



ACAC/ICAO Seminar/Workshop on Regional Safety Oversight Programmes
(Rabat, Morocco, 10-12 December 2012)



SUMMARY OF DISCUSSION

1. INTRODUCTION

1.1 The ACAC/ICAO Seminar/Workshop was successfully held in Rabat, Morocco, 10-12 December 2012. Thirty six (36) participants from 9 States (Egypt, Libya, Mauritania, Morocco, Oman, Saudi Arabia, Sudan, UAE and Yemen) and 7 Organizations (ACAC, Boeing, CASSOA, COSCAP-GS, EASA, ICAO and IFALPA) have attended the Seminar/Workshop. The list of participants is at **Attachment A** to this Summary of Discussion.

2. CONCLUSIONS

2.1 The Seminar/Workshop recognized that:

2.1.1 Several ACAC/ICAO MID member States:

- have not yet been able to establish a satisfactory national safety oversight system and/or an accident and incident investigation system;
- do not have the required human, technical and/or financial resources to adequately perform safety oversight; and
- may not have access to the necessary resources for the remedy of safety-related deficiencies identified through the ICAO Universal Safety Oversight Audit Programme (USOAP).

2.1.2 Safety oversight needs are significant in the region, despite some encouraging recent improvements.

2.1.3 The conduct of an accident investigation requires participation by experts from many specialized technical and operational fields and access to specially equipped facilities for investigation.

2.1.4 The USOAP findings related to accident and incident investigations, in several States, have been associated, in general, with a lack of resources (both human and financial), lack of appropriate legislation and regulations, lack of an organization for the investigation of accidents and incidents, lack of a training system for investigators, lack of equipment to conduct investigations and/or lack of policies, procedures and guidelines for accident and incident investigations.

2.1.5 Cooperation does not threaten national sovereignty and builds regional solidarity.

2.1.6 The establishment of regional/sub-regional aviation safety and/or safety oversight organizations (e.g. Regional Safety Oversight Organization – RSOO; Regional Accident and Incident Investigation Organization – RAIO) has proved to be an effective and viable solution in some regions of the world.

ACAC/ICAO RSOP Seminar/Workshop
Summary of Discussion

2.1.7 The establishment of regional/sub-regional aviation safety and/or safety oversight organizations cannot be achieved via a "one-size-fits-all" approach.

2.1.8 Local circumstances provide justification for the establishment of regional/sub-regional aviation safety and/or safety oversight organizations, with a number of common elements to the majority of States.

2.1.9 The establishment of regional/sub-regional aviation safety and/or safety oversight organizations offers significant added value in terms of capabilities, long-term sustainability and self-sufficiency.

2.1.10 Before the establishment of a regional/sub-regional aviation safety and/or safety oversight organization, States must take a number of decisions regarding the type of organization they want to create in terms of mandates, sources of funding, membership, etc.

2.1.11 Establishing a regional/sub-regional aviation safety and/or safety oversight organization requires careful and efficient phasing.

2.1.12 One of the most important steps in establishing an RSOO is to carefully and clearly define the roles and functions between the States' national and regional safety oversight systems.

2.1.13 The RSOOs activities could be:

- ✓ technical assistance, capacity building;
- ✓ regulatory, enforcement powers;
- ✓ rulemaking powers; and/or
- ✓ harmonization, standardization, mutual recognition.

2.1.14 The establishment of a regional/sub-regional aviation safety and/or safety oversight organization should be based on a study/cost benefit analysis which takes into consideration, inter-alia, the level of aviation activities in the member States, the common findings (USOAP lack of Effective Implementation), the stakeholders' needs, Member States' strengths, weaknesses, opportunities and threats as well as the sources for a sustainable funding.

2.1.15 The involvement of the industry in the establishment process of regional/sub-regional aviation safety and/or safety oversight organization(s) is crucial, especially if a regional approach is going to involve elimination of national differences in regulatory requirements. The process however should not be industry driven and at the end the Member States should be ready to exert their responsibilities.

