



ASSEMBLY — 37TH SESSION

TECHNICAL COMMISSION

Agenda Item 32: Regional Safety Oversight Organizations (RSOOs)

STRENGTHENING SAFETY OVERSIGHT THROUGH COOPERATION FOR THE PROVISION OF ASSISTANCE TO RESOLVE SAFETY-RELATED DEFICIENCIES

(Presented by the Council of ICAO)

EXECUTIVE SUMMARY

Pursuant to Assembly Resolution A36-3, *Implementation Support and Development (ISD) Programme – Safety*, assistance was provided to a number of States that had been referred to the Audits Results Review Board (ARRB). Future activities include the promotion of Regional Safety Oversight Organizations (RSOOs) as an effective means for strengthening the safety oversight capabilities of States.

Although ICAO considers that RSOOs provide an effective means for enhancing regional cooperation where States in the same sub-region or region can pool their resources for enhancing safety oversight, ICAO will also explore and promote the development of alternative solutions where the development of a RSOO is not possible. Such alternatives may include the establishment of other subregional or regional mechanisms or the application of bilateral agreements. A new resolution which combines elements of Resolutions A36-2, *Unified strategy to resolve safety-related deficiencies* and A36-3, is proposed to supersede both resolutions.

Action: The Assembly is invited to:

- a) call on States to support the ISD – Safety Programme, particularly in relation to assistance in the promotion, establishment and management of RSOOs; and
- a) to review the modifications proposed and adopt the Resolution in the Appendix, on regional cooperation and assistance to resolve safety-related differences, to supersede Resolutions A36-2 and A36-3.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objective A by assisting States to resolve safety-related deficiencies through regional remedial plans and the establishment of safety oversight systems at the regional and sub regional level. It relates, in particular, to facilitating the development and management of RSOOs as an effective means for States in a specific region or subregion to pool resources.
<i>Financial implications:</i>	Funding for some of the activities will need to come from a combination of potential savings related to productivity or efficiency gains within the Secretariat and voluntary contributions to the SAFE Fund.
<i>References:</i>	Doc 9902, <i>Assembly Resolutions in Force (as of 28 September 2007)</i> Doc 9734, <i>Safety Oversight Manual, Part B, The Establishment and Management of a Regional Safety Oversight System</i>

1. INTRODUCTION

1.1 The activities carried out under the Implementation Support and Development (ISD) Programme – Safety since the last Assembly, and the future direction of the Programme, are discussed. Promoting and supporting regional and subregional arrangements for safety oversight is also outlined.

2. ACTIVITIES UNDER THE CURRENT TRIENNIUM

2.1 ICAO has facilitated assistance to States that have been referred to the Audits Results Review Board (ARRB) for the purpose of enabling them to overcome their safety oversight deficiencies. Activities included participation in fact-finding and evaluation missions, review of project documents and corrective action plans, and the development of project proposals and management plans.

2.2 In this respect, support and guidance was provided for the creation of a new RSOO for the Caspian and Black Sea Region. The Secretariat has also worked closely with the African Comprehensive Implementation Programme (ACIP) in the establishment of the Banjul Accord Group Regional Safety Oversight Organization (BAGASOO) and the Regional Accident Investigation Agency (BAGAIA).

2.3 Continued support was provided to existing RSOOs, such as the Pacific Aviation Safety Office (PASO), where different options for developing a sustainable funding mechanism were explored. Subsequently, a study of funding and business models was carried out aimed at achieving the long-term sustainability of RSOOs. The results will be incorporated as guidance material into a revised edition of the ICAO *Safety Oversight Manual, Part B — The Establishment and Management of a Regional Safety Oversight System* (Doc 9734, Part B), which addresses the establishment and management of a regional safety oversight system. The guidance material is expected to be available early in the next triennium.

2.4 In collaboration with the United States Federal Aviation Administration, ICAO has promoted and facilitated the provision of the ICAO-endorsed Government Safety Inspector (GSI) training programme in both the African and Indian Ocean and the Asia Pacific Regions. The Programme oversees the network of eight ICAO-endorsed GSI Training Centres. To this end, the Second Coordination Meeting of ICAO-endorsed GSI Training Centres was held in Montreal from 16 to 18 June 2009, to coordinate training activities and exchange ideas and experience regarding the training programme.

