



DIRECTORS GENERAL OF CIVIL AVIATION CONFERENCE ON A GLOBAL STRATEGY FOR AVIATION SAFETY

Montréal, 20 to 22 March 2006

CONCLUSIONS AND RECOMMENDATIONS

Theme 1: The Status of Aviation Safety Today

1. CONCLUSIONS

1.1 The Conference agreed on the following conclusions:

a) *Aviation safety*

Even though air transport is a very safe mode of transportation, there is a need to achieve a further reduction in the number of accidents and especially fatal accidents to maintain the public confidence in the safety of the global air transport system;

b) *Safety oversight*

- 1) the first cycle of the ICAO Universal Safety Oversight Audit Programme (USOAP) has demonstrated that most of the ICAO Contracting States have made progress in improving their safety oversight capability. However, several States still do not have the capacity to exercise properly their safety oversight responsibilities and it is not certain that some of them will ever have the human and financial resources and the volume of activity necessary to support an independent safety oversight system. It is therefore necessary to promote approaches such as a Safety Oversight Regional Organization that are allowing States to share the resources necessary for discharging their individual safety oversight obligations; and
- 2) the fact that a small number of States have not yet submitted their action plan or information on the status of implementation of their action plan is a source of concern. These States should cooperate fully with ICAO and take the requisite action.

c) *Initiatives by States and industry*

- 1) it is encouraging to see the numerous initiatives taken by States and the industry to improve aviation safety. The conference noted with interest the initiatives presented such as the various regional safety groups (CAST, PAAST, JSSI, ASET, NARAST, SARAST and SEARAST) and the various industry activities such as the IOSA programme of IATA, the IS-BAO of IBAC, and including the

programme developed by the Republic of Korea to assist in the monitoring of compliance with SARPs. The conference also noted that the safety data collected by such initiatives can be very useful to States when developing or performing their safety oversight activities or developing safety activities;

- 2) while initiatives by States or the industry to improve aviation safety are useful, and effective, their full potential is not always realized due to a lack of prioritization, to the duplication of effort and to shortfalls in communication. There is a risk that lessons learnt and solutions found in different locations that involve knowledge, procedures and techniques may not be shared in a way that can provide benefits to all. In that context, the conference welcomes the development of the Global Aviation Safety Roadmap by the industry at the request of ICAO which will provide that basis for development by ICAO of a global framework for the coordination of safety policies and initiatives;
- 3) where further initiatives result in additional regulation proposed regulations should be subjected to risk assessment and cost-benefit analysis to establish their full validity;
- 4) ICAO should analyse recommendations of the various regional safety groups and assess whether some aspects could be incorporated in ICAO SARPs and guidance material; and
- 5) the conference also reaffirmed the central role of ICAO in securing the necessary coordination of efforts across the whole spectrum of involvement of States and industry.

2. **RECOMMENDATIONS**

2.1 The Conference agreed on the following recommendations:

a) **Aviation safety**

Further improvement of aviation safety and the reduction of the number of accidents, fatal accidents and fatalities should continue to be an objective of the highest priority for ICAO, which will require a comprehensive and proactive approach coordinated among ICAO, States, industry and service providers;

b) *Safety oversight*

Proper safety oversight by States is one of the basic tenets of aviation safety. In view of the continuing difficulties faced by several States and the resulting need for assistance, ICAO, States, industry, and donor organizations should direct resources towards the establishment of sustainable safety oversight solutions; and

c) *Initiatives by States and industry*

ICAO, in collaboration with all States and other stakeholders, should continue the development of an integrated approach to safety initiatives based on the Global Aviation Safety Roadmap which would provide a global framework for the

coordination of safety policies and initiatives.

