



ASSEMBLY — 36TH SESSION

TECHNICAL COMMISSION

Agenda Item 25: Follow-up of the DGCA/06 Conference on a Global Strategy for Aviation Safety

PROGRESS REPORT ON THE IMPLEMENTATION OF THE DGCA/06 RECOMMENDATIONS

(Presented by the Council of ICAO)

ADDENDUM NO. 1

1. INTRODUCTION

1.1 This addendum presents information on the action taken by the Council on Recommendation 3/1 d) 3) of the Directors General of Civil Aviation Conference on a Global Strategy for Aviation Safety (DGCA/06) after A36-WP/63 was published.

2. FOLLOW-UP ACTIONS BY ICAO

2.1 DGCA/06 was held at ICAO Headquarters from 20 to 22 March 2006. Among the outcomes of the conference was Recommendation 3/1 d) 3) which called for ICAO to consider improvements in the process of developing and adopting Standards and Recommended Practices by “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 and should be changed into Recommended Practices or removed from ICAO Annexes and turned into guidance material”. On 15 June 2006, the Council agreed with this recommendation and directed the Air Navigation Commission to study means of implementation.

2.2 The Commission studied the subject and presented its recommendations to Council on 20 June 2007, having concluded that identifying a set of safety critical Standards for which notifying differences would be acceptable only exceptionally could be misleading and counter-productive. However, the Commission identified measures that could be taken to meet the intent of the DGCA/06 recommendation. The Council agreed to establish a small multi-disciplinary working group to study the issue further from practical, technical, legal, economic and policy implication standpoints and recommend a course of action for the Council. The multi-disciplinary working group identified a need to address the issue from a broader perspective and developed, on the basis of the initial proposal of the Air Navigation Commission, the following problem statement and terms of reference for future work on the subject.

2.3 **Problem Statement:** Universal Safety Oversight Audit Programme (USOAP) audits have confirmed a significant level of non-compliance with Standards and Recommended Practices (SARPs). Most of the 11 000 SARPs contained in the ICAO Annexes are prescriptive in nature and provide little flexibility with respect to their application. The remaining SARPs, generally the most recent ones, are performance-based. Every SARP has an impact on the safety, security, regularity and/or efficiency of international air navigation. However, the absence of an explicit hierarchy between the various safety Standards adds to the difficulties of prioritization and implementation, especially for States with limited resources. In addition, the Convention makes it possible for States to deviate from Standards provided that they file differences to ICAO, potentially undermining global safety, harmonization and the principle of mutual recognition.

2.4 **Terms of Reference for future action:** In order to address the issue raised in the problem statement above, the ICAO Council shall:

- a) review the adequacy of ICAO safety-related provisions in relation to the current needs of Contracting States, taking into account their various levels of aviation activities and capabilities to implement these provisions;
- b) determine when performance-based or prescriptive provisions are appropriate;
- c) review what constitutes a difference and develop the concept of acceptable means of compliance especially with regard to performance-based provisions;
- d) review the principle and process of when and how to formulate ICAO provisions; and
- e) assess how the Global Aviation Safety Plan (GASP) and its associated metrics can complement and support the ICAO provisions and the States' safety regulatory framework.

2.5 On 5 September 2007, the Council reviewed the proposal of the multi-disciplinary working group and directed the Air Navigation Commission to propose, during the 182nd Session of the Council, a plan on how to further progress the task based on the recommendation of the multi-disciplinary working group and Council comments thereon.