International Civil Aviation Organization

WORKING PAPER

ASSEMBLY — 36TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 12: **Progress report on the implementation of the ICAO Unified Strategy Programme (USP)**

PROGRESS REPORT ON THE IMPLEMENTATION OF THE
ICAO UNIFIED STRATEGY PROGRAMME (USP)

(Presented by the Council of ICAO)

EXECUTIVE SUMMARY

Pursuant to Assembly Resolution A35-7, *Unified strategy to resolve safety-related deficiencies*, this paper presents a progress report on the implementation of the ICAO Unified Strategy Programme (USP), addressing actions taken since the 35th Session of the Assembly. The report focuses on activities carried out under the USP with respect to assistance to States and regional safety oversight systems, including Regional Safety Oversight Organizations, the sharing and exchange of safety information, transparency, partnership and alliances, and action taken in relation to States that might be reported under Article 54 j) of the Chicago Convention as having significant compliance shortcomings with respect to safety-related SARPs. A new Assembly Resolution is proposed to supersede Resolution A35-7 in light of the decision by Council to establish a system for the provision of data concerning aircraft registered in a State, in accordance with Article 21 of the Convention. In addition, since this paper also refers to the action taken by the Secretary General to combine the USP with the Coordinated Assistance and Development (CAD) Programme into a single Implementation Support and Development (ISD) Programme, a new resolution is proposed on the implementation of the safety-related part of the ISD Programme.

Action: The Assembly is invited to:
a) call on States to support the Programme as requested, with respect to the secondment of personnel and the provision of other forms of technical support;
b) direct the Council to strengthen the Implementation Support and Development (ISD) Programme by allocating the resources within the Organization needed by the Programme;
c) request the Council to report to the next ordinary session of the Assembly on the overall implementation of the Programme;
d) adopt the draft resolution to amend and supersede Assembly Resolution A35-7 relating to the provision of data concerning aircraft registered in a State, in accordance with Article 21 of the Convention; and
e) adopt the draft resolution on the Implementation Support and Development (ISD) Programme.

Strategic Objectives:	This working paper relates to Strategic Objective A by assisting States to resolve safety-related deficiencies through regional remedial plans and the establishment of safety oversight systems at the regional and sub regional level. It also relates to this Objective by encouraging the exchange of information between States to promote mutual confidence in the level of aviation safety and accelerate the improvement of safety oversight. In addition, States are assisted in the improvement of safety through technical cooperation programmes and by making critical needs known to potential stakeholders, to include donor States and organizations, and financial bodies.

Financial implications:	No additional resources are required under the regular programme budget. The programme is to be implemented primarily through the re-allocation of resources within the Organization and voluntary funding. In addition, States have been requested to provide support in way of the secondment of personnel and, if required, may be requested for other forms of technical support in order to contain costs within budgeted levels.
References:	Doc 9866, *Report of the Directors General of Civil Aviation Conference on a Global Strategy for Aviation Safety* Doc 9848, *Assembly Resolutions in Force (as of 8 October 2004)* Doc 7300, *Convention on International Civil Aviation* State letter AN 11/41-05/87

1. **INTRODUCTION**

1.1 **Resolution A35-7:** *Unified strategy to resolve safety-related deficiencies*

1.1.1 Pursuant to Resolution A35-7, this paper reports on the progress made in the implementation of activities carried out under the USP since the last Assembly, particularly in relation to assistance to States and regional safety oversight systems, the sharing and exchange of safety information, transparency, and partnership and alliances. The report also contains an update on action taken with respect to States that might be reported under Article 54 j) of the *Convention on International Civil Aviation* (Doc 7300).

1.1.2 In addition, this paper reports on the progress made in the implementation of a system for States to share pertinent data concerning aircraft registered in other States pursuant to Article 21 of the Convention concerning the transmission to ICAO of pertinent data on the ownership and control of aircraft registered in that State and habitually engaged in international air navigation. A draft resolution to supersede Resolution A35-7, including the actions needed by Contracting States in support of the implementation of this system, is presented in the appendix to this paper.

