



International Civil Aviation Organization
Asia and Pacific Office

Fourteenth Meeting of the Regional Aviation Safety Group – Asia and Pacific Regions (RASG-APAC/14)

(Bangkok, Thailand, 28-29 November 2024)

Agenda Item 2: Update from ICAO, APRAST and AIG outputs for RASG-APAC consideration and approval

UPDATE ON WORK DONE BY APAC-AIG

(Presented by Chairman of APAC-AIG)

SUMMARY

This paper updates the meeting on the activities of the Asia Pacific Accident Investigation Group (APAC-AIG), including the annual meeting APAC-AIG/12, held in Bangkok on 28-29 August 2024.

1. INTRODUCTION

1.1 This working paper updates the meeting on the activities of the Asia Pacific Accident Investigation Group (APAC-AIG). The 12th annual meeting, APAC-AIG/12, was held in Bangkok on from 28-29 August 2024, preceded by a Workshop on 27 August 2024, focusing on Train the Trainer.

2. DISCUSSION

2.1 On 27 August 2024, one day prior to the APAC-AIG/12 Meeting there was ICAO APAC Regional Accident Investigation Workshop on the different topics related to Train the Trainer and Classifying Serious Incidents which was attended by 54 participants physically and 20 online. The Workshop was organized by Australia and Singapore where deep discussions took place on the following topics presented by four speakers as given below. All participants appreciated the efforts from the presenters for the sharing of experiences and urged for more similar activities in future APAC-AIG Meetings.

2.1.1 Summary of the Presentations are tabulated below:

Train the Trainer – Bloodborne pathogens awareness training for investigators.	Australia Rob Chopin Manager, Transport Safety Investigations, ATSB
Train the Trainer – Personal Protective Equipment (PPE) for investigators.	Singapore Ms. Xiuyun Jen Tan Senior Air Safety Investigator, TSIB

Train the Trainer – Critical incident management training for investigators.	Australia Rob Chopin Manager, Transport Safety Investigations, ATSB
Classifying Serious Incidents - Workshop	Australia Stuart Godley Director, Transport Safety

2.1.2 The Workshop materials can be found in the following link (to be accessible to APAC accident investigation authorities for training their own staff);
(<https://www.icao.int/APAC/Meetings/Pages/2024-APAC-AIG-Workshop.aspx>).

2.2 The AIG/12 adopted five (05) Decisions, progress of which are shown in **Attachment A**. The closed items were a result of the work done between AIG/11 and AIG/12 by the AIG Expert Group (AIG-EG).

2.3 The status of the APAC AIG/11 ten Decisions from 2023 can be seen in **Attachment B**. All Decisions are ‘Proposed to be closed’.

2.4 The AIG Yearly Work Program contains six (06) ongoing tasks and one (01) closed task where Leads and Volunteers were identified from the Expert Group for each task. Between AIG/11 and AIG/12 at least one virtual meeting was run for each task and actions were presented at the AIG/12 meeting and are summarized in AIG Yearly Work Program 2024-2025 attached in **Attachment C** to this paper.

2.5 Please note the Decision 12/4 by the meeting (arising from work arising from Decision 11/3 from the AIG 11 2023 meeting). This requests the RASG-APAC to approve the proposal that the **APAC-AIG Code of Conduct on Cooperation Relating to Civil Aviation Accident/Incident Investigation (CoC) is recognized as the Investigation Cooperation Mechanism (ICM) for APAC Region**. Please see justification in Attachment C (under task APAC AIG 11/3). If approved, the APAC RO shall draft the background in ‘Forward/Executive Summary’ by changing the Title to ICM keeping the originally approved CoC Items and re-publish in the ICAO APAC Website. Please refer to the **Working Paper/10 presented during APAC AIG/12** on ‘Comparison of APAC-AIG COC and MENA ARCM MOU’ where the Code of Conduct is placed in Attachment A to WP/10 after a detailed analysis which is placed as **Attachment D**.

2.6 The next meeting and workshop, AIG/13, is proposed to be hosted by **India** in Delhi in late 2025.

3. ACTION BY THE MEETING

3.1 The Meeting is invited to:

- a) note the information in this paper; and
- b) Request the RASG-APAC to approve the proposal Decision AIG 12/4 to change the APAC-AIG Code of Conduct (CoC) to an Investigation Cooperation Mechanism (ICM) for APAC Region.

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List of Updated APAC-AIG/12 Decisions and Conclusions

Conclusion/ Decision No ---	Title of Conclusion/Decision	Text of Conclusion/Decision	Responsibility	Deliverable	Target Date	Status	Action by RO/HQ/ANC
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Decision APAC-AIG 12/1 –	Update on AP-RASP Org Roadmap Action Item ‘A.V.1’ and Decision AIG 11/10 – AIG EG Task Force-4 - WP/07	That, a) APAC AIG Chairs shall finalize a standard format in Excel Sheet for ‘Safety Recommendations’ of Final Reports involving aircraft accident/incident of International Air Transportation above MTOW 5700 kg and, b) APAC RO to create and administer a MS Teams Group where standard excel format shall capture the AIG Data of ‘Safety Recommendations’ from Final Reports involving aircraft accident/incident of International Air Transportation above MTOW 5700 kg.	APAC RO APAC-AIG Chairs	Action in accordance with the Decisions.	By AIG/13	<i>Preliminary enquiries have been made concerning what standard information to collect. Other ICAO regions also intend to create a safety recommendation database for their region.</i> Action: In progress	RO

Conclusion/ Decision No ---	Title of Conclusion/Decision	Text of Conclusion/Decision	Responsibility	Deliverable	Target Date	Status	Action by RO/HQ/ANC
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Decision APAC-AIG 12/2 –	Update on AP-RASP Org Roadmap Action Item ‘A.V.3’ and Decision AIG 11/10 – AIG EG Task Force-6 - WP/08	That, APAC RO shall create a MS Teams Group for AIG Events and Calendar where stakeholders’ emails will be added, and they can share any files and upload any document as they desire any time instantly related to AIG events. To that effect the AIG EG Task Force-6 will introduce an excel format for stakeholders to upload in that living document regularly	APAC RO	Action in accordance with the Decisions.	By APAC-AIG/13	<i>The list of Active Participants is finalized and the MS Teams Group will be created soon.</i> Action: Proposed to be Closed	RO
Decision APAC-AIG 12/3 –	APAC-AIG 12/3: Update on AP-RASP Org Roadmap Action Item ‘A.V.7’ and Decision AIG 11/10 – AIG EG Task Force-7 - WP/09	That, APAC RO shall remind the States/Administrations and activate Pacific Island State’s Liaison Officer (PLO), COSCAPs for encouraging the States/ Administrations to participate in the survey.	APAC RO	Action in accordance with the Decisions.	December 2024	<i>The Survey was to verify the progress of establishing an Independent AAIIA as required by Annex 13. The subject was well reminded during the Ministerial Conference in New Delhi September 2024 at the high level.</i> Action: Closed	RO

