



ICAO COSCAP SEA

INSTITUTIONAL FRAMEWORK

November 2021 Edition

CO-OPERATIVE DEVELOPMENT OF OPERATIONAL SAFETY
AND CONTINUING AIRWORTHINESS PROGRAMME
SOUTH EAST ASIA

RECORD OF AMENDMENTS

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Article 1

Objectives

- 1.1 The objective of COSCAP-SEA is to enhance the safety and efficiency of air transport in its Programme Member States, through coordination, assistance and harmonization efforts aiming to strengthen States' safety oversight, accident/incident investigation and safety management capabilities, and their compliance with the applicable ICAO provisions in an effective, sustainable and resilient manner.
- 1.2 The immediate objectives of COSCAP-SEA, within available resources and the Programme timeframe, are the following:
 - 1.2.1 Serving as a dedicated forum to facilitate dialogue and exchange of information and experience on matters related to safety, safety oversight, accident/incident investigation and safety management among Programme Member States and promote coordinated and/or harmonized solutions to common challenges.
 - 1.2.2 Ensuring a coordinated and cost-effective approach for obtaining technical assistance in the field of aviation safety oversight, accident/incident investigation and safety management, by minimizing duplication of efforts and allowing the sharing of available resources whenever possible.
 - 1.2.3 Assisting Programme Member States in effectively implementing the critical elements of their State Safety Oversight System, and in understanding and fulfilling their responsibilities under the Universal Safety Oversight Audit Programme - Continuous Monitoring Approach (USOAP CMA).
 - 1.2.4 Assisting States in their capacity-building efforts, and in particular enhancing the competencies of inspectors, investigators and other relevant personnel of Programme Member State, through a variety of training means, including on-the-job training.
 - 1.2.5 By using Programme personnel seconded from Programme Member States or ICAO Staff, undertake missions to Programme Member States to maintain liaison and augment the resources of those member administrations, even those who in normal circumstances fulfill their safety oversight, accident/incident investigation and safety management responsibilities by themselves but which may need, on ad hoc basis, outside assistance in periods of high demand or for specific expertise.
 - 1.2.6 Assisting Programme Member States in the preparation for, and follow up on USOAP CMA activities, and provide guidance regarding the development and amendment/update of Corrective Action Plans (CAPs).
 - 1.2.7 Supporting Programme Member States in effective implementation of their State Safety Programme (SSP) (including the acceptance of, and continuous monitoring over their service providers Safety Management Systems – SMS).
 - 1.2.8 In close coordination with the ICAO Asia and Pacific Regional Office (APAC RO) and the ICAO Asia and Pacific Flight Procedures Programme (FPP), supporting the Programme Member States in the implementation of Performance Based Navigation (PBN).

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Article 2 Functions

- 2.1 The objectives stated in Article 1 are to be achieved through tasks undertaken for the common benefit of all Programme Member States – the core services, on the one hand and tasks undertaken for the benefit of a Member or groups of Members, on the other hand.
- 2.2 A balanced, risk-based and result-oriented approach will be followed to prioritize, determine and implement the Programme activities, in order to;
- a) address States' immediate needs (such as the identification and mitigation of potential immediate risks for safety and other safety oversight related needs) as well as longer term needs, including for the implementation and continuous maturation of the State Safety Programme (SSP);
 - b) address common challenges throughout the SEA sub-region but also specific challenges faced by some of the Programme Member States; and
 - c) support States not only in achieving an effective safety oversight system, accident/serious incident investigation system, safety reporting systems and SSP as a whole, but also in enhancing the sustainability and resilience of those systems.
- 2.3 The main functions of the COSCAP-SEA, within available resources and the Programme timeframe, are as follows:
- (i) Core services: Undertaking tasks for the common benefit of all – Programme Member States:
 - a) improving the competencies of inspectors, investigators and other relevant personnel of Programme Member States by participation in training workshops/seminars and courses and on-the-job training;
 - b) supporting the adoption of harmonized, safety oversight regulatory and procedural framework, in compliance with the Chicago Convention, Standards and Recommended Practices (SARPs) and related material, , as directed by the Steering Committee;
 - c) assisting States in understanding and implementing ICAO provisions (Chicago Convention, SARPs and related material), including recently adopted provisions and in establishing and implementing a National Aviation Safety Plan (NASP) to support the implementation of the Global Aviation Safety Plan and the Asia- Pacific Regional Aviation Safety Plan;
 - d) assisting in the implementation of the Regional Air Navigation Plan.
 - e) in coordination with the other concerned ICAO entities, supporting resource mobilization efforts to help develop and implement COSCAP-SEA activities ;
 - f) organizing meetings and activities of the South East Asia Regional Aviation Safety Team (SEARAST); and