2.1.16 Political will, commitment, funding, sustainability and pragmatism are crucial for the success of establishing a regional/sub-regional aviation safety and/or safety oversight organization.

2.1.17 Institutional as well as technical, financial and legal considerations need to be taken into account when planning the establishment of a regional organization. Practical experiences show however that solutions can be found even in politically difficult environments, if pragmatic approach and focus on safety issues prevails.

ACAC/ICAO RSOP Seminar/Workshop
Summary of Discussion

- 2.1.18 RSOOs/RAIOs could assist States in the process of establishment of SSP and provide economies of scale in processing and storing safety information.
- 2.1.19 RAIO helps achieving functional independence of investigations.
- 2.2 The study related to the establishment of regional/sub-regional aviation safety and/or safety oversight organizations for the benefit of the ACAC and ICAO MID member States could be developed under the ACAC umbrella (legal framework).
- 2.3 ICAO supports the transition of less formalized legal forms and institutional structures such as the COSCAPs, to more institutionalized RSOOs established on the basis of formal legal agreements.
- 2.4 The phased approach for the establishment of RAIO proposed by UAE and endorsed by the RASG-MID should be considered for the development of a Strategy on Regional Accident and Incident Investigation System.
- 2.5 The Seminar/Workshop appreciated the valuable contributions and sharing of experience of Sudan (the 7 partner States initiative) and UAE as well as Boeing, CASSOA, COSCAP-GS, and EASA.
- 2.6 Sudan re-iterated its commitment to move forward with the establishment of the 7 partner States initiative and called upon ICAO to help expediting the implementation of the initiative.
- 2.7 The Seminar/Workshop developed Draft Strategies for the establishment of RSOOs and RAIOs as at **Appendices A and B**, respectively.
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APPENDIX A

**STRATEGY FOR THE ESTABLISHMENT OF REGIONAL/SUB-REGIONAL
AVIATION SAFETY AND/OR SAFETY OVERSIGHT ORGANIZATIONS
FOR THE ACAC AND ICAO MID MEMBER STATES**

Whereas safety continues to be the first strategic objective of ICAO;

Whereas ensuring the safety of international civil aviation is also the responsibility of Contracting States both individually and collectively;

Whereas in accordance with Article 37 of the Convention on International Civil Aviation each Contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulation, standards, procedures and organization in relation to aircraft, personnel, airports, airways and auxiliary services in all matters in which uniformity will facilitate and improve air navigation;

Whereas the improvement of the safety of international civil aviation on a worldwide basis requires the active collaboration of all stakeholders;

Whereas the Convention and its Annexes provide the legal and operational framework for Contracting States to build a civil aviation safety system based on mutual trust and recognition, requiring that all Contracting States implement the SARPs as far as practicable and adequately perform safety oversight;

Whereas the results of the Universal Safety Oversight Audit Programme (USOAP) indicate that several Contracting States have not yet been able to establish a satisfactory national safety oversight system;

Whereas Assembly Resolution A37-8, inter-alia, promotes the concept of regional cooperation for the purpose of enhancing safety and safety oversight, including the establishment of regional safety oversight organizations;

Whereas ICAO supports the transition of less formalized legal forms and institutional structures of, for instance, the COSCAP, to more institutionalized RSOOs established on the basis of formal legal agreements;

Recognizing that not all Contracting States have the requisite human, technical and financial resources to adequately perform safety oversight;

Recognizing that the volume of air transport operations is expected to increase significantly in the coming years;

Recognizing that the establishment of sub-regional and regional aviation safety and safety oversight bodies, including regional safety oversight organizations, has great potential to assist States in complying with their obligations under the Chicago Convention through economies of scale and harmonization on a larger scale;

Recognizing that regional safety oversight organizations (RSOOs) have an important role in the USOAP CMA;

Recognizing that the assistance available to Contracting States experiencing difficulties in correcting deficiencies identified through the safety oversight audits would be greatly enhanced by coordination amongst all Contracting States, ICAO and other concerned parties in civil aviation operations;

