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(NCMC/5)**

Mexico City, Mexico, 15 – 16 November 2022

**Agenda Item 5: Updates of the ICAO NACC Systemic Assistance Programme (SAP)**

**THE NORTH AMERICAN, CENTRAL AMERICAN AND CARIBBEAN (NACC) ACCIDENT AND INCIDENT  
INVESTIGATION (AIG) TURNKEY PROJECT**

(Presented by the Secretariat)

**EXECUTIVE SUMMARY**

This working paper presents an overview of the NACC AIG Turnkey Project and its expectations in relation to the future increase in the AIG implementation.

<b>Action:</b>	The suggested actions are presented in Section 5
<i>Strategic Objectives:</i>	<ul style="list-style-type: none"><li>• Strategic Objective 1 – Safety</li></ul>
<i>References:</i>	<ul style="list-style-type: none"><li>• Annex 13 to the Convention on International Civil Aviation, twelfth Edition, July 2020</li><li>• ICAO Universal Safety Oversight Audit Programme (USOAP)</li><li>• NACC AIG Turnkey Project Document</li></ul>

**1. Introduction**

1.1 Undeniably, the activity of investigation of aviation accidents is one of the oldest actions focused on the management of safety. Nevertheless, over the last few years, it has become increasingly apparent that many States have not given adequate priority to this activity, which increases the risk.

1.2 Through the Universal Safety Oversight Audit Programme (USOAP), ICAO has sought to identify the strength of States' aviation systems in assessing their ability to honour the commitments under the Chicago Convention and its technical annexes regarding the implementation of the ICAO Standards and Recommended Practices (SARPs). Since that programme started with the focus in the areas of Operations (OPS) and Airworthiness (AIR), these areas, of course, ended up receiving more attention and, consequently, they achieved a higher level of compliance in the general context of international aviation. As the programme progressed to include other areas, like Accident and Incident Investigation (AIG), their shortcomings were highlighted.

1.3 The present scenario reveals the need to pay more attention to accident investigation, not only for its direct contribution to accident prevention, but also for its participation in the States' Safety Programmes, where it is an important supplier of data for analysis.

## **2. Lack of Implementation in AIG in the Caribbean (CAR) Region**

2.1 In the context of the CAR Region (Caribbean and Central American States), available data indicate some important deficiencies in the AIG area. The first concern is the lack of independence of the accident investigation authority, formally present in only three States. Currently, there are seventeen States whose civil aviation authority (CAA) holds the responsibility for investigating accidents and incidents.

2.2 The prevalence of this type of structure ends up prejudicing the investigation activity, affecting significantly its efficiency, which is not always perceived. In addition to generating potential conflicts of interest, it leads to a gradual demobilization of the AIG sector, since the CAA tends to prioritize regulatory and supervisory activities, to the detriment of investigation tasks that are considered "subsidiary."

2.3 Another concern is closely related to the previous one and refers to the organization and staffing. Unfortunately, only a few States in the region allocate adequate staff (in quantity and quality) to meet AIG requirements. In the majority of the cases, being under the CAA is a great contributor, since the investigation activity is usually not seen as a CAA priority for allocation of resources when disputing to other areas of the authority.

2.4 The third major concern is related to the conduction of the investigation and is mostly based on the lack of appropriate implemented documentation (e.g. procedures, guidance material, policies, etc.). As a result, the CAR Region presents a significant gap between the desirable and the existing investigation services.

2.5 One of the important factors to be considered in AIG is the feasibility of having a full operational accident investigation authority, especially when we refer to small States, where aviation systems are not so complex. For those cases, the adoption of a regional approach, based on the establishment of Regional Accident Investigation Organizations (RAIOs) tends to be the best option.

2.6 However, for the adoption of the RAIO model, a minimum of compliance with some important international requirements is still necessary. For example, the need to establish an independent investigation authority persists, even in the RAIO model, since the regional body is only responsible for the operational activity, that is, the conduct of the investigation itself (which already represents, by itself, much of the effort required by the AIG area).

2.7 In addition, each State must ensure, at the level of primary legislation, the possibility of delegation of the investigations, an adequate protection of operational safety information, and powers for the investigators (both national and foreigner/regional) to have unrestricted access to the place of occurrence and custody of evidence, essential for the timely carrying out of the investigation.

### **3. Assisting States on Building Capacity in AIG**

3.1 The Turnkey project was presented as a means to assist Caribbean and Central American States in the area of AIG by:

- a) Building/enhancing national capacity in accident and incident investigation;
- b) Enabling the establishment/consolidation of Investigation Cooperative Mechanisms (ICMs); and
- c) Enabling the future adoption of a RAIO approach.

3.2 The Project was initially structured into four sessions aimed at developing the elements necessary to enable the State to comply, at a minimum, with all AIG-related obligations arising from the Chicago Convention and its Annex 13.

3.3 In each session, international requirements were presented in detail, and participants had the opportunity to put in practice the information provided.

3.4 The deployment of the sessions was made as follows in 2022:

- Session 1 – Primary Legislation and Regulation, deployed on 25 to 29 April;
- Session 2 – Processes, Measures, Systems and Means, deployed on 23 to 27 May;
- Session 3 – Procedures, deployed on 18 to 22 July; and
- Session 4 – Training Programme, Training Plan and Records of Training received, deployed on 26 to 28 September.

3.5 An additional session might be put in place to consolidate the information provided and clarify any potential doubts (depending on the availability of remaining funds from previous sessions).

3.6 So far, the implementation of the NACC AIG Turnkey Project has been possible due to the direct support from the United States' Federal Aviation Administration (FAA), and the Multi Regional Civil Aviation Assistance Programme (MCAAP), that sponsored the sessions held in Miami.

3.7 Bahamas, Barbados, Belize, Costa Rica, Cuba, Dominica, Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Jamaica, Mexico, Trinidad and Tobago, and ECCAA took active role in the sessions.

#### **4. Next Steps on AIG Assistance**

4.1 A follow-up phase is under planning to provide “hands-on” assistance *in situ* to the States. That will be an opportunity to support the activities of selected States, effectively committed to the increase of their level of effective implementation in AIG. ICAO is looking for donation options to sponsor this follow-up phase.

4.2 AIG is one of the least implemented areas in the States in the CAR Region, and that makes it extremely important to have active engagement from the relevant personnel within the authorities, so that the efforts from ICAO can be mostly effective.

#### **5. Suggested Action**

5.1 In this sense, the Secretariat urges the National Continuous Monitoring Coordinators (NCMCs) to:

- a) recognize the benefits brought by the project to date;
- b) seek the support of their Administrations for the development of the AIG area;
- c) monitor the implementation of lessons learned; and
- d) promote the engagement of AIG implementation staff in project follow-up activities.