Conclusion/ Decision No ---	Title of Conclusion/Decision	Text of Conclusion/Decision	Responsibility	Deliverable	Target Date	Status	Action by RO/HQ/ANC
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Decision APAC-AIG 12/4 –	Comparison of APAC-AIG COC and MENA ARCM MOU – AIG EG Task Force 10 - WP/10	That, APAC-AIG considers the APAC-AIG CoC can be recognized as the Investigation Cooperation Mechanism (ICM) for APAC Region. And RO shall draft the background in ‘Forward/Executive Summary’ by changing the Title to ICM keeping the originally approved CoC Items.	APAC RO	Action in accordance with the Decisions.	By APAC-AIG/13	<p><i>Requested Approval from RASG-APAC/14 in November 2024 through WP/07.</i></p> <p><i>APAC-AIG Chair and co-chair attended the RAIO CP Annual Meeting, Abu Dhabi UAE (virtually) as observers on 19 November 2024, and presented activities of APAC-AIG.</i></p> <p>Action: Proposed to be Closed</p>	RO
Decision APAC-AIG 12/5 –	Improving the Timeliness of Final Accident Reports – IATA/FSF/ IFALPA - WP/12	That, APAC RO to remind through a State Letter/Email that the States/Administrations to complete the investigation reports and make their investigation reports publicly available. The matter may be reiterated during the Ministerial Conference in New Delhi and DGCA Conference in the Philippines.	APAC RO	Action in accordance with the Decisions.	By APAC-AIG/13	<p><i>The subject was emphasized during the last Ministerial Conference and APAC RO shall remind the States/Administrations from time to time.</i></p> <p>Action: Proposed to be Closed</p>	RO

Action Status of AIG/11 Decisions

Conclusion/ Decision No --- Strategic Objective*	Title of Conclusion/Decision	Text of Conclusion/Decision	Responsibility	Deliverable	Target Date	Status as of November 2024	Action by RO/HQ/A NC
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Decision APAC-AIG 11/1: — A & B	Review of the Decisions and Conclusion by RASG- APAC and APRAST – Secretariat	That, APAC RO to circulate RASG-APAC Procedural Handbook draft TORs of APAC-AIG to the AIG Focal points of States/ Administrations for review and amendments, if necessary.	RO	Action in accordance with the Decision.	By APAC-AIG 12	Action: Included in RASG-APAC Procedural Handbook under Appendix C and D. Action: Proposed to be Closed.	RO
Decision APAC-AIG 11/2: — A & B	Update on APAC-AIG activities – Secretariat	That, APAC-AIG Chairs shall form an AIG Expert Group from the representations of States/ Administrations to carry out the tasks of APAC-AIG following the TOR of RASG-APAC Procedural Handbook which will be tabled for approval of RASG-APAC.	RO APAC-AIG	Action in accordance with the Decisions.	By APAC-AIG 12	AIG Expert Group (AIG-EG) with total of 22 volunteer members from 14 States/Administrations and 2 International Organizations was formed. First meeting was launched on 14 December 2023 tasking AIG-EG members to support AIG Work Programme. AIG-EG TORs are approved in RASG-APAC/13 under RASG-APAC procedural Handbook Appendix C and D. A State Letter was sent to all Ref.: T 6/8.3 – AP187/23 (FS) 14 December 2023. Action: Proposed to be Closed.	RO

Appendix B

Conclusion/ Decision No --- Strategic Objective*	Title of Conclusion/Decision	Text of Conclusion/Decision	Responsibility	Deliverable	Target Date	Status as of November 2024	Action by RO/HQ/A NC
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Decision APAC-AIG 11/3: — A & B	Following up the Progress of Implementation of the Decision APACAIG 10/1, 10/2 and 10/3 – Secretariat	That, the APAC-AIG Chairs to task the upcoming AIG Expert Group, when established, to review the draft template of Investigation Cooperation Mechanism (ICM) and verify the existing clauses of the APAC-AIG Code of Conduct (CoC) and identify the differences that need to be addressed.	AIG EG	Action in accordance with the WP timeline	APAC-AIG 12	WP/10 was presented at AIG-12 on the ICM and CoC by APAC AIG Chairs/EG and Decision APAC-AIG 12/4 was adopted. The proposed ICM with CoC to be presented in RASG-APAC/14 as Wp/07 for approval and publish in the ICAO APAC Website. Action: Proposed to be Closed.	RO to follow up
Decision APAC-AIG 11/4: — A & B	ECAC Group of Experts in Aircraft Accident and Incident Investigation Workshop on the Harmonizing on Treatment of Serious Incidents – Singapore	That, APAC RO to coordinate with APAC-AIG Chairs to organize a workshop on the ‘Understanding of classification of serious incidents/ incidents for the APAC Regional States/Administrations’.	APAC-AIG RO	Action in accordance with the WP timeline	APAC-AIG 12	Action: Workshop was presented at AIG 12 on the subject matter on 27 August 2024. Action: Proposed to be Closed.	RO
Decision APAC-AIG 11/5: — A & B	Determining the effectiveness of Safety Actions Taken – Australia	That, APAC RO to coordinate with ATSB to organize a workshop on ‘Determining the effectiveness of Safety Actions via Risk Assessment’.	APAC-AIG RO	Action in accordance with the WP timeline	APAC-AIG 12	Action: To be organized for a future AIG Workshop on the subject matter and captured in the AIG bucket list. Action: Proposed to be Closed.	RO

Conclusion/ Decision No --- Strategic Objective*	Title of Conclusion/Decision	Text of Conclusion/Decision	Responsibility	Deliverable	Target Date	Status as of November 2024	Action by RO/HQ/A NC
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Decision APAC-AIG 11/6: — A & B	Medical Examination Requirement for Aircraft Maintenance Engineer & Mental Health Issue as Part of the Medical Examination – Indonesia	That, APAC RO shall coordinate with ICAO HQ (PEL SMEs) to clarify whether any medical assessment is required covering the mental health issues for the Aircraft Maintenance Engineers (AMEs) while retaining their AME Licenses under ICAO Annex 1.	APAC-AIG RO	Action in accordance with the WP timeline	APAC-AIG 12	Action: RO has already written to the appropriate panel in the ICAO HQ for their considerations. Action: Proposed to be Closed.	RO
Decision APAC-AIG 11/7: — A & B	ATSB Strategic Partnership with RMIT University Offering Qualifications in Transport Safety Investigation - Australia	That, ICAO RO shall coordinate with ATSB to update APAC States/Administrations on the RMIT's Training courses in AIG area and identify how best RMIT efforts can be utilized for building the APAC-AIG training capacity for the region.	APAC-AIG RO	Action in accordance with the WP timeline	APAC-AIG 12	Action: APAC RO to organize a Training Symposium in 2025 and invite RMIT. Action: Proposed to be Closed	RO
Decision APAC-AIG 11/8: — A & B	Introduction of ICAO Occurrence Validation Study Group - Secretariat	That, the AIG Expert Group, when established, in coordination with ICAO RO to subscribe and participate in the OVSG activities and meetings	APAC-AIG RO	Action in accordance with the WP timeline	APAC-AIG 12	Action: RO made a coordination with OVSG Coordinator at HQ and they presented at AIG 12, including on the mechanism to join OVSG. Current APAC OVSG members are Australia, India, China. Other states were invited to join. Action: Proposed to be Closed	RO

