



WORKING PAPER

ASSEMBLY — 40TH SESSION

TECHNICAL COMMISSION

Agenda Item 29: Aviation Safety and Air Navigation Regional Implementation Coordination Mechanisms

CONTRIBUTION OF AIG COOPERATION MECHANISMS TO AVIATION SAFETY

(Presented by Argentina)

EXECUTIVE SUMMARY

This working paper contains a proposal for how AIG Cooperation Mechanisms, which were created as a temporary, stop-gap solution for an RAIO, can be a useful tool for dealing with a worldwide problem relating to the investigation of accidents and incidents, taking advantage of the independence enjoyed by AIG bodies under 3.2 of ICAO Annex 13 — *Aircraft Accident and Incident Investigation*.

Action: The Assembly is invited to recommend that:

- a) this working paper be referred to the Council so that the cooperation mechanisms are recognized as qualified bodies for conducting and/or collaborating in investigations of aviation accidents;
- b) the proposal to identify a tool for managing funds and providing funds to AIG cooperation mechanisms and RAIOs be referred to the Council; and
- c) should it be deemed appropriate, this working paper be transmitted to the Accident Investigation Section for study of the issues raised and proposals contained therein.

<i>Strategic Objectives:</i>	This working paper relates to the Safety Strategic Objective.
<i>Financial implications:</i>	There are no financial implications for ICAO.
<i>References:</i>	<ul style="list-style-type: none">• ICAO Annex 13• Doc 9756, <i>Manual of Aircraft Accident and Incident Investigation</i>• Doc 9946, <i>Manual on Regional Accident and Incident Investigation Organization</i>• Second High-level Safety Conference 2015 (HLSC 2015)• AIG cooperation mechanisms, such as ARCM, ENCASIA and GRIAA

1. INTRODUCTION

1.1 The objective of an accident investigation is, as everyone knows, to identify the causes and contributing factors that, in combination, produced the accident, and, as appropriate, to make such recommendations as are necessary to improve aviation safety.

¹ Spanish version provided by Argentina.

1.2 In order to be able to identify the actual causes and contributing factors, an investigation must be conducted in conditions where the investigating body enjoys the independence and impartiality it needs to carry out an investigation and bring to light all the safety shortcomings in the system that allowed the accident to occur.

2. ANALYSIS OF THE PROBLEM

2.1 In order to ensure the independence of AIG bodies, which should preferably be outside the sphere of the national civil aviation agencies, ICAO has, with the adoption of Amendment 16 to Annex 13, already established the rule that AIG bodies must be independent. This notion is so important that it is also one of the PQs in USOAP audits. The result has been that most States are unable to comply with this rule.

2.2 In order to enjoy independence, AIG bodies:

Firstly, must go through a lengthy legislative process, since it is necessary to amend or enact basic aviation laws that mandate such independence. The process is difficult and usually drags on for years, since the issues are discussed at high levels of government, involving the legislative, judicial and executive branches. Furthermore, the outcome of this process is uncertain.

Secondly, the independence of the AIG body requires the State to establish a new body within its state machinery, necessitating a highly skilled staff and, logically, a budget that ensures that the body can comply with the international standards and recommended practices set out in Annex 13 and related documents. Most States view this as an expense rather than an investment in the safety of its aviation system. This does not even begin to take into account the size of the country's aviation system, which may range from millions of flights to hundreds of thousands, and from hundreds of investigatable incidents to tens or less, in accordance with Annex 13.

2.3 In view of these facts, ICAO wisely drafted Doc 9946, which deals with the establishment of regional accident investigation organizations (RAIOs), which could provide a solution for States in a given region whose aviation systems, status, conditions and resources available for AIG bodies may vary widely.

2.4 RAIOs must conduct investigations into accidents and incidents in accordance with Standards and Recommended Practices with independence and impartiality, working with those States whose AIG body is not independent and which can delegate the whole or part of the investigation.

2.5 In this connection, experience has shown that thus far this type of regional investigation organization has not produced the desired results for two simple reasons:

- a) These organizations need a functioning organizational structure, administrative staff and highly qualified investigators, which assumes that every participating State must contribute resources for the organization's operations instead of using those resources to strengthen its own AIG body.
- b) Although a State may delegate the whole investigation, it always remains responsible for the investigation, which necessitates, at a minimum, a team of specialists who can follow up on the investigation, analyse the findings, and approve the investigation carried out by an RAIO.

2.6 In recent years various initiatives have been taken with the support of the Regional Offices in order to solve the low effective use with respect to AIG in the different regions. For various reasons, these initiatives have not resulted in an RAIO, and they have operated as cooperation mechanisms in the area of AIG throughout the world, as for example ARCM in South America, GRIAA in Central America, and ENCASIA in Europe, among others.

2.7 In terms of experience, JIAAC is a founding member of ARCM and has exchanged information and experiences with different cooperation mechanisms. One of its objectives is to make efficient use of the various resources for the investigation of accidents, where each State places at the disposal of any requesting State its human and material resources, in line with the ICAO initiative of “No Country Left Behind”.

2.8 These different types of mechanisms do not have an organizational structure that entails extra expenditure on the part of the participating States. They work in an environment based entirely on cooperation, which has yielded good results, ranging from the harmonization of procedures and guidance documents, which ensures better practices, to improvements in the effective application of such procedures and materials in some member States.

3. SOLUTION TO THE PROBLEM

3.1 In the light of the foregoing and as shown by the experience of ARCM and other cooperation mechanisms, the latter can be a useful tool that helps to ensure that investigations of accidents and incidents can be carried out in accordance with the highest standards and best practices established by ICAO, providing support in the form of specialists and equipment, etc., to States requesting assistance in a context of cooperation and a spirit of collaboration.

3.2 Another contribution that these mechanisms can make to the improvement of aviation safety at the national, regional and global levels is to serve as the guarantors of independence and impartiality, and to ensure that the investigation process is efficient in the case of investigations requested by one of the parties involved.

In this way, in addition to the RAIOS, ICAO can count on such *cooperation mechanisms* to carry out a comprehensive plan for the overall improvement of AIG in all States that need it.

4. CONCLUSION

4.1 On the basis of the analysis of the information presented in this working paper, it is proposed that:

- The cooperation mechanisms should be recognized by ICAO as *qualified bodies* for conducting and/or collaborating in the investigation of accidents and incidents.
- Both the RAIOS and these mechanisms serve as guarantors of the independence, impartiality and efficiency of the investigations carried out when one of the parties involved in an accident so requests, thereby affording States the time needed to ensure the independence of their own investigative bodies.
- ICAO should find an appropriate tool for providing funds to cooperation mechanisms to enable them to operate and become stronger, bearing in mind that the RAIOS and these

mechanisms cannot receive funds directly from industry sources owing to the conflict of interest.

5. **SUGGESTED ACTION**

5.1 That the Assembly take note of and provide comments on this working paper and that:

- ✓ this working paper be referred to the Council so that the cooperation mechanisms are recognized as *qualified bodies* for conducting and/or collaborating in investigations of aviation accidents.
- ✓ the proposal to identify a tool for managing funds and providing funds to AIG cooperation mechanisms and RAIOS, given that the latter may have a conflict of interest if they receive funds directly from the industry for their operation and development, be referred to the Council.
- ✓ should it be deemed appropriate, this working paper be transmitted to the Accident Investigation Section for study of the issues raised and proposals contained therein.

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