Recognizing that regional safety oversight systems provide economies of scale by allowing for the sharing of required resources and providing administrative savings by sharing costs that would otherwise be prohibitive given an individual State's resources;

Considering the guidance material contained in the ICAO Doc 9734 Part B "Establishment and Management of a regional Safety Oversight System";

Considering the ACAC General Assembly Decision 4/16 related to the study on the establishment of the Arab RSOO; and

The Strategy for regional cooperation for the purpose of enhancing safety and safety oversight capabilities of the ACAC and ICAO MID member States is detailed below:

Based on the agreement in principle to cooperate towards the establishment of Regional Safety Oversight Organizations (RSOOs):

- 1) States are urged to develop and further strengthen regional and sub-regional cooperation in order to promote the highest degree of aviation safety;
- 2) States are encouraged to foster the creation of regional or sub-regional partnerships to collaborate in the development of solutions to common problems to build State safety oversight capability, and to participate in, or provide tangible support for, the strengthening and furtherance of sub-regional and regional aviation safety and safety oversight bodies, including regional safety oversight organizations;
- 3) States are encouraged to establish partnerships with other States, industry, air navigation service providers, financial institutions and other stakeholders to strengthen safety oversight capabilities, in order to better discharge State responsibilities and foster a safer international civil aviation system;
- 4) ICAO is to provide assistance, when required, for the establishment of sub-regional and regional aviation safety and safety oversight bodies, including the development of a framework for the expeditious establishment of such organization;
- 5) a step by step approach should be followed for the establishment of regional/sub-regional aviation safety and safety oversight organizations;
- 6) the ACAC decision to conduct a study on " Establishment of RSOO " should be supported. The scope of the study should include, inter-alia, the following:
 - a) identify available capabilities, common findings and priorities and propose possible scenarios for the establishment of sub-regional aviation safety or safety oversight organizations with a logical grouping of States;
 - b) identify the activities to be covered under the sub-regional aviation safety or safety oversight organizations as well as the level and timelines for the transfer of such functions to the sub-regional organizations;

- c) develop detailed frameworks that are well-defined in terms of purpose, objectives, activities, expected results or outcomes, result indicators, resources, sustainable funding, economy of scale, etc, related to the establishment of effective regional/sub-regional safety and/or safety oversight organizations; and
- d) the outcome of the study should be submitted to the ACAC Executive Committee and DGCA-MID for their review and agreement on the way forward.

APPENDIX B

**STRATEGY FOR THE ESTABLISHMENT OF RAIOS
FOR THE ACAC AND ICAO MID MEMBER STATES**

Whereas it is incumbent on the State in which an accident occurs to institute an inquiry into the circumstances of the accident in conformity with Article 26 of the Convention;

Whereas Assembly Resolution A36-10, inter-alia:

- urges Contracting States to undertake every effort to enhance accident prevention measures, particularly in the areas of personnel training, information feedback and analysis and to implement voluntary and non-punitive reporting systems, so as to meet the new challenges in managing flight safety, posed by the anticipated growth and complexity of civil aviation;
- urges Contracting States to cooperate with ICAO and other States in a position to do so, in the development and implementation of accident prevention measures designed to integrate skills and resources to achieve a consistently high level of safety throughout civil aviation;

Whereas, owing to the growing sophistication and complexity of modern aircraft, the conduct of an accident investigation requires participation by experts from many specialized technical and operational fields and access to specially equipped facilities for investigation;

Whereas many Contracting States do not have such specialized technical and operational expertise and appropriate facilities;

Whereas the costs of salvage and investigation of major aircraft accidents may place a heavy financial burden on the resources of the State where the accident occurred;

Whereas Assembly Resolution A37-15 (Appendix U), recommends that Contracting States cooperate in the investigation of major aircraft accidents or accidents in which the investigation requires highly specialized experts and facilities;

Whereas, the ICAO Universal Safety Oversight Audit Programme (USOAP) audit findings indicate that a number of States have not been able to implement an effective accident and incident investigation system for their aviation activities;