THEME 2: IMPROVING AVIATION SAFETY

Topic 2.1 Transparency and sharing of safety information

1. CONCLUSIONS

1.1 The Conference agreed on the following conclusions:

a) *State and industry access to information and assistance*

- 1) transparency is a cornerstone of aviation safety. All Contracting States and concerned stakeholders should cooperate to secure access to the information that is necessary to manage safety properly. Further improvements in aviation safety require an increased sharing of safety information among Contracting States, ICAO and all civil aviation stakeholders;
- 2) sharing of information among Contracting States is essential to maintain mutual trust; and
- 3) the implementation of a transparency policy by a State, with regards to its level of safety oversight, is a clear signal that the State acknowledges any weakness that may exist and should be an incentive for other States and donors to provide assistance.

b) *Public access to information*

- 1) the public should be able to access, without delay, the information necessary to make an informed decision about the safety of air transportation including safety oversight audit information. However, some States will need time to update their systems to be in a position to make audit information available to the public; and
- 2) ICAO should adopt a strategy to communicate safety information effectively to the public based upon the Universal Safety Oversight Audit Programme (USOAP) reports. The system should be designed to avoid potential abuse of the information.

c) *Implementation of Article 21 to the Convention*

Each Contracting State should have access to reliable and timely information on registration, ownership and control of aircraft normally used in international navigation; and

d) *Transparency and sharing of airworthiness information*

- 1) the implementation of a centralized database that would facilitate the timely sharing of airworthiness information concerning aircraft conducting scheduled

and unscheduled international operations would be a means to improve safety;
and

- 2) communication and sharing of airworthiness information between the States of Design and Registry is essential to flight safety.

2. RECOMMENDATIONS

2.1 The Conference agreed on the following recommendations:

a) *State and industry access to information and assistance*

- 1) The results of the audits conducted under the comprehensive systems approach should continue to be shared openly among Contracting States;
- 2) the Council should facilitate the implementation of “just culture” reporting systems in Contracting States to promote the sharing of accident and incident and all other safety-related information. The “just culture” should create an environment in which the reporting and sharing of information is encouraged and facilitated;
- 3) States should be fully transparent to enable other States and donors to provide more rapid and effective assistance to resolve safety oversight deficiencies; and
- 4) the Council should consider the preparation of an annual report on aviation infrastructure and required improvements to assist donors in allocating the support needed by Contracting States.

b) *Public access to information*

- 1) States are urged to give consent to ICAO to publish the results of their initial safety oversight audits or audits follow-up as soon as possible, following the format presented in DGCA/06-IP/39. States may also allow ICAO to publish the final safety oversight audit reports derived from the initial audit cycle;
- 2) States sharing their ICAO safety oversight information should have the opportunity to provide their own comments, relative to progress made since the conduct of its audit, in the section of the ICAO websites dedicated to the audit information;
- 3) the Council, in May/June 2006, should develop an ongoing process to allow the release of relevant information to the public on safety oversight audits conducted under the comprehensive systems approach;
- 4) pending the development of the process, as proposed in paragraph 3) above, States should authorize ICAO to publish the relevant information to the public on safety oversight audits conducted under the comprehensive systems approach. The release of such information would be agreed and entered into through a separate consent form;

- 5) the Council should develop a system to assess USOAP findings against the safety oversight system critical elements with a view to evaluating the safety oversight capability of individual Contracting States and report to the Assembly in 2007; and
- 6) Contracting States should give their consent to the publication of relevant information as soon as possible and, in any case, not later than 23 March 2008. ICAO would then issue a press release providing the names of the States that have not authorized release of the results of their audits and place this information on the public website. A progress report should be made to Council during each Session and to the Assembly in 2007.

c) *Implementation of Article 21 to the Convention*

The Council should ensure that Contracting States have access to reliable and timely information on registration, ownership and control of aircraft habitually used in international navigation. Contracting States should cooperate with ICAO in providing the required information, under guidelines and procedures to be developed; and

d) *Transparency and sharing of airworthiness information*

- 1) the Council should study the possibility of establishing an expanded database application that would allow Contracting States to voluntarily share airworthiness information related to aircraft habitually involved in international operations; and
- 2) States of Design and Registry should conclude an airworthiness agreement as laid down in the *Airworthiness Manual* (Doc 9760) as a means to promote the exchange of continuing airworthiness information between the States.

Topic 2.2 Management of aviation safety

1. CONCLUSIONS

1.1 The Conference agreed to the following conclusions:

a) *Safety management systems*

- 1) civil aviation organizations, including civil aviation administrations, are under pressure to discharge their mandate in the face of ever-diminishing resources, thus facing efficiency issues;
- 2) SMS presents the international civil organizations with a data driven approach to the prioritization of resources towards safety concerns that hold the greatest risk potential, and towards activities likely to produce the biggest return on resources invested;

3) experience suggest that benefits of SMS include:

- reduced incident and accident rates;
- greater operating efficiencies such as fewer returns to gate and flight cancellations;
- improved employee morale as a result of being empowered and seeing results through the SMS;
- reductions in insurance rates;
- tangible savings for operators as a result of knowing the operational risks and preventing incidents, resulted in substantial savings; and
- less regulatory involvement due to the operators management of their own day-to-day activities. The regulator oversees the effectiveness of the systems.

