



**Agenda Item 2: Global and regional civil aviation requirements and challenges**

**ASSURING COMPLIANCE WITH INTERNATIONAL OVERSIGHT OBLIGATIONS WITHOUT DUPLICATION, SHARED SURVEILLANCE OF APPROVED MAINTENANCE ORGANIZATIONS**

(Presented by the United States of America)

**SUMMARY**

Transnational international aviation industry, maintenance organizations are subject to oversight and surveillance by a multitude of regulatory jurisdictions due to the number of different certifications they hold. As a result, surveillance activities have become increasingly frequent and additional audits do not necessarily increase the level of safety. Identifying ways to mitigate duplicative surveillance, while still remaining mindful of national oversight obligations, States and industry must work together to affect any significant change in this area. The FAA and its Pan-American partners are currently developing proposals and best practices that may be considered in the effort to reduce the burden of duplicative surveillance for both States and industry and could be shared with the broader international community for consideration as a model framework for shared surveillance activities.

**References:**

- Assuring Compliance with International Oversight Obligations without Duplication; Shared Surveillance of Approved Maintenance Organizations - RASG-PA/8 — IP/04.

**ICAO Strategic Objectives:** A - Safety

**1. Introduction**

1.1 In accordance with the oversight obligations for States of Registry as bound by the Convention on International Civil Aviation, States have a fundamental responsibility to assure the continuing airworthiness of aircraft on their registry, which includes of a comprehensive program for conducting oversight of Approved Maintenance Organizations (AMO).

1.2 Due to the breadth of globalization across the international aviation industry, maintenance organizations are now transnational, and as such are subject to oversight and surveillance by a multitude of regulatory jurisdictions due to the number of different certifications they hold. As a result, surveillance activities have become increasingly frequent and additional audits do not necessarily increase the level of safety.

1.3 This issue was first raised by the United States at the recent ICAO High Level Safety Conference in February 2015, and was met with significant support by the Conference. To develop viable solutions to mitigate the administrative and financial burden of surveillance activities, whilst still ensuring

effective safety oversight, States and industry must work in tandem. Ultimately, efforts to reduce duplication may occur at several levels; nationally, regionally, and internationally.

## 2. Discussion

2.1 Identifying methods to reduce duplicative surveillance activities begins at the national level. Per Annex 6 (Operation of Aircraft), all States are bound to certificate an AMO, and to conduct ongoing surveillance as a part of their national continuing oversight of that certificate. In many cases, it may be possible for a State to review and improve the efficiency of their national oversight, to ensure that national responsibilities are being fulfilled without levying additional resources to do so.

2.2 For example, in the United States, as part of an effort to evaluate how to more effectively and efficiently manage surveillance programs and resources nationally, the Federal Aviation Administration has identified several areas where audits may be more efficiently managed. This includes identifying those AMOs that may perform contracted maintenance activities for several different U.S. air operators and developing procedures to consolidate the number of audits performed by sharing audit results between two air operators. In addition, the FAA has developed criteria for risk-based and data-driven decision making to determine the need and frequency of AMO audit programs.

2.3 For many AMOs, it is not uncommon to hold certificates issued by multiple States, which in some cases could be upwards of 20 to 30 different certificates due to business opportunities across different aircraft registries. While certificate holders are bound to the AMO requirements of the issuing State, an overwhelming number of surveillance activities by numerous regulatory agencies may unnecessarily duplicate the efforts of the States performing the surveillance. Initial certification and renewal procedures for AMOs must always be conducted by the certifying State, in accordance with ICAO Annex 6; however ongoing surveillance activities represent an area where improved efficiencies could significantly benefit stakeholders.

2.4 To improve efficiency at a regional level, States may consider programs that could reduce duplicative certification and surveillance at a regional level. This may include conducting joint certification and surveillance programs, wherein all States that will be issuing a certificate for the AMO could concurrently conduct their certification and surveillance procedures. Such an approach would allow for the individual State to satisfy their national requirements, and would also lessen the burden for the AMO in supporting numerous certification and surveillance programs.

2.5 To further the efficiency and effectiveness of such programs, States should seek to harmonize their requirements for an AMO certificates to the greatest extent possible. This could be facilitated by a Regional Safety Oversight Organization (RSOO) or other collaborative mechanism.

2.6 Regional frