



Agenda Item 3: Safety Oversight Matters

**FOLLOW-UP ON THE IMPLEMENTATION OF THE ICAO
UNIVERSAL SAFETY OVERSIGHT AUDIT PROGRAMME (USOAP)**

(Presented by the Secretariat)

Summary This working paper presents a review of the USOAP follow-up, analysis of the results of audits carried out in the CAR Region, and proposes action for State preparation of audits soon to be carried out in this Region.
Related Strategic Objectives: USOAP is directly related to ICAO Strategic Objective A - <i>Enhance global civil aviation safety</i> and Key Activity A3.
References: • OACI – C 180 WP12885

1. Background

1.1 The 180th Session of the ICAO Council took note of the Report on the Implementation of the ICAO Universal Safety Oversight Audit Programme (USOAP) under the Comprehensive Systems Approach, which encompasses the period May 2006 to April 2007. According to this report, as of 30 April 2007, 48 States have been audited. The audits have been instrumental in establishing the degree of implementation of the eight critical elements of safety oversight system, determining the status of State compliance with ICAO Standards and Recommended practices (SARPs) and identifying areas of concern.

1.2 Audit results have revealed findings in the areas of personnel licensing, aircraft operation, and airworthiness of aircraft; however, the majority of audit findings under the current cycle relate to the new audits areas, i.e., aerodromes, air navigation services, and aircraft accident and incident investigation.

1.3 The USOAP implementation report is structured into two parts. Part One aligns the implementation of USOAP with ICAO Strategic Objective A3 and the expected outputs associated with it as contained in the organization's Strategic Action Plan. Part Two of the report contains audit results and matters requiring the attention of the directors of the civil aviation authorities. **Appendix A** to this paper includes both parts, as well as the conclusions from the USOAP Global Implementation Report.

2. Analysis of the results and recommended measures for the preparation of audits and solution of deficiencies found in the CAR Region

2.1 In the USOAP Global Implementation Report presented in Appendix A to this paper, only a small representation of the CAR Region has been audited, according to the audits carried out in the NACC Region: Canada 2005; Costa Rica and El Salvador 2006; and Trinidad and Tobago February 2007. Notwithstanding, there is evidence showing a similarity in the results of the regions. A similar pattern of results is occurring due to the homogeneous and global expansion of the audit system. Also, the deficiency average is representative of the audited area due to their geopolitical proximity. **Appendix B** to this paper shows graphics that represent the global average and its relationship to the results of the audits performed in Central America and in the Eastern Caribbean, as well as the relationship to audits where Annexes 11, 13 and 14 were not audited. Taking into account that there are still unresolved deficiencies in the fields of personnel licensing, aircraft operations and airworthiness, all of which had been indicated in previous audits, the global percentage is now 59.98%, which shows a disturbing increase in deficiencies related to safety and the implementation of SARPs.

2.2 WP/08 of this Meeting presents an analysis of the audit results related to the aerodromes field.

2.3 It is important to consider the regional and global experience in the preparation of CAR Region States who will be audited under the USOAP methodology in the near future. These States include: Jamaica and the United States (October 2007), Antigua and Barbuda, Grenada, San Kitts and Nevis, Saint Lucia, San Vincent and the Grenadines, Mexico and Guatemala (November 2007). The States to be audited in 2008 are Cuba (January) and Dominican Republic (February).

2.4 It is necessary that civil aviation administrations take into account that since 2005, USOAP audits were extended to include Annexes 11, 13 and 14 and are being extended to include all annexes related to safety with the exception of Annexes 9 and 17. Therefore, all relevant regulations of each annex should be incorporated into national legislation.

2.5 The ICAO NACC Regional Office, in coordination with Headquarters, is using several measures to assist States in preparing for audits and resolving deficiencies. Among these measures are:

- a) conduct of a seminar on the Preparation, Conduct and Reporting of an Audit under the new comprehensive audit system, held in Mexico City from 3 to 6 July 2007, aimed at training State focal points. This constitutes an initiative to close the existing gap with the new methodology;
- b) supervise State compliance of corrective action plans in coordination with regional offices through correspondence with States and visits by regional officers.

