



A39-WP/474  
TE/204  
29/9/16

**ASSEMBLY — 39TH SESSION**  
**TECHNICAL COMMISSION**

**DRAFT TEXT FOR THE REPORT**  
**ON**  
**AGENDA ITEM 33**

The attached material on Agenda Item 33 is submitted for consideration by the Technical Commission.

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**Agenda Item 33: Aviation safety and air navigation monitoring and analysis**

33.1 The Commission reviewed A39-WP/30, presented by the Council, and noted the current status of the objectives, priorities and enablers of the 2014-2016 edition of the *2014-2016 Global Aviation Safety Plan* (GASP, Doc 10004), the priorities of the *2013-2028 Global Air Navigation Plan* (GANP, Doc 9750) and the status and results of Universal Safety Oversight Audit Programme (USOAP) Continuous Monitoring Approach (CMA). The Commission encouraged States to take action on achieving objectives of the GASP and aligning with the priorities of the GANP and to support the regional aviation safety groups (RASGs) and planning and implementation regional groups (PIRGs) in implementing regional priorities. The Commission also encouraged States to provide data on their progress and status of implementation and urged them to provide timely reports of their progress in implementing USOAP corrective action plans (CAPs) and performing self-assessments on the online framework (OLF).

33.2 The Commission reviewed A39-WP/31, presented by the Council, which reported on progress made on the outcomes of the second High-level Safety Conference (HLSC 2015) and provided updates regarding some additional emerging issues. The Commission recognized the benefit of holding divisional-type meetings as a formal means to recommend inputs for additional technical work to be undertaken by ICAO so that the meeting outcomes could be considered in the context of all other demands as part of the budget approval for the next triennium. The Commission agreed that Council should consider instituting this practice.

**Aircraft tracking**

33.3 The Commission reviewed A39-WP/290, presented by Singapore, which highlighted the importance of operators developing a capability to track aircraft during abnormal operations. The Commission noted that ICAO was developing guidance on abnormal event monitoring as part of the ongoing work on aircraft tracking, which was planned to be complete by the end of the first quarter of 2017.

33.4 The Commission reviewed A39-WP/168, presented by the African Civil Aviation Commission (AFCAC) on the Global Aeronautical Distress And Safety System (GADSS) Concept of Operations and the expected benefits for search and rescue (SAR) in the Africa-Indian Ocean (AFI) Region. The Commission encouraged ICAO to complete the development of the GADSS Concept of Operations and publish the associated guidance for States. The Commission agreed that ICAO should promote the development of efficient SAR capabilities in the AFI Region, and supported initiatives already underway to achieve this. States were also encouraged to support ICAO's position on the GADSS at the next International Telecommunication Union (ITU) meeting. The Commission was also reminded of the potential suitability of space system for search of vessels in distress (COSPAS) – search and rescue satellite-aided tracking (SARSAT) to assist with implementing the GADSS Concept.

33.5 Information papers, provided by China (A39-WP/274), the United States (A39-WP/269) and the International Mobile Satellite Organization (IMSO) (A39-WP/394), were noted.

### **Remotely piloted aircraft system (RPAS)**

33.6 The Commission reviewed A39-WP/439, presented by Brazil, and A39-WP/303, presented by the Dominican Republic, which addressed the need for guidance material to support safe remotely piloted aircraft systems (RPAS) operations and user-friendly and effective awareness and educational campaigns among unmanned aircraft system (UAS) users.

33.7 The Commission noted A39-WP/281 Revision No. 1, presented by Japan, which introduced an overview of their new rules on unmanned aircraft and requested States to share their unmanned aviation regulations.

33.8 The Commission noted A39-WP/335, presented by China, which outlined the main challenges in China regarding regulation of unmanned aircraft and proposed a cloud-based system for the regulation of small UAS. Concern was raised regarding technical aspects and cyber-resiliency of such a system. The Commission recommended that studies in that regard be conducted and brought to ICAO for further consideration.

33.9 The Commission reviewed A39-WP/103, presented by the United States. The paper addressed the rapidly developing sector of UAS and requested adjustments in the global framework in order to accommodate new non-traditional entrants.

33.10 The Commission reviewed A39-WP/146, presented by Mexico supported by Argentina, Aruba, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Jamaica, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, Uruguay, Venezuela and Brazil, which urged States to give high priority to RPAS regulations and oversight within their State safety programme (SSP) and for ICAO to expand its scope of work to include other UAS in the regulatory framework with a properly funded mechanism to accomplish this expansion. The Commission also reviewed A39-WP/289 Revision No. 1, presented by Singapore, Malaysia, Marshall Islands, New Zealand, Palau, Papua New Guinea and Solomon Islands, which also requested ICAO to lead efforts to harmonize key regulatory practices for small UAS operators.

33.11 The Commission reviewed A39-WP/95, presented by Slovakia on behalf of the European Union (EU) and its Member States<sup>1</sup>, the other Member States of the European Civil Aviation Conference (ECAC)<sup>2</sup>; and by the European Organisation for the Safety of Air Navigation (EUROCONTROL). The paper outlined the importance of establishing a coherent framework for RPAS operations.

33.12 The Commission reviewed A39-WP/116, presented by the Airports Council International (ACI), Civil Air Navigation Services Organisation (CANSO), International Air Transport Association (IATA), International Coordinating Council of Aerospace Industries Associations (ICCAIA), International Federation of Air Line Pilots' Associations (IFALPA), International Federation of Air Traffic Controllers' Associations (IFATCA), the International Council of Aircraft Owner and Pilot

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<sup>1</sup> Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom

<sup>2</sup> Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Iceland, Republic of Moldova, Monaco, Montenegro, Norway, San Marino, Serbia, Switzerland, The former Yugoslav Republic of Macedonia, Turkey and Ukraine

Associations (IAOPA), which requested the development of Standards in support of harmonized UAS operations.

