

TECHNICAL AGREEMENT
AIG REGIONAL COOPERATION MECHANISM (RCM)

Preamble

Whereas the International Civil Aviation Organization (ICAO), established under the Convention on International Civil Aviation (Chicago Convention, 1944), is mandated to promote the safe and orderly development of international civil aviation, including through the adoption of Standards and Recommended Practices (SARPs) relating to accident and incident investigation and the overall safety of air navigation;

Whereas Article 26 of the Chicago Convention requires the State in which an aircraft accident occurs to initiate an investigation into its circumstances, in accordance with applicable national laws and the procedures recommended by ICAO;

Whereas Annex 13 to the Chicago Convention sets out internationally recognized Standards and Recommended Practices governing aircraft accident and incident investigations, enabling States to effectively discharge their responsibilities under the Chicago Convention;

Recognizing that activities conducted under ICAO's Universal Safety Oversight Audit Programme Continuous Monitoring Approach (USOAP-CMA) have highlighted persistent challenges faced by many States of Africa-Indian Ocean (AFI) Region in establishing and sustaining effective investigation systems, particularly due to constraints in technical expertise and resources;

Taking into consideration that Annex 13 provides for the delegation of all or part of an investigation to another State or to a regional investigation organization, subject to mutual agreement and consent;

Recognizing further that strengthened cooperation among States enhances the effectiveness, quality, and independence of safety investigations, and contributes to the development of sustainable regional expertise;

Recalling the RASG-AFI/10 Decision 10/01 on the "development and enhancement of aircraft accident investigation expertise in the Africa-Indian Ocean Region";

Considering the need to formalize and reinforce cooperation among Aircraft Accident and Incident Investigation (AIG) authorities of Member States in WACAF region;

Considering that the AIG Regional Cooperation Mechanism (RCM) provides a structured framework to support States, upon request, in fulfilling their responsibilities related to accident and incident investigations, and to improve effective implementation in the AIG domain;

Affirming the shared commitment of the participating States to uphold the highest standards in the conduct of aircraft accident and incident investigations;

Therefore, the AIG authorities of the participating States have agreed as follows:

Article 1 – Objective and scope of cooperation

The AIG regional cooperation mechanism aims to enhance the investigation capacities of States and promote the effective and compliant conduct of investigations across the region.

This cooperation framework includes the following activities:

- cooperation in aircraft accident and incident investigations, including participation as accredited representatives, advisers, or technical experts where appropriate.
- exchange of technical expertise, investigation methodologies, and best practices.
- cooperation in safety studies, safety data analysis, and safety promotion activities.
- exchange of non-confidential safety information and investigation reports.
- cooperation in capacity building of investigators.

Additional areas of cooperation may be developed by mutual consent.

Activities related to judicial or enforcement proceedings remain outside the scope of this arrangement.

Article 2 – Terminology

Terms investigation, accident, incident and serious incident used in this technical agreement shall have the meaning ascribed to them in Annex 13 and Annex 19 to the Chicago Convention.

Article 3 – Accession to the Cooperation Mechanism

The AIG Regional Cooperation Mechanism (RCM) is open to States within the WACAF region that accept the terms and conditions of this cooperation framework.

A State may accede to the Mechanism Cooperation by formally notifying the ICAO WACAF Regional Office of its intention to participate. The State shall then:

- designate a national focal point for the implementation of the Mechanism;
- identify qualified experts and resources that may contribute to the Regional Investigator Pool.

Accession shall enter into force thirty (30) days after signature of the technical agreement. Any Party may withdraw by providing one-month written notice.

States outside the WACAF region, Regional Accident and Incident Investigation Organizations (RAIOs), other regional cooperation mechanisms, and other relevant entities may be granted Observer status within the RCM.

Observers may be invited to participate in meetings, workshops, forums, training activities and other activities conducted under the RCM. They may also provide technical expertise, capacity-building support, specialized capabilities and resources, and contribute to the exchange of experience, best practices and lessons learnt.

Observers shall have no decision-making role within the RCM.

Article 4 – Responsibilities

Each Party shall designate a focal point to coordinate the implementation of this technical agreement, facilitate communication, and support the mobilization of expertise as required.

Participating States undertake to:

- support the objectives and activities of the RCM;

- fulfil their obligations regarding the regional pool of investigators
- share training opportunities and facilitate the participation of representatives from Member States;
- support and contribute, as appropriate, to capacity-building initiatives coordinated by the Secretariat; and
- align their investigation procedures and investigator training program with the harmonized regional investigation documentation;
- ensure that participation in the RCM is consistent with their national laws and international obligations.