2.5 ICAO continues to maintain the Flight Safety Information Exchange (FSIX) website www.icao.int/fsix as a repository for aviation safety information and documents. Information currently available to the public includes the results of audits conducted under the Comprehensive Systems Approach, audit summary reports conducted under the initial cycle and follow-up audits, safety-related documents and information, aircraft de-registration notifications, aircraft registration and airworthiness information and direct links to cooperative development of operational safety and continuing airworthiness programmes (COSCAPs), States' regulatory sites, aircraft registration sites and other safety-related links. New sites and links have been developed on the FSIX for reporting on States' compliance with language proficiency requirements and for enabling the posting of State recommendations related to accidents and ICAO actions. Furthermore, a new online facility for reporting wake vortex encounters has been developed.

2.6 Assistance programmes were coordinated with the World Bank, European Aviation Safety Agency (EASA), European Commission, United States Federal Aviation Administration and Department of Transportation. Coordination has involved a series of face-to-face and teleconferencing meetings and joint missions for the planning and funding of projects and for monitoring implementation. This coordination has been extended to other donor States, financial institutions and manufacturers in the establishment of the Safety Collaborative Assistance Network, to coordinate the provision of assistance in the field of safety. ICAO has also collaborated with, and provided guidance to, the UN Department of Peacekeeping Operations on aviation safety issues in the Africa-Indian Ocean (AFI) Region. ISD developed a number of project proposals for assistance programmes for the COSCAP-BAG and provided continued support for ACIP to include support for the implementation of the Global Aviation Safety Plan/Global Aviation Safety Roadmap (GASP/GASR) by participating in the conduct of regional workshops and gap analysis missions.

3. **FUTURE WORK OF THE ISD – SAFETY PROGRAMME**

3.1 The High-level Safety Conference, held in Montreal, from 29 March to 1 April 2010, recommended that member States support ICAO in its efforts to foster the development and sustainability of RSOOs, and that States themselves participate and actively support RSOOs whenever possible. It also recommended that ICAO update existing guidance material on RSOOs in Doc 9734, Part B, particularly with respect to guidance on the sustainable funding of RSOOs and their underlying business models. The Conference recommended that ICAO explore the development of alternative solutions for situations where the development of a RSOO proved impossible.

3.2 ICAO will continue to provide assistance to RSOOs in regions or subregions where they already exist, and to promote their establishment in other areas where they are equally needed. The types of assistance to be provided will include support in the recruitment of technical and management personnel, the development and review of work plans and work programmes, and in the provision of quality assurance services. ICAO will also assist the RSOOs in soliciting funding for their activities from other stakeholder States and institutions.

3.3 On 23 October 2009, the Council of ICAO (188/3) approved a Policy on Regional Cooperation and a Framework of Cooperation which will provide support and guidance to ICAO's work with RSOOs. The Policy and Framework aim to promote cooperation through the expanded use of best practices and better utilization of resources, taking into account the different levels of existing competency in States. The objectives of the Policy are to avoid duplication and achieve harmonization on improvements in the technical and/or policy areas in all regions. It aims to do this through close partnerships with regional organizations and regional civil aviation bodies, ensuring adequate expertise and resources for aviation infrastructure and oversight functions, sharing of information, enactment of civil aviation legislation where necessary and ensuring specialized training in the development of national and regional plans. A strategic plan was developed for implementing the Policy.

3.4 The updated guidance material (Doc 9734, Part B) should be published early in the new triennium in all the official languages of the Organization. In addition to guidance on the legal and organizational frameworks of a RSOO, it is intended that the updated material will provide guidance on the sustainable funding mechanisms and their underlying business models.

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4. CONCLUSION

4.1 The Organization recognizes the important need for States that lack the necessary resources to form regional or sub-regional groupings as an effective means of pooling resources to resolve safety oversight deficiencies. It also acknowledges the benefits that States, within any particular region, derive from harmonizing their regulatory requirements in order to facilitate the establishment of common safety oversight systems. For this reason, ICAO will, over the forthcoming triennium, focus primarily on the assistance needed for promotion, establishment and management of RSOOs as proposed in the attached draft resolution that combines elements previously found in Resolutions A36-2, *Unified strategy to resolve safety-related deficiencies* and A36-3, *Implementation support and development (ISD) programme – safety*.