2. **PRESENTATION OF PROGRAMME ACTIVITIES**

2.1 **Assistance to States and the promotion of the establishment of Regional Safety Oversight Systems**

2.1.1 Under the USP, assistance missions were undertaken by the Cooperative Development of Operational Safety and Continuing Airworthiness Programmes (COSCAP) for the Banjul Accord Group of States (COSCAP-BAG) to both Liberia (October 2006) and Sierra Leone (January 2007). In addition, a fact finding mission (17 to 19 April 2007) was carried out by staff from Headquarters and the ICAO Eastern and Southern African Regional Office (ESAF) to Djibouti, for the purpose of verifying safety oversight arrangements for Djibouti-registered aircraft, and following up on requests for assistance. Supporting activities undertaken in relation to regional safety oversight systems, such as the COSCAPs, include the provision of technical direction in accordance with the Council's decision. Under the USP, ICAO staff attended the Steering Committee Meeting of COSCAP-BAG (19 to 21 March 2007), and assisted in finalizing arrangements for the provision of Government Safety Inspector Training to both COSCAP-BAG and COSCAP Economic and Monetary Union of West Africa (UEMOA). Also, advice has been provided for the last two years to the Pacific Aviation Safety Office (PASO), including a two-week mission in support of the development and implementation of their action plan.

2.2   **Flight Safety Information Exchange (FSIX)**

2.2.1   The Flight Safety Information Exchange Database (FSIX) was developed in accordance with Assembly Resolution A35-7, to facilitate the exchange and distribution of safety-related information and encourage transparency. It was launched during the Directors General of Civil Aviation Conference on a Global Strategy for Aviation Safety (DGCA/06) in March 2006 by publicly posting reports of safety oversight audits of States that had provided ICAO consent for their release. As of 5 June 2007, eighty-seven States have provided ICAO consent for the release of audits results conducted under the first cycle (1999-2004) and nine States have provided similar consent pertaining to audits conducted under the comprehensive systems approach. By March 2008, all States are expected to consent to the release of their audit results, which subsequently will be posted on the FSIX.

2.2.2   Other forms of safety-critical information on the FSIX include a list published by Ukraine of Antonov aircraft that are no longer considered to be airworthy, and notifications of de-registered aircraft from Togo and the Democratic Republic of the Congo. The FSIX also offers an effective means for States to download ICAO guidance material, safety-related tools and regulatory materials developed by other States. In addition, the website provides direct links to several State websites dedicated to aviation regulation and aircraft registration. The volume of traffic on the FSIX is continuously being monitored and current statistics indicate a steadily growing number of visitors. By May 2007, this number had reached 73 000.

2.3   **Transparency of safety-related information**

2.3.1   Under Article 54 j) of the Chicago Convention, any infraction of the Convention as well as any failure to carry out the recommendations or determinations of the Council shall be reported to all Contracting States. In response to Assembly Resolution A35-7, a procedure for transparency and disclosure regarding significant compliance shortcomings with respect to safety-related Standards and Recommended Practices (SARPs) was approved by the Council at its 175th Session in June 2005, and disseminated to States in August of that year (State letter AN 11/41-05/87). Subsequently, the Secretary General established an Audit Results Review Board (ARRB) to determine the action to be taken either in providing assistance in resolving deficiencies or referral to Council for deliberation. The first meeting of the ARRB was held on 7 March 2007. By May 2007, the safety status of fifteen States had been evaluated, and a number of States had been requested to address significant safety concerns. These States had also been advised that failure to address safety issues may lead to the application of Article 54 j).

2.4   **Establishment of partnerships and alliances**

2.4.1   Partnerships and alliances involve strategies for the provision of assistance and guidance to States and for aligning resources from different stakeholders and donors for this purpose. This relates to the need for ICAO to lead efforts in identifying critical aviation needs and matching those needs with the resources required for the rectification of deficiencies. In this area, PASO obtained funding from the Asian Development Bank (ADB) and the International Financial Facility for Aviation Safety (IFFAS) and the project will be monitored by ICAO. In addition, ICAO staff have actively participated in a project for the establishment of a harmonized regulatory framework for the implementation of Safety Management Systems (SMS) for nine States in South East Asia. The project entails close coordination between ICAO, European Aviation Safety Agency (EASA) and Airbus under the South East Asia Regional Initiative Forum (SEARIF).