Appendix B

Conclusion/ Decision No --- Strategic Objective*	Title of Conclusion/Decision	Text of Conclusion/Decision	Responsibility	Deliverable	Target Date	Status as of November 2024	Action by RO/HQ/A NC
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Decision APAC-AIG 11/9:	Updated Contact Information of Accident Investigation Authorities on ICAO's Website - Singapore	That, APAC RO to: a) Disseminate a State Letter to AIAs of States/Administrations to review their contact information on ICAO's portal and send their updated AIA contact information to ICAO AIG section for updating on ICAO's portal; and b) Coordinate with ICAO HQ to include AIA Contact Information database format adding 24/7 contact numbers.	APAC-AIG RO	Action in accordance with the WP timeline	APAC-AIG 12	Action: State Letter was sent on the subject vide ref AP193-23-FS - Dec APAC-AIG 11-9, dated 18 Dec 2023 and contact list is updated accordingly. - RO coordinated with HQ for the relevant change on the Portal for 24/7 contact Menu. Action: Proposed to be Closed	RO
Decision APAC-AIG 11/10: — A & B	APAC-AIG Standing and Annual Work Programme (WP/18) - Secretariat	That, APAC RO to initiate a State Letter to AIAs of States/ Administrations to nominate their competent candidates for the Action Item Groups; A.II.1 by 2025, A.III.1 by 2025, A.III.2 by 2025, A.V.1 by 2025, A.V.2 by 2025, A.V.3 by 2024 and A.V.7 by 2025 strengthening and supporting their work as derived from APAC-AIG Annual Work Programme 2023-2024.	APAC-AIG RO	Action in accordance with the WP timeline	APAC-AIG 12	Action: AIG Chairs distributed the Tasks of Annual Work Program 2023-24 to the relevant AIG Expert Groups headed by a Lead Coordinator. Working groups are now established with volunteers from a range of States. Different Task groups updated on their progress through WP during AIG/12. Working groups will continue to work in coming years. Action: Proposed to be Closed	RO

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APAC-AIG ANNUAL WORK PROGRAMME 2024-2025

TASKS	Decision APAC-AIG	Subject Ref (if any)	Stake Holders	Brief Description
TASK-1		AP-RASP ORG RM A.II.1	APAC AIG	A.II.1 Conduct workshops and courses to promote effective implementation of SARPs, especially in the technical areas of ANS, AIG, AGA

STATUS TASK-1:

The APAC-AIG/12 Meeting noted that the discussion of the Expert Group (EG) from Australia, India, Indonesia, Malaysia and Singapore held four online meetings on the following topics that would benefit APAC Regional States/Administrations in promoting the EI:

- a) Understanding of Protocol Questions (PQs).
- b) Reviewing the latest AIG PQs.
- c) Preparing and organising of evidence for a USOAP audit.
- d) Sharing on investigation process.
- e) Developing a training system.
- f) Understanding Family Assistance Programme.
- g) Bloodborne Pathogen training and guidance.
- h) Filing of difference to ICAO.
- i) Developing and implementing of policy and procedure to address PQ's requirement.
- j) Understanding the requirement for independent accident investigation.

The APAC-AIG/12 Meeting noted that based on the topics identified, the task force's proposal on the following training:

- a) An APAC-AIG workshop to coincide with this meeting on the following topics;
 - i. Bloodborne Pathogen (BBP) Training conducted by Australia Transport Safety Bureau (ATSB).
 - ii. Donning and doffing of Personal Protective Equipment (PPE) conducted by TSIB, Singapore.
 - iii. Critical Incident Stress Management (CISM) conducted by ATSB.
- b) The subsequent training and sharing sessions to be conducted via virtual platform on the following topics:
 - i. Understanding Protocol Questions (proposed to be in Nov 2024).
 - ii. What to expect and undergoing an USOAP Audit (date to be decided).
 - iii. Sharing on investigation process (date to be decided).

- iv. Developing a training system (date to be decided).
v. ADREP Reporting Training (to be decided)

TASKS	Decision APAC-AIG	Subject Ref (if any)	Stake Holders	Brief Description
TASK-2		AP-RASP ORG RM A.III.1	APAC AIG	A.III.1* Support the robust implementation and continuous improvement of SMS and SSP

STATUS TASK-2:

The APAC-AIG/12 Meeting noted the topics identified by the Task Force-2 to hold following AIG Workshops:

- a) Sharing sessions of the State that have established state level database;
- b) Sharing sessions of the training in investigating safety management-related aspects;
- c) Propose the safety management-related aspects to be included in the Training Guidelines for Investigators;

The APAC-AIG/12 Meeting apprised all to go through and review the recently published ICAO Doc 10206, Manual on Aircraft Accident and Incident Investigation Training, First Edition (Advance unedited) – 2024 which includes the safety management aspects of the AIG.

TASKS	Decision APAC-AIG	Subject Ref (if any)	Stake Holders	Brief Description
TASK-3		AP-RASP ORG RM A.III.2	APAC AIG	A.III.2 Improve the sharing of best practices in safety management, safety data and analyses among regional platforms including APANPIRG Sub-groups via RASG-APAC

TASK-4		AP-RASP ORG RM A.V.1	APAC AIG	A.V.1 Integrate the existing basic building blocks of RASG-APAC/ APRAST towards the envisioned safety data collection and processing system (SDCPS) for the APAC region
<p><u>STATUS TASK-4:</u></p> <p>The AIG/12 Meeting supported the paper in establishing the database for Safety Recommendations and agreed to extend any assistance needed. See Decision APAC-AIG 12/1</p>				

TASKS	Decision APAC-AIG	Subject Ref (if any)	Stake Holders	Brief Description
TASK-5		AP-RASP ORG RM A.V.2	APAC AIG	A.V.2 Enhance the terms of reference (TORs) of various regional bodies using a TOR framework
<p><u>STATUS TASK-5:</u></p> <p>Closed – Chair and Co-chair provided feedback on APAC AIG Terms of Reference in late 2023, which have been updated.</p>				

TASKS	Decision APAC-AIG	Subject Ref (if any)	Stake Holders	Brief Description
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RASG-APAC/14–WP/07
Attachment C

TASK-6		AP-RASP ORG RM A.V.3	APAC AIG	A.V.3 Improve the communication of activities and coordination of schedules among regional bodies and meetings, regional workshops/ courses, e.g. via a one-stop calendar of regional events
<p><u>STATUS TASK-6:</u></p> <p>Task Force 6 urged APAC AIG to establish a one-stop calendar of regional events and urged APAC States/Administrations to commit to contribute their activities to the calendar on a quarterly basis.</p> <p>See Decision APAC-AIG 12/2.</p>				

TASKS	Decision APAC-AIG	Subject Ref (if any)	Stake Holders	Brief Description
TASK-7		AP-RASP ORG RM A.V.7	APAC AIG	A.V.7 Establish an independent accident and incident investigation authority (AAIIA) as required by Annex 13, as well as related investigation system and procedures
<p><u>STATUS TASK-7:</u></p> <p>The APAC-AIG/12 Meeting noted the initial result of the Survey Questionnaire in identifying the challenges and support required by States/Administration in the establishment of an independent AIA. However, RO informed that many States/Administrations didn't participate in the Survey (closing date was June 2024) which made it difficult to assess the capacity deficiency for the region.</p> <p>See Decision APAC-AIG 12/3.</p>				
TASKS	Decision APAC-AIG	Subject Ref (if any)	Stake Holders	Brief Description

