



**Agenda Item 3: Institutional aspects for the management and control of multinational systems and facilities**

**b) Regional Safety Oversight Cooperation System (SRVSOP)**

(Presented by the Secretariat)

SUMMARY	
This working paper presents to the Twelfth Meeting of Civil Aviation Authorities of the South American Region (RAAC/12) the progress made in the institutionalisation of the Regional Safety Oversight Cooperation System (SRVSOP).	
<b>References:</b> <ul style="list-style-type: none"><li>- Reports of the 17th, 19th, 21st and 22nd meetings of the SRVSOP General Board</li><li>- Report of the Sixth Coordination Meeting of Focal Points</li><li>- Report of the Seventh Coordination Meeting of Focal Points</li><li>- Report of the meeting of the <i>ad-hoc</i> group to analyse the most appropriate framework for the institutionalisation of the SRVSOP</li><li>- Report of the 23<sup>rd</sup> ordinary meeting of the SRVSOP General Board (JG/23)</li></ul>	
<b>ICAO strategic objectives:</b>	<i>A – Safety</i>

**1. Introduction**

1.1 The 17<sup>th</sup> ordinary meeting of the SRVSOP General Board (Lima - Peru, 29-30 November 2007) agreed to begin in 2008 a debate on the institutionalisation of the regional system, understanding “institutionalisation” as the creation of a regional multinational organisation, defined as: an international organisation of regional/sub-regional scope created by virtue of an agreement between the States interested in operating a multinational facility, with legal status, management and financial autonomy as may be appropriate for contracting, acquiring, undertaking legal action and disposing of the goods and services of the Organisation. As a result of this debate, this item was included in the 2008 programme of activities, which was approved through Conclusion JG 17/23.

1.2 The Sixth Coordination Meeting of Focal Points (RCPF/6), held in Lima, Peru, on 20-22 October 2008, reviewed the strategy for the institutionalisation of the Regional System, and recommended that the best option would be the approval or adoption and subscription of a multilateral agreement within the framework of a diplomatic conference for the establishment of a Regional Multinational Organisation (OMR) that would initially perform the functions currently performed by the SRVSOP and those that its members wish to assign to it.

1.3 It was also recognised that the guidance by legal experts on international issues might be required in the future in order to define more clearly the steps to be followed towards the institutionalisation of the System.

1.4 The 19th Ordinary Meeting of the SRVSOP General Board (JG/19) (Lima, Peru, 11-12 December 2008) agreed to start the path towards institutionalisation, through a diplomatic conference, with a view to creating a regional multinational organisation, noting that both the strategy for the institutionalisation of the Regional System and the follow-up to its implementation were the responsibility of the Focal Points.

1.5 The 7th Coordination Meeting of Focal Points (Lima, Peru, 24-26 February 2010) recalled the background of the debate on the institutionalisation of the System, noting that, in parallel to the work being done by the Focal Points, GREPECAS was conducting studies on institutional aspects aimed at the implementation of multinational facilities under the scope of regional organisations that could manage, integrate and implement such systems. This gave rise to the idea and the bases for the establishment of a regional multinational organisation (GREPECAS/14 - Conclusion 14/5).

1.6 Based on this conclusion, a diplomatic conference was convened in Brasilia, in December 2009, which agreed to establish the South American Air Navigation and Safety Organisation as an appropriate mechanism for consolidating the efforts of the States to ensure the sustainability of multilateral agreements for promoting the provision of shared civil aviation facilities in the Region.

1.7 The 21st Ordinary Meeting of the SRVSOP General Board (JG/21) (Santiago, Chile, 22 March 2010) stated that, although member States agreed on the need to proceed with the institutionalisation of the Regional System, the proposal of achieving this through its incorporation into the South American Air Navigation and Safety Organisation required further analysis. In this regard, the LACAC legal panel was requested to conduct this analysis, and concluded that the main problem identified in the Brasilia Agreement was that it did not allow States from outside South America to become full members.

1.8 The 22nd Ordinary Meeting of the SRVSOP General Board (JG/22) (Lima, Peru, 6-7 December 2010), upon reviewing the background information, considered that the institutionalisation of the System was a complex matter that required a broader approach. Accordingly, it formulated Conclusion JG 22/03 on the creation of a multidisciplinary *ad-hoc* group tasked with analysing and studying this information and the requirements of the most appropriate framework for the institutionalisation of the System. The result of this analysis was to be submitted before 30 June 2011.

## 2. Discussion

2.1 Based on Conclusion JG 22/03 of the General Board, the General Coordinator of the SRVSOP convened Member States and invited them to nominate candidates to participate in the multidisciplinary *ad-hoc* group, made up by legal experts and specialists in the areas of activity of the SRVSOP, in addition to those involved in the process concerning the RMO proposed by GREPECAS, to analyse and study the background information and the requirements of the most suitable framework for the institutionalisation of the SRVSOP.

2.2 The *ad-hoc* group, with the participation of 9 legal and safety experts of 6 Member States, met in Lima, Peru, on 19-20 May 2011, to discuss the following agenda:

- a) Review of the background and progress made towards the institutionalisation of the Regional System.

