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EX/95
21/9/07

ASSEMBLY — 36TH SESSION
EXECUTIVE COMMITTEE

DRAFT TEXT FOR THE REPORT
ON
AGENDA ITEM 12

The attached material on Agenda Item 12 is submitted for consideration by the Executive Committee.

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

12.1 At its second meeting, the Executive Committee considered the report by the Council on the subject of the *Progress Report on the implementation of the ICAO Unified Strategy Programme (USP)* (WP/53). In addition, there were three papers presented by States and Observers: WPs/91, 127, 147.

12.2 In WP/53, the Council addressed actions undertaken by the ICAO Unified Strategy Programme (USP) since the 35th Session of the Assembly. The report also highlighted those activities carried out under the USP in relation to assistance to States and regional safety oversight systems, the sharing and exchange of safety information, transparency, partnership and alliances, and actions in support of the Audit Results Review Board (ARRB) process. The Committee was also provided with two Assembly Resolutions, one to supersede Resolution A35-7 *Unified Strategy to Resolve Safety-Related Deficiencies* and the other on the establishment of the Implementation Support and Development Branch (ISD).

12.3 In WP/127, the World Tourism Organization (UNWTO) stressed that safety and security in aviation and tourism are not only of paramount importance in terms of the prevention of human tragedy; they also have wide ramifications for the world economy. Aviation is closely associated with tourism, which generates a higher contribution to Gross Domestic Product, jobs and investment than most other economic activities. This is particularly the case in developing States, where tourism is the principal service sector activity. Given the WTO's mandate, the organization is concerned with safety, security and facilitated travel, including both international and domestic components of all modes of transportation. Furthermore, WTO fosters a culture of travel and tourism safety and security at the highest levels of government and industry in the context of its decisive social and economic importance. The paper illustrated the close relationship between aviation and tourism on safety, security and facilitation issues and urges closer cooperation on these issues between the aviation and tourism communities.

12.4 In WP/147, the East African Community States reported on the establishment of a regional safety and security oversight agency as a specialised institution of the Community. This agency oversees civil aviation safety and security in the region, as well as reports on the efforts undertaken by the East African Partner States to improve aviation safety in the region.

12.5 In WP/91, Togo and Senegal presented on behalf of the African and Madagascar Civil Aviation Authorities (AAMAC) Member States and noted that 17 western and central African States, including Madagascar and Comoros, agreed to cooperate within the framework of this association with a view to enhancing air safety in Africa in accordance with ICAO Assembly Resolution A29-13 *Improvement of Safety Oversight*. The paper reports on actions taken and efforts made by AAMAC, including the following areas: creation of joint civil aviation authorities; development of an initial set of regulations in respect of ICAO Annexes 1, 6 and 8; implementation of a training programme; and the development of a further set of regulations in respect to ICAO Annexes 2, 4, 10, 11, 13 and 15.

12.6 The Committee noted with satisfaction the Council's progress report on the Unified Strategy programme and expressed its strong support for the establishment of the Implementation Support and Development (ISD) Branch. It was the considered view that the ISD programme was an extremely

important programme which would guide ICAO in addressing many of the problems associated with the lack of implementation of Standards and Recommended Practices (SARPs) in many States.

12.7 In addressing the Resolutions in Appendices A and B of WP/53, the Committee proposed that, given the importance of the programme, it should be strengthened by a reallocation of resources from within the Organization and through the secondment of specialists and the provision of other resources by those States able to do so. In addition, the Committee considered that the development of clearly defined objectives and time scales for their achievement would further strengthen the Programme.

12.8 The Committee emphasized that the resolution of safety related deficiencies represented a vitally important area of activity for ICAO, and that transparency and the disclosure of audit results were necessary for improvements in this area. It was also proposed that the annual report on global deficiencies in both infrastructure and oversight mechanisms, as called for in the amended Resolution A35-7, include the identification of those deficiencies that need to be treated on a priority basis. The Committee further requested that a task be established by ICAO for developing guidelines on optimal levels of staffing needed for safety related functions within a civil aviation authority.

12.9 With reference to the resolution of deficiencies identified through the ICAO Universal Safety Oversight Audits, the Committee also expressed the belief that priority should be given to the development of regional and sub-regional plans, such as the Comprehensive Regional Implementation Plan for Africa, which could serve as a model for other regions. In this respect, the Committee expressed support for the draft Resolution developed at the High-Level Meeting held on the Plan, on 17 September 2007. The Committee also took note of other regional and sub-regional efforts for the provision of adequate safety oversight, as were reported in WP/91 and WP/147 on the activities of the African and Madagascar Civil Aviation Authorities (AAMAC) and the East African Community Civil Aviation Safety and Security oversight Agency (CASSOA) respectively.

12.10 In concluding its work on the item, the Committee agreed to submit for adoption by Plenary, Resolutions 12/1 and 12/2, included in Appendices A and B of WP/53.

Resolution 12/1

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 ICAO can 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 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 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 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. *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. *Requests* the Secretary General to continue to foster coordination and cooperation between USOAP and audit programmes of other organizations related to aviation safety;

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 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 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 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. *Invites* Contracting States to use the services of ICAO to resolve safety-related deficiencies;
11. *Invites* Contracting States experiencing difficulties in financing measures necessary to correct safety-related deficiencies to take advantage of the funding opportunity offered by 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 and, in particular, to specify those deficiencies that need to be treated on a priority basis, in order to assist donors to identify opportunities for improvements and allocate support by Contracting States;
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. *Requests* the Council to instruct the Secretary General to establish a task for developing guidelines on optimal levels of staffing needed for safety related functions within a civil aviation authority;
15. *Directs* the Council to strengthen the Implementation Support and Development (ISD) Programme to ensure its continued effectiveness; and
16. *Declares* that this resolution supersedes Resolution A35-7.

Resolution 12/2

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 States, 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;
- c) safety information analysis and exchange; and
- 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 identifying and re-allocating adequate resources within the Organization and developing clearly defined objectives;

3. *Directs* the Council to further encourage States, able to do so, to support the ISD programme through the secondment of specialists and provision of other resources, in order that it can be successfully implemented;

4. *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;

5. *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

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

— END —