



Agenda Item 11: RASG-PA Plan of Activities for 2011

THE ESTABLISHMENT OF THE SAFETY FUND (SAFE)

(Presented by the Secretariat)

1. INTRODUCTION

1.1 Under agenda item 75, the 37th Session of the Assembly (Montreal, 28 September – 8 October 2010) considered the establishment of a Safety Fund on the basis of working paper A37-WP/239 presented by the Council of ICAO and setting out the objectives of the Fund and the purposes of its creation.

1.2 SAFE assistance will be used principally to remedy or mitigate safety-related deficiencies identified through the ICAO Universal Safety Oversight Audit Programme Continuous Monitoring Approach (USOAP-CMA) as an element of the Global Aviation Safety Plan (GASP). Emphasis will be put on providing sustainable solutions through the provision of assistance to regional or sub-regional groupings of States.

1.3 A SAFE website will be established to provide information about projects and their progress. Regular reports on the performance of the Fund will be posted on this website, which will be accessible to the Council Representatives. This will allow the Council to monitor the activities of the SAFE. In addition, the Council will be informed of any funded project that is at risk.

1.4 Delegations expressed support for the establishment of SAFE and noted that establishing the SAFE will not impose any costs on the Regular Programme Budget of the Organization. The Assembly consequently adopted resolution 75/1. The text of the resolution which was renumbered A37-16 is reproduced here below.

1.5 Resolution A37-16 encourages all ICAO Member States, international organizations and public and private parties associated with international civil aviation to contribute to the development of the SAFE.

Resolution A37-16: The Safety Fund (SAFE)

Whereas under Article 44 of the *Convention on International Civil Aviation* the aims and objectives of ICAO inter alia are to foster planning and development of international air transport so as to ensure the safe and orderly growth of international civil aviation, meet the needs of the people of the world for safe, regular and economical air transport, and promote safety of flight in international air navigation;

Whereas Articles 69 to 76 of the Convention provide that the Council may make arrangements as appropriate with a view to finding means for the improvement of air navigation facilities of Contracting States as required so as to ensure safe, regular, efficient and economical operation of international air services;

Whereas, under Article 70 of the Convention, the Council may, in the circumstances arising under the provision of Article 69, make arrangements with Contracting States relating to the financing of air navigation facilities;

Considering that, in some cases, Contracting States may not have access to the necessary resources for improvements to their air navigation facilities, in particular for the remedy of safety-related deficiencies identified through the ICAO Universal Safety Oversight Audit Programme (USOAP);

Whereas most developing States experience difficulties in gaining access to many financial market sources, particularly foreign capital markets, for funding their airport and air navigation services infrastructure, including safety-related components of that infrastructure;

Whereas the High-level Safety Conference (HLSC) 2010 identified several States and regions of the world that are in need of assistance in the development of sustainable levels of aviation safety, and particularly in the development of funding models that would guarantee sustainability in the provision of infrastructure and services for adequate air transport activity;

Whereas the HLSC 2010 made a recommendation that ICAO should work with States and Regional Organizations requiring assistance to develop appropriate funding models to ensure the sustainable provision of infrastructure and services based on the level of activity for adequate air transport activity;

Whereas the Council decided to establish the Safety Fund (SAFE) with the objective of improving the safety of civil aviation through the use of a performance-based approach which will limit administrative costs and will not impose any costs on the Regular Programme Budget of the Organization, while ensuring that voluntary contributions to the fund are used in a responsible, useful and timely manner;

The Assembly:

1. *Expresses appreciation* to Contracting States and international organizations for their contributions to ICAO Funds associated with improving the safety of civil aviation;
2. *Urges* Contracting States, international organizations and public and private parties associated with international civil aviation to make voluntary contributions to SAFE;
3. *Requests* that the Council support the smooth functioning of the SAFE through consistent monitoring of progress made by the SAFE in funding safety-related projects; and
4. *Requests* that the Council make every effort to attract contributions to the SAFE from States and other contributors.

1.6 In taking action on the Assembly Resolution, the Secretariat is currently investigating ways and means to encourage States to contribute towards the SAFE Fund.