The WACAF Regional Office act as the Secretariat and ensure the coordination of the AIG Regional Cooperation Mechanism. In this capacity, It shall:

- facilitate communication among participating States;
- establish and maintain a mapping of investigation capabilities within the region;
- coordinate the activities and functioning of the regional pool of investigators;
- facilitate the harmonization of investigation procedures, practices and training programmes within the region;
- promote the exchange of technical expertise, investigation tools, guidance materials, best practices and lessons learnt from investigations and studies conducted among participating States;
- promote cooperation between participating States and relevant organizations involved in accident and incident investigations;
- support, through peer reviews, the identification of regional gaps and capacity-building needs related to accident and incident investigation;
- develop and implement capacity-building initiatives to address identified regional needs;
- facilitate regional workshops, meetings, exercises and other collaborative activities under the AIG Regional Cooperation Mechanism;
- support the organization of the biannual regional aircraft accident investigation forum for the sharing of best practices and keep up to date with new developments.

The Secretariat acts as a facilitator and shall not participate directly in investigations, while fully respecting the independence of investigations conducted by any Party.

The Secretariat may, as appropriate and in coordination with the participating States, seek technical support from other regional cooperation mechanisms, Regional Accident and Incident Investigation Organizations (RAIOs), or other relevant organizations to support the activities of the AIG Regional Cooperation Mechanism, including capacity-building, training, sharing of expertise and best practices, and access to specialized technical capabilities.

Article 5 – Operational and Financial Provisions

Member States shall bear their own costs for activities under this technical agreement unless otherwise agreed. It does not create obligations for the transfer of funds.

Article 6 – Confidentiality and Intellectual Property

Each Member State ensure that:

- information and documents received from another State are not disclosed to third parties, except where required by applicable laws;

- Information related to investigations is handled in accordance with the principles of independence and protection of safety information established in Annex 13 to the Convention on International Civil Aviation.

These obligations survive the termination of this technical agreement.

Article 7 – Legal Status

This Technical agreement reflects a mutual intention to cooperate and does not create contractual obligations.

Nothing in this Technical agreement affects the legal duties, powers, or obligations of any Member States.

No Party shall incur rights or liabilities arising solely from this technical agreement.

No Party shall be liable for direct or indirect damages arising from technical agreement activities.

Disputes arising from interpretation or implementation of this technical agreement shall be resolved amicably among Parties and shall not be referred to courts or international tribunals.

Parties remain free to enter into similar agreements with other entities.

Article 8 – Validity and Termination

This Technical agreement remains valid unless terminated by all Member States.

Any amendment to this technical agreement and its annexes shall require the mutual consent of Member States. Amendment of existing annexes and addition of a new annexes to this agreement shall remain the responsibility of Heads of Investigation Authorities or their designated representatives.

Ongoing arrangements not fully completed at the time of termination may continue if mutually agreed.

This Technical Agreement is established in the English and French languages, both texts being equally authentic.

REGIONAL COOPERATION MECHANISM (RCM) TECHNICAL AGREEMENT
Notification of consent to participate in the AIG Regional Cooperation Mechanism (RCM)

To: The Regional Director
ICAO WACAF Regional Office

(State) _____ hereby confirms its consent to participate in the AIG Regional Cooperation Mechanism (RCM), in accordance with the provisions of the Technical Agreement.

Name and title _____

Signature _____ **Date** _____

REGIONAL COOPERATION MECHANISM (RCM) TECHNICAL AGREEMENT
Designation of the State focal point

To: The Regional Director
ICAO WACAF Regional Office

Subject: Designation of Focal Point for the AIG Regional Cooperation Mechanism (RCM)

Pursuant to the provisions of the Technical Agreement establishing the AIG Regional Cooperation Mechanism (RCM), (State) _____ hereby designates the following person as its Focal Point for all matters relating to the implementation and coordination of AIG RCM activities.

Name: _____

Title/Position: _____

Organization: _____

Telephone/Mobile: _____

E-mail: _____

The designated Focal Point is authorized to coordinate with the Secretariat, participating States, and relevant stakeholders on matters related to aircraft accident and incident investigation cooperation under the AIG RCM.

Any change to this designation will be communicated in writing to the ICAO WACAF Regional Office without delay.

For and on behalf of (State):

Name and title _____

Signature _____ **Date** _____