	APAC-AIG 11/3		APAC AIG APAC RO ICAO HQ APRAST SRP WG SEI WG APAC States	That, the APAC-AIG Chairs to task the upcoming AIG Expert Group, when established, to review the draft template of Investigation Cooperation Mechanism (ICM) and verify the existing clauses of the APAC-AIG Code of Conduct (CoC) and identify the differences that need to be addressed.
<p><u>STATUS APAC-AIG 11/3:</u></p> <p>A task force was established at APAC-AIG/11, who produced a working paper (WP/10) presented at APAC-AIG/12 comparing the APAC-AIG Code of Conduct on Cooperation Relating to Civil Aviation Accident/Incident Investigation (COC) and the Middle East and North Africa (MENA) AIG Regional Cooperation Mechanism (ARCM) Memorandum of Understanding (MOU).</p> <p>WP/10 concluded that based on the comparison of the APAC-AIG COC and the MENA ARCM MOU, that the provisions in the APAC-AIG COC are comparable to those in the MENA ARCM MOU, which is recognised as a form of Investigation Cooperation Mechanism (ICM) by ICAO HQ. With that, WP/10 proposed that APAC-AIG be recognized as a form of ICM.</p> <p>The APAC AIG/12 Meeting endorsed the paper and made the decision (APAC AIG 12/4) to seek approval from RASG-APAC 14 to approve APAC-AIG as a form of ICM.</p>				

List of Experts Volunteered to Join the AIG Expert Group

SN	Prefix	Name	State/Int'l org	Organization	Email
1	Mr.	Robert Chopin	Australia	ATSB	Rob.Chopin@atsb.gov.au ;
2	Ms.	Krytal Scott	Australia	ATSB	Krystal.scott@atsb.gov.au ;
3	Mr.	Chen Li	China	CAAC	chenli@caac.gov.cn ;
4	Ms.	Aniki Yeung	Hong Kong, China	AAIA	anikiyeung@tlb.gov.hk ;
5	Mr.	Jasbir Singh Larhga	India	AAIB India	jasbir.s.larhga@gov.in ;
6	Mr.	K Ramachandran	India	AAIB India	ram.dgca@nic.in ;
7	Mr.	Nurcahyo Utomo	Indonesia	NTSC	raynurcahyo@gmail.com ;
8	Mr.	Tan Chee Kee	Malaysia	AAIB Malaysia	tanck@mot.gov.my ;
9	Mr.	Khairulnizam Jamaludin	Malaysia	AAIB Malaysia	khairulnizam@mot.gov.my ;
10	Mr.	Prabhakar Chandra Mallik	Nepal	CAA Nepal	prabhakarc.malik@caanepal.gov.np ;
11	Mr.	David Lim	Singapore	TSIB	david_lim@mot.gov.sg ;
12	Mr.	Dou Peng	Int'l org	IATA	doup@iata.org ;

13	Mr.	Felix Chen	Int'l org	IFALPA	felixchensk@gmail.com ;
14	Mr.	Raymond Vai	PNG	AIC	rvai@aic.gov.pg ;
15	Mr.	Emerson Buidal	PNG	AIC	ebuidak@aic.gov.pg ;

List of APAC-AIG EG Volunteers to support AIG Work Programme

TASKS	AP-RASP 2023-25 Action Items / Brief Description	AIG EG Volunteers
TASK-1	A.II.1 Conduct workshops and courses to promote effective implementation of SARPs, especially in the technical areas of ANS, AIG, AGA	<ol style="list-style-type: none"> 1. David Lim (TSIB) (Lead) 2. Ray Nurcahyo (KNKT) 3. Rob Chopin (ATSB) 4. K Ramachandran (AAIB India) 5. Tan Chee Kee (AAIB Malaysia) 6. All senior investigators
TASK-2	A.III.1* Support the robust implementation and continuous improvement of SMS and SSP	<ol style="list-style-type: none"> 1. Ray Nurcahyo (KNKT) (Lead) 2. Prabhakar Chandra Mallik (CAAN) 3. Khairulnizam Jamaludin (AAIB Malaysia)
TASK-3 and 4	A.III.2 Improve the sharing of best practices in safety management, safety data and analyses among regional platforms including APANPIRG Sub- groups via RASG-APAC A.V.1 Integrate the existing basic building blocks of RASG-APAC/ APRAST towards the envisioned safety data collection and processing system (SDCPS) for the APAC region	<ol style="list-style-type: none"> 1. Peng Dou (IATA) (Lead) 2. Felix Chen (IFALPA) 3. Mitch Fox (FSF) 4. Stuart Godley (ATSB)
TASK-5	A.V.2 Enhance the terms of reference (TORs) of various regional bodies using a TOR framework.	<ol style="list-style-type: none"> 1. Stuart Godley (ATSB) (Lead) 2. Chong, Chow Wah (TSIB)

TASK-6	A.V.3 Improve the communication of activities and coordination of schedules among regional bodies and meetings, regional workshops/ courses, e.g. via a one-stop calendar of regional events.	3. Krystal Scott (ATSB) (Lead) 4. Rob Chopin (ASTB)
TASK-7	A.V.7. Establish an independent accident and incident investigation authority (AAIIA) as required by Annex 13, as well as related investigation system and procedures	1. David Lim (TSIB) (Lead) 2. Krystal Scott (ATSB) 3. K Ramachandran (AAIB India) 4. Jasbir Singh (AAIB India) 5. Rob Chopin (ATSB) 6. Felix Chen (IFALPA)
APAC-AIG 11/3	That, the APAC-AIG Chairs to task the upcoming AIG Expert Group, when established, to review the draft template of Investigation Cooperation Mechanism (ICM) and verify the existing clauses of the APAC-AIG Code of Conduct (CoC) and identify the differences that need to be addressed.	1. Chong, Chow Wah (TSIB) (Lead) 2. Krystal Scott (ATSB) 3. Khairulnizam Jamaludin (AAIB Malaysia) 4. K Ramachandran (AAIB India) 5. Jasbir Singh Larhga (AAIB India)
APAC-AIG 11/2	That, APAC-AIG Chairs shall form an AIG Expert Group from the representations of States/Administrations to carry out the tasks of APAC-AIG following the TOR of RASG-APAC Procedural Handbook which will be tabled for approval of RASG-APAC.	1. Stuart Godley (ATSB) (Lead) 2. Chong, Chow Wah (TSIB)

— END —



International Civil Aviation Organization
Asia and Pacific Office

Twelfth Meeting of the Asia Pacific Accident Investigation Group (APAC-AIG/12)

(Bangkok, Thailand, 28-29 August 2024)

Agenda Item 4: Enhancing Accident Investigation Capabilities

COMPARISON OF THE APAC-AIG CODE OF CONDUCT ON COOPERATION RELATING TO CIVIL AVIATION ACCIDENT/INCIDENT INVESTIGATION (COC) AND THE MIDDLE EAST AND NORTH AFRICA (MENA) STATES ACCIDENT INVESTIGATION (AIG) REGIONAL COOPERATION MECHANISM (ARCM) MEMORANDUM OF UNDERSTANDING (MOU)

(Presented by Task Force X)

SUMMARY

This working paper (WP) provides the conclusion in comparing the Asia Pacific Accident Investigation Group (APAC-AIG) Code of Conduct on Cooperation Relating to Civil Aviation Accident/Incident Investigation (COC) and the Middle East and North Africa (MENA) AIG Regional Cooperation Mechanism (ARCM) Memorandum of Understanding (MOU) as well as the proposal to ICAO HQ to recognise APAC-AIG as a form of Investigation Cooperation Mechanism (ICM).

