance with internal procedure (AACK/ZCS-PRC 05) which meets at regular intervals during the year to analyze ORs, raise safety concerns, and recognize potential risks and areas of concern. Working procedure of the group is based in Regulation (EU) No. 376/2014. The reports produced from this working group are than distributed and published in the web page of CAA.

### **2.4.2 Occurrence Reporting**

#### *Mandatory Occurrence Reporting*

The sole objective of occurrence reporting is the prevention of accidents and incidents and not to attribute blame or liability. MOR's contribute to the improvement of air safety by ensuring that relevant information on safety is reported, collected, stored, protected and disseminated. It is a legal requirement for specified persons to submit MORs.

To support the promotion of the ‘just culture’ the CAA gives an assurance that its primary concern is to secure free and uninhibited reporting and that it will not be its policy to institute proceedings in respect of unpremeditated or inadvertent breaches of the law which come to its attention only because they have been reported under the System, except in cases involving dereliction of duty amounting to gross negligence. The purpose of the investigation shall be to determine the probable cause or causes of the accident or incident and to prevent the repetition of similar accidents and incidents; it shall not seek to attribute blame or liability and shall not prejudice any other investigation that may be



undertaken by any other organ.

In the CAA there is a process (AACK/MS-PC01) that defines the way Occurrence Reports are managed. The Civil Aviation Authority of Kosovo uses the European Coordination Centre for Aviation Incident Reporting Systems (ECCAIRS) to collect, evaluate, process and store occurrences reported. However the CAA is not connected to the EASA ECCAIRS system.

We receive, treat and follow up all reports on civil aviation occurrences, which are sent to the specific email address [mor@caa-ks.org](mailto:mor@caa-ks.org)

### Voluntary Reporting

Occurrences that do not have to be reported by law, but are classified by an observer as safety related events, can be reported voluntarily. These Occurrence Reports may be treated confidentially to maintain full and free reporting from the aviation community and to protect the identity of the individual in accordance with CAA Regulation 05/2016 that transposes the EU Regulation No 376/2014 on the Reporting, Analysis and Follow-up of Occurrences in Civil Aviation

#### **2.4.3 SAFA**

The Safety Assessment of Foreign Aircraft inspections are conducted regularly by approved CAA inspectors. The inspections are carried out in accordance with CAA Regulation 04-2015. The Ramp inspection program is carried out with specific focus on application of requirements of ICAO Annexes 1, 6 and 8 on aircraft in operation. All noncompliances are entered in CAA finding database.

#### **2.4.4 Audit Reports**

The CAA reports formally in every audit or inspection that is performed. An audit focuses on the whole scope of operations on the audited organization, while inspections usually pin point a certain area of focus. Audits are always planned, while inspections can be announced or unannounced. The reports created from these audits, include all findings and observations, which help the CAA in analysing potential risk and hazards. The CAA continuously monitors, and categorizes each hazard in order to be able to recognize areas of concern, and help reduce safety risks. All the findings are entered into a database that will be used for safety data analysis.

#### **2.4.5 Management of safety risks**

CAA is developing procedures in order to establish a mechanism for the resolution of

safety concerns. This is being performed by the Safety Council and it is described in the “Safety management” document at CAA. Using available safety data, safety priorities will be identified through the Safety Council and safety improvement actions will be planned in order to reduce risks.

### 3. State safety assurance

#### 3.1 Surveillance obligations

Article 15.1 h) of the Law on Civil Aviation holds CAA responsible for the safety oversight of certified/licensed/approved organizations or personnel on the implementation of the civil aviation legislation, standards, rules, procedures and orders.

The CAA of Kosovo has established oversight procedures which are detailed in the manual of each individual department with safety oversight responsibilities. The procedures are established in accordance with the oversight requirements of all relevant EASA IRs which have been transposed in the Republic of Kosovo.