- b) Review of the organisational and functional framework of similar organisations and international forums in other Regions.
- c) Identification of different possibilities and of the strategy for the prompt institutionalisation of the SRVSOP, taking into account:
  - i) the objectives of the System,
  - ii) its Latin American scope,
  - iii) the protection of the interests of Member States.
- d) Advantages and disadvantages of integrating the SRVSOP into an air navigation service provider, taking into account the separation that should exist between regulatory bodies and service providers.
- e) Proposal for the institutionalisation of the Regional System, to be submitted to the consideration of the Meeting of Focal Points first and, subsequently, of the General Board.

2.3 The results of the *ad-hoc* group meeting were presented at the 23rd Ordinary Meeting of the SRVSOP General Board (JG/23) held in Cartagena de Indias, Colombia, on 26 June 2011. After reviewing the results, the General Board accepted the following recommendation contained in the report of the *ad-hoc* group.

#### **RECOMMENDATION INST 1**

The *ad-hoc* group designated to analyse the most appropriate framework for the institutionalisation of the SRVSOP recommends the following to the SRVSOP General Board:

1. Allocate resources for entrusting the ICAO South American Regional Office with defining the terms of reference and composition of a team of three experts to conduct a technical, legal and economic study of the situation of the ICAO regional technical cooperation projects that seek to institutionalise their achievements for the benefit of all the States that participate in them.
2. Request the ICAO South American Regional Office to coordinate and share the costs associated to this task with the tasks of project RLA/03/901 SAM REDDIG related to the institutionalisation of the REDDIG, with a view to the establishment of a single RMO.
3. Instruct the technical team, based on the progress made in the establishment of the South American Air Navigation and Safety Organisation and the results of the GEPEJTA meeting, to propose the necessary changes for achieving the most appropriate composition of a regional multinational organisation with legal status and management and financial autonomy for contracting, acquiring, receiving, managing, operating, maintaining, protecting and disposing of its goods and services, with a view to managing and operating the existing multinational services, such as the Regional Safety Oversight Cooperation System, REDDIG and CARSAMMA, with the possibility of adding other multinational services as required.

4. That ICAO, through agreements to procure support of the States or by contract, select the experts with the competencies required to be part of the technical team referred to in paragraph 1.
5. That the terms of reference of the technical team take into account the cost that would be incurred by States to finance the RMO, and the geographical scope of the latter, which should not exclude States currently participating in projects under implementation and other States of the Region that might wish to adhere.
6. That the report of the technical team be circulated to SRVSOP member States for comments, which would be taken into account and included in the proposal to be submitted to the SRVSOP General Board for approval and identification of subsequent actions, including coordination with the respective air navigation forums.

2.4 **Appendix A** to this working paper contains the report of the *ad-hoc* group, RECOMMENDATION INST 1 as accepted by the JG/23.

2.5 Likewise, at the meeting of the *ad-hoc* group, it was noted that the SRVSOP Regulations needed to reflect the reality of the activities being carried out by the System and of those foreseen in the future. Consequently, the *ad-hoc* group was presented with a proposal of amendment to the SRVSOP Regulations prepared by the Secretariat, which was analysed and enhanced with the comments and suggestions of the aforementioned group. The proposal was subsequently circulated to SRVSOP members for approval and additional comments.

2.6 The proposal of amendment to the SRVSOP Regulations, as circulated and commented by the *ad-hoc* group, was submitted to the 23rd Ordinary Meeting of the SRVSOP General Board (JG/23). This meeting agreed to proceed with the approval procedures and requested the General Coordinator to circulate the proposal to SRVSOP member States for approval within a period of 30 calendar days as of the date of its delivery to the States, and agreed that a lack of response would be considered as a sign of approval of the proposal.

2.7 Following this process, LACAC would conduct a similar process with the members of the Executive Committee and then proceed with the exchange of notes between LACAC and ICAO for the final approval of the amendment.

2.8 **Appendix B** to this working paper contains the proposal of amendment to the SRVSOP Regulations, with the modifications introduced by the JG/23.

### 3. **Suggested action**

3.1 The Twelfth Meeting of Civil Aviation Authorities of the South American Region (RACC/12) is invited to:

- a) Take note of the information presented in this working paper and in Appendices A and B.
- b) Support the vision of institutionalising the SRVSOP under one same organisation for managing multinational air navigation and safety oversight services.

**APPENDIX A**



**RLA/99/901 – INST**

**INTERNATIONAL CIVIL AVIATION ORGANIZATION**

**South American Regional Office**

**Regional Project RLA/99/901**

**REGIONAL SAFETY OVERSIGHT COOPERATION SYSTEM**

**Meeting of the *Ad-hoc* Group to Analyse the Most Suitable Framework  
for the Institutionalisation of the  
SRVSOP**

**REPORT**

Lima, Peru, 19-20 May 2011

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**ii-1 VENUE AND DATE**

The meeting was held at the ICAO South American Regional Office, in Lima, Peru, on 19-20 May 2011.

