



DIRECTORS GENERAL OF CIVIL AVIATION-MIDDLE EAST REGION

Second Meeting (DGCA-MID/2) (Jeddah, Saudi Arabia, 20-22 May 2013)

Agenda Item 6: Aviation Safety

OUTCOME OF THE SEMINAR/WORKSHOP ON REGIONAL SAFETY OVERSIGHT PROGRAMMES

(Presented by the Secretariat)

SUMMARY

This paper presents the benefits of establishing a Regional Safety Oversight Organization (RSOO) in the MID Region, which will contribute to strengthening safety oversight capabilities both at the level of the State and the region. The paper also studies factors that need to be considered in the establishment of an RSOO for the MID Region.

Action by the meeting is at paragraph 3.

1. INTRODUCTION

1.1 The DGCA-MID/1 Meeting held in Abu Dhabi, UAE from 22 to 24 March 2011, through Conclusion 1/9, invited States to cooperate towards the establishment of Regional Safety Oversight Organizations (RSOOs) and Regional Accident and Incident Investigation Organizations (RAIOs), in order to strengthen safety oversight capabilities and solve common safety-related deficiencies, in an effective, cooperative and sustainable manner.

1.2 As a follow-up action to the DGCA-MID/1 Conclusion 1/10, an ACAC/ICAO Seminar/Workshop on regional safety Oversight Programmes was held in Rabat, Morocco, from 10 to 12 December 2012, for the purpose of addressing the technical, institutional and financial aspects related to regional/sub-regional safety oversight organizations. Thirty six (36) participants from nine (9) States (Egypt, Libya, Mauritania, Morocco, Oman, Saudi Arabia, Sudan, UAE and Yemen) and seven (7) Organizations (ACAC, Boeing, CASSOA, COSCAP-GS, EASA, ICAO and IFALPA) attended the Seminar/Workshop.

2. DISCUSSIONS

2.1. It is widely considered that, as stated in ICAO Doc 9734, *Safety Oversight Manual*, Part B, *The Establishment and Management of a Regional Safety Oversight Organization*, an RSOO can be an effective mean of rectifying safety deficiencies and strengthening safety oversight capabilities, by way of shared resources, objectives, strategies and activities. As discussed at the Symposium on RSOOs held in October 2011, at ICAO Headquarters in Montréal, Canada, an RSOO can provide benefits that include economies of scale and significant cost-savings, derived from the sharing or pooling scarce resources in a region. Other benefits include the harmonization and/or standardization of regulations and best practices and the collective resolution of common safety concerns in the region and better collaboration of matters relating to civil aviation through regional integration.

2.2. However, it has already been demonstrated that the extent to which an RSOO is effective is dependent on the degree of commitment of its member States, and the extent to which careful consideration has been given in its development, particularly in respect to funding. The most practical and cost-efficient way to establish a sustainable RSOO is to base it on already existing groupings of States, whether they are economic, political or technical in nature.

2.3. Relevant factors should be taken into account during the establishment of an RSOO, in order to ensure that it effectively carries out its mandate and meets its objective. To that end, a comprehensive analysis should be carried out, with careful considerations given to the needs of its member States, the level of available resources, the scope of activities, the level of authority delegated by member States and the contribution to be made by already established agreements in the region.

2.4. The Summary of Discussion of the Seminar/Workshop on regional safety Oversight Programmes is at **Appendix A** to this working Paper. The Seminar/Workshop developed Draft Strategies for the establishment of RSOOs and RAIOS attached as **Appendices A** and **B**, respectively to the Summary of Discussion.

2.5. It's to be highlighted that the Seminar/Workshop agreed that ICAO should support the ACAC General Assembly Decision to conduct a study on the establishment of RSOO(s) to include a review of the legal, organizational and financial frameworks best suited for such an RSOO.

2.6. In accordance with the strategy for the establishment of RSOO(s) developed by the Seminar/Workshop, the study would have the following scope:

- a) identify available capabilities, common findings and priorities and propose possible scenarios for the establishment of sub-regional safety or safety oversight organizations with a logical grouping of States;
- b) identify the activities to be covered under the sub-regional safety or safety oversight organizations as well as the level and timelines for the transfer of each function to the sub-regional organizations; and
- c) develop detailed frameworks in terms of purpose, objectives, activities, expected results or outcomes, resources, sustainable funding, economy of scale, etc., to ensure the establishment of effective regional/sub-regional safety and/or safety oversight organizations.

2.5 The study will result in well-defined legal, organizational and financial frameworks for the RSOO(s) and a work plan for its/their establishment, with clear deliverables and timelines, should it be agreed to proceed with the proposal.

3. ACTION BY THE MEETING

3.1 The meeting is invited to:

- a) review the information presented in this paper;
- b) review, amend as necessary and endorse the Draft Strategies for the establishment of RSOO(s) and RAIO(s);
- c) agree to the conduct of a study on the establishment of RSOO(s) for the ACAC and ICAO MID Region member States; and
- d) urge States to contribute to and support the conduct of the study.

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).