Criminal proceedings on the incident of 22 August 2012 – Superior Court of Zurich acquits air traffic controller

Geneva, 19 February 2021 – Today, the Superior Court of the Canton of Zurich acquitted an air traffic controller answerable to an incident which took place on 22 August 2012 at Zurich Airport. The air traffic controller was answering to disrupting public traffic. This acquittal reverses the first-instance ruling of the District Court of Bülach. With its ruling, the Superior Court confirmed that the air traffic controller had acted neither negligently nor willfully. Skyguide is relieved to note this ruling.

Incident of 22 August 2012
At 4:15 PM on 22 August 2012, a near miss occurred at Zurich Airport between a Darwin Airline commercial aircraft taking off and a private sports aircraft on a training flight. There was no damage to property, nor personal injury in this incident.

Orientation towards international practice
Aviation in Switzerland is based on international best practice and is regulated according to international requirements. There is a contradiction here between these international provisions and the Swiss legal situation and jurisdiction. Skyguide believes that this situation must be resolved by amending the law.

In the context of this international regulation, Just Culture, as it is known, is fundamental to a functional reporting system and to the continuous improvement of aviation safety.

Just Culture is also indispensable for the ongoing improvement of processes, technologies and competencies in other areas where safety plays a central role.

Simplification of operations at Zurich Airport
A conviction would not have contributed to improving flight safety. Training flights like those of yesteryear are no longer possible at Zurich Airport. Skyguide sees the separation of mixed traffic (Instrumental/Visual Flight Rules - IFR/VFR) at the airport as one of the measures to further reduce complexity and increase safety.
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 guided in 2020 around 0.5 million (previously around 1.3 million) civil and military flights 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.