**ii-2 ATTENDANCE**

Delegations from six (6) member States of the System (Bolivia, Brazil, Chile, Paraguay, Peru and Venezuela), one representative of the SRVSOP Technical Committee and officers of the ICAO South American Regional Office attended the meeting. Argentina and Ecuador apologised for not sending their delegations. The list of participants appears on pages iii-1 to iii-3.

**ii-3 OPENING**

The Regional Director of ICAO for South America and General Coordinator of the System, Mr. Franklin Hoyer, welcomed the representatives of the States, highlighting the importance of the SRVSOP as a regional organisation, and wished the *ad-hoc* group all success in its discussions, urging it to keep away from any motivations other than those strictly related to the aeronautical field and based on the principles that gave rise to the Convention on International Civil Aviation. His speech appears in page ii-2.

Next, Ms. Verónica Chávez Faiad, Airworthiness Expert of the SRVSOP Technical Committee, made a presentation on the SRVSOP, the topics it covers, objective, institutional and regulatory framework, membership, organisation, action plans, achievements, benefits, advantages and development outlook.

**ii-4 APPROVAL OF THE AGENDA**

The *ad-hoc* group adopted the following agenda for the meeting:

- Item 1:** Review of the background and progress made towards the institutionalisation of the Regional System.
- Item 2:** Review of the organisational and functional framework of similar organisations and international forums in other Regions.
- Item 3:** Identification of different possibilities and of the strategy for institutionalising the SRVSOP as soon as possible, taking into account:
- i) the objectives of the System;
  - ii) its Latin American scope;
  - iii) the protection of the interests of Member States.
- Item 4:** Advantages and disadvantages of integrating the SRVSOP into an air navigation service provider, taking into account the separation that should exist between regulatory bodies and service providers.
- Item 5:** Proposal for the institutionalisation of the Regional System to be submitted to the consideration of the Meeting of Focal Points first and, subsequently, of the General Board.



**ii-5 RECOMMENDATION INST 1**

The *ad-hoc* group designated to analyse the most appropriate framework for the institutionalisation of the SRVSOP recommends the following to the SRVSOP General Board:

1. Allocate resources for entrusting the ICAO South American Regional Office with defining the terms of reference and composition of a team of three experts to conduct a technical, legal and economic study of the situation of the ICAO regional technical cooperation projects that seek to institutionalise their achievements for the benefit of all the States that participate in them.
2. Request the ICAO South American Regional Office to coordinate and share the costs associated to this task with the tasks of project RLA/03/901 SAM REDDIG related to the institutionalisation of the REDDIG, with a view to the establishment of a single RMO.
3. Instruct the technical team, based on the progress made in the establishment of the South American Air Navigation and Safety Organisation and the results of the GEPEJTA meeting, to propose the necessary changes for achieving the most appropriate composition of a regional multinational organisation with legal status and management and financial autonomy for contracting, acquiring, receiving, managing, operating, maintaining, protecting and disposing of its goods and services, with a view to managing and operating the existing multinational services, such as the Regional Safety Oversight Cooperation System, REDDIG and CARSAMMA, with the possibility of adding other multinational services as required.
4. That ICAO, through agreements to procure support of the States or by contract, select the experts with the competencies required to be part of the technical team referred to in paragraph 1.
5. That the terms of reference of the technical team take into account the cost that would be incurred by States to finance the RMO, and the geographical scope of the latter, which should not exclude States currently participating in implementation projects and other States of the Region that might wish to adhere.
6. That the report of the technical team be circulated to the SRVSOP member States for comments, which would be taken into account and included in the proposal to be submitted to the SRVSOP General Board for approval and identification of subsequent actions, including coordination with the respective air navigation forums.

## **LIST OF PARTICIPANTS**

### **BOLIVIA**

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Marco Castrillo Franco  
Head of the Flight Standards Unit - DGAC

### **BRAZIL**

Raquel Grossi Bosque  
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Airworthiness Expert of the SRVSOP Technical Committee

**Item 1:           Review of the background and progress made towards the institutionalisation of the Regional System**

1.1       The *ad-hoc* group took note of the way in which, and the circumstances under which, the SRVSOP had been established and of the successive steps taken since 2008 for the establishment of a strategy for its institutionalisation, including the various options considered, up to the holding of the diplomatic conference in Brasilia, in December 2009, which gave rise to the Agreement for the Establishment of the South American Air Navigation and Safety Organisation as the required regional multinational organisation (RMO).

1.2       It was noted that, in successive meetings of the SRVSOP, member States had identified a series of issues in the structure of said organisation that prevented it from being associated to the System, as confirmed in an analysis that had been entrusted to a group of legal experts of LACAC, and which was circulated to the group through the working paper on this agenda item.

1.3       The Chairperson reminded the participants that the objective of the meeting was to define a course of action based on the different institutionalisation options, and explained the work done by the Regional System for its incorporation into the Air Navigation RMO that had been created based on a recommendation of GREPECAS.

1.4       Upon analysing the problems identified in the Brasilia Agreement, the group recognised that it was unworkable, especially because it excluded Cuba, and concluded that it made no sense to continue discussing it, also taking into account that some States that had participated in the creation of the RMO would hesitate to ratify it or adhere to it.