Task Force X Members:

Chong Chow Wah (TSIB Singapore)
Steven Teo (TSIB Singapore)
Krystal Scoot (ATSB Australia)
Khairuldzam Jamaludin (AAIB Malaysia)
K Ramachandran (AAIB India)
Jasbir Singh Largha, (AAIB India)

1. INTRODUCTION

1.1 Conclusion APAC-AIG11/3 of the APAC-AIG/11 Meeting that was held on 16-17 August 2023 in Singapore, requested the APAC-AIG Chairs to task the upcoming AIG Expert Group, when established, to review the draft template of Investigation Cooperation Mechanism (ICM) and verify the existing clauses of the APAC AIG Code of Conduct on Cooperation Relating to Civil Aviation Accident/Incident Investigation (COC). At the virtual meeting on 13 December 2023, the Vice Chair of APAC-AIG, Chong Chow Wah, volunteered to lead a team comprising members listed above (hereinafter refer to as Task Force X), to do a comparison of the Asia Pacific Accident Investigation Group (APAC-AIG) Code of Conduct (COC) and the Middle East and North Africa (MENA) AIG Regional Cooperation Mechanism (ARCM) MOU. The MENA ARCM is recognised as a form of ICM by ICAO HQ. The objective of the comparison is with the aim of having APAC-AIG also recognised as an ICM.

1.2 Steven Teo of the Transport Safety Investigation Bureau of Singapore, on behalf of Task Force X, has done a comparison of the APAC-AIG COC and the MENA ARCM MOU. The other group members of Task Force X were consulted and have no objections to the conclusion of the comparison. The conclusion of the comparison was also presented at the virtual meetings with ICAO APAC Office and the Chair of APAC-AIG on 12 April 2024 and the APAC-AIG Expert Group on 23 April 2024.

1.3 In general, both the APAC-AIG COC and the MENA ARCM MOU covers broadly three areas in investigation cooperation: Assistance and the use of investigation manpower, facilities and equipment; investigation training and observer attachment, and both documents are non-binding. For ease of reference, the APAC-AIG COC and the MENA ARCM MOU are attached as **Attachment A** and **Attachment B** respectively in this WP. The discussion below highlights the key differences between the APAC-AIG COC and the MENA ARCM MOU.

2. DISCUSSION

2.1 Monitoring and evaluation of cooperation

- a) In the MENA ARCM MOU, it is stated under paragraph 12 that MENA AIIG (Accident and Incident Investigation Group) will evaluate the implementation of the cooperation under the ARCM (excerpt below). Steven checked with the UAE-AIG representative who clarified that evaluation of the level of implementation refers to high-level tasks such as addition of a new State, coordination with other regional accident investigation organisation (RAIO), identification of new risks, methods, techniques and standards.

12	MONITORING AND EVALUATION OF MOU
12.1	The MENA AIIG (Accident and Incident Investigation Group) will evaluate the level of implementation of this cooperation. The evaluation will be taken during the annual meetings.
12.2	The AIIG is in charge to:
12.2a	Enhance the effectiveness of MENA States' aircraft accident and incident investigation capabilities through the sharing of knowledge and experience in the field of aircraft accident and incident investigation.
12.2.b	Support and facilitate cooperation among the MENA States through managing the activities of the MENA Accident Investigation Regional Cooperation Mechanism (MENA ARCM)

- b) While it is not explicitly stated in the COC that APAC-AIG will perform functions similar as the MENA AIIG in monitoring and evaluating the ARCM MOU, it is indicated in the APAC-AIG Terms of Reference (**Attachment C**) that the objectives of APAC-AIG include similar tasks such as:

2.1	The objectives of the APAC-AIG are to:
	<ul style="list-style-type: none">• ...• ...• Promote the <u>sharing of expertise, experience and information</u> among the accident/incident investigation authorities”, and

	<ul style="list-style-type: none"> • “<u>Develop and strengthen cooperation</u> among the accident/incident investigation authorities”.
3.2	<p>The APAC-AIG will accomplish the following:</p> <ul style="list-style-type: none"> • Develop and promote a regional accident/incident investigation cooperative framework in the form of the Asia Pacific Code of Conduct on Cooperation Relating to Civil Aviation Accident/ Incident Investigation; • ... • Disseminate accident/incident investigation related communications from ICAO and other regions to States/Administrations in the Asia Pacific region;
3.3	<p>The Chairperson/Secretary will maintain close contact with ICAO to benefit from its advice on the subject and to this effect they/he will provide regular feedback to ICAO on the activities of the APAC-AIG through the RASG-APAC. In addition, they/he will liaise as required with other regional safety teams to benefit from their efforts.</p>

- c) Thus, it is viewed that the APAC-AIG is also enhancing investigation cooperation within the APAC region, as well as with other regions. It is proposed that no amendment to the APAC-AIG COC is needed.

2.2

Effects on other AIG-related cooperations after signing to MENA ARCM MOU

- a) The MENA ARCM MOU explicitly states in paragraph 11.5 (excerpt below) that the signing of the MENA ARCM MOU will supersede all other bilateral, or multi-lateral AIG-related agreements that each MENA State has with other MENA States that has also signed the ARCM MOU

<p>11.5 This MoU constitutes the entire memorandum between the Parties relating to this subject matter and supersedes all prior representations, discussion, negotiations and memoranda whether written or oral.</p>
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- b) The rationale of paragraph 11.5 is because the MENA ARCM founding States considered the MENA ARCM MOU as comprehensive, covering all areas of investigation cooperation identified and consists of a well-defined mechanism that governs the technical assistance provided/received among member States and hence deemed it is not necessary to have any duplication of cooperation.
- c) On the other hand, the pledging by States/Administrations to the APAC-AIG COC does not affect, nor is intended to affect, the AIG-related cooperation that each APAC State/Administration has with other APAC States/Administrations. The view is that it is not necessary to limit or restrict APAC States/Administrations from having additional cooperation arrangement among themselves and deemed that no amendment to the COC is necessary.

2.3

Based on the comparison of the APAC-AIG COC and the MENA ARCM MOU, it is concluded that the provisions in the APAC-AIG COC are comparable to those in the MENA ARCM MOU, which recognised as a form of ICM by ICAO HQ. With that, it is proposed that APAC-AIG be recognised as a form of Investigation Cooperation Mechanism by ICAO HQ.

3. ACTION BY THE MEETING

3.1 APAC-AIG/12 is invited to:

- a) Consider the conclusion of Task Force X on the comparison of the APAC-AIG COC and the MENA ARCM MOU; and
- b) Propose to ICAO HQ to recognise APAC-AIG as a form of Investigation Cooperation Mechanism.

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ASIA AND PACIFIC REGIONS
~~CODE OF CONDUCT ON COOPERATION~~
INVESTIGATION COOPERATION MECHANISM (ICM)
RELATING TO
CIVIL AVIATION ACCIDENT/INCIDENT INVESTIGATION

The authorities responsible for the investigation of aircraft accidents and incidents in the States/ Administrations of the Asia and Pacific Regions (APAC) (hereinafter referred to collectively as “the participating authorities” or individually as “each participating authority” or “the participating authority”),

MINDFUL of the international nature of civil aviation and of aviation safety;

HAVING noted the importance for aviation safety of conducting appropriate technical investigations into aviation accidents and incidents;

REAFFIRMING the objective enshrined in Annex 13 to the Convention on International Civil Aviation (“the Chicago Convention”) that the sole objective of the investigation of an aircraft accident or incident shall be the prevention of accidents and incidents and that it is not the purpose of the investigation activity to apportion blame or to provide a means of determining liability;

COMMITTED to enhancing the capabilities and professionalism of their respective aircraft investigators;

DESIRING to share expertise and experience relating to aircraft accident and incident investigation;

RECOGNISING their common interest in establishing a lasting framework for cooperation in the area of aircraft accident and incident investigation;

SUSCRIBE to the following:

ITEM I

Objective

The participating authorities, subject to the terms of this Code of Conduct and the laws, rules, regulations and national policies from time to time in force in each participating States/ Administration, decide to strengthen, promote and develop co-operation to enhance aviation safety.