33.13 The Commission noted information on the online toolkit being developed by ICAO. The toolkit would include guidance material to support regulators in developing and implementing national regulations. In addition, it would include best practices and examples from States that had regulations in place. The toolkit was expected to be available shortly after the conclusion of the 39th Session of the Assembly.

33.14 The Commission noted wide support for the ICAO work on RPAS and agreed that development of a global baseline of Standards and guidance material for the proper harmonization of regulations on UAS that remain outside of the international instrument flight rules (IFR) framework was justified. In order to facilitate this expansion of ICAO's work programme, an innovative and flexible approach should be adopted, taking into account ongoing developments at national, regional and international levels including the Joint Authorities for Rulemaking on Unmanned Systems (JARUS).

33.15 The Commission agreed that ICAO should develop guidance material to support safe RPAS operations including awareness and educational campaigns amongst users and to promote the exchange of information amongst States regarding their unmanned aviation regulations. The Commission agreed that the Council should review the proposals with respect to existing priorities funded through the 2017-2019 Budget and the availability of extra-budgetary resources.

33.16 Information papers were provided by Brazil (A39-WP/265), Cuba (A39-WP/454), Indonesia (A39-WP/226), Russian Federation (A39-WP/296 Revision No. 1), United States (A39-WP/82), and Slovakia on behalf of the EU, ECAC and EUROCONTROL (A39-WP/107). A related information paper under Agenda Item 16 was provided by Spain (A39-WP/132).

### **Conflict zones**

33.1 The Commission reviewed A39-WP/108 Revision No. 1, presented by Slovakia on behalf of the EU, ECAC and EUROCONTROL, Australia and Malaysia. The paper outlined proposals to complete the work programme recommended by the Task Force on Risks to Civil Aviation arising from Conflict Zones (TF RCZ); complement the existing work programme on conflict zones through a review of all relevant Annex provisions; and, upon completion of the work programme on conflict zones, called upon the Council to reconsider the inclusion of conflict zones in the work programme of the Legal Committee. The Commission supported the actions proposed in A39-WP/108 Revision No. 1 and A39-WP/200, presented by CANSO, and agreed the Council should afford priority to the action items in light of the 2017-2019 Budget and the availability of extra-budgetary resources. Furthermore, the Commission highlighted the importance of information sharing and the need for member States to engage in these efforts.

33.2 The Commission reviewed A39-WP/376, presented by the Russian Federation which proposed that the Council reassess the Conflict Zone Information Repository (CZIR) operations to ensure consistency with the Convention and the Code of Conduct for Sharing and Using Safety Information. The paper also outlined a recommendation that the Repository be accessible through a secure website. In light of an existing Council decision directing the Secretariat to consider further improvements to the Repository and to prepare appropriate proposals for consideration during its 209th Session, the

Commission agreed that the points raised in this paper be considered by Council in its further deliberations concerning the future status and operation of to the Repository.

33.3 An information paper presented by Slovakia on behalf of the EU ECAC, EUROCONTROL, Australia and Malaysia (A39-WP/297) was noted.

### **Safety management**

33.4 The Commission reviewed A39-WP/283, presented by Brazil, regarding the extension of safety management systems (SMS) applicability to other sectors of aviation. The Commission also reviewed A39-WP/324 and A39-WP/359 presented by Venezuela (Bolivarian Republic of) supporting regional initiatives to establish guidance and a common reference framework for the acceptable level of safety performance (ALoSP) metrics used by States. A39-WP/324 also addressed the challenges faced by States in implementing the recent amendment to Annex 19 — *Safety Management* and updates required to the State safety programme (SSP) gap analysis. Although support was expressed for these proposals, the Commission recognized that relevant expert groups were currently addressing these issues. In addition, the need for each State to consider the unique aspects of its aviation system in establishing the ALoSP was highlighted.

33.5 Working paper A39-WP/342, presented by China, highlighted the results of pilot projects carried out by the Civil Aviation Administration of China (CAAC) related to safety performance management and specific proposals for ICAO to provide additional implementation support. The Commission was informed that work programme items to address the need for additional implementation support were identified pursuant to HLSC 2015, Recommendation 2/1, and States were encouraged to consider means to support the ICAO Safety Management Programme, as indicated in State letter AN 8/3-16/89, dated 27 September 2016.

33.6 The Commission reviewed A39-WP/109, presented by Peru and endorsed by the countries of the South American (SAM) Region and the twenty-two Member States of the Latin American Civil Aviation Commission (LACAC), proposing that the inclusion of SSPs in the scope of USOAP audits be postponed. The Commission was informed that SSP would only be audited by ICAO on a voluntary but non-confidential basis starting in January 2018 and that, as of 2020, SSP would be audited for the States meeting the criteria to be established by ICAO in line with the GASP. The Commission agreed that ICAO should clarify and communicate this information to all States.

33.7 The Commission reviewed A39-WP/195, presented by CANSO, which contained information on the Standard of Excellence in Air Navigation Services – Safety (SEANS-Safety) programme. The Commission noted the initiative by CANSO to assist air navigation service providers (ANSPs) in identifying weaknesses in their SMS.

33.8 Information papers were also presented by Cuba (A39-WP/362), India (A39-WP/135), Republic of Korea (A39-WP/420) Spain (A39-WP/419), and the Agency for Air Navigation Safety in Africa and Madagascar (ASECNA) (A39-WP/385).

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