Procedures guide the inspectors to plan, perform, report, follow-up an audit until all the findings are mitigated by the auditee, as agreed prior to the closure of the audit. CAA accredited inspectors conduct planned inspections, which can be announced or unannounced, to assure compliance with safety standards. Oversight planning in CAA is based on the safety data analysis and it targets the areas of greater concern or need. Prior to annual planning of oversight, departments in a joint process analyse the safety data available to prioritize the oversight areas on the target.

Audits are planned giving priority to the safety concerns or items deriving from previous reports or safety data analysis. Follow-up oversight activities are proof to this approach, they are performed until a safety concern is considered managed. Although the number of certified/licensed operators is low, we still consider among other conditions the previous visit reports and findings, operator behaviour in rectifying such findings, changes within the service provider, size and complexity of service provider, potential safety impact on public safety, operators SPIs, reported safety events and evident safety culture of the operator during the oversight planning.

We are confident that the most effective method of enhancing safety within the aviation community is to provide a regulatory presence aimed at promoting voluntary compliance with the Civil Aviation Law and the applicable Regulations and that these aims can best be achieved by CAA personnel participating in structured oversight activities.

Technical personnel of CAA are monitored through annual performance appraisals and regular refresher training.

### 3.2 State safety performance

Safety performance is measured through the operators compliance with safety standards and through safety performance indicators that are set and followed by operators throughout the implementation of the Safety Management System-SMS. These indicators and their targets are established by operators and valued and accepted by CAA, are basis for the establishment of the Acceptable level of Safety Performance (ALoSP) for the state.

The safety data system is not yet sufficiently mature for statistical targets and alert levels and so for scalability it is not meaningful to do such analysis on very small numbers.

ALoSP of Kosovo is shown in Attachment 3 of this document.

The Air Navigation Services Provider has already started the implementation of the performance indicators agreement, within the Initial Performance Plan. The Initial Performance Plan is based in Regulation 1/2016 with the aim of implementing Regulation (EC) no 1070/2009 of the European Parliament and of the Council of 21 October 2009, amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004, within the internal legal order of the Republic of Kosovo

## 4 State safety promotion

### 4.1 Internal communication and dissemination of safety information

Internal official communication in the CAA is considered to be the exchange of information relevant and important to the task we are performing. Internal communication is conducted through regular weekly management meetings, meetings of all staff, meetings held within the departments, correspondence via e-mail, spread through the monthly Bulletin of the CAA, included in 'table of notices' and the publications on the internal network.

Personnel is encouraged to report all kinds of nonconformities or observations to the Quality and Safety Office which then are treated through a formal process put in place. The report from safety data analysis from occurrence reporting system is shared among personnel and published in the web page of CAA.

### 4.2 External communication and dissemination of safety information

Management structures are responsible for establishing means of communication with

the stakeholders. At a high- level, safety is addressed in the CAA's Annual Report.

The CAA publishes a list of names and phone numbers by means of which the authority can be contacted, hours and days of work. This information is published on the official website of the CAA. The CAA also possesses and has a published number of the On-duty Officer, which is available 24 hours a day, 7 days a week.

The CAA publishes on its website the Aeronautical Information Publication (AIP) of Kosovo as required by the Regulation 05/2013 based on Annex 15 of the Chicago Convention. The AIP is part of an Integrated Aeronautical Information Package which consists of the AIP, AIP Supplements and the AIC.

All Directives on CAA key processes are communicated to the users of our services and are published on the official website of the CAA (Regulations, Technical Publications for the industry which the CAA regulates etc.).

The CAA publishes a yearly overview of all investigated and analyzed MOR-s to provide valuable feedback to service providers on recent MORs to inform them and their SMS. We consult relevant stakeholders before adopting regulations or other legal acts. Treat their opinions and comments prior to the enactment of secondary legislation and the implementation thereof.

When a new regulation enters into force, we meet the operators involved in the implementation to briefly present and discuss the highlights and changes affected from the new regulation. Inspectors are encouraged to promote safety culture in the service providers that they visit during oversight activities.

Safety information is shared with foreign airline operators when they are involved in an occurrence that we investigate.