ITEM IA

Application of Code

The application of this Code by the participating authorities is subject to available resources and the laws, rules, regulations, procedures and national policies from time to time in force governing the subject matter of the Code in the States/Administrations of the participating authorities.

ITEM II

Areas of Cooperation

1. Each participating authority acknowledges Article 37 of the Chicago Convention and the Standards and Recommended Practices in Annex 13 – *Aircraft Accident and Incident Investigation* – to the Convention (“Annex 13”), concerning cooperation between States.
2. Each participating authority should seek to cooperate in aircraft accident and incident investigation, investigation training and sharing of information and expertise as follows:
 - (a) Each participating authority should offer assistance and the use of air safety investigation manpower, facilities and equipment to the other participating authorities as it deems appropriate. Such assistance may include expertise in the fields of air traffic services, engineering, operations, flight recorders, human performance and management organisation.
 - (b) Each participating authority may invite the other participating authorities’ investigators to participate or assist in its accident investigation processes.
 - (c) The participating authorities should take steps, as they deem appropriate, to positively answer all requests for participation or assistance from another participating authority.
 - (d) Each participating authority may invite the other participating authorities’ investigators to attend general and specialist investigation courses and undergo training courses which it conducts, where applicable and if suitable.
 - (e) Each participating authority should, where it deems appropriate, facilitate the attachment of the other participating authorities’ investigators as observers to its investigation of aircraft accidents and serious incidents, with a view to enhancing the other participating authorities’ understanding of its investigation requirements and procedures. This will serve to develop effective cooperation between the participating authorities in any investigation of an aircraft accident or serious incidents it conducts pursuant to Annex 13, involving an aircraft of which the States/Administrations of the other participating authorities are the State of Registry, State of the Operator, State of Design or State of Manufacture, as defined in Chapter 1 of Annex 13.
 - (f) The participating authorities should maintain regular contact with each other. Each participating authority may organise visits to or meetings with another participating authority or other participating authorities with the aim of exchanging experiences, skills and technical knowledge, and of identifying in advance, areas of possible assistance or cooperation, in particular the availability of specialised equipment, facilities and trained personnel.
 - (g) Each participating authority should, as it deems appropriate, endeavour to share with the other participating authorities relevant information about an investigation it is conducting in which the other participating authorities have expressed an interest. This information, consistent with Annex 13, should not be released by the other participating authorities without the express consent of the participating authority conducting the investigation.

3. A participating authority may also request another participating authority for knowhow and advice in the organisation of an investigation, drafting of the report, crisis management and communication.
4. The participating authorities should, where possible and by mutual consent, develop additional areas of cooperation, especially in areas corollary to those referred to in paragraph 1 of this Item.

ITEM III

Adherence to the Code of Conduct

1. An authority responsible for the investigation of aircraft accidents and incidents in a State/Administration of the Asia and Pacific Regions (APAC) may apply to become a participating authority to the Regional Aviation Safety Group - Asia and Pacific Regions (RASG-APAC).
2. A participating authority may notify its intention to opt out from this Code of Conduct by giving three months' notice in writing to the RASG-APAC. In the event of an opting out by a participating authority, the participating authorities should provide for the continuance of any arrangement made under this Code of Conduct but not fully performed prior to the opting out of that participating authority.

ITEM IV

Confidentiality

3. Each participating authority should observe the confidentiality and secrecy of documents, information and other data received or supplied to the other participating authority or participating authorities during the period of the implementation of this Code of Conduct or any other arrangements made under this Code of Conduct, as described in Item X of this Code of Conduct.
4. The participating authorities decide that the paragraph 1 of this Item should continue to be required for the participating authorities, notwithstanding the termination of or opting out from this Code of Conduct.

ITEM V

Non-liability

Where assistance is requested under this Code of Conduct, the participating authorities concerned should decide whether they can agree that the participating authority receiving the assistance will not, under any circumstances, make any demands of, or any claim against, the other participating authority or participating authorities for any matter or matters arising or resulting from the assistance that they have requested.

ITEM VI

Financial

Unless otherwise decided, each participating authority will bear its own costs for the implementation of the matters described in this Code of Conduct.

ITEM VII

Consultations

In the spirit of solidarity and cooperation, participating authorities should consult each other from time to time to ensure the implementation of this Code of Conduct.

ITEM VIII

Suspension

Each participating authority reserves the right, to suspend temporarily, either in whole or in part, its implementation of this Code of Conduct. This participating authority should inform the other participating authorities as well as the RASG-APAC as to when this Code of Conduct will be suspended in such cases.

ITEM IX

Revision and Modification

1. Any participating authority may request in writing a revision or modification of all or any part of this Code of Conduct. Proposals for revisions or modifications will be put forward and discussed during the meetings of the RASG-APAC.
2. Any revision or modification decided by the RASG-APAC will come into operation on such date as may be determined by the RASG-APAC.
3. Unless otherwise provided for, a revision or modification so decided will not affect the arrangements made among the participating authorities arising from or based on this Code of Conduct before or up to the date of such revision or modification.

ITEM X

Other Arrangements

The participating authorities may, under this Code of Conduct and by mutual consent, make other arrangements relating to aircraft accident and incident investigation.

ITEM XI

Settlement of disputes

Any difference or dispute between the participating authorities concerning the interpretation, implementation or application of any of the Items of this Code of Conduct should be settled amicably through mutual consultation or negotiations between the participating authorities, without reference to any other entity.

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**MULTI-LATERAL TECHNICAL COOPERATION MEMORANDUM OF
UNDERSTANDING (MoU)
AMONG
THE AUTHORITIES RESPONSIBLE FOR AIRCRAFT ACCIDENT AND
INCIDENT INVESTIGATION
OF MENA MEMBER STATES
UNDER THE AIG REGIONAL COOPERATION MECHANISM
(ARCM)**

Preamble

This Memorandum of Understanding (hereinafter referred to as MoU) is made and entered into force on this ____ day of _____, 202X among the authorities responsible for aircraft accident and incident investigation of States listed in the attachment.

.....

Hereafter designated collectively as the “Parties” and individually as “Party”;

Whereas the International Civil Aviation Organization (ICAO) is the international body created by the 1944 Convention on International Civil Aviation (Chicago Convention) having as its main objectives the safe and orderly development of international civil aviation, the implementation and adoption of the principles and provisions of the Chicago Convention, including Standards and Recommended Practices (SARPs) concerning accident and incident investigation and other matters connected with the safety and efficiency of air navigation;

Reaffirming the objective enshrined in Annex 13 to the Convention on International Civil Aviation (“the Chicago Convention”) that the sole objective of the investigation of an aircraft accident or incident shall be the prevention of accidents and incidents and that it is not the purpose of the investigation activity to apportion blame or provide a means of determining liability;

Whereas Article 26 of the Convention provides that a State in which an accident occurs “will institute an inquiry into the circumstances of the accident in accordance, so far as its laws permit, with the procedure which may be recommended by the International Civil Aviation Organization.”;

Whereas Annex 13 to the Convention specifies SARPs for the conduct of aircraft accident and incident investigations on the part of States to meet their obligations under Article 26 of the Chicago Convention;