APPENDIX

DRAFT RESOLUTION FOR ADOPTION BY THE 37TH SESSION OF THE ASSEMBLY

Resolution 32/1: Regional cooperation and assistance to resolve safety-related deficiencies¹

Whereas a primary objective of the Organization continues to be that of ensuring the safety of international civil aviation worldwide; (A36-2)

Whereas ensuring the safety of international civil aviation is also the responsibility of Contracting States both collectively and individually; (A36-2)

Whereas in accordance with Article 37 of the *Convention on International Civil Aviation* each Contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulation, standards, procedures and organization in relation to aircraft, personnel, airports, airways and auxiliary services in all matters in which uniformity will facilitate and improve air navigation; (A36-2)

Whereas the improvement of the safety of international civil aviation on a worldwide basis requires the active collaboration of all stakeholders; (A36-2)

Whereas the Convention and its Annexes provide the legal and operational framework for Contracting States to build a civil aviation safety system based on mutual trust and recognition, requiring that all Contracting States implement the SARPs as far as practicable and adequately perform safety oversight; (A36-2)

Whereas the results of the Universal Safety Oversight Audit Programme (USOAP) indicate that several Contracting States have not yet been able to establish a satisfactory national safety oversight system; (A36-2)

Whereas ICAO plays a leadership role in facilitating the implementation of SARPs and the rectification of safety-related deficiencies; (36-3)

Whereas the High level Safety Conference 2010 recommended that States should support ICAO in efforts to foster the development and sustainability of regional safety oversight organizations and should participate and actively support regional safety oversight organizations whenever possible;

Whereas ICAO has a Policy on Regional Cooperation which is committed to render assistance, advice and any other form of support, to the extent possible, in the technical and policy aspects of international civil aviation to Contracting States in carrying out their responsibilities pertaining to the *Convention on International Civil Aviation* and ICAO Strategic Objectives, inter alia by promoting regional cooperation through close partnerships with regional organizations and regional civil aviation bodies;

¹ Throughout the draft resolution, the italicized text in parentheses refers to the origin of the clause and is included for the information of the Council.

Recognizing that not all Contracting States have the requisite human, technical and financial resources to adequately perform safety oversight; (A36-2)

Recognizing that the establishment of subregional and regional aviation safety and safety oversight systems/bodies, including regional safety oversight organizations, has great potential to assist States in complying with their obligations under the Chicago Convention through economies of scale and harmonization on a larger scale; (A36-2)

Recognizing that the assistance available to Contracting States experiencing difficulties in correcting deficiencies identified through the safety oversight audits would be greatly enhanced by coordination amongst all Contracting States, ICAO and other concerned parties in civil aviation operations; (A36-2)

The Assembly:

1. *Directs* the Council to promote the concept of regional cooperation and sub-regional for the purpose of enhancing safety and safety oversight systems, including the establishment of regional safety oversight organizations; (A36-2)

2. *Directs* the Council to continue to partner with Contracting States, industry and other stakeholders for coordinating and facilitating the provision of financial and technical assistance to States and subregional and regional safety and safety oversight bodies, including regional safety oversight organizations, in order to enhance safety and strengthen safety oversight capabilities;

3. *Directs* the Council to continue the analysis of relevant safety-critical information for determining effective means of providing assistance to States and subregional and regional safety and safety oversight bodies, including regional safety oversight organizations; in need and also for determining actions to be taken in relation to those States that have not rectified safety deficiencies; and (A36-3)

4. *Directs* the Council to strengthen continue implementing the an Implementation Support and Development – Safety (ISD-Safety) Programme to provide assistance to States and subregional and regional safety and safety oversight bodies, including regional safety oversight organizations; by identifying and re-allocating adequate resources within the Organization and developing clearly defined objectives; (A36-3)

5. *Urges* Contracting States to develop and further strengthen regional and sub-regional cooperation and, whenever feasible, partnership initiatives with other States, industry, air navigation service providers, financial institutions and other stakeholders to strengthen safety oversight capabilities in order to promote foster the highest degree of aviation safety a safer international civil aviation system and to better discharge State responsibilities; (A36-2)

6. *Encourages* Contracting States to foster the creation of regional or sub-regional partnerships to collaborate in the development of solutions to common problems to build State safety oversight capability, and to participate in, or provide tangible support for, the strengthening and furtherance of subregional and regional aviation safety and safety oversight systems/bodies, including regional safety oversight organizations; (A36-2)

7. *Encourages* Contracting States to establish partnerships with other States, industry, air navigation service providers, financial institutions and other stakeholders to strengthen safety oversight capabilities, in order to better discharge State responsibilities and foster a safer international civil aviation system;

8. *Requests* the Council to report to the next ordinary session of the Assembly on the overall implementation of the Programme; and
9. *Declares* that this resolution supersedes Resolutions A36-2 and A36-3.

— END —