2.6 In accordance with the Memorandum of Understanding signed with ICAO, States have undertaken to prepare and submit to ICAO a corrective action plan addressing the findings and recommendations contained in the interim safety oversight audit report, including specific actions and deadlines. As of 31 December 2006, all corrective action plans due had been submitted to ICAO.

2.7 The Honorable Directors of Civil Aviation are urged to continue their support of the implementation of USOAP in accordance with ICAO Strategic Objective A-3, take into consideration findings related to the use of the Eight Critical Elements in the comprehensive system approach (CSA) and take appropriate measures to correct identified deficiencies.

3. Suggested Action

3.1 The Meeting is invited to:

- a) take note of the information presented in this working paper;
- b) review audit results based on the analysis referred to in paragraphs 2.1 to 2.3 as well as Appendixes A and B to this working paper;
- c) review and adopt actions related to the application of the Eight Critical Elements in the comprehensive system approach (CSA) when preparing audits, and take the appropriate measures to correct detected deficiencies taking into account considerations expressed in paragraphs 2.4 to 2.7 of this working paper; and
- d) adopt other pertinent actions.

APPENDIX A

1. **PART ONE: PROGRESS IN THE IMPLEMENTATION OF ICAO STRATEGIC OBJECTIVE A3**

1.1 USOAP is directly related to ICAO Strategic Objective A – *Enhance global civil aviation safety* and, in particular, to Key Activity A3 – Conduct aviation safety oversight audits to identify deficiencies and encourage their resolution by States. This key activity, in turn, leads to a series of expected outputs. The progress of the programme with regard to Key Activity A3 and its expected outputs is as follows:

1.1.1 *Complete the audits of all Contracting States in a six-year cycle*

1.1.1.1 Eighteen Contracting States were audited during the reporting period, bringing the number of States audited under the comprehensive systems approach, as of 30 April 2007, to forty eight States during the reporting period..

1.1.1.2 All Contracting States scheduled for a safety oversight audit in 2007 have been notified of the proposed dates for the conduct of the audit and provided with the Memorandum of Understanding (MOU) for their signature.

1.1.1.3 States continue to submit and update their State Aviation Activity Questionnaires (SAAQ) and Compliance Checklists (CCs) in preparation for an upcoming audit. As of 31 December 2006, 129 SAAQs and 109 CCs had been received from States. Usage of the SOA-dedicated website to manage the submission of SAAQs and CCs continues to increase.

1.1.1.4 Pursuant to Assembly Resolution A35-6, audit final reports are made available in their entirety to Contracting States on the ICAO secure website, together with relevant information from the Audit Findings and Differences Database (AFDD). As of 31 December 2006, fourteen such reports, including the one pertaining to the European Aviation Safety Agency (EASA), had been posted on the SOA secure website. **Appendix A** to this working paper contains information on the status of audit reports yet to be published. The latest activity plan of the Safety Oversight Audit Section for 2007 and 2008 has been forwarded to States and can be consulted on the ICAO-Net.

1.1.2 *Monitor the level of implementation of State corrective action plans in coordination with the Regional Offices and through correspondence with States*

1.1.2.1 In accordance with the Memorandum of Understanding signed with ICAO, States undertake to prepare and submit to ICAO a corrective action plan addressing the findings and recommendations contained in the interim safety oversight audit report, including specific actions and deadlines. As of 31 December 2006, all of the corrective action plans due had been submitted to ICAO.

2. **PART TWO: PRELIMINARY RESULTS OF THE AUDITS AND MATTERS REQUIRING THE ATTENTION OF THE DIRECTORS OF THE CIVIL AVIATIONS AUTHORITIES.**

2.1 **Audit results and areas of concern identified**

2.1.1 The results of the thirty-five safety oversight audits conducted under the comprehensive systems approach as of 31 December 2006, covering the safety-related provisions in all safety-related Annexes, have been analysed using the Audit Findings and Differences Database (AFDD). As shown in the chart at Attachment B, the average lack of effective implementation of the critical elements of a safety oversight system (Doc 9734 — *Safety Oversight Manual*, Part A – *The Establishment and Management of a State's Safety Oversight System*, refers) at a global level was 36.7 per cent. Some of the main areas of concern for each of the critical elements are highlighted below.