Recognizing that ICAO Audits and Coordinated Validation Missions (ICVM) conducted within the framework of the Universal Safety Oversight Audit Programme Continuous Monitoring Approach (USOAP-CMA) have shown that many Contracting States have not established and/or managed effective accident and incident investigation organizations, primarily because of difficulties in the allocation of more resources to their organizations to meet their obligations under the Chicago Convention and its Annexes;

Taking into account the recommendations of the Accident Investigation and Prevention (AIG) Divisional Meeting (2008) (AIG/08) held in Montreal, Canada, from 13 to 18 October 2008, and in particular Recommendation 6/3 a), urging Contracting States to conduct safety investigations pursuant to Article 26 of the Chicago Convention and Annex 13 when an accident occurs in their territory, and to obtain regional support if the required capabilities or resources are not available;

Considering that the 38th Session of the ICAO Assembly resolved, in Appendix N – *Cooperation among Member States Concerning Aircraft Accident Investigations*, to recommend Contracting States to cooperate in the investigation of aircraft accidents, especially accidents in which the investigation requires highly-specialised experts and facilities, and that to this end, Member States and regional accident and incident investigation organisations (RAIOs), to the extent possible, inter alia:

- a) provide, on request by other Member States, expert assistance and facilities for the investigation of major aircraft accidents; and
- b) afford opportunity to Member States seeking investigation experience to attend the investigation of aircraft accidents, in the interest of developing and furthering investigation expertise.

Considering that the ACAC/EC/42 Meeting (Rabat, Morocco, 17-18 Dec 2012) has approved, by decision 6-EC/42 the common ICAO-MID and ACAC strategy on the implementation of a RAIO in the MENA region which has been developed as result of the ACAC/ICAO Workshop (Rabat, Morocco, 12-13 Dec 2012) on the Air Safety regional programmes;

Recalling that the DGCA-MID/2 meeting (Jeddah, Saudi Arabia, 20 - 22 May 2013) noted that it is widely considered that implementing a RAIO would ensure the effectiveness of investigations, reinforce conformity with the provisions of Annex 13, and contribute to the enhancement of aviation safety; and accordingly through Conclusion 2/11 endorsed the First version of the Strategy for the establishment of RAIO(s);

Considering the DGCA-MID/4 meeting (Muscat, Oman, 17-19 October 2017) which endorsed the Strategy, and agreed with RASG-MID/6 meeting recommendation to further finalize/revise the Roadmap;

Considering the ACAO EC/57 meeting (Rabat, Oman, 28-29 December 2017) which endorsed the updated RAIO Strategy and its roadmap which have been updated and finalized as a result of the joint ACAO/ICAO AIG Workshop (Jeddah, Saudi Arabia, 25-27 April 2017);

Considering the DGCA-MID/5 meeting (Kuwait 4-6 November 2019) which endorsed the AIG Regional Cooperation Mechanism (ARCM);

Considering the need for wider agreement among the authorities responsible for the aircraft accident and incident investigation of the MENA ARCM Member States with a view to formalising and increasing cooperation and collaboration in accident and incident investigation;

Committed to enhancing the capabilities and professionalism of their respective aircraft accident investigators;

Desiring to share expertise and experience relating to aircraft accident/incident investigation; and

Recognising their common interest in establishing a lasting framework for cooperation in the area of aircraft accident/incident investigation.

HAVE REACHED THE FOLLOWING UNDERSTANDING:

1. PURPOSE

- 1.1 The purpose of this MoU is to set out terms of cooperation among Parties to render available knowledge and expertise in making aircraft accident and incident investigation more effective, and in employing the investigation outcomes and safety researches in the improvement of aviation safety.

2. TERMINOLOGY

- 2.1 The words and phrases used in this MoU shall have the same meaning as that ascribed to them in Annexes 13 and 19 to the Chicago Convention.

3. AREAS OF COOPERATION

- 3.1 The Parties will cooperate in aircraft accident and incident investigation, investigation training and sharing of information and expertise, consistent with the Standards and Recommended Practices of Annex 13 to the Chicago Convention; as resources permit and to the extent allowed by their laws and regulations. The areas of cooperation are as follows:
- a) Assistance and the use of investigation manpower, facilities and equipment from a Party to another Party as it deems appropriate. Such assistance may include expertise in the fields of engineering, operations, flight recorders, human performance and management organisation.
 - b) A Party may, where practicable, invite another Party's investigators, to attend its general and specialist investigation courses and training.
 - c) A Party may facilitate the attachment of another Party's investigators as observers to its investigation of aircraft accidents and serious incidents, with a view to enhancing the other Party's understanding of its investigation requirements and procedures.
 - d) When requested by another Party, a Party may provide the services of a team of its investigators (including flight recorder specialists and other technical and forensic resource persons) to the requesting Party to be members of the requesting Party's investigation team in its conduct of an investigation.
 - e) The Parties will maintain regular contact and each Party may organise visits to or meetings with another Party with the aim of exchanging experiences, skills and technical knowledge.
 - f) A Party will endeavour to share with the other Parties relevant information about an investigation it is conducting in which another Party has expressed an interest. This information, consistent with Annex 13, will not be released by the other Party without the express consent of the Party conducting the investigation.
 - g) All Parties acknowledged and agreed upon the importance of:
 - 1) exchanging training opportunities;
 - 2) exchanging information on the use of specific investigation techniques, methodology, technology, or standards;
 - 3) supporting each other's positions and proposals, where possible, in occurrence investigation-related fora such as ICAO Panels and working groups, industry seminars and other technical events; and
 - 4) providing research capabilities for supporting safety studies conducted by either Party.
- 3.2 The Parties may develop additional areas of cooperation on mutual consent to widen the scope of this MoU. The Parties may agree to establish a platform for managing the activities relevant to this MoU. This platform may be in a repository or website form hosted and controlled by a Party.

4. COORDINATION

- 4.1 The details of the contact persons for the implementation of this MoU are shared among the Parties
- 4.2 Each Party will inform the other Parties in writing whenever there is a change to its contact person.

5. GENERAL, OPERATIONAL AND FINANCIAL OBLIGATIONS

- 5.1 Each Party shall bear its own cost for the implementation of the matters set out in this MoU, unless agreed upon otherwise, through separate arrangement among the Parties.
- 5.2 For any request directed to a Party to nominate expert as an adviser to the investigator-in-charge or to the accredited representative designated by another Party, and the adviser is needed to be available at the accident site or at any other relevant place, the requesting Party shall cover the hotel accommodation, travelling tickets, transport, and other expenses incurred by the adviser for the duration agreed by the two Parties.
- 5.3 Services and activities can be administered as appropriate to the Parties. Nothing in this MoU shall obligate any Party to the transfer of funds. Any endeavour involving reimbursement or contribution of funds among the Parties of this MoU will be handled in accordance with applicable laws, regulations and procedures. Such endeavours will be outlined in separate agreements that shall be made in writing by representatives of the Parties and shall be independently authorized by appropriate statutory authority. This MoU does not provide such authority.

6. CONFIDENTIALITY AND INTELLECTUAL PROPERTY

- 6.1 All investigation data, information, documents or other material obtained by a Party's representatives in the course of an accident investigation led by another Party shall be treated as confidential and not disclosed in any manner without written consent of the Party leading the investigation.
- 6.2 Whilst the existence of this MoU can be mentioned in relevant safety meetings or publications, no specific details or comments on the content of this MoU shall be given by a Party without the agreement of the other Parties.
- 6.3 A Party agree not to use any of another Party's corporate logo or any other trademark without prior written authorization of the other Party.
- 6.4 All obligations contained in 6.1 through 6.3 shall be applicable beyond the termination of this MoU.