1.5       The Secretariat informed the group that Suriname had expressed interest in joining the System, and of the possibility that Guyana might also be interested in joining in the future. It was noted that both South American States, in addition to Trinidad and Tobago, were participating in the REDDIG project and, as such, they would be entitled to participate in the RMO to be created if the decision was made to create a single organisation to encompass both aspects: air navigation and safety.

1.6       This manifestation of interest gave rise to a debate that the Chairman oriented to the definition of two aspects: the financial implications that the admission of English-speaking States would have for the SRVSOP in view of the need to translate the LARs and other documents, provide training in the English language, and to hold the meetings with documents in both languages and simultaneous interpretation; and on the other hand, the scope to be assigned to the RMO, taking into account that all the States currently participating in the projects seeking institutionalisation were entitled to participate.

1.7       It was noted that the first one of these aspects should be analysed by the SRVSOP General Board. Regarding the second aspect, the members of the group expressed their opinion and made comments on the way in which this had been handled at the diplomatic conference in Brasilia and about the convenience of creating one single RMO. The Secretariat cited as an example the case of COCESNA in Central America, which was an organisation that acted through two agencies, one for providing air navigation services and the other to address safety and security issues.

1.8       The group then unanimously agreed that consideration should be given to the establishment of a single RMO, open to all projects currently underway that sought institutionalisation in the way they were currently organised, and to the possibility of other similar arrangements, subject to the conditions agreed to that effect.

**Item 2:           Review of the organisational and functional framework of similar organisations and international forums in other Regions**

2.1     The Secretariat presented the working paper it had prepared to inform the *ad-hoc* group about safety organisations that existed in other Regions and how they were organised, such as EASA in the European Union, ACSA, as part of COCESNA in Central America, CASSOS in the Caribbean, and PASO in the Pacific Islands.

2.2     After analysing the scope of each of these organisations, the group discarded the possibility of a model such as EASA, since it responded to a reality that was still too far away from the current objectives and immediate future of the SRVSOP, and the example of CASSOS was too simple given the higher level of development attained by the Latin American System.

2.3     Based on the conclusion reached as to the creation of one single RMO, the group discussed the possibility of analysing all available schemes, taking from each those aspects that were relevant to, and suitable for, the reality of the Region, with a view to developing a scheme of its own, and agreed on the convenience of entrusting this task to a group of political, legal, technical and financial experts, made up by specialists seconded by the member States of the SRVSOP to carry out this task at the ICAO Regional Office or, if this were not feasible, by individuals hired through the ICAO international consultant recruitment mechanism.

2.4     The group of experts should define and propose the most appropriate organisational framework for the operation of an international multinational organisation in Latin America, with legal status and managerial and financial autonomy for contracting, acquiring, receiving, managing, operating, maintaining, protecting and disposing of its goods and services, with a view to managing and operating the air navigation facilities and the safety oversight system that are common to the participating States, with the possibility of incorporating other aspects, such as security and facilitation of international air transport.

2.5     In this sense, the group agreed to suggest that the SRVSOP establish a group of experts on the legal, technical and financial aspects that had to be analysed in depth in order to determine the most appropriate RMO model for the Region, and adopted the following recommendation:

**RECOMMENDATION INST 1**

The *ad-hoc* group designated to analyse the most appropriate framework for the institutionalisation of the SRVSOP recommends the following to the SRVSOP General Board:

1. The allocation of resources for entrusting the ICAO South American Regional Office with defining the terms of reference and composition of a team of three experts to conduct a technical, legal and economic study of the situation of the ICAO regional technical cooperation projects that seek to institutionalise their achievements for the benefit of all the States that participate in them.
2. Request the ICAO South American Regional office to coordinate and share the costs associated to this task with the tasks of project RLA/03/901 SAM REDDIG related to the institutionalisation of the REDDIG, with a view to the establishment of a single RMO.
3. Instruct the technical team, based on the progress made in the establishment of the South American Air Navigation and Safety Organisation and the results of the GEPEJTA meeting, to propose the necessary changes for achieving the most appropriate composition of a regional multinational organisation with legal status and managerial and financial autonomy for contracting, acquiring, receiving, managing, operating, maintaining, protecting and disposing of its goods and services, with a view to managing and operating the existing multinational services, such as the Regional

Safety Oversight Cooperation System, REDDIG and CARSAMMA, with the possibility of adding other multinational services as required.

4. That ICAO, through agreements to procure support of the States or by contract, select the experts with the competencies required to be part of the technical team referred to in paragraph 1.
5. That the terms of reference of the technical team take into account the cost that would be incurred by States to finance the RMO, and the geographical scope of the latter, which should not exclude States currently participating in projects under implementation and other States of the Region that might wish to adhere.
6. That the report of the technical team be circulated to SRVSOP member States for comments, which would be taken into account and included in the proposal to be submitted to the SRVSOP General Board for approval and identification of subsequent actions, including coordination with the respective air navigation forums.

