



WORKING PAPER

ASSEMBLY — 41ST SESSION

TECHNICAL COMMISSION

Agenda Item 32: Aviation Safety and Air Navigation Regional Implementation Coordination Mechanisms

CAPACITY BUILDING FOR SMALL STATES TO ASSIST IN EFFECTIVE IMPLEMENTATION OF ICAO SARPS (ANNEX 13) FOR AIG AUDIT AREA

(Presented by Guyana and supported by Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, El Salvador, Guatemala, Panama, Paraguay, Peru, Suriname, Uruguay and Venezuela (Bolivarian Republic of))

EXECUTIVE SUMMARY

This working paper recognized the value of regional cooperation mechanism such as the AIG Regional Cooperation Mechanism (ARCM) within the South American Region and the need for small States to have systems in place to comply with the ICAO Standards and Recommended Practices (SARPs) of Annex 13 — *Aircraft Accident and Incident Investigation*. The paper also highlights the need for capacity building for small States to improve their level of effective implementation of the ICAO SARPs within the AIG audit area.

Action: The Assembly is invited to:

- a) note the content of this working paper;
- b) request ICAO to develop a work programme to assist small States in building capacity to enhance their implementation and compliance with the ICAO SARPs of Annex 13. The low level of compliance in the AIG audit area is indicative that more work needs to be done in this area; and
- c) request ICAO to explore appropriate funding mechanisms to support the work of Regional Accident and Incident Investigation Organizations (RAIOs) and small States in the effective implementation of the ICAO SARPs within the AIG audit area.

<i>Strategic Objectives:</i>	This working paper relates to the Safety Strategic Objective.
<i>Financial implications:</i>	N/A
<i>References:</i>	Annex 19 – <i>Safety Management</i> Annex 13– <i>Aircraft Accident and Incident Investigation</i> Doc 9946, <i>Manual on Regional Accident and Incident Investigation Organization</i> Doc 9859, <i>Safety Management Manual</i> Doc 9756, <i>Manual of Aircraft Accident and Incident Investigation</i>

1. INTRODUCTION

1.1 The objective of an accident investigation is to establish and 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 and to prevent future occurrences of similar nature.

1.2 It is imperative for the State Aircraft Accident Investigation Authority (SAAIA) to conduct aircraft accident investigations in a transparent manner, free from bias and external interference. This will provide the avenue for the SAAIA to be able to identify the probable causes (casual factors) and contributing factors. An investigation must be conducted in conditions conducive to fairness (without bias or prejudice) and where the SAAIA enjoys the necessary independence and impartiality it needs to investigate and bring to fore all the safety issues in the system that have contributed to the accident or allowed it to occur.

2. DISCUSSION

2.1 Small States continue to find it difficult to provide all the necessary resources for a fully functional State Aircraft Accident Investigation Authority. Unfortunately, this lack of capacity by small States is reflected in the results of a Universal Safety Oversight Audit Programme (USOAP) where the AIG audit area is one with least effective implementation (EI) in relation to the safety oversight capabilities. The SAM Region is a classic example of this situation with AIG.

2.2 Small States are unable to comply with the SARPS for AIG due to lack of financial and human resources. It is often very difficult to attract qualified persons to be trained as Accident Investigators because of low remuneration.

2.3 Firstly, independence comes at a cost and an intrinsic will, 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.

2.4 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 — *Aircraft Accident and Incident Investigation* and related documents.

2.5 Thirdly, most States view this as an expense rather than an investment in the safety of its aviation system especially when the Civil Aviation Authorities are still in need of financial assistance.

2.6 Fourthly, the ICAO SARPs does not consider the size of a country's aviation system, which may range from millions of flights to hundreds of thousands, and from hundreds of investigable incidents to tens or less, in accordance with Annex 13.

2.7 To address and respond to some of the above challenges, the ICAO must be commended for its efforts in the promulgation of the *Manual on Regional Accident and Incident Investigation Organization* (Doc 9946), which deals with the establishment of Regional Accident and Incident Investigation Organization (RAIO). RAIO provides a solution for States in each region whose aviation systems, status, conditions, and resources available for AIG bodies may vary widely.

2.8 In the SAM Region for small States such as Guyana, AIG Regional Cooperation Mechanism (ARCM) is an asset and a valuable tool in the kit to assist with compliance in the AIG audit area.

2.9 RAIOS 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 the spirit of cooperation and collaboration.

2.10 RAIOS can serve as the guarantors of independence and impartiality by ensuring that the investigation process is efficient in the case of investigations requested by one of the parties involved, thus, improving aviation safety at the national, regional, and global levels.

2.11 The RAIOS while a solution has also experienced challenges and not produced the desired results for two simple reasons:

- a) these organisations need a functioning organisational structure, administrative staff and highly qualified investigators, which assumes that every participating State must contribute resources for the organisation's operations instead of using those resources to strengthen its own AIG body; and
- b) although a State may delegate the whole investigation, it always shall remain 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 the RAIO.

3. CONCLUSION

3.1 This working paper recognized the value of regional cooperation mechanism such as the ARCM and the need for small States to have systems in place to comply with the ICAO SARPs of Annex 13.

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