

**ADMINISTRATIVE DIRECTION NO. 2005/9**

**IMPLEMENTING UNMIK REGULATION No. 2004/05 ON THE  
PROVISIONAL REGULATION OF CIVIL AVIATION IN KOSOVO**

The Special Representative of the Secretary-General,

Pursuant to United Nations Interim Administrative Mission in Kosovo (UNMIK) Regulation No. 2004/05 of 23 February 2004 on the Provisional Regulation of Civil Aviation in Kosovo and UNMIK Regulation No. 2003/18 of 13 June 2003 on the Establishment of a Civil Aviation Regulatory Office for Kosovo (CARO),

For the purpose of contributing to the improvement of aviation safety by ensuring that relevant information on aviation safety is reported, collected, stored, protected and disseminated,

Hereby issues the following Administrative Direction:

Section 1  
Scope and Definitions

1.1 This Administrative Direction shall apply to all Occurrences that occur in Kosovo or the airspace above Kosovo.

1.2 For the purpose of this Administrative Direction:

“Occurrence” means any accident, incident, operational interruption, defect, fault or other irregular circumstance that:

(a) Endangers or, that if not corrected, would endanger an aircraft, its occupants or any other person;

(b) In the opinion of the person reporting the accident did not endanger an aircraft, its occupants or any other person but that would endanger an aircraft, its occupants or any other person if repeated in different but likely circumstances; and

(c) Are identified as Occurrences for the purposes of this Administrative Direction by CARO from time to time pursuant to an Administrative Decision and published on CARO's website.

“Relevant Person” means any person who:

(a) is the operator or commander of an aircraft;

(b) carries on the business of manufacturing, maintaining, repairing or overhauling an aircraft, or any equipment or any part thereof;

(c) signs a certificate of maintenance review, or of release to service in respect of an aircraft, or any equipment or any part thereof;

(d) performs a function for which an air traffic controller licence or a flight information officer licence is required;

(e) is the manager of an airport;

(f) performs a function connected with the installation, modification, maintenance, repair, overhaul, flight-checking or inspection of air navigation facilities; and

(g) performs a function connected with the ground-handling of aircraft, including fuelling, servicing, loadsheet preparation, loading, de-icing and towing at an airport.

1.2 In this Administrative Direction:

(a) Words denoting the singular shall include the plural and viceversa. Words denoting gender shall include the other gender. Words denoting persons shall include corporate bodies, unincorporated associations and partnerships.

(b) Headings are included for convenience only and do not affect the meaning of substantive provisions.

Section 2  
Mandatory reporting

A Relevant Person shall report all Occurrences that arise in the performance of his duties to the Head of CARO.

Section 3  
Voluntary reporting

Any person, not being a Relevant Person but performing civil aviation operations similar to those of Relevant Person, may report Occurrences that arise in the performance of that person's duties to the Head of CARO and shall be encouraged to do so by CARO and his employer.

Section 4  
Collection and storage of information

CARO shall implement a system for the collection, evaluation, processing and storage of reported Occurrences.

Section 5  
Dissemination of information about reported Occurrences

5.1 CARO shall, upon written request, disseminate information about any one or more reported Occurrences to any person or organisation that requires such information to enable such person or organisation to improve civil aviation safety.

5.2 Only information that is required for the purposes of the person or organisation that has requested information from CARO about any one or more reported Occurrence shall be provided by CARO pursuant to Section 6.1 in order to protect the confidentiality of the information reported to, and held by, CARO.

5.3 CARO may publish an annual safety review about the types of Occurrences reported to CARO to inform the public about the level of safety in civil aviation.

Section 6  
Confidentiality of information

Information reported to and held by CARO shall be confidential and shall used to prevent accidents and incidents, not to attribute blame or liability.

Section 7  
Protection for individuals and organisations

7.1 Regardless of the type or classification of Occurrence, neither the name nor the address of the person that reported the Occurrence or any other person or organisation that is referred to in a report on the Occurrence shall be disclosed by CARO.

7.2 CARO shall not impose any administrative sanction with respect to unpremeditated or inadvertent infringements of the applicable law that CARO become aware of pursuant to a report on an Occurrence made pursuant to this Administrative Direction, except in cases of gross negligence.

7.3 The employer of any person that reports an Occurrence pursuant to this Administrative Direction shall not, by any act or inaction, discriminate, at any time, against such an employee because that employee reported the Occurrence.

Section 8  
Entry into force

This Administrative Direction shall enter into force on 5 July 2005.

Søren Jessen-Petersen  
Special Representative of the Secretary-General