7. NON-BINDING EFFECT

- 7.1 It is understood by the Parties that this MoU is an expression of the Parties' mutual intent, and is executed as a matter of convenience, to ensure that their practices and procedures are consistent and compatible.
- 7.2 While the Parties intend to cooperate fully with respect to the subject matter hereof, nothing in this MoU shall affect, amend, limit, increase, or in any other way change, any legal duties, powers, or obligations of the Parties.
- 7.3 It is further acknowledged by the Parties that no contractual relationship is created among them by this MoU, but agree to work together in the true spirit of partnership to ensure achievement of the objectives of this MoU.
- 7.4 In no event does this MoU restrict the Parties from participating in similar agreements with other public or private agencies, organizations and individuals whether domestic or international.

7.5 This MoU is not intended to and does not create any right, or legal responsibility.

7.6 In no event will a Party be liable to another for any direct, indirect, incidental, special or consequential damages of any kind whatsoever whether or not foreseeable, resulting from or arising in connection with the activities that are the subject of this MoU.

8. RESOLUTIONS OF DISPUTES

8.1 Any dispute that may arise in the interpretation or the execution of this MoU should be resolved amicably among the Parties and will not be referred to any international tribunal, or court for settlement.

9. ACCESSION

9.1 This MoU, once in force, will remain open to accession of any authority responsible for aircraft accident and incident investigation in MENA. In case of accession, this MoU will enter into force for the Party acceding, thirty days after the date of signature.

10. ADMINISTRATION

10.1 Each Party shall designate a focal point to establish MENA ARCM Committee to administer this MoU and its implementation and to support the MENA Accident and Incident Investigation Group (AIIG) in the management of the MENA ARCM.

10.2 MENA ARCM Committee is responsible for the overall supervision, direction, and management of the MENA ARCM under the framework of the AIIG.

10.3 The Chairperson of MENA AIIG will be reporting to the RASG-MID on matters relevant to MENA ARCM.

11. ENTRY INTO EFFECT, VALIDITY AND TERMINATION

11.1 This MoU will come into effect on the date of signing mentioned hereinabove and will remain in effect unless it is terminated by all Parties.

11.2 A Party who wishes to withdraw from this MoU shall forward one month's notice in writing to the other Parties.

11.3 This MoU may be amended in writing, at any time, with the mutual written consent of the Parties.

11.4 The Parties may, by mutual agreement, provide for the continuance of any arrangement entered into under this MoU but not fully performed prior to the termination of this MoU.

11.5 This MoU constitutes the entire memorandum between the Parties relating to this subject matter and supersedes all prior representations, discussion, negotiations and memoranda whether written or oral.

12. MONITORING AND EVALUATION OF MoU

12.1 The AIIG will evaluate the level of implementation of this cooperation. The evaluation will be taken during the annual meetings.

12.2 The AIIG is in charge to:

- a) Enhance the effectiveness of MENA States' aircraft accident and incident investigation capabilities through the sharing of knowledge and experience in the field of aircraft accident and incident investigation.
- b) Support and facilitate cooperation among the MENA States through managing the activities of the MENA Accident Investigation Regional Cooperation Mechanism (MENA ARCM)

IN WITNESS WHEREOF, the undersigned, being duly authorised by the Parties, have signed this Memorandum of Understanding.

SIGNED in [*# of copies*] counterpart originals at [*place of signature*], on [*day*], [*dd mmmm 202X*], in English Language.

TERMS-OF-REFERENCE

ASIA PACIFIC ACCIDENT INVESTIGATION GROUP (APAC-AIG) UNDER REGIONAL AVIATION SAFETY GROUP - ASIA PACIFIC (RASG-APAC)

1.0 Background

1.1 These terms-of-reference outline the concept of operations and modalities for the Asia Pacific – Accident Investigation Group (APAC-AIG) as a sub-group under the Regional Aviation Safety Group – Asia Pacific (RASG-APAC).

1.2 Accident/incident investigation is one of the elements of the State Safety Programme (SSP) which is an integrated set of regulations and activities of a State aimed at improving safety. Safety investigation of accidents and incidents is in support of the management of safety in the State's operation of the SSP and is based on the following principles:

- **Objective of investigation:** The sole objective of investigation is the prevention of accidents and incidents. Investigation is not for the purpose of apportioning blame or liability.
- **Independence of investigation:** The State has established an independent accident and incident investigation process and maintains the independence of the accident and incident investigation authority from other State aviation organizations.
- **Systemic approach:** Accidents and incidents reflect deficiencies in the system as a whole, rather than being due solely to the actions of individuals. Investigations need also to consider broader issues such as organizational and human factors.

2.0 Objective

2.1 The objectives of the APAC-AIG are to:

- Promote the establishment of independent accident/incident investigation authorities in the ICAO States/Administrations of the Asia Pacific region
- Assist States/Administrations to achieve best practice in accident/incident investigation based on a systemic approach to aviation safety;
- Promote the sharing of expertise, experience and information among the accident/incident investigation authorities; and
- Develop and strengthen cooperation among the accident/incident investigation authorities.

2.2 To accomplish the objectives, the APAC-AIG will support the ICAO APAC Office in its efforts to:

- Encourage and assist States/Administrations to establish an independent accident/incident investigation authority as required by paragraph 3.2 of Annex 13 to the Convention on International Civil Aviation;
- Enhance the capabilities and professionalism of the accident/incident investigation authorities;
- Raise the Asia Pacific region's average Effective Implementation rate (EI) in the area of accident/incident investigation; and
- Enhance the investigation capabilities of the Asia Pacific region by developing training opportunities for investigators in the region.

3.0 APAC-AIG Modalities

3.1 The Regional Officer, Flight Safety, ICAO APAC Office will serve as the Secretary. Membership of the APAC-AIG will come from accident investigating organizations in the Asia and Pacific Regions. Others may be invited to participate as appropriate. A Chairperson and Vice Chairperson will be elected from the nominated members from the participating States/Administrations' accident investigation organizations.

3.2 The APAC-AIG will accomplish the following:

- Develop and promote a regional accident/incident investigation cooperative framework in the form of the Asia Pacific Code of Conduct on Cooperation Relating to Civil Aviation Accident/ Incident Investigation;
- Develop and maintain a Database of APAC Accident Investigation Authorities in order to strengthen coordination between States/Administrations in accident/incident investigation;
- Conduct surveys of accident investigation training needs in the Asia Pacific region and identify States/Administrations and international organizations able to provide that training as required;
- Disseminate accident/incident investigation related communications from ICAO and other regions to States/Administrations in the Asia Pacific region; and
- Support the ICAO APAC Office in its technical assistance to States/Administrations in the area of accident/incident investigation.

3.3 The Chairperson/Secretary will maintain close contact with ICAO to benefit from its advice on the subject and to this effect they/he will provide regular feedback to ICAO on the activities of the APAC-AIG through the RASG-APAC. In addition, they/he will liaise as required with other regional safety teams to benefit from their efforts.

3.4 The APAC-AIG will normally meet once a year. The on-going work/coordination may be accomplished through electronic communications.

3.5 The APAC-AIG may make recommendations for RASG-APAC's consideration.

3.6 The RASG-APAC will monitor activities of the APAC-AIG and promote the implementation of those policies and procedures that are deemed appropriate for the Asia and Pacific Regions.

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