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**Item 3: Identification of different possibilities and of the strategy for the prompt institutionalisation of the SRVSOP, taking into account:**

- i) the objectives of the System**
- ii) its Latin American scope**
- iii) the protection of the interests of Member States**

3.1 The Secretariat informed the group about the objectives of the SRVSOP, as established in the document of project RLA/99/901, which started operations on 1 November 2001, and about the Latin American coverage of the project.

3.2 The group took note that the importance of the project had been demonstrated in the cost-benefit study conducted in 2009 by a group of experts from four participating States that concluded that the results obtained so far would have represented a cost of USD 18'339,773 if States had pursued them individually, while together, under the cooperative approach of the project, the total cost had been estimated in USD 4'622,743, a total saving of USD 13'717,030.

3.3 As to the protection of the interests of member States, the *ad-hoc* group agreed that the technical group to be established should not exclude any State participating in the SRVSOP and the REDDIG, and at the same time respond to the concerns of Argentina regarding the territorial dispute over the Falkland Islands.

3.4 As to the possibilities and the strategy for the prompt institutionalisation of the SRVSOP, the Secretariat stated that it made no sense to rush, since, in the best of cases, such possibility would be for the medium term given the procedures that an arrangement of that nature would be required to follow to allow all States to adhere to a new convention and for its ratification by the respective legislative assemblies, provided there were no objections or unforeseen inconveniences.

3.5 After analysing the various possibilities, and as indicated in Item 2, the group agreed that the best possibility of institutionalising the SRVSOP would be through a diplomatic conference for the establishment of a single RMO to provide both the existing multinational air navigation services as well as safety services. Regarding its scope, it was concluded that it should not be limited to Latin America, but rather encompass all the Regions and/or States currently participating in the provision of these multinational services.

3.6 In the meantime, progress could be made by giving the SRVSOP more independence through a revision and updating of its regulatory framework, systematically giving it the managerial autonomy it requires but without losing contact with ICAO, taking into account that ICAO provides it with the support it needs to maintain its neutrality and transparency, in addition to providing it with the mechanism that facilitates its financial management.

**Item 4: Advantages and disadvantages of integrating the SRVSOP into an air navigation service provider, taking into account the separation that should exist between regulatory bodies and service providers**

4.1 Under this agenda item, the *ad-hoc* group analysed the advantages and disadvantages of implementing an RMO under the present circumstances, which would have a different connotation depending on the conditions under which it was established.

4.2 Since this had already been discussed under agenda items 1 and 2, no further comments were made on this topic.



**Item 5:            Proposal for the institutionalisation of the Regional System, to be submitted to the consideration of the Meeting of Focal Points first and, subsequently, of the General Board**

5.1        Consistent with the results of the discussions under the previous agenda items, the Secretariat proposed to the *ad-hoc* group a revision of the proposal of amendment of the SRVSOP regulations to reflect the reality of the activities carried out by the System and those foreseen in the immediate future.

5.2        The group made comments and proposed changes and adjustments to the articles of the Regulations to make them consistent with the procedures followed by the SRVSOP to comply with its mission and to execute the annual programme of activities approved by the General Board with the participation of its different levels.

5.3        It was felt that this proposal was only a draft that should be the subject of consultation and additional revisions by member States to obtain a final product acceptable to ICAO and LACAC. Finally, it would be attached to the document for the revision and extension of Project RLA/99/901, which it should be part of, and serve as a reference document or be linked to the instruments that might be proposed for institutionalising the SRVSOP.

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## APPENDIX B

### REGULATIONS OF THE REGIONAL SAFETY OVERSIGHT COOPERATION SYSTEM

#### Article 1 MISSION

The Regional Safety Oversight Cooperation System, hereinafter called "~~the System~~SRVSOP", created by virtue of the Memorandum of Understanding signed by the Latin American Civil Aviation Commission and the International Civil Aviation Organization, has the mission of promoting, in close coordination with ICAO, the harmonization and updating of safety regulations and procedures for air aviation among its participating States and regional organizations, and providing them with technically advice and assistance~~anceing participating States to with a view to~~ overcoming common problems ~~encountered with relation~~related to the effective compliance of their ~~responsibilities for~~ safety oversight responsibilities, ~~according in accordance~~ with the standards and recommended practices, ~~and corresponding procedures included contained~~ in the ~~annexes Annexes of to~~ the International Civil Aviation Convention, the associated procedures and related ICAO documents on the one hand, and, on the other, with the results recommendations formulated within the framework of the of evaluation conducted by the ICAO universal safety oversight audit programme.

#### Article 2 HEADQUARTERS AND DURATION

The ~~System~~SRVSOP shall have as its headquarters the ICAO South American Regional Office in Lima; ~~and it~~ shall be governed by the provisions of these Regulations and its duration shall be indefinite.

#### Article 3 PARTICIPANTS

Participation in the ~~System~~SRVSOP shall be open to States that are members of the Latin American Civil Aviation Commission and to other States of North America, Central America, South America and the Caribbean that wish to adhere through their respective authorities, as well as to public and/or private enterprises that, interested in safety oversight, ~~which may~~ express their will-desire to ~~form partjoin~~ as special observers and ~~may beare~~ accepted in the ~~System~~SRVSOP.

