



ICAO

International Civil Aviation Organization
North American, Central American and Caribbean Office

WORKING PAPER

C/CAR/DCA/14 — WP/26
17/04/15

Fourteenth Directors of Civil Aviation of the Central Caribbean Meeting (C/CAR/DCA/14)
Kingston, Jamaica, 11 to 13 May 2015

Agenda Item 3: Aviation Safety Management
3.4 Other Aviation Safety Matters

**THE FUTURE OF ANNEX 19; DETERMINING THE ROLE OF THE EIGHT
CRITICAL ELEMENTS OF SAFETY OVERSIGHT**

(Presented by the United States)

EXECUTIVE SUMMARY

In the five years since the first HLSC, ICAO has developed the new Annex 19, which is a significant step forward in providing the necessary framework and direction for States to understand how to implement a State Safety Programme (SSP). As ICAO and States move towards implementing the requirements of Annex 19, it must be done with the understanding that the eight critical elements of safety oversight are the foundation of a States' functioning SSP. Compliance to the eight critical elements must be effectively sustained before and as States implement the SSP framework. The United States first presented this Working Paper at the Second ICAO High Level Safety Conference in February 2015, and is presenting to this forum to reinforce the importance of the issue, and to encourage discussion amongst regional partners regarding the necessity of effective safety oversight.

Action:	The suggested action is presented in Section 4.
<i>Strategic Objective:</i>	<ul style="list-style-type: none">• Safety

1. Introduction

1.1 The United States appreciates the development of ICAO Annex 19 — *Safety Management*, and applauds the Safety Management Panel (SMP), Air Navigation Commission and the Secretariat for their efforts. With the completion of the first edition of ICAO Annex 19, States with an ICAO compliant system of oversight are in the process of developing viable State Safety Programmes (SSP) and are incorporating safety management concepts into both their internal management and external oversight of their aviation industry.

1.2 Although the benefits of safety management have been well defined, broad adoption and implementation of such programs will take time and their success will be dependent on the effective implementation of a system of ICAO compliant safety oversight capabilities. As proposed by the US paper submitted to the 38th Assembly, the United States supports the utilization of the safety oversight and SSP frameworks. The United States believes that States must first implement the eight critical elements of safety oversight prior to implementing SSP elements. Additionally, the United States believes that Appendix 1 of Annex 19 must remain since the eight critical elements of safety oversight are essential in the management of safety in any State.

2. Discussion

2.1 The eight critical elements of safety oversight are the foundation for a State to effectively implement and conduct safety oversight of their aviation system. Only after becoming compliant with the minimum requirements of the eight critical elements will a State have the experience and ability to implement and recognize the benefits of a State Safety Programme (SSP). Therefore, States initial focus should be on successfully implementing and sustaining ICAO adherence to the eight critical elements of safety oversight, a key prerequisite to the implementation of an effective SSP.

2.2 The benefits of the SSP are expansive; an effective SSP is the mechanism that will allow the States with mature oversight abilities and procedures to further enhance decision-making and allocation of resources to mitigate risks to their aviation system. It must be stressed that the success of the SSP is dependent on the ability of the State to satisfactorily perform and maintain a strong foundation of safety oversight. Although the SSP is a mechanism by which States can manage their aviation system, the existence of an SSP is not indicative of functional and capable national safety oversight.

2.3 Both the ICAO Universal Safety Oversight Audit Programme (USOAP) and the U.S. International Aviation Safety Assessment Program (IASA) utilize the eight critical elements as the threshold for determining how well a State is able to effectively meet their minimum obligations for safety oversight. These programs have had tremendous success in assisting States to identify where deficiencies exist in their implementation (or lack thereof) of compliance with required ICAO standards. The elements are the cornerstone in the development of corrective action plans to address deficiencies in safety oversight.

2.4 The ICAO Global Aviation Safety Plan, as endorsed by the 38th ICAO Assembly, recommends that member states with less than a 60% effective implementation USOAP score should increase compliance in areas that resolve deficiencies before embarking on the development and implementation of a safety management activities. Safety enhancements can only be worthwhile when based on a solid foundation of fundamental safety obligations. While the international aviation community has made significant strides in increasing the level of aviation safety worldwide, the results of these programs show that the breadth of capabilities varies widely by Member State.

2.5 As a practical matter, it can be expected numerous States will be unable to implement and sustain an effective SSP for an extended period of time. Therefore, the United States recommends a phased implementation approach, whereby initially States should focus on implementing the eight critical elements of safety oversight. Once the minimum ICAO compliant oversight capabilities have been established States with mature oversight capabilities would then begin implementing the elements of SSP.

3. Conclusion

3.1 At the 38th Assembly, the United States proposed that ICAO and States agree that the future development of Annex 19 ensures that States are not required to meet two sets of similar requirements in the SSP and in the eight critical elements. It was then recommended that auditing activities are integrated and that Annex 19 reflect this integration. Therefore the United States reiterates that in moving forward in the development of Annex 19, the eight critical elements of safety oversight and the SSP must be linked with clear guidance to facilitate a holistic approach to safety, however the eight critical elements must remain visible and the foundation.

3.2 Furthermore, as the second phase of Annex 19 is developed, it must reflect that only adequately mature safety oversight systems may be capable of managing the integration of the critical elements into the framework of their SSP. The current critical elements of safety oversight are a necessity for all States, especially those States that are not compliant with minimum ICAO standards and for use by auditing programs as the common foundation by which to measure and evaluate the effectiveness of their implementation. As a result, ICAO should consider a two phased approach whereby States with a low USOAP effective implementation score first implement a system of oversight compliant with ICAO minimum standards using the eight critical elements identified under Appendix 1 of Annex 19. Then as these States further mature then implement the additional SSP elements. However, States with adequately mature safety oversight systems should strive towards implementing an SSP promptly.

3.3 This phased approach will ensure that eight critical elements of oversight will remain to be the foundation for all States. It will also enable both States that require further development in their oversight capabilities and more mature States to strive towards further enhancing the safety of their aviation system by managing safety in an integrated manner.

4. Suggested Actions

4.1 The Meeting is invited to consider the following actions:

- a) ICAO and States should ensure that in moving forward in the development of Annex 19, the eight critical elements of safety oversight and the SSP be utilized to facilitate a cohesive approach to managing safety within the State, however the critical elements must remain visible and the foundation for safety oversight;

- b) The United States recommends that ICAO ensure the retention of the 8 CE in ICAO Annex 19, Appendix 1, and supports their inclusion in the SSP framework; and
- c) Furthermore, States must first implement the eight critical elements of safety oversight compliant with ICAO minimum standards prior to implementing effective SSP elements.

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