2.5   **Aircraft registration information**

2.5.1   During the 177th Session of the Council, the establishment of a system that would provide pertinent aircraft registration data from States in accordance with Article 21 was proposed based

upon an Air Navigation Commission study of the subject. The Air Navigation Commission report outlined the safety case, legal basis and procedural framework for such a system. On 9 March 2006, the Council approved, in principle, the establishment of the system and requested the Secretary General to set forth implementation options and to draft rules governing the procedures and operation of such a system for consideration by the Council. The DGCA/06 Conference gave further support to the establishment of such a system (*Report of the Directors General of Civil Aviation Conference on a Global Strategy for Aviation Safety* (Doc 9866) Recommendation 2/1 c) refers).

2.5.2   On 5 December 2006, the Secretary General proposed implementation options and draft rules that would govern the procedures and operation of such a system to the Council. The Council supported the development of a system for the provision of data, in accordance with Article 21 and approved, in principle, the rules governing the system. It is expected that these rules will be finalized and published before the end of 2007. The Council recognized that all Contracting States would need to provide their pertinent aircraft data concerning aircraft registered in their States or the system would not yield the safety benefits envisioned. Appendix A to this paper contains a draft resolution to supersede Resolution A35-7, stressing the importance of Contracting States to provide their relevant aircraft registration data to ICAO for consideration by the Assembly. Pertinent data concerning aircraft registered in States will be made available by ICAO only to Contracting States on the FSIX website.

2.6   **Other activities**

2.6.1   Other activities where ICAO has participated under the USP include the Global Summit on Regional Safety Oversight (31 January to 4 February 2005, Washington D.C., United States), the Unified Strategy Seminar on Regional Cooperation and Safety Oversight (15 to 23 September 2005, Cairo, Egypt), the United States-Africa Air Transport Summit (31 October to 5 November, 2005, Miami, Florida, United States), the Think-Tank Meeting on Implementing the Global Aviation Safety Roadmap in Africa (24 to 26 January 2007, Washington D.C., United States) and the Development Forum for Maximizing Economic Contribution by Providing Safe, Secure and Sustainable Air Transport in African Skies (Addis Ababa, Ethiopia, 23 to 25 April 2007).

2.6.2   Another activity in which the programme has played a role is the development of the Comprehensive Regional Implementation Plan for Africa. The ICAO Council, on 5 December 2006, agreed that an Implementation Plan be developed. The objectives of the plan are to increase ICAO's leadership role in coordinating activities, initiatives and implementation strategies for sustained improvement of flight safety in the AFI Region. The programme has also been preparing a feasibility study on direct assistance to States and their air carriers.

3.   **FUTURE WORK**

3.1   Over the next triennium, ICAO will continue to facilitate the provision of assistance to States and regional safety oversight systems and strengthen its technical support for the COSCAPs. Further enhancements will be made to the FSIX, to include web pages dedicated to COSCAPs that are unable to design and maintain their own pages. In respect to transparency, the FSIX will continue to be used for the publication of the safety oversight audit results released by States to the public; action will be taken in providing assistance in resolving safety-related deficiencies, including Council deliberations and disclosure to States if necessary. In conclusion, ICAO will continue to carry out its mandate under Assembly Resolution A35-7 and will also play an active role in the development and implementation of regional safety oversight systems, to include the safety-related portions of the Comprehensive Regional Implementation Plan for Africa.

3.2   In accordance with action taken by the Secretary General, the USP was, on 15 June 2007, combined with CAD into a single Implementation Support and Development (ISD) Programme. The function of the programme will be to facilitate and coordinate the provision of assistance and support from States, industry, international financial institutions and other stakeholders to address safety and security in accordance with the findings of the ICAO audit programmes. Appendix B to this paper therefore contains a new draft resolution on the implementation of the safety-related part of the ISD Programme. The resolution directs the Council to implement a Unified Strategy Programme based on transparency and the sharing of safety-critical information, the promotion of the establishment of regional safety oversight systems and assistance to States, and safety information analysis and exchange.