#### Article 4 FUNCTIONS

The functions of the ~~System~~SRVSOP shall be:

- a) ~~a) —~~ To propose uniform rules and procedures concerning civil aviation safety that are compatible with the relevant ICAO standards and recommended practices, and with the associated procedures and guidelines, aimed at the harmonization and/or adoption of such regulations and procedures by the participating States.

- b) To establish and implement a safety oversight technical support programme in the participating States in close co-ordination with ~~the ICAO universal safety oversight audit programme~~, with a view to maintaining and/or ensuring fulfillment of their responsibilities emanating from the Convention on International Civil Aviation and its ~~respective Annexes~~. ~~Initially, it will consider the Standards and Recommended Practices of Annexes 1, 6 and 8 to the Convention~~, the associated ICAO procedures and ~~guidance material~~guidelines, and the regulations and procedures that ~~are adopted by the System SRVSOP~~ may adopt for implementation by its members, in compliance with ~~the said ICAO rules~~standards;
- b) ~~To propose uniform rules and procedures in the areas of Personnel Licensing, Aircraft Operations and Airworthiness, compatible with relevant ICAO Standards and Recommended Practices, associated procedures and guidance material, leading to the harmonization and adoption of such rules and procedures by the participating States;~~
- c) To ~~promote the provision of~~provide advice, ~~and assistance~~ and training required to by participating States ~~that so required for the to implementation~~ and apply application of ICAO ~~sStandards and rRecommended pPractices and the~~, associated procedures and ~~guidancee material~~guidelines, as well as of the uniform regulations and procedures that the SRVSOP may adopt, coordinating the planning and execution of the relevant actions ~~in a co-ordinated and uniform manner~~;
- d) To promote the establishment of a training programme for the technical personnel of the participating States, in order to disseminate the application of common aeronautical regulations and certification procedures that the SRVSOP may adopt, and implement them uniformly.
- d)e) ~~To plan and execute, in coordination with the participating States, certification and oversight activities with multinational teams of experts of the SRVSOP. To participate in the conduct of audit missions under the leadership of ICAO by making the required experts available through LACAC. These experts must have been trained by ICAO and selected under this Organization's criteria;~~
- fe) To recommend, at the request of the participating States, the necessary measures to ~~overcome~~ resolve the safety oversight problems that ~~may be detected as a result of the audits~~they might face, and assist in their ~~implementation~~ of solutions;
- gf) To ~~develop~~carry out other related activities as may be ~~required~~recommended and approved by the corresponding bodies of the SRVSOP~~and that are within its capacity~~.

## Article 5 STRUCTURE

~~System A functions shall be performed by a~~ General Board, a General Co-ordinator, ~~and a~~ Technical Committee, and the Focal Points will fulfill the functions of the SRVSOP.

## Article 6 GENERAL BOARD

- a) The General Board ~~shall will~~ be ~~comprised of~~made up by a representative ~~from of~~ each participating State, preferably ~~who someone who has the responsibility of managing their responsible for~~ civil aviation safety management in his/her ~~respective~~ State. It shall meet at least once a year in an ordinary meetings, called by its President, who will be elected from its members for a period of one year. The President ~~could may~~ be re-elected for two equal and ~~succeeding successive~~ periods.
- b) Notwithstanding the above, the General Board may hold extraordinary meetings, duly called by its President on his/her own initiative, or ~~as requested by~~upon request of a single a simple majority of its members or ~~by of~~ the General Coordinator.
- c) The public and or private enterprises authorized to ~~form part of~~join the ~~System SRVSOP~~ by decision of the majority of the participating States which at the time of the meeting of the General Board have paid the corresponding contribution for the current year, can participate in the meetings of the General Board, as specials observers, with no right to vote.

## Article 7 FUNCTIONS OF THE GENERAL BOARD

The functions of the General Board ~~shall will~~ be:

- a) ~~a) —~~ To approve the annual programme of activities of the SRVSOP.
- b) To review and approve the annual budget and the financial regime.
- c) ~~Render advice to participating States which may request so for the compliance of their obligations related with safety oversight and with the recommendations resulting from the mandatory, regular and harmonized audits undertaken the ICAO universal safety oversight audit programme, including facilitation and adoption of corrective measures, and the adequate dissemination of the corresponding information;~~ To approve the civil aviation regulations developed by the SRVSOP.
- d) To approve the conditions under which the SRVSOP will provide advice and assistance to the participating States that so require for the fulfillment of their civil aviation safety obligations.
- e) To establish the number of experts that will make up the Technical Committee, and to approve the terms and conditions of their assignments.
- f) To determine the need to create groups of experts at the suggestion of the Technical Committee.
- ~~b) — To establish the number of experts required to integrate the Technical Committee and approve the terms and conditions for such assignments;~~
- ~~e) — To provide experts from the System to be trained by ICAO in accordance with Article 4 d) of these Regulations;~~