2.1.2 **Critical element 1 – Primary aviation legislation (CE-1).** In the area of primary aviation legislation, it has been identified that some States face difficulties in determining how to introduce ICAO Standards and Recommended Practices (SARPs) into their legal framework, be it through the promulgation of national regulations, the adoption of foreign regulations or the direct adoption of a particular Annex in its entirety. The audits indicate that some States do not have a clear understanding of the implications of these three approaches. Difficulties have also been identified in the establishment by States of a system to introduce Annex amendments in their legislation and notify differences to ICAO. Finally, provisions were not always provided for in States' national requirements to effectively empower their inspectors.

2.1.3 **Critical element 2 – Specific operating regulations (CE-2).** With respect to this critical element, the majority of the concerns were found in the new areas being audited. Specifically, 44 per cent of the protocol questions asked pertaining to the development of regulations to address provisions of Annex 13 — *Aircraft Accident and Incident Investigation* (AIG), were found not satisfactory. With respect to air navigation services (ANS), 31 per cent of the questions asked were not satisfactory, identifying inadequacies in the establishment of requirements for air traffic management and PANS-OPS, operating procedures for ANS service provision, ANS service providers, training of technical staff and the establishment of the Safety Management System for ATM. Finally, 29 per cent of the protocol questions asked pertaining to the development of regulations to address Aerodromes and Ground Aids (AGA) were found not satisfactory.

2.1.4 **Critical element 3 – State civil aviation system and safety oversight functions (CE-3).** Findings in this critical element were, for the most part, identified in all the areas audited. States continue to face difficulties in attracting and retaining qualified personnel, resulting in a shortage of staff. The establishment of an organizational structure with adequate financial resources remains a challenge for many States.

2.1.5 **Critical element 4 – Technical personnel qualification and training (CE-4).** Another area of refers to the difficulties faced by States in the establishment of qualifications and experience for technical staff and the development and implementation of training programmes to maintain competency.

2.1.6 **Critical element 5 – Technical guidance, tools and the provision of safety-critical information (CE-5).** The majority of the audit findings regarding this critical element related to the lack of licensing, certification and approval procedures developed by the States to guide their regulatory and technical staff as well as the industry. Some States conducting their own aircraft accident investigations lacked investigation procedures; in the aerodromes field, guidance material for regulatory staff and the industry was also lacking.

2.1.7 **Critical element 6 – Licensing, certification, authorization and/or approval obligations (CE-6).** Most of the audit findings regarding this critical element were identified in the new audit areas; ANS, AGA and AIG. With respect to ANS, many States had not developed a policy and procedures to determine the capacity of their ATS system, nor to establish separation minima in accordance with ICAO requirements and the need for the approval of SMS. In the area of aerodromes, most of the concerns were found in the certification process and the content of an aerodrome manual, followed by operational services, such as apron management, airport emergency plans and wildlife control.

2.1.8 **Critical element 7 – Surveillance obligations (CE-7).** Audit findings related to this critical element were equally distributed in all the areas audited. States continue to have shortcomings in their aircraft operations surveillance programmes, as well as in the surveillance of their air navigation service providers and licensed aerodromes.

2.1.9 **Critical element 8 – Resolution of safety concerns (CE-8).** The resolution of safety concerns remains problematic. Some States are still not adequately ensuring that findings identified through routine inspections and surveillance activities are resolved. With respect to accident and serious incident investigations, many findings were identified against the processing of accident or serious incident reports, and the lack of reporting systems.

2.1.10 It should be noted that the audit results under the comprehensive systems approach have still revealed audit findings in the areas of personnel licensing, aircraft operations and airworthiness of aircraft. As an example, the audits have indicated that as a result of the high demand for pilots, a number of States are facing increasing difficulties in recruiting qualified flight operations inspectors. This situation has generated audit findings related to the certification of air transport operators and the surveillance or aircraft operations. However, it is worthy to note that the majority of the audit findings (under the comprehensive systems approach) relate to the new audit areas (aerodromes, air navigation services and aircraft accident and incident investigation).

