



**WORKING PAPER**

**ASSEMBLY — 37TH SESSION**

**TECHNICAL COMMISSION**

**Agenda Item 46: Other issues to be considered by the Technical Commission**

**COORDINATING THE ACTIVITY OF PARTICIPATING COUNTRIES WHEN  
IMPLEMENTING SAFETY ASSESSMENT PROGRAMMES FOR FOREIGN AIRCRAFT AND  
USING THE RESULTS OF THESE INSPECTIONS**

(Presented by the Russian Federation)

**EXECUTIVE SUMMARY**

This document examines the problems encountered in connection with international airports in a number of countries carrying out inspections of foreign aircraft on the airport ramp.

Inspections of foreign aircraft on the airport ramp are not yet carried out everywhere and are still classified as regional inspections which reduces the effectiveness of programmes to supervise the activity of operators. Taking into consideration the fact that this programme is becoming more widespread, we need to coordinate the action of different countries and compile experience from carrying out these inspections and using the results of said inspections.

This document describes the dangers of the possible use of information gained from inspections of foreign aircraft in dishonest competition between operators. It draws attention to the fact that the results of the inspections are used by some countries to apply sanctions on the activity of operators from other countries in that region. Such measures require the adoption of generally accepted procedures and conditions for applying sanctions to operators.

**Action:** The Assembly is invited to:

- a) call on countries to provide timely information about their own safety assessment programmes for foreign aircraft, or programmes which have been adopted by other countries and which they have joined, and to publish the principles for carrying out inspections and ensuring collaboration with other participating countries in order to inform them of the results of these inspections and of the proposed actions against operators;
- b) recommend that the Council analyze the problems encountered by countries and operators when carrying out inspections of the crew and aircraft and when using the results of these inspections and that it develop additional recommendations for the participating countries; and
- c) recommend that the Council draw up principles to prevent the improper use of information obtained by countries from the inspections of foreign aircraft.

*Strategic  
Objectives:*

This working paper relates to Strategic Objective A.

<sup>1</sup> Russian version provided by the Russian Federation.

<i>Financial implications:</i>	It is possible that additional resources will be required to analyze the problems examined in this document
<i>References:</i>	A37-WP/205 Doc 7300, <i>Convention on International Civil Aviation</i> Doc 8335, <i>Manual of Procedures for Operations Inspection, Certification and Continued Surveillance</i>

## 1. INTRODUCTION

1.1 Safety Assessments of Foreign Aircraft (SAFA) were first carried out in the European Union. Similar programmes were then adopted by other countries, including the Russian Federation and several countries of the Commonwealth of Independent States (CIS).

1.2 Safety assessment programmes for foreign aircraft are adopted and implemented by a country or a group of countries in accordance with Articles 12 and 16 of the *Convention on International Civil Aviation* (Doc 7300).

1.3 The inspection of foreign aircraft in the Russian Federation and the inspection of Russian aircraft in other countries are currently being examined by the Russian Federation to try to help the participating countries create an effective system for the continued surveillance of the activity of certified operators and as an instrument to help bring national regulations in line with international rules and procedures.

1.4 Although the implementation of safety assessment programmes for foreign aircraft has an overall positive effect, there are a number of major problems. For example:

- a) inspection programmes for foreign aircraft are not used everywhere and, in most participating countries, they are not a permanent part of the procedure to supervise the activity of foreign operators;
- b) inspectors from different countries adopt a different approach to assessing the level of influence of a particular deviation which is found by the inspectors during crew and aircraft inspections;
- c) the procedures for sending information about the results of the inspections both to the country of the operator, and to the country where the aircraft is registered have not been developed sufficiently, which prevents a prompt response to any problems discovered during the inspections;
- d) the issue of ensuring the protection of information obtained from the results of the inspections is yet to be resolved, which does not rule out the possibility of this information being used by dishonest rival operators, thus leading to an ambiguous relationship towards the aims of inspecting foreign aircraft.

## 2. REGIONAL FRAMEWORK FOR CARRYING OUT INSPECTIONS OF CREW AND AIRCRAFT

2.1 Safety assessment programmes for foreign aircraft are currently implemented at a regional level. According to the information which we have at the moment, the crews and aircraft of

Russian airlines are inspected under the SAFA programme in countries of the European Union and some countries of the CIS. There are reports on similar inspections when flying in the USA and Canada.

2.2 The Russian Federation also carries out a programme of inspections for foreign aircraft which is applied across the board, including national operators. The principles for the inspections are those published in *Manual of Procedures for Operations Inspection, Certification and Continued Surveillance* (Doc 8335).

2.3 Article 12 of the Convention on International Civil Aviation requires participating countries to observe the flight regulations set by other countries. That said, the inspections achieve a positive effect not only through the operator undergoing inspections in another country, but also through the country of the aircraft operator carrying out similar inspections when flying in their own country.

2.4 The different extent to which the participating countries have managed to bring their rules in line with international regulations and procedures means that the inspections of foreign aircraft do not always produce the desired result. In order to avoid sanctions, some operators only try to avoid a repeat of the defects which are spotted most frequently, as they know that similar observations will not be made in other regions. As a result of this, the inspections of aircraft are examined in no more detail than the requirements of a specific country or group of countries in a particular region.

2.5 It is fair to say that these inspections will be effective, provided similar inspection programmes are adopted by most of the participating countries.

2.6 The new principles and conditions for carrying out and using these inspections should be determined by the ICAO before they come into practice for a particular country or group of countries. In this respect, it is important to consider the timely provision of information about the inspection programmes for foreign aircraft adopted by a particular country in order to coordinate activity and provide mutual assistance to achieve the expected results of these inspections.

### **3. ASSESSING THE DEGREE OF INFLUENCE OF A PARTICULAR DEVIATION FOUND DURING INSPECTIONS ON FLIGHT SAFETY**

3.1 The instruction materials to assess the level of danger of the observations made and the recommended actions are set out in Doc 8335, Part VI, Chapter 6.

3.2 When analysing the results of SAFA inspections there are times when a conclusion about the level of danger is connected with the subjective opinion on the nature of the observations, which are based on the personal experience of the inspector.

3.3 No procedures have been determined for reviewing the results of crew and aircraft inspections with the participation of the State of the Operator, the State of Registry, and the aircraft operator. It is crucial to consider the fact that the results of incorrect conclusions on the level of danger from observations may be used to examine the issue of the inability of the country of the operator and of the operator itself to observe the requirements of Article 12 of the Convention on International Civil Aviation. Similar mistakes and the actual inability to rectify these mistakes reduces the level of trust in the results and effectiveness of using the safety assessment programme for foreign aircraft.

#### **4. SENDING INFORMATION ABOUT THE RESULTS OF INSPECTIONS TO THE STATE OF THE OPERATOR AND THE STATE OF REGISTRY**

4.1 Taking into consideration the provisions of Article 12 and Article 83bis of the Convention on International Civil Aviation, the State of the Operator and the State of Registry have a direct interest in receiving information about crew and aircraft inspections. The timely receipt of this information helps make the procedures for the constant supervision of the activity of the operator more effective.

4.2 In practice, information about the results of the inspections is not sent or is sent with a significant delay, once many observations have been made regarding operator being inspected and once the situation has reached a critical level.

4.3 In order to ensure the timely receipt of information on the results of the inspections, a procedure has been established in the Russian Federation which requires Russian operators to promptly inform the aviation authorities of inspections carried out and a requirement has been brought in to exchange information about the results of inspections of aircraft and their crews with the aviation authorities in the State of the Operator and the State of Registry.

4.4 The Russian Federation has developed and is testing a system for collecting and recording the results of inspections of aircraft in the Russian Federation and of Russian operators when flying in other countries. There is information showing that similar systems are in place in other countries which have accepted the safety assessment programme for foreign aircraft. The exchange of information gathered in databases on the results of inspections between the participating countries will resolve the problem of the timely provision of information about the inspections and the discussion of their results.

4.5 In order to assist with the exchange of information about the results of inspections between civil aviation departments of the participating countries, ICAO should consider developing requirements to ensure that the databases which are created use standard formats to simplify the exchange of data.

#### **5. GUARANTEEING THE PROTECTION OF INFORMATION OBTAINED FROM THE RESULTS OF INSPECTIONS**

5.1 When inspecting aircraft, the country carrying out the inspection will receive information about the activity of the operator. For the operator being inspected, this information is important as it allows them to carry out the correct measures aimed at improving the activity of its subdivisions.

5.2 The information received during the inspections may also be useful for other operators as it allows them to take corrective action, instead of waiting for the results of the inspections of their own crew and aircraft. Therefore, it is in the interest of countries which have adopted a safety assessment programme, for their own and for foreign aircraft, to share this information between operators that implement continued surveillance and inspection procedures.

5.3 In spite of the positive effect of the distribution of information on the results of inspections, there is a danger that this information could be used for dishonest competition between operators. In view of the danger outlined in point 3.3 of this document, with regard to the objectivity of the conclusions made based on the results of the inspections and the need to create a single database format for the results of the inspections, as referred to in point 4.5 of this document, the method for publishing information about the results of inspections requires special consideration.

## 6. CONCLUSION

6.1 Adopting a safety assessment programme for foreign aircraft increases the effectiveness of procedures for the continuous monitoring of operators. These programmes will probably become more widespread among the participating countries.

6.2 When implementing a safety assessment programme for crew and aircraft, there are a number of objective problems connected with the as yet under-developed principles for carrying out inspections of foreign operators and using the results obtained from these inspections. A special examination of these problems will allow us to increase the level of coordination between countries when implementing their programmes for the continued surveillance of operators.

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