



INTERNATIONAL CIVIL AVIATION ORGANIZATION

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5/07/04

ASSEMBLY — 35TH SESSION

TECHNICAL COMMISSION

Agenda Item 25: A global design code for aircraft

PROGRESS REPORT ON THE IMPLEMENTATION OF RESOLUTION A33-11

SUMMARY

This working paper provides a report on the implementation of Resolution A33-11, *A global design code for aircraft*.

Action by the Assembly is in paragraph 4.

REFERENCES

Annex 8
Doc 9790, *Assembly Resolutions in Force* (as of 5 October 2001)
State letter AN 3/5-02/29

1. INTRODUCTION

1.1 Assembly Resolution A33-11, *A global design code for aircraft*, endorses the effort to establish a globally harmonized design code and to study the feasibility of a harmonized aircraft certification process; urges States of Design and other Contracting States to participate in the international harmonization projects as initiated by the United States Federal Aviation Administration (FAA) and the European Joint Aviation Authorities (JAA); urges the Secretary General to ensure ICAO participation in the harmonization projects to the extent practicable; and requests the Secretary General to bring the resolution to the attention of all Contracting States.

2. IMPLEMENTATION OF THE RESOLUTION

2.1 On 28 March 2002, State letter AN 3/5-02/29 was despatched to all Contracting States. The letter invited attention to Resolution A33-11 and emphasized that the participation in international harmonization projects by all States of Design and other States would facilitate the development of a harmonized aircraft certification process.

2.2 Senior officials from the Organization participated in several FAA/JAA harmonization meetings where the subjects of a single worldwide certification and the development of a global design code for aircraft were discussed. In addition, upon the invitation of the United States, ICAO participated in the work of the International Working Group, established by the FAA and the JAA, that conducted a study regarding the feasibility of a Single Worldwide Airworthiness and Environmental Code.

2.3 The International Working Group surveyed the ICAO Contracting States and noted that most Contracting States had adopted or based their design code on either the Federal Aviation Regulations (FARs) or the Joint Aviation Regulations (JARs), which were nearly harmonized. The international group evaluated fifteen options to establish a globally accepted code, and recommended that “a standard based on the harmonized FAR/JAR, developed by FAA and JAA and adopted by ICAO”, should be pursued through a phased approach.

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2.5 EASA was established by Regulation (EC) No. 1592/2002 of 15 July 2002 of the European Parliament and of the Council. Following the adoption of rules for the implementation of the EC Regulation, EASA became operational for certification of aircraft, engines, parts and appliances on 28 September 2003. Together with the FAA and the JAA, EASA played a key role in the United States/Europe International Aviation Safety Conference, held from 7 to 11 June 2004 in Philadelphia (USA). At this meeting, it was confirmed that the single worldwide code initiative had been suspended indefinitely, as the work of the International Working Group had been completed and would be presented to ICAO and its Contracting States for any necessary action. Also in light of the current development of a rule-making system under the auspices of the European Union, it was considered that the efforts towards a single code could not be taken farther at this time.

2.6 ICAO will continue to monitor the harmonization process and to support the related efforts and activities, to the extent practicable.

3. **FINANCIAL IMPACT**

3.1 The proposals contained in this working paper have no budgetary implications for the immediate future.

4. **ACTION BY THE ASSEMBLY**

4.1 The Assembly is invited to note the information in this progress report.

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