2.2 **Procedure for transparency and disclosure**

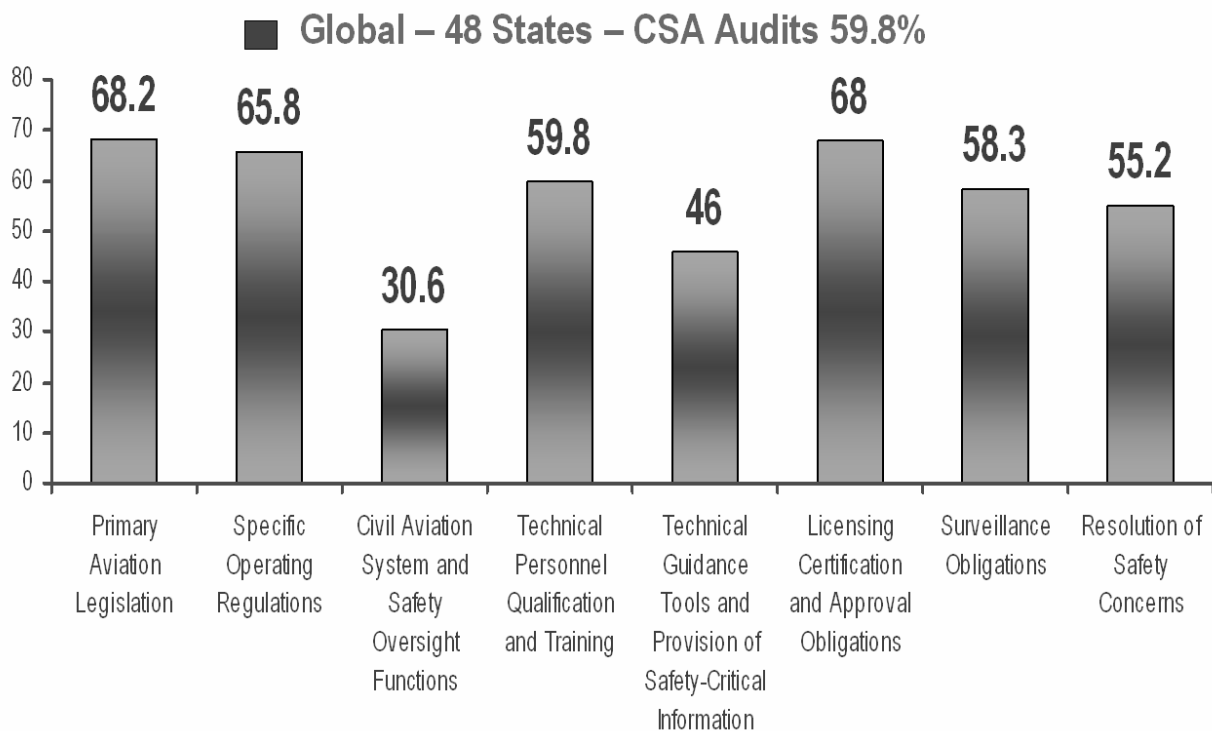
2.2.1 Subsequent to the approval by Council of the procedure for transparency and disclosure (C-DEC 175/13 and 14), follow-up letters were sent to those States which had not replied to the request by ICAO to submit a corrective action plan following a safety oversight audit, or to provide information to ICAO regarding the status of safety oversight in their States. To date, most States have responded. The information provided thus far was used in determining the urgency to schedule the audit and the scope of the audit mission.

2.2.2 SOA is working closely with the Regional Offices and the Unified Strategy Programme Unit (USP) to ensure that any actions taken regarding these States are both effective and timely. Such actions are prioritized on the basis of the level of aviation activity in the State.

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APPENDIX B

**Degree of Implementation of the
Critical Elements of a Safety Oversight System (%)**



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