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ASSEMBLY — 38TH SESSION
TECHNICAL COMMISSION

DRAFT TEXT FOR THE REPORT
ON
AGENDA ITEM 30

The attached material on Agenda Item 30 is submitted for consideration by the Technical Commission.

Agenda Item 30: Aviation Safety — Implementation Support

Enhancement of safety oversight through the implementation in partnership with all stakeholders

30.1 The Commission reviewed A38-WP/66, presented by the Council, highlighting the assistance activities undertaken by ICAO since the 37th Session of the Assembly which had led to the achievement of safety improvements in States and the identification of priorities and safety targets to be implemented on a State and regional basis. A38-WP/66 also presented a draft resolution to supersede Resolution A37/8: Regional cooperation and assistance to resolve safety-related deficiencies.

30.2 The Commission reviewed A38-WP/98, presented by the United States, and WPs/231 and 259, presented by the Latin American Civil Aviation Commission (LACAC), and noted the initiatives to address safety risks at the regional level through the regional aviation safety groups (RASGs) to prevent accident and/or major incidents resulting from runway safety-related issues, controlled flight into terrain (CFIT) and loss of control in flight (LOC-I) as well as initiatives to encourage States to support the RASGs in their respective regions. In WP/259 States were urged to support the regional efforts in South America for the safe and orderly development of civil aviation through the setting of goals for 2016 in the areas of safety and air navigation. In A38-WP/215, the African Civil Aviation Commission (AFCAC), focused on the work of regional bodies within the AFI Region to strengthen safety oversight capabilities and resolve significant safety concerns (SSCs). Information papers were provided by CASSOS (A38-WP/328), IAC (A38-WP/120) and UEMOA (WA38-WP/303).

30.3 The Commission reviewed A38-WP/155, presented by Indonesia, A38-WP/352, presented by Viet Nam, and A38-WP/101 and Corrigendum No. 1, presented by the United States, all focusing on the need for aviation safety inspectors. The Commission recognized that many States find the hiring, training and retaining of qualified aviation safety inspectors to be challenging and that incorporating the development of inspector competencies into the work of the Next Generation of Aviation Professionals programme would help to enhance aviation safety globally. A38-WP/101 requested that the Council direct the Secretariat to work on developing provisions and guidance on overall competencies for Government safety inspectors, for which the Secretariat informed that work is already underway.

30.4 The Commission was advised that in order for ICAO to continue work on coordinating regional cooperation and provision of assistance to States, all stakeholders, including States, regional bodies, financial institutions and industry should actively engage in supporting those States in need. This was the focus of the draft resolution presented in A38-WP/66 which the Commission agreed should be amended to take into consideration suggestions made in A38-WP/84, presented under Agenda Item 27 by Lithuania on behalf of the European Union and its Member States and the other Member States of the European Civil Aviation Conference and by EUROCONTROL.

30.5 In light of the discussion, the Commission agreed to submit, for adoption by the Plenary, the following resolution:

Resolution 30/1: Regional cooperation and assistance to resolve safety deficiencies, by establishing priorities and setting measurable targets

Whereas a primary objective of the Organization continues to be that of ensuring the safety of international civil aviation worldwide;

Whereas ensuring the safety of international civil aviation is also the responsibility of Contracting States both collectively and individually;

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;

Whereas the improvement of the safety of international civil aviation on a worldwide basis requires the active collaboration of all stakeholders;

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;

Whereas the results of the audits and ICAO Coordinated Validation Missions (ICVMs) conducted under the Universal Safety Oversight Audit Programme Continuous Monitoring Approach (USOAP-CMA) indicate that several Contracting States have not yet been able to establish a satisfactory national safety oversight system and some Contracting States have been identified as having significant safety concerns (SSCs);

Whereas ICAO plays a leadership role in facilitating the implementation of SARPs and the rectification of safety-related deficiencies by coordinating support and harnessing resources among aviation safety partners;

Recognizing that the ICAO Plans of Action developed for individual Contracting States serve as platforms to provide, in coordination with other stakeholders, direct assistance and guidance to those States in resolving their SSCs as well as addressing low effective implementation (EI) of critical elements;

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;

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

Recognizing that the establishment of subregional and regional aviation safety and safety oversight bodies, including regional safety oversight organizations (RSOOs), 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 resulting from the collaboration among Contracting States in establishing and operating a common safety oversight system;

Acknowledging the recognition given in Annex 19 to Regional Safety Oversight Organizations and their role in discharging delegated State safety management functions on behalf of States;

Recognizing that the assistance available to Contracting States experiencing difficulties in correcting deficiencies identified through the safety oversight audits, particularly with priority given to those States with SSCs, would be greatly enhanced by coordination amongst all Contracting States, ICAO and other concerned parties in civil aviation operations; and

Recognizing that established regional aviation safety groups (RASGs) have the objective of establishing priorities and setting measurable targets to address safety-related deficiencies in each region while ensuring consistency of action and coordination of efforts.

The Assembly:

1. *Directs* the Council, in partnership with all aviation safety partners, to implement a comprehensive assistance programme that will help Contracting States to correct deficiencies identified through USOAP-CMA, with priority given to the resolution of SSCs;
2. *Directs* the Council to promote the concepts of regional cooperation, including the strengthening of RSOOs and RASGs, as well as the establishment of priorities and setting of measurable targets to address SSCs and safety-related deficiencies;
3. *Directs* the Council to continue to partner with Contracting States, industry and other aviation safety partners for coordinating and facilitating the provision of financial and technical assistance to States and subregional and regional safety and safety oversight bodies, including RSOOs and RASGs, in order to enhance safety and strengthen safety oversight capabilities;
4. *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 RSOOs and RASGs;
5. *Directs* the Secretary General to continue to foster coordination and cooperation between ICAO, RSOOs and other organizations with aviation safety-related activities in order to reduce the burden on States caused by repetitive audits or inspections and to decrease the duplication of monitoring activities;
56. *Urges* Contracting States to give the highest priority to the resolution of SSCs in order to ensure that there are no immediate safety risks to international civil aviation and that the minimum requirements established by the Standards set forth in the ICAO Annexes are met;
67. *Urges* Contracting States to utilize the Flight Procedures Programme, where available, for PBN implementation;
78. *Urges* Contracting States to develop and further strengthen regional and sub-regional cooperation in order to promote the highest degree of aviation safety;

89. *Calls upon* all Contracting States and relevant aviation safety partners, wherever possible, to assist requesting States with financial and technical resources to ensure the immediate resolution of identified SSCs and the longer-term sustainability of the State safety oversight system;

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

1011. *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 bodies, including RSOOs;

112. *Requests* the Secretary General to play a leading role in coordinating efforts to assist States to resolve SSCs through the development of ICAO Plans of Action and/or specific project proposals and to assist States to obtain the necessary financial resources to fund such assistance projects;

1213. *Requests* the Council to report to the next ordinary session of the Assembly on the overall implementation of the comprehensive assistance programme; and

1314. *Declares* that this resolution supersedes Resolution A37-8.

Benefits of ICAO Online Air Operator Certificate (AOC) Register

30.6 The Commission reviewed A38-WP/90, presented by the Council, on the benefits of the online Air Operator Certificate (AOC) register that was first launched by ICAO in December 2012. It was noted that while participation in the register would require the allocation of resources, the benefits to States from the register might outweigh the costs. The Commission recalled that the AOC register had been developed by ICAO following a proposal made during the 36th Session of the ICAO Assembly to develop an online register that would provide transparency to States of the validity and currency of AOCs and the compliance integrity of the State of the Operator and facilitate the authorization process for States' AOC holders to operate into other States by providing a centralized repository of air operator information. The Commission recognized that the provision of timely and accurate data from larger operator States would present some initial challenges and that additional work would be required to streamline the data entry process. The Commission agreed with the actions proposed in A38-WP/90 and supported A38-WP/126, presented by IATA.

30.7 The Commission also reviewed A38-WP/125 presented by IATA which outlined the growing increase in the documentation required by States to authorize operations by airlines registered in other States. The Commission recognized that non-harmonized requirements added significant cost and administrative burden. The Commission agreed that, as had been urged by the 36th Session of the Assembly, States should be encouraged to recognize as valid AOCs and associated operation specifications issued by other States which meet the requirements of Annex 6 — *Operation of Aircraft*.

Approval of Flight Simulation Training Devices

30.8 A38-WP/142, also presented by IATA, outlined the need for States to establish systems to recognize the approvals by other States of flight simulation training devices (FSTD) based on guidance provided in ICAO Doc 9625, *Criteria for the Qualification of Flight Simulation Training Devices*, Volume I – *Aeroplane* (3rd Edition) and Volume II — *Helicopters* (1st Edition). The Commission noted that the absence of recognition of FSTD approvals by the States where they are operated has resulted in increased costs and administrative burden to civil aviation authorities, significant costs to the industry and decreased availability of training devices. The Commission also noted that assistance to States in the establishment of systems to recognize the approval of FSTDs, based on guidance in Doc 9625, could be supported through the International Pilot Training Consortium (IPTC), comprised of IATA, ICAO, IFALPA and the Royal Aeronautical Society.

30.9 In view of the discussion, the Commission submitted, for adoption by the plenary, the following resolution:

Resolution 30/2: Recognition of approval of flight simulation training devices (FSTD)

Whereas ICAO published *Doc 9625 — Criteria for the Qualification of Flight Simulation Training Devices*, *Volume I – Aeroplane*, (3rd Edition) and *Volume II — Helicopters* (1st Edition) to provide the means for the authorities of other States to accept, without repetitive evaluations, the qualifications granted by the State that conducted the initial and recurrent evaluations of a flight simulation training device (FSTD);

Recognizing that despite an internationally agreed mechanism for harmonization provided for in Doc 9625, the absence of recognition of FSTD qualifications is fostering multiple evaluations and causing high costs to States and the industry;

Recognizing that there has been slow progress towards implementation of systems to recognize the approval of FSTD's based on guidance contained in Doc 9625;

The Assembly:

1. *Urges* Contracting States to establish systems to recognize the approval of FSTD's based on guidance provided in using Doc 9625.
2. *Directs* the Council to continue to support Contracting States in the establishment of systems to recognize the approval of FSTD's; and
3. *Urges* Contracting States to assist each other in the establishment of systems to recognize the approval of FSTD's.

Improvement of Public Health Preparedness Planning for Aviation

30.10 The Commission reviewed A38-WP/35, presented by the Council, and A38-WP/229 presented by Dominican Republic, and emphasized the significant benefits to States and its support for ICAO to continue the Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA) programme and encouraged States and international organizations to

contribute to CAPSCA financially and/or in kind. The Commission recognized ICAO's collaboration with the World Health Organization (WHO) and other partners in implementing the programme.

Regional cooperation on State Safety Programmes and Accident and Incident Investigations

30.11 The Commission reviewed A38-WP/196 and WP/323, presented by Argentina and Japan, respectively, and agreed that States having some experience in implementing State Safety Programmes (SSPs) should share information and collaborate through the RASGs, RSOOs, COSCAPs or other appropriate regional fora to facilitate the implementation of SSPs.

30.12 A38-WP/339, presented by Colombia addressed the interest, needs and foundations for the establishment of regional accident and incident investigation organizations (RAIOs) in the South American Region to minimize the current problems related to independence and budget that States face in performing their investigation-related duties.

30.13 The Commission noted that the establishment of RAIOs would be of utmost importance and assistance to States with limited human and financial resources to carry out their investigation duties. Among others, a RAIO would help participating States in achieving economies of scale and help to ensure the functional independence of investigations. The ICAO *Manual on Regional Accident and Incident Investigation Organization* (Doc 9946), published in March 2011, contains guidance for States on how to establish and manage an RAIO within a region or sub region. There are currently several initiatives by groups of States to establish RAIOs, and ICAO, RASGs, and RSOOs have been assisting States in that regard.

30.14 The Commission agreed that legal frameworks in States should be reviewed and, if necessary, amended in order to allow for the establishment of RAIOs as appropriate, so as to improve the level of compliance with relevant ICAO SARPs; and that regional cooperation projects should be promoted to ensure that RAIOs have sustainable technical and financial support.

30.15 Information papers were provided by El Salvador (A38-WP/232) and Viet Nam (A38-WP/343).

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