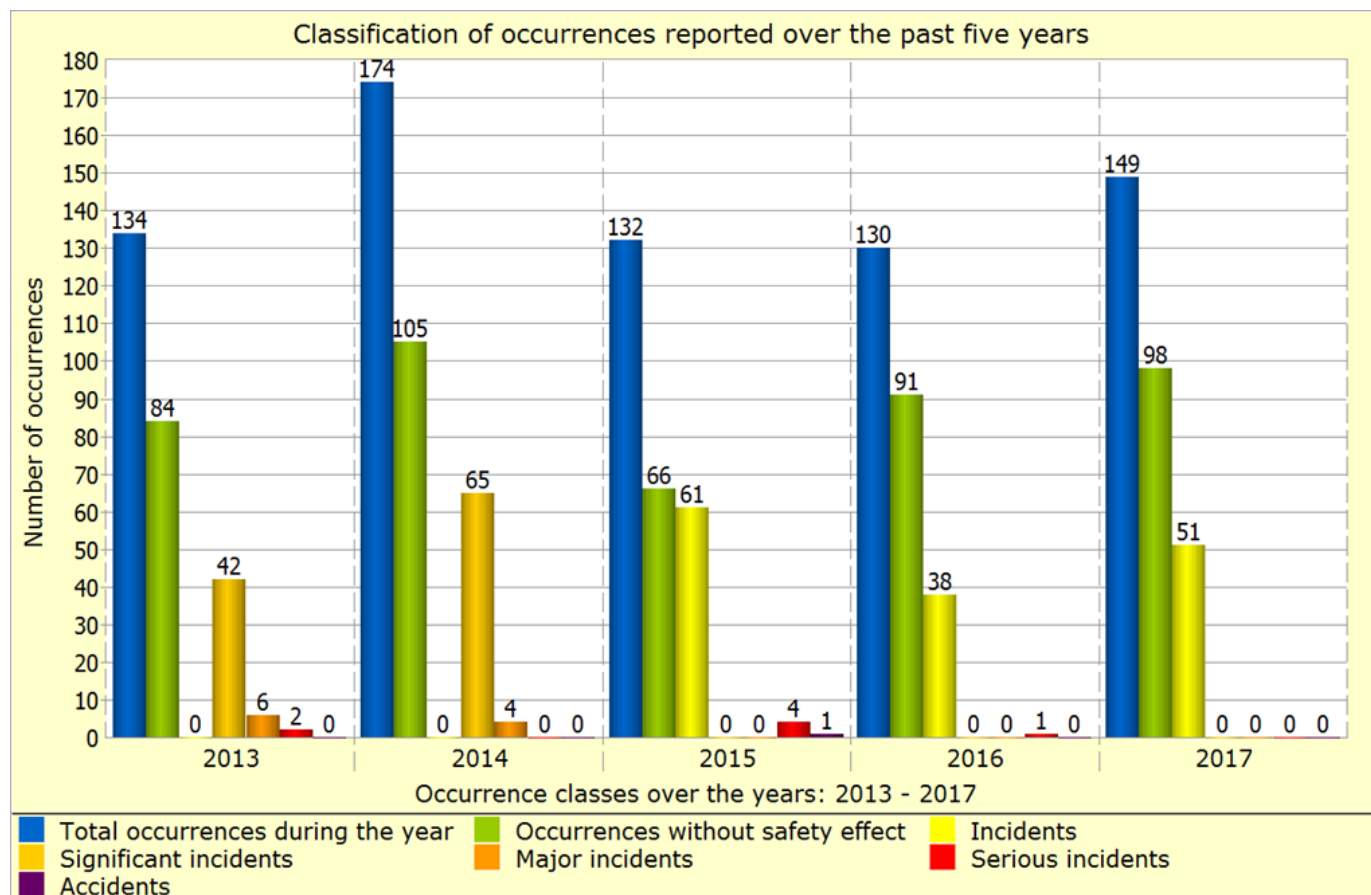
## Appendix 1 - State Safety Policy of Kosovo