Recognizing that the USOAP findings have been associated, in general, with a lack of resources (both human and financial), lack of appropriate legislation and regulations, lack of an organization for the investigation of accidents and incidents, lack of a training system for investigators, lack of equipment to conduct investigations and lack of policies, procedures and guidelines for accident and incident investigations;

Recognizing that combined with the expected increase in air transport operations, the relatively unchanged trend in the accident rate over the past several years might lead to an increase in the number of accidents per year;

Recognizing that there are many challenges to effective accident prevention, and that more effective identification and correction of aviation hazards and system deficiencies are required in order to complement regulatory efforts in further reducing the number of worldwide accidents and to improve the accident rate;

Recognizing that a regional investigation system can provide economies of scale by allowing for the sharing of required resources, and that by working together States of a region or sub-region can have a more persuasive voice on the world stage and can help secure a more favorable climate aimed at a safer international air transportation system;

Acknowledging that during the last AIG Divisional Meeting (2008) several States highlighted that, in regions where individual States do not have investigation capability, implementing a regional accident and incident investigation organization (RAIO) would ensure the effectiveness of investigations, reinforce compliance with the provisions of Annex 13, and contribute to the enhancement of aviation safety;

Considering that it is important for States willing to establish a RAIO to formulate a strategy that is well-defined in terms of purpose, objectives, result indicators, and that prior to the establishment of a RAIO, States must commit to fully support it in all aspects, including the adoption of joint policies, procedures and adequate funding;

Recalling that a Model Agreement contained in ICAO Doc 9946–*Manual on Regional Accident and Incident Investigation Organization*, provides guidance for States when establishing a RAIO;

The Strategy for regional cooperation for the purpose of enhancing States' capabilities for accident and incidents investigation is detailed below:

Based on the agreement in principle (DGCA-MID/1 Conclusion 1/9) to move towards regional/sub-regional cooperation for AIG activities:

- 1) States are urged to develop and further strengthen regional/sub-regional cooperation for accidents and incidents investigation;
- 2) States are encouraged to establish or strengthen dialogue with established regional investigation-related bodies/mechanisms;
- 3) a phased approach should be followed for the implementation of regional/sub-regional cooperation for AIG activities, in accordance with the following :

Stage A:

Step 1: Each State should determine its investigation-related competencies and share this information with other involved States, including:

- Premises – offices, work-spaces, wreckage storage and examination areas;
- Investigators – qualifications, experience, specialized skills;
- Equipment – flight recorder readout and analysis facilities; field investigation equipment; engineering and scientific capabilities, wreckage and systems examination and analysis (e.g. metallurgy, electronics, composites);

- Other organizations and facilities that have competencies to assist the State in its investigations, such as, research institutions, commercial companies and subject-matter experts.

Step 2: Establish a list of investigators, equipment and other organizations that States might utilize in investigations;

Step 3: Organize and host meetings, seminars/workshops to address issues associated with AIG activities aiming, among others, to improve regional coordination;

Step 4: Consider establishing a common training programme for the member States' investigators, taking into consideration the ICAO Circ 298, Training Guidelines for Aircraft Accident Investigators; and

Step 5: Interested States will consider moving to the next Stage.

Stage B:

Step 1: Consider MOUs between States regarding support in investigations;

Step 2: Establish a taskforce to determine, among others, the legal, institutional and financial aspects, including the conduct of investigations as per ICAO Annex 13, in regional investigation systems;

Step 3: Interested States will determine whether to move ahead to the next Stage

Stage C:

Step 1: Establish a regional investigation system(s) taking in due account ICAO Doc 9946, Manual on Regional Accident and Incident Investigation Organization.

- 4) The progress of the implementation of the phased approach should be reported to the appropriate RASG.
- 5) States should agree on timelines for the implementation of the 3 aforementioned stages, including the final decisions related to legal, institutional and financial aspects related to the establishment of RAIO(s).



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(Rabat, Morocco, 10-12 December 2012)

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