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APPENDIX A

DRAFT RESOLUTION
TO SUPERSEDE RESOLUTION A35-7

A36-xx:	Unified strategy to resolve safety-related deficiencies

Whereas a primary objective of the Organization continues to be that of ensuring the safety of international civil aviation worldwide;

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

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 ~~the~~ ICAO ~~Technical Cooperation Bureau (TCB)~~ can ~~provide the required assistance~~ coordinate and facilitate the provision of assistance to States in need for the purpose of rectifying deficiencies identified through the ICAO USOAP;

Whereas the International Financial Facility for Aviation Safety (IFFAS) has been established to assist Contracting States in financing safety-related projects to correct deficiencies primarily identified through USOAP and for which they cannot otherwise provide or obtain necessary financial resources;

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

Recognizing that the establishment of regional and sub-regional safety oversight ~~organizations~~ systems, 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 ~~promotion of uniformity~~ harmonization on a larger scale;

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

Recognizing the safety enhancement contributions resulting from audits conducted by international and regional organizations, to include those organizations that have agreements with ICAO such as the ~~IATA Operational Safety Audit (IOSA) Programme and Eurocontrol ESARR Implementation Monitoring and Support (ESIMS) Programme~~ European Aviation Safety Agency (EASA), International Air Transport Association (IATA) and European Organisation for the Safety of Air Navigation (EUROCONTROL);

Recognizing that transparency and sharing of safety information is one of the fundamental tenets of a safe air transportation system; and

Recognizing that knowledge of the identity of the State of Registry and State of the Operator of foreign aircraft operating in a State provides vital information for the surveillance of those operations;

The Assembly:

1.   *Urges* all Contracting States to share with other Contracting States critical safety information which may have an impact on the safety of international air navigation and to facilitate access to all relevant safety information;

2.   *Encourages* Contracting States to make full use of available safety information when performing their safety oversight functions, including during inspections as provided for in Article 16 of the Convention;

3.   ~~*Directs* the Council to further develop practical means to facilitate the sharing of such safety information among Contracting States;~~

4. 3.   *Reminds* Contracting States of the need for surveillance of all aircraft operations, including foreign aircraft within their territory and to take appropriate action when necessary to preserve safety;

4.   *Reminds* Contracting States to share their pertinent data concerning aircraft registrations with ICAO, pursuant to Article 21 of the Chicago Convention, and in accordance with the rules to be established by Council governing this information sharing system;

5.   ~~*Directs* the Council to develop a procedure to inform all Contracting States, within the scope of Article 54 j) of the Chicago Convention, in the case of a State having significant compliance shortcomings with respect to ICAO safety-related SARPs;~~

6.   ~~*Directs* the Council to promote the concept of regional or sub-regional safety oversight organizations;~~

7. 5.   *Requests* the Secretary General to continue to foster coordination and cooperation between USOAP and audit programmes of other organizations related to aviation safety~~, and specifically with IATA and Eurocontrol~~;

8. 6.   *Directs* the Council to apply, as necessary, the procedures to inform Contracting States, within the scope of Article 54 j) of the Chicago Convention, in the case of a State having significant compliance shortcomings with respect to ICAO safety-related SARPs;

7.   *Directs* the Council to promote the concept of regional and sub-regional safety oversight systems, including regional safety oversight organizations;

8.   *Urges* Contracting States to ~~further~~ develop and further strengthen regional and sub-regional cooperation and, whenever feasible, partnership initiatives with other States, industry, air navigation service providers, financial institutions and other stake holders to strengthen safety oversight capabilities in order to foster a safer international civil aviation system and to better discharge ~~their individual~~ State responsibilities;