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- g) any other task determined by the Steering Committee for the benefit of COSCAP - SEA Programme member States.
- (ii) Services at request: Providing support to individual or groups of Programme Member State, as required and within available resources and the Programme timeframe, for :
 - a) developing and/or amending legislation (primary aviation legislation and/or specific operating regulations), policies, procedures and other guidance material and tools, including checklists;
 - b) developing, amending and implementing training policies, programmes and plans related to the technical personnel (including inspectors and investigators) of Programme Member States;
 - c) assisting in performing specific safety oversight tasks, e.g. for the initial certification/approval, or renewal thereof, of service providers (air operators, approved maintenance organizations, aerodrome operators and Air Navigation Services (ANS) providers), surveillance inspections/audits, or the initial acceptance and/or continuous monitoring of service providers' Safety Management Systems (SMS).
 - d) preparing for, and following up on USOAP CMA on-site activities, including CMA audits, ICAO Coordinated Validation Missions (ICVMs) and SSP Implementation Assessments (SSPIAs), and developing and/or amending/updating Corrective Action Plans (CAPs).
 - e) other purposes falling within the scope of the objectives of COSCAP-SEA, following requests by a Programme Member State or group of Member States and as decided by the Chairman of the Steering Committee.

Article 3 Organogram and Funding

- 3.1 The work of COSCAP-SEA shall be decided upon by the Steering Committee.
- 3.2 The Programme shall be implemented through the ICAO Capacity Development and Implementation Bureau (**CDI**) within the existing ICAO legal regime applicable to the ICAO Technical Co-operation Programme. It will maintain regular coordination with the ICAO APAC RO on the Programme work plan to reduce duplication and improve efficiency.
- 3.3 The core services defined in Article 2.3 (i) above, that are provided under the Programme shall be funded primarily by the Programme Member States through annual contributions in accordance with a cost-sharing formula approved by the Steering Committee. The funds shall be placed by ICAO in a Trust Fund account for the Programme.
- 3.4 Contributions in the form of grant funds and/or contributions in kind from external donors such as international organizations in the field of aviation or associated with it, regional organizations of States, individual donor States or administrations, aircraft or

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aircraft component manufacturers, airlines, airports, air navigation services providers, other members of aero-space industry and any other non-public sector stakeholders in aviation safety accepted by the Programme Steering Committee for participation in the Programme will be welcomed. ICAO shall enter, as needed, into agreements with the respective donors for the use of such grant funds or contributions, the conditions for which shall be agreed upon between the specific donors and ICAO. These grant funds shall be considered as supplemental resources, the primary source of funds being the contribution of the Programme Members State themselves in accordance with 3.3 above.

- 3.5 The non-public sector stakeholders in aviation safety may be accepted as Programme donors by the Programme Steering Committee (Refer Article 7) after satisfying itself on the background of such organizations and their compatibility with the Programme objectives defined in Article 1.
- 3.6 Members' annual contributions supplemented, as available, by donor funds for the general pool of the COSCAP-SEA Trust Fund in ICAO will be used for common benefit functions defined in Article 2.3 (i).
- 3.7 For functions described in Article 2.3 (ii), the CAAs, air operators, aircraft maintenance organizations, airport operators or the ANS service providers receiving the service shall deposit the estimated cost of the service in the COSCAP-SEA Trust Fund in ICAO; the service recipient may also request ICAO through the Member Administrations to approach the donor community to contribute in full or in part to the service cost.

Article 4 COSCAP-SEA Programme Management

- 4.1 The ICAO Capacity Development and Implementation Bureau (CDI) shall provide the Services specified in the latest applicable revision of the COSCAP-SEA Programme Document in accordance with established ICAO rules, policies, procedures and practices. In general, the Services shall include:
 - a) Recruitment, contracting, fielding, and administration of the international and regional experts constituting core professional staff of the Programme.
 - b) Recruitment, contracting, fielding and administration of additional short-term international experts and such national experts available in, and offered by Programme Member States on non-commercial basis for deployment in other Programme Member State or a group thereof for the provision of specific service.
 - c) Procurement of Programme equipment and specific equipment required by a Programme Member States.
 - d) Arrangement and administration of fellowship training offered by donors or a Programme Member States.
 - e) Maintenance and administration of Programme funds according to applicable ICAO regulations, rules, directives, procedures and practices;

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- f) Financial and budgetary control to ensure that Programme expenditures, obligations and commitments are within the limitation of the available funds;
- g) Preparation and submission of periodic financial statements;
- h) Contribution to Working and Information Papers related to the administration of the Programme for submission to the Steering Committee Meeting;
- i) Review and finalization of administrative Programme reports;
- j) Monitoring of programme administration;
- k) Other miscellaneous administrative programme management functions;
- l) Membership in the Steering Committee and participation in its meetings; and
- m) Participation in the preparation and subsequent amendment of Project Documents (PRODOC).

Article 5 Location

- 5.1 COSCAP-SEA is currently based in Bangkok, Thailand. The Steering Committee may, however, at any time decide to rotate the office as mutually agreed upon.

Article 6 Operation

- 6.1 The core services of COSCAP-SEA as defined in Article 2.3 (i) shall be provided by a core team of internationally and/or regionally recruited safety oversight experts, supplemented, as required, by regionally or internationally-recruited short-term consultants. One of the core experts shall be assigned the additional task of Chief Technical Advisor/Programme Coordinator (CTA/PC).
- 6.2 A balanced approach shall be applied in the recruitment of regional, international and national experts for Programme implementation.
- 6.3 COSCAP-SEA shall maintain a roster of suitably qualified and experienced national experts which may be drawn upon to be recruited as members of the Programme core team or on temporary basis for carrying out assigned activities in their respective fields of specialization.
- 6.4 The specific services: for the benefit of a Programme Member States or groups of Members or specific operator or service provider on “as required” basis {refer Article 2.3 (ii)} shall be provided through deployment of additional international or regional experts in the Programme core team on cost recovery basis, or, through mobilization of such resources available in, and offered by any other Programme Members on non-commercial basis, as warranted.

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- 6.5 Annual work plans shall be prepared by the Chief Technical Advisor/Programme Coordinator (CTA/PC) based upon the decisions taken and priorities determined by the Steering Committee, taking into account the immediate needs of the Programme Member States and the available funds.
- 6.6 Programme Member States will ensure full participation of their relevant national staff in the Programme activities.

Article 7 Governing Body – The Steering Committee

- 7.1 The Steering Committee shall be composed of:
- a) Programme Members: the heads of civil aviation administrations, responsible for regulatory functions in the COSCAP- SEA Members (Directors General of Civil Aviation/Chairmen of Civil Aviation Authorities) or their designated representatives;
 - b) the Director, ICAO Capacity Development and Implementation Bureau (**CDI**) or his/her representative and ICAO Regional Director, Bangkok or his/her representative.
 - c) the Chief Technical Advisor/Programme Coordinator (CTA/PC) who will act also as the Secretary of the Steering Committee.
- 7.2 Donor States, agencies and organizations (including from the industry), which currently make a financial contribution and/or contribution in kind to COSCAP-SEA, have made such contribution in the last 5 years or pledge to make such contribution in the current Phase, may be recognized as partners in the implementation of the Programme and invited to Steering Committee Meetings. Representatives from non-member States, agencies, organizations and industry with an interest in aviation safety issues in the COSCAP-SEA sub-region may be invited to participate in meetings as observers, subject to approval by the Chairperson of the Steering Committee.
- 7.3 The Chairmanship of the Steering Committee shall be rotated among the Program Members.
- 7.4 The Steering Committee shall meet, at least once a year. If, for any reason, it is not possible for the meeting to be held in the country of its current Chairmanship, it shall be held in another Member State offering to host it.
- 7.5 The Steering Committee shall:
- a) Monitor and evaluate the Programme activities since the previous meeting;
 - b) Formulate policies and assign priorities for the activities of COSCAP-SEA taking into account the requirements of this Institutional Framework, and the provision of the current Phase of the COSCAP-SEA Programme document and the availability of funds;
 - c) Review and approve the annual work programme and budget of COSCAP-SEA; and

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- d) Review and direct the work of SEARAST.

Article 8 Joining COSCAP-SEA

- 8.1 Any ICAO Contracting State in the South East Asia and adjoining area shall be eligible to join COSCAP-SEA by submitting a request to the Steering Committee, which shall decide on the matter at its next meeting. However, this shall not preclude the Steering Committee from considering requests by other ICAO Contracting State to join COSCAP-SEA.

Article 9 Amendments

- 9.1 This Institutional Framework may be amended by the Steering Committee. Any amendment that may have impact on the established rules and administrative procedures of the ICAO Capacity Development and Implementation Bureau (**CDI**) under which its services are provided will, however, require consultations with ICAO/ CDI.

Article 10 Dissolution

- 10.1 COSCAP-SEA shall operate and retain validity and effect until dissolved by the Steering Committee. Upon dissolution, disbursement of any funds remaining in the Trust Fund account of the COSCAP-SEA after liquidation of all obligations and commitments entered into by ICAO shall be made in accordance with the principles to be established by the Steering Committee.

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