- ~~\_\_\_\_\_ d) To approve the annual programme of activities of the System;~~
- ~~\_\_\_\_\_ e) To examine and approve the annual budget and the financial regime;~~
- ~~\_\_\_\_\_ g)f) To examine-review and approve ~~the~~ expenditures and accounts;~~
- ~~\_\_\_\_\_ h)g) To examine-review and approve the annual reports of the Technical Committee and the annual report ~~on the~~ on SRVSOP activities ~~of the System~~;~~
- ~~\_\_\_\_\_ ih) To adopt, maintain and modify, as necessary, a labor regime for SRVSOP personnel, using as a reference the one in effect for ICAO personnel. To propose amendments to these Regulations, when necessary;~~
- ~~\_\_\_\_\_ ji) To take the appropriate measures for the dissemination of SRVSOP activities.~~
- ~~\_\_\_\_\_ k) To propose amendments to these Regulations as necessary.~~
- ~~\_\_\_\_\_ l) To agree on the ~~withdrawal~~ separation of one or more States from the ~~System~~ SRVSOP, based on the analysis ~~that to be performed by~~ shall be developed by the Technical Committee ~~for in~~ such cases.;~~
- ~~\_\_\_\_\_ m) To agree on the liquidation of goods and assets of the ~~System~~ SRVSOP, in ~~the event case~~ of ~~the~~ termination of the ~~System~~ matter;~~
- ~~\_\_\_\_\_ nk) To consider any other matter within the scope of the ~~System~~ SRVSOP that has ~~ds~~ not been specifically assigned to any of its other bodies.~~

## Article 8 GENERAL CO-ORDINATOR

The Regional Director of the ICAO ~~Lima~~ Office in Lima, ~~headquarters of that hosts~~ the ~~System~~ SRVSOP, will be in charge of the general co-ordination of the System SRVSOP, and shall receive the technical and logistic support from the ICAO Regional Offices concerned (Lima and Mexico) and from the Technical Committee as needed, in accordance with relevant ICAO procedures and guidelines, as well as with these Regulations and other procedures of the System SRVSOP.

## Article 9 FUNCTIONS OF THE GENERAL CO-ORDINATOR

The functions of the General Co-ordinator shall be:

- a) To coordinate with the President the convening of General Board meetings and to act as Secretary at such meetings.
- b) To co-ordinate with the participating States the implementation of the annual programme of activities.;

- ~~b) — To co-ordinate with the President the meetings of the General Board and act as Secretary of such meetings;~~
- c) To provide guidance to the experts assigned to serve on the Technical Committee;
- d) To co-ordinate and direct the Technical Committee meetings and the implementation of its programme of activities;
- e) To exchange such information as is necessary with the participating States and bodies concerned;
- ~~f) — To manage the execution of the SRVSOP annual programme of activities and its budget.~~
- ~~— To prepare an annual report of the activities of the System and submit it to the General Board;~~
- ~~g) — To prepare an annual report on SRVSOP activities and submit it to the General Board.~~
- ~~h)g) — To co-ordinate with the States the designation of experts and their participation, as requested by the ICAO universal safety oversight audit programme;~~
- h) To keep updated the lists of Civil Aviation ~~Authorities~~Administrations, of the candidates nominated to serve ~~on~~ the Technical Committee, and of the available experts;
- i) To publish and disseminate the procedures and other documents related to the implementation of the uniform regulations adopted by the SRVSOP~~To perform such other functions within the scope of the activities of the System as are entrusted to him/her.~~
- j) To approve the procedural handbook of the Technical Committee and its amendments.
- k) Fulfil other functions within the SRVSOP sphere of activities that may be entrusted to it by the General Board.

## Article 10 TECHNICAL COMMITTEE

The Technical Committee shall be composed of experts ~~complying that meet with~~ ICAO requirements in ~~Personnel Licensing, Aircraft Operations and Airworthiness~~safety-related specialties, in a number to be determined by the General Board, ~~and~~ selected in consultation with ICAO ~~and in accordance with Article 4 d) of these Regulations~~. The duration of their contracts shall be one year, renewable, of which the first three months will be a probationary period.

## Article 11 FUNCTIONS OF THE TECHNICAL COMMITTEE

The Technical Committee shall have the following functions:

- a) To develop the procedural handbook of the Technical Committee, propose its approval by the General Coordinator, and formulate its possible amendments.~~To plan and develop a permanent technical cooperation programme for safety oversight in participating States, with the purpose of verifying compliance with their safety-related obligations;~~