4) the full potential of SMS will only be realized when the concept is adopted on a global basis by all Contracting States and, through States, by as many aviation organizations as possible. In order for this global implementation to take place, States need to be fully aware and informed about the SMS concept and the means and tools for its implementation; and

5) consideration should be given to the development of additional guidance material as well as to organizing seminars and workshops to assist States and operators to implement SMS. In order to facilitate this, advantage should be taken of experience existing within States and international organizations with expertise in the development and implementation of SMS.

b) *Study the development of a new Annex to the Convention on safety processes*

Consideration should be given to complement the set of Annexes to the Chicago Convention with a specific Annex on appropriate provisions on safety oversight, safety assessment and safety management; and

c) *Modernization of Annex 6, Part II*

the conference confirmed the need to modernize Annex 6 — Operation of Aircraft, Part II — International General Aviation — Aeroplanes.

2. RECOMMENDATIONS

2.1 The Conference agreed on the following recommendations:

a) *Safety management systems*

1) States should implement safety management systems across all safety-related disciplines;

- 2) States should engage in far-reaching cooperation with ICAO in the programme of training courses, by sponsoring one of the seven training courses and/or by providing experts in safety management to supplement ICAO delivery teams;
 - 3) States should engage in an exchange of information to progress in the implementation of SMS through the provision of expert advice, tools and other means;
 - 4) States should commit to the earliest possible implementation of SMS on a global basis, based on the related provisions adopted by Council; and
 - 5) the ICAO Council should continue work towards the development of training, guidance material and other enabling tools to help Contracting States expedite the implementation of SMS.
- b) *Study the development of a new Annex to the Convention on safety processes*
- ICAO should study further harmonization of safety management requirements, and consider the development of a new Annex dedicated to safety processes, including appropriate provisions on safety oversight, safety assessment and safety management
- c) *ICAO should continue its effort to modernize Annex 6, Part II.*

Topic 2.3 Unified strategy to resolve safety-related deficiencies

1. CONCLUSIONS

1.1 The Conference agreed to the following conclusions:

- a) *Assistance to States*
- 1) despite the audits and follow-up missions conducted by Universal Safety Oversight Audit Programme (USOAP) a significant number of States have not been able to implement their corrective action plans and fulfil their safety oversight obligations;
 - 2) The ICAO Unified Strategy Programme (USP) is valuable for coordinating assistance to Contracting States and establishing regional safety oversight initiatives; it could help ensure that optimum assistance is provided;
 - 3) special emphasis is placed on the importance of having autonomous civil aviation administrations, the absence of which is a serious obstacle to implementing safety oversight in certain States;
 - 4) regional partnerships and the regional safety oversight organizations or initiatives represent good vehicles for enabling States to fulfil their safety oversight obligations and, with the support of various stakeholders, would achieve long-term sustainable results;

- 5) IFFAS as a funding mechanism (not an implementation tool) and other international donor funding should coordinate for optimum results; and
- 6) there is a need for ICAO to improve the effectiveness of its technical assistance tools and to increase involvement of its Regional Offices so as to provide a more effective technical support and training of national experts.

b) *Information Exchange*

- 1) sharing of critical safety information among Contracting States performing safety oversight functions enhances standardization, improves implementation of safety measures, and reduces duplication of efforts; and
- 2) the Flight Safety Information Exchange (FSIX) which was launched by Organization as a portal website is a practical means to facilitate the sharing of safety-related information among member States as well as the industry.

