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ASSEMBLY — 37TH SESSION

TECHNICAL COMMISSION

Agenda Item 25: Follow-up of the High-level Safety Conference (2010)

UNITED STATES PERSPECTIVES FROM THE 2010 HLSC: A PROPOSAL FOR RESPONDING EFFECTIVELY TO IDENTIFIED SAFETY ISSUES

(Presented by the United States)

EXECUTIVE SUMMARY

Standards and Recommended Practices (SARPs) are an indispensable tool in perpetuating global harmonization of State-wide civil aviation rules. Of fundamental importance is the inception of a universally accepted Standard, which is driven in large part by the experiences and recommendations of States. The intention of this paper is to encourage the formation of Standards that rely on the experience of States as described above, and to ensure the necessity and viability of potential SARPs before their introduction in the global community. The ICAO High-level Safety Conference (HLSC) held in March 2010 was a welcome opportunity for States to come together and seek resolutions to safety issues of international concern. It is important to stress all proposed Procedures, Recommended Practices or Standards that are distributed by State letter for review and comment be carefully reviewed and responses sent back to ICAO. This is the only way to determine if the proposals are genuinely supported by Member States, are data-driven and carry a definitive safety benefit.

The United States urges ICAO and States to support proposals for future SARPs that are based in large part on the collective experiences and recommendations of States, with reliance on the principles described above.

Strategic Objectives:	This working paper relates to Strategic Objectives A, D and F.
References:	A37-WP/73 A37-WP/81 A37-WP/103 A37-WP/107 A37-WP/114 Doc 9935, *Report of the High-level Safety Conference (2010)* State letter AN 12/53.1-10/56

1.   **FOLLOWUP TO THE HIGH-LEVEL SAFETY
       CONFERENCE (HLSC)**

1.1   The United States greatly appreciated the opportunity offered at the 2010 High-level Safety Conference (HLSC) for Member States and ICAO to discuss future mechanisms for safety oversight, programmes to proactively monitor this oversight, opportunities for States and ICAO to share information from these programmes and the development of harmonized rules and processes to address specific safety issues.

1.2   The United States endorses the ideas set forth in Working Paper A37-WP/81 presented by Belgium on behalf of the European Union, which calls for the Assembly to prioritize safety initiatives based upon three main themes: *(a) Effective Implementation of the CMA; (b) Transparency of safety information; and (c) Responding effectively to identified safety issues*.

1.3   The United States expresses support for the transition to the continuous monitoring approach (CMA) in United States working paper (A37-WP/107) and outlines the United States' support for transparency in information sharing in A37-WP/103.

1.4   The purpose of this paper is to review and enhance the formation process for ICAO Standards and Recommended Practices (SARPS) to ensure the necessity, viability, completeness and adoptability of potential SARPs before they are introduced to the global community. The United States encourages data-driven SARP development, to ensure new Standards are technically feasible, economically viable, ensure a definitive safety benefit and have the potential for universal acceptance.

2.   **DISCUSSION**

2.1   **Responding effectively to identified safety issues**

2.1.1   When a safety issue has been identified, the integrated and international nature of the air transportation system demands cooperation, consensus, compliance and commitment on behalf of all stakeholders so that safety issues can be expeditiously, efficiently and effectively resolved.

2.1.2   As occurred at the HLSC, recommendations may be made wherein a safety issue could be best resolved through the addition or amendment of a SARP. Prevalent safety concerns such as pilot training Standards, surrendered type certificates and search and rescue programmes were all introduced at the HLSC with the intention of bringing attention to SARPs that may need to be changed in order to adequately address the concern. However, before any decision is made regarding future amendments or additions to accepted international Standards, multilateral cooperation and consensus are the fundamental tenants of any decision to act on these proposals.

2.1.3   The United States endorses the working paper presented by New Zealand "Making New Standards and Recommended Practices; Impact Assessment" (A37-WP/114) and urges ICAO and States to agree to the proposed guidelines set forth by New Zealand in determining the impact and necessity of future SARPs.

2.2   **Safety initiatives from recent accidents — Achieving a
         harmonized response**

2.2.1   As States move to a system increasingly dependent on data analysis and risk assessments
in prevention of incidents and accidents, the international aviation community will continue to rely on the
lessons learned from the incidents and accidents. As these lessons are used to incorporate necessary
changes into State regulatory and safety oversight systems, the United States stresses the importance of
incorporating the principles of safety risk management and safety assurance to ensure that such changes
are driven by data and focused where the greatest safety benefit is attained.

2.2.2   The United States strongly supports efforts to harmonize equipage Standards within the
international regulatory community. As the air transportation system increases in complexity, Standards
must be adapted to reflect the new technologies and operational realities introduced into this system.
Standards must be developed in concert with the principles described above and States must work
collaboratively to harmonize national legislation in an international scheme. States that have developed
Standards within their own regulatory and safety oversight systems are encouraged to share their
collective experiences on implementation and recommendations with ICAO in order to enable ICAO to
effectively move forward with a global Standard, which all other States may adopt in accordance with
their own unique operating environment. To that end, effective coordination amongst stakeholders in
advance of approval of new SARPs supports their universal adoption and is encouraged in order to
facilitate inclusion in a State's system. As described in New Zealand A37-WP/114:

> "The advent of the comprehensive systems approach to the Universal Safety
> Oversight Audit programme, with its requirement for maintenance of
> Compliance Checklists, has resulted in a significant increase in the number of
> differences being filed by States under Article 38. This level of non-compliance
> implies that some ICAO SARPS may not be appropriate and may need to be
> reconsidered so that they meet the needs of States and the aviation sector.
> Rigorous impact assessment before a SARP is made can ensure that there will
> not be a problem in its implementation."

2.3   **Safety initiatives from recent accidents:
         Responding to AF 447**

2.3.1   The loss of Air France Flight 447 was tragic, not only in loss of life but in loss of
opportunity to fully uncover the cause(s) of the accident. The recommendations made in the *Report of the
High-level Safety Conference (2010)* (Doc 9935) regarding future equipage mandates (i.e., flight
recorders and underwater locator beacons) are important to consider to prevent future loss of aircraft
accident data of this magnitude.

2.3.2   The status of these HLSC Recommendations, specifically regarding Topic 3.2: *Safety
Initiatives from Recent Accidents*, has been outlined in "*Report on the Implementation of the HLSC 2010
Recommendations on Topic 3.2 (Safety Initiatives Arising from Recent Accidents)*" (A37-WP/73). The
United States appreciates the work completed thus far by the ICAO Council as outlined in A37-WP/73.
The United States now encourages States to carefully study the proposed actions in A37-WP/73 and
consider the impact of these actions on their operating system.

2.3.3   The advanced technologies that are discussed in A37-WP/73 have not yet been
incorporated in the national Standards of any State. The proposals are still in the exploratory stages, as the
aviation industry is still developing sufficient equipment design Standards and guidance material. States

are encouraged to comprehensively evaluate the practical aspects of implementation for any new technologies in aircraft design, both from a data-driven and cost-benefit perspective.

2.3.4   The United States has begun evaluating a number of the emerging technologies mentioned in A37-WP/73 and will be responding to ICAO State letter AN 12/53.1-10/56 to provide the ICAO Secretary General an update on the status and feasibility of operational implementation in the United States to address the HLSC recommendations (specifically those under Topic 3.2).

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