- b) To propose ~~rules and procedures as may be needed with regard to personnel licensing, aircraft operations and airworthiness,~~ the civil aviation safety regulations, as mentioned in Article 4 b) of these Regulations, ~~and to review and amend them as necessary, establishing working groups to that end with a view to achieving their harmonization.;~~
- c) To develop, adopt and keep up-to-date, with the cooperation of the appropriate working groups, participate the procedures, advisory circulars and other guidance documents for the implementation of the uniform regulations adopted by the SRVSOP, in audits of States in the System, as requested by the IACO universal safety oversight audit programme;
- c) To provide advise to the States that are part of the SRVSOP with a view to verifying and providing guidance on the proper implementation of the harmonized regulations and procedures.
- d) To recommend to participating States the uniform adoption and application of the harmonized rules-regulations and procedures;
- e) To ~~facilitate~~ promote the dissemination of the harmonized rules-regulations and procedures.;
- f) To determine the assistance required by Civil Aviation Administrations ~~regarding in the area of~~ safety.;
- g) To prepare and submit to the General Board, on a yearly basis, the draft programme of activities and the draft budget ~~of the System~~ for its approval ~~by the General Board;~~
- h) To set up such groups of experts as ~~deemed it deems~~ necessary and define its powers and work programmes.;
- i) To ~~examine~~ examine the reports of the groups of experts that have been set up, and to decide on the issues submitted for its consideration;
- j) To analyze the audit reports that participating States may wish to submit for its consideration.;
- k) To give its opinion with respect to amendments to these Regulations, ~~when requested by~~ at the request of the General Board.;
- l) To analyze and report to the General Board on the consequences of the ~~withdrawal~~ separation of one or more States from the ~~System~~ SRVSOP.;
- m) To propose to the General Board the liquidation of ~~System's the~~ goods and assets of the SRVSOP in ~~the event~~ case of ~~the~~ termination of the ~~System~~ SRVSOP.

## Article 12

### FOCAL POINTS

Focal points are officials from any of the safety-related areas, designated by the Civil Aviation Administration of each participating State with the purpose of establishing an agile communication link with the SRVSOP Technical Committee, and coordinating and promoting SRVSOP activities within his/her Administration.

Article 13  
**FUNCTIONS OF THE FOCAL POINTS**

- a) To act as link between their State and the SRVSOP Technical Committee.
- b) To be familiar with the agreements and documents related to the System and disseminate them in their State.
- c) To receive the documentation sent by the Technical Committee by e-mail or other appropriate means.
- d) To circulate to those members of their Administration who are members of SRVSOP working groups the information sent by the Technical Committee for their assessment and comments.
- e) To do the follow up of the tasks of the working groups of their State concerning the analysis of the documentation sent by the Technical Committee.
- f) To ensure timely response to communications sent by the Technical Committee.
- g) To participate at the meetings of SRVSOP Focal Points to be held in accordance with the terms of reference approved by the General Board.

Article 14  
**ICAO SUPPORT**

- a) The ~~System~~ SRVSOP shall be managed by ICAO through a trust fund agreement to be entered into by the participating States and ICAO, as provided for in the third paragraph of the Memorandum of Understanding;
- b) ICAO shall give the System technical and logistic support and such information and documents as it may need, and shall monitor its activities using the regular means available to it;
- c) At the request of LACAC or of any of the participating States, ICAO shall propose the most appropriate course of action for ~~those the~~ activities required ~~which by the latter in case~~ the System SRVSOP is not ~~able in a position of to~~ implementing them;
- d) ICAO shall arrange for the review by its auditors of the financial statements of the System SRVSOP as of December 31 of each year, and forward their reports to the General Board through the General Co-ordinator;
- e) Any expenses incurred by ICAO from the activities described above and which exceed normal ICAO support to its Contracting States, shall be covered in accordance with the relevant provisions of the ~~complementary~~ trust fund agreement, the details of which will be arranged by the Parties.



**Article 153**  
**FINANCIAL ~~STRUCTURE~~ REGIME**

The ~~System SRVSOP~~ shall be financed with the contributions ~~from of~~ the participating States ~~in the way established in the agreements among such States,~~ and ~~with~~ the contributions ~~convened from the of~~ special observers, ~~as established in an agreement between such States for the implementation of the System,~~ on the basis of an annual budget ~~of its operating costs, to be~~ approved by the General Board ~~no later than before 30~~ September 30 of the year immediately prior to the year of its application. The budget shall also include the annual amount (in US dollars) of the contributions ~~set for by~~ the participating States, which ~~are is~~ to be deposited ~~into in the~~ trust fund account that ICAO shall open in the name of the ~~System SRVSOP~~.

The minimum ~~limit for the~~ contribution ~~of to be made by~~ special observers ~~enterprises~~ admitted ~~according to in accordance with~~ paragraph c) of Article 6 will be that which applies for ~~participation of participating~~ States.

**Article 164**  
**CONCILIATION**

Any difference or dispute concerning the interpretation or the application of these Regulations shall be resolved by negotiation between the parties concerned.

**Article 175**  
**AMENDMENTS**

- a) Either Party, ICAO or LACAC, may propose amendments to these Regulations.
- b) As far as LACAC is concerned, any State member of the General Board may propose amendments to these Regulations. All amendments shall be examined by the General Board and approved by an expanded meeting of the LACAC Executive Committee, which ~~could may~~ be attended by all ~~the~~ States ~~forming that form~~ part of the ~~System SRVSOP~~.
- c) Any amendment proposed by ICAO or LACAC shall require ~~the~~ approval ~~by of~~ both Parties ~~in order~~ to ~~enter into effect~~ become effective.

**Article 186**  
**ENTRY INTO FORCE**

These Regulations shall enter into force once formally approved by the Parties ~~and once the System is established.~~