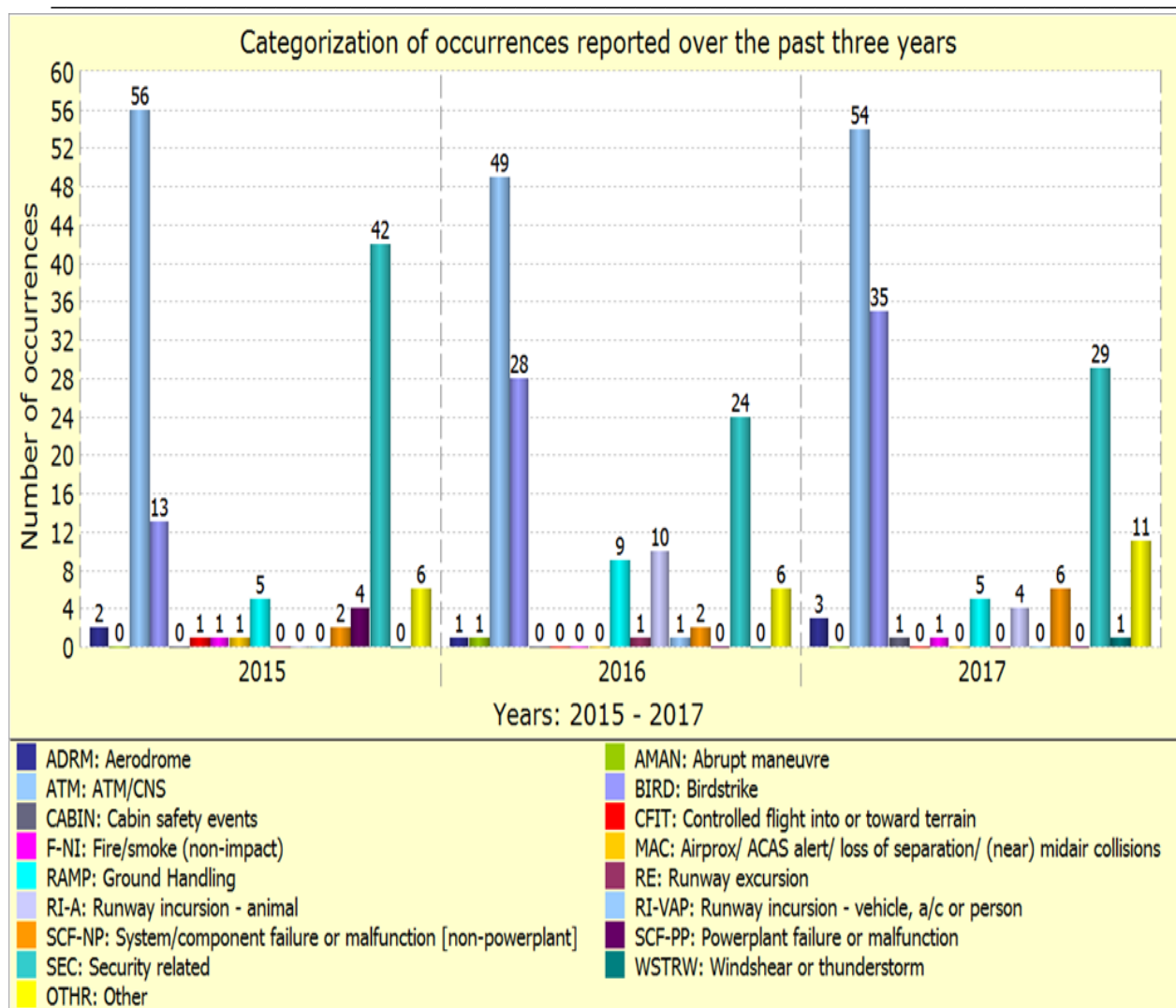
### SAFETY POLICY OF CIVIL AVIATION

Republic of Kosovo promotes and regulates the safety of civil aviation within the state. We are committed to developing and implementing effective strategies, regulatory frameworks and processes to ensure that aviation activities under our oversight achieve the highest practicable level of safety. To this end we will:

- Set national standards that are in line with ICAO standards, recommended practices and procedures, and the EU's aviation safety related acquis;
- Adopt a data-driven and performance-based approach in safety regulation and industry oversight activities where appropriate;
- Identify safety trends within the aviation industry and adopt a risk-based approach to address areas of greater safety concern or need;
- Monitor and measure the safety performance of our aviation system continuously through the State's aggregate safety indicators as well as service providers' safety performance indicators;
- Collaborate and consult with the aviation industry to address safety matters and continuously enhance aviation safety;
- Promote good safety practices and a positive organization safety culture in line with just culture principles within the industry and the civil aviation community based on sound safety management principles;
- Encourage safety information collection, analysis and exchange amongst all relevant industry organizations and service providers, with intent that such information is to be used for safety management purposes only;
- Allocate sufficient financial and human resources for safety management and oversight; and
- Equip staff with proper skills and expertise to discharge their safety oversight and management responsibilities competently.

## Appendix 2 - Extracts from Aviation Annual Safety Report 2017





### Appendix 3 – Kosovo Acceptable Level of Safety Performance (ALoSP)

COMPLIANCE				
MEASURE	ACTUAL	UNACCEPTABLE	TOLERABLE	TARGET (2 years)
Airport certified to international standard	Certified with actions, now complete	Cannot meet certified standard	Certified but some actions to complete	Certified with no further actions required
ANSP certified to international standards	Certified with actions, now complete	Cannot meet certified standard	Certified but some actions to complete	Certified with no further actions required
Compliance % with international standards ICAO SARPs by CE EASA regulations	Self-assessed for ICAO SARPs  XX% implemented XX% EASA audit	< 60 % To be defined	60 – 70% To be defined	70% or above To be defined
Oversight by sufficient qualified Inspectors	Inspectors in post & qualified, but no refresher training for managers	< 75% in post Not qualified or No refresher training	75 – 90% in post, qualified or immediate plans to qualify, most have refresher training	>90% in post, all qualified and attending refresher training including managers
Staff levels (ATCOs)	To be confirmed	< 75% in post Not qualified or No refresher training	75 – 90% in post, qualified or immediate plans to qualify, most have refresher training	>90% in post, all qualified and attending refresher training including managers
MANAGEMENT OF SAFETY				
MEASURE	ACTUAL	UNACCEPTABLE	TOLERABLE	TARGET (2 years)
Airport Safety Board	Established	Does not exist or ineffective	Making progress	Fully effective
Runway Safety Team	Established	Does not exist or ineffective	Making progress	Fully effective



# Aviation State Safety Programme of the Republic of Kosovo

Infrastructure Runway extension ILS upgrade to IIIb	Project planned Project planned	Abandoned/ delays > 1 year	On track with minor delays	Complete / on track / early
<b>OPERATIONAL SAFETY PERFORMANCE</b>				
<b>MEASURE</b>	<b>ACTUAL</b>	<b>UNACCEPTABLE</b>	<b>TOLERABLE</b>	<b>TARGET (annual)</b>
Accidents/Incidents:				
Fatal	0	>0	0	0
Non-fatal Hull loss	0	>0	0	0
Other Accident				
Serious Incident				
Bird-strike	35 (17*)	Increase	Decrease 0-10%	Decrease 10%
Laser Attack	29	Increase	Decrease 0-10%	Decrease 10%
Airport Technical / System Failure	3	Increase	Decrease 0-10%	Decrease 10%
ANSP Technical / System Failure	54 (4**)	Increase	Decrease 0-10%	Decrease 10%
Vehicle procedures as predictive measure of runway incursion	Audits confirm established controls	Audits result in Serious Findings on Vehicle Control	Audits result in some minor Findings	Audits result in few minor findings and even detect improvement
Runway Incursion (3 year)	1 in 3 years	To be determined	To be determined	To be determined
Airprox (3 year)	1 in 3 years	To be determined	To be determined	To be determined
Loading Error	1 in 3 years	To be determined	To be determined	To be determined
Ground (other)	7	To be determined	To be determined	To be determined

\* number within that Confirmed by remains / evidence of birds

\*\* number within that having a Safety effect