2. **RECOMMENDATIONS**

2.1 The Conference agreed to the following recommendations:

a) *Assistance to States*

- 1) contracting States are encouraged to promote further development of regional and sub-regional organizations in support of the strengthening of States' safety oversight capabilities;
- 2) in order to fulfil their obligations under the Chicago Convention, Contracting States are encouraged to better cooperate both bilaterally and at the regional level to make appropriate arrangements to perform their safety oversight obligations when they do not individually possess adequate human, technical and financial resources;
- 3) Contracting States in need of assistance should coordinate with the Unified Strategy Programme Unit to validate that their action plans are likely to achieve desired results, and to identify the most appropriate assistance mechanisms. Assistance can be channelled through various options to include the Technical Cooperation Programme;
- 4) ICAO and States should improve the effectiveness and coordination of technical assistance tools and funding mechanisms for the correction of safety-related deficiencies, including the International Financial Facility for Aviation Safety (IFFAS);
- 5) ICAO should increase the involvement of its Regional Offices so as to provide a more effective technical support for Contracting States and promote further development of regional and sub-regional organizations that conduct safety oversight;

- 6) ICAO should adapt its working methods to allow full involvement of regional organizations that conduct safety oversight and technical work and request the Secretary General, in accordance with clause 7 of Resolution A35-7, to continue to foster coordination and cooperation between USOAP and audit programmes of other organizations related to aviation safety;
- 7) Contracting States should demonstrate the political will to address aviation safety shortcomings; this includes the establishment, where necessary and as soon as possible, of an autonomous Civil Aviation Authority which is empowered and adequately funded to provide effective safety oversight; and
- 8) States and other stakeholders as well as financial institutions and donors that are in a position to do so, make financial contributions and/or contributions in kind to support States in need of assistance to rectify their safety oversight deficiencies through the Unified Strategy Programme.

b) *Information Exchange (FSIX)*

Contracting States and associated industry and professional organizations are encouraged to provide guidance material and relevant safety-related information to the international civil aviation community through the ICAO Flight Safety Information Exchange (FSIX) website.

Topic 2.4 Mutual recognition

1. CONCLUSIONS

1.1 The Conference agreed to the following conclusions:

a) *Verification*

Before recognizing certificates and licences of other States as valid, there is a need for verification that the conditions for such recognition are met, i.e. that these documents were issued under requirements at least equal to the applicable ICAO Standards;

b) *Recognition and surveillance of foreign aircraft*

- 1) it is incumbent upon a State to ensure safety in the airspace within its territory, including the operation of aircraft of foreign operators;
- 2) harmonized processes for recognition of certificates and licences as valid, as well as a uniform approach to the surveillance of foreign aircraft operations are desirable. To this end, ICAO should develop guidelines and procedures as necessary; and
- 3) flags of convenience, illegal operations and criminal activities endanger civil aviation safety.

c) *Safety clause*

- 1) the inclusion of a safety clause in bilateral agreements, for which models are available, is advisable; and
- 2) ongoing dialogue, as well as surveillance of foreign air operators, would be required to maintain the validity of such agreements.

2. **RECOMMENDATIONS**

2.1 The Conference agreed to the following recommendations:

a) *Verification*

States should verify that the requirements under which other States issue or render valid certificates and licenses are at least equal to applicable Standards before recognizing the documents as valid.

b) *Recognition and surveillance of foreign aircraft*

- 1) ICAO should develop guidelines and procedures as necessary to assist States in securing the highest practicable degree of uniformity in the recognition of certificates and licences as valid and in the surveillance of foreign aircraft operations in their territory;
- 2) States should establish operating rules, in accordance with the Convention and on a non-discriminatory basis, governing the admission and surveillance of foreign air operators within their territories;
- 3) States should implement and strengthen their surveillance of foreign aircraft operations within their territory and take appropriate action when necessary to preserve safety; and
- 4) States should eliminate flags of convenience and prevent illegal operations as well as the possible export of such activities from one State or group of States to another, and exchange safety information to this end.

c) *Safety clause*

- 1) States should include a safety clause in their bilateral air service agreements, based on the model safety clause developed by ICAO; and
- 2) Unilateral activities by States or parties on the banning of operations should normally be preceded by a consultative process between the States and parties involved.

Topic 2.5 Enhancing safety oversight

1. CONCLUSIONS

1.1 The Conference agreed to the following conclusions:

a) *USOAP*

- 1) full cooperation by States is required for optimum functioning of USOAP. To this end, acceptance of on-site audits as scheduled by ICAO is essential; and
- 2) an additional mechanism to rapidly resolve significant safety concerns identified under USOAP should be developed to require States to address these concerns in a timely manner agreed by the Secretariat and the Generic Memorandum of Understanding (MOU) amended accordingly.

b) *Unified strategy*

The unified strategy to resolve safety-related deficiencies requires an ongoing effort by all stakeholders to ensure effective and sustainable safety oversight solutions and full compliance with safety-related provisions; and

c) *Direct assistance*

Interim measures are required to ensure that every Contracting State has a fair opportunity to operate international airlines. An active role is envisaged for ICAO to identify States where immediate action is required to initiate safety oversight enhancements and consult with the States concerned to implement an immediate interim solution for their air operators. A pool of international safety inspectors and other safety oversight experts could be established to this end. Generous cooperation by States and other stakeholders in a position to do so would be required. A scheme for ICAO to manage direct assistance to States and air operators could be developed accordingly.

2. RECOMMENDATIONS

2.1 The Conference agreed to the following recommendations:

a) *USOAP*

- 1) States should fully cooperate with USOAP, including acceptance of on-site audits as scheduled by ICAO; and
- 2) ICAO should develop an additional mechanism to rapidly resolve significant safety concerns identified under USOAP and amend the Generic Memorandum of Understanding (MOU) accordingly.

b) *Unified strategy and direct assistance*

- 1) ICAO should consider the feasibility of a scheme, to be approved by the next Session of the Assembly, for ICAO to manage direct assistance to States having inadequate safety oversight capability and to air operators of such States, based on a pool of international safety inspectors and other safety oversight experts made available by States and other stakeholders. Such a scheme should take into account issues raised in DGCA/06-WP/28 as well as possible legal and financial difficulties; and
- 2) ICAO should consider the allocation of funds for the unified strategy programme and direct safety oversight assistance within the Programme Budget for the triennium 2008-2009-2010.

THEME 3: BEYOND THE CURRENT FRAMEWORK

Topic 3.1 Safety framework for the 21st century

1. CONCLUSIONS

1.1 The Conference agreed to the following conclusions:

- a) economic liberalization has become one of the defining features of modern-day aviation and it is having a major impact on the aviation industry. There is a need to ensure that the safety framework continues to meet the requirement for the safe and orderly development of international civil aviation;
- b) there is a need to clarify the concept of the operator and the relationship with the State responsible for its safety oversight;
- c) the content, nature and structure of the Annexes to the Chicago Convention should be reviewed to ensure that ICAO Standards focus on safety objectives, while giving more flexibility to Contracting States in deciding the means of implementation;
- d) there is a need for a higher level of coordination in technical cooperation activities to reduce duplications in effort and benefit as many States as possible;
- e) there is a need to mobilize the resources of financial institutions and donors to help improve civil aviation safety; and
- f) flags of convenience exist in civil aviation today and should not be tolerated.

2. RECOMMENDATIONS

2.1 The Conference agreed to the following recommendations:

- a) the Council should consider amplification to the definition of “State of the Operator” and “operator” by further specifying the necessary correspondence between the

“principal place of business” and the location where “operational control” is exercised as a means to identify the State responsible for safety oversight;

- b) Contracting States should fulfil their obligation under Article 83 to register agreements in accordance with the *Rules for Registration with ICAO of Aeronautical Agreements and Arrangements* (Doc. 6685);
- c) ICAO should develop guidance material to be used by States to implement coherent economic and technical policies by their civil aviation authorities;
- d) ICAO should consider improvements in the process of developing and adopting Standards and Recommended Practice by:
 - 1) assessing systematically their impact on the industry and other interested parties;
 - 2) making more systematic use of recommendations published by accident investigation bodies; and
 - 3) developing criteria for determining which Standards are of critical importance for ensuring global safety and for which notifying differences would be acceptable only exceptionally and which Standards are of a detailed technical nature should be changed into Recommended Practices or removed from ICAO Annexes and turned into guidance material.
- e) all stakeholders engaged in devising and financing projects aimed at increasing aviation safety in low income countries, should strengthen their cooperation and exchange information and experience to avoid duplication of effort;
- f) the Council should study the issue of flags of convenience taking into account the experience gained by other international Organizations ; and
- g) ICAO should redouble its efforts to address the future evolution of safety oversight taking into account the globalization of international civil aviation.

Editorial Note.— The recommendation on the study to establish an Annex on safety processes in WP/46 has been consolidated with a similar recommendation contained in WP/42 appearing under Recommendation 2.1 b), Development of a Safety Annex to the Convention, under topic 2.2.
