

Appeal by air traffic controller upheld by Federal Tribunal - accusations dismissed

Geneva, November 8, 2019 – The Swiss Federal Tribunal has upheld the appeal lodged by a skyguide air traffic controller thereby clearing him of any allegations of negligent disruption of public transport. Skyguide takes note of this judgement with satisfaction.

On 15 March 2011, at 12.40 p.m., two aircraft were cleared at Zurich Airport in rapid succession and began the departure on runways 16 and 28. The aircraft on runway 16 took off as scheduled, while the aircraft on runway 28 aborted its departure. The air traffic controller involved in the incident voluntarily reported this incident, which caused neither personal injury nor property damage, and thus actively contributed to clarifying the background.

Nevertheless, criminal proceedings were started against him. In December 2014 and April 2016, he had to answer to the Bülach District Court for disrupting public transport and was acquitted there. The public prosecutor's office appealed against this and referred the case to the Zurich Superior Court. The latter found the air traffic controller guilty in December 2018. The air traffic controller successfully appealed against this ruling to the Federal Tribunal in Lausanne.

Despite this gratifying acquittal, skyguide is convinced that Swiss law must provide a framework for the "Just Culture" safety culture that is practised in aviation. This enables employees to report errors without having to fear disciplinary consequences, provided that they have not been committed intentionally or through gross negligence. From these voluntary, honest and comprehensive reports, the organization can quickly derive improvements and take action. Skyguide continues to adhere to this "just culture" in order to ensure safe and efficient air navigation services in Switzerland in the future.

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Skyguide provides air navigation services for Switzerland and certain adjacent parts of neighbouring countries. With its 1,500 employees at 14 locations in Switzerland, the company guides some 1.3 million civil and military flights a year safely and efficiently through Europe's busiest airspace. Skyguide is well integrated into the international air navigation services community and, with its innovative and customer-minded solutions, helps enhance Switzerland's appeal as a place to live, work and do business. The company is majority-owned by the Swiss Confederation, and is headquartered in Geneva.