9.   *Encourages* States to foster the creation of regional or sub-regional partnerships to collaborate in the development of solutions to common problems to build ~~their individual~~ State safety oversight capability, and to participate in, or provide tangible support for, the strengthening and furtherance of regional safety oversight systems, including regional safety oversight organizations;

~~10.   *Encourages* all States able to do so to participate in, or provide tangible support for, the strengthening and furtherance of regional safety oversight organizations;~~

11. 10. *Invites* Contracting States to use the services of ~~the~~ ICAO ~~Technical Cooperation Bureau (TCB)~~ to resolve safety-related deficiencies ~~identified by the USOAP~~;

12. 11. *Invites* Contracting States experiencing difficulties in financing measures necessary to correct safety-related deficiencies ~~identified through USOAP~~ to take advantage of the funding opportunity offered by ~~the International Financial Facility for Aviation Safety (IFFAS)~~ financial institutions, to include development banks and other donors;

12.   *Requests* the Council, in conjunction with the development banks and other donors, to develop an annual report on global deficiencies in both aviation infrastructure and oversight mechanisms to assist donors to identify opportunities for improvements and allocate support by Contracting States;

~~13. *Requests* the Council to implement a unified strategy based on the principles of increased transparency, cooperation and assistance and to foster, where appropriate, partnership among States, users, air navigation service providers, industry, financial institutions and other stake holders to analyse causes, establish and implement sustainable solutions in order to assist States in resolving safety-related deficiencies;~~

~~14. *Directs* the Council to adopt a flexible approach for the provision of assistance through the ICAO Regional Offices to support regional and sub-regional organizations responsible for safety oversight tasks and to implement an efficient system to monitor implementation of the unified strategy.~~

15. 13. *Requests* the Secretary General to continue to investigate ways in which the identification of measures may be undertaken at national and regional levels to support States' development of ATM safety oversight capabilities and procedures.;

14.   *Directs* the Council to strengthen the Implementation Support and Development (ISD) Programme to ensure its continued effectiveness; and

15. *Declares* that this resolution supersedes Resolution A35-7.

~~Associated practice~~

~~The Council should develop ways in which all relevant information from the Audit Findings and Differences Database (AFDD) could be made available to all Contracting States through the use of the ICAO secure website.~~

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APPENDIX B

DRAFT RESOLUTION

A36-xx:	**Implementation Support and Development (ISD) Programme – Safety**

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

Whereas the safety of international civil aviation also depends on the active collaboration of all stakeholders;

Whereas effective implementation of the Global Aviation Safety Plan (GASP) requires the strengthening of collaborative efforts by ICAO, Contracting State, industry and all other stakeholders;

Whereas ICAO plays a leadership role in facilitating the implementation of SARPs and the rectification of safety related deficiencies; and

Recognizing that the Assembly at its 35th Session adopted A35-7, Unified strategy to resolve safety-related deficiencies;

Recognizing that the Secretary General has taken steps to establish the ICAO Unified Strategy Programme;

The Assembly:

1. *Directs* the Council to continue to implement an Implementation Support and Development (ISD) Programme based on:

   a) transparency and sharing of safety-critical information;

   b) promotion of the establishment of regional safety oversight systems and assistance to States; and

   c) safety information analysis and exchange;

   d) partnership with Contracting States, industry and other stakeholders for coordinating and facilitating the provision of financial and technical assistance to States in need for the purpose of rectifying deficiencies identified through the ICAO USOAP;

2. *Directs* the Council to strengthen the Implementation Support and Development (ISD) Programme by re-allocating with the Organization the resources needed for its effective implementation;

3.   *Directs* the Council to support enhancements to the Flight Safety Information Exchange (FSIX) database for the purpose of facilitating the sharing of safety-critical information as appropriate among Contracting States, industry and other stakeholders;

4.   *Directs* the Council to continue the analysis of relevant safety-critical information for determining effective means of providing assistance to States in need and also for determining actions to be taken in relation to those States that have not rectified safety deficiencies; and

5.   *Requests* the Council to report to the next ordinary session of the Assembly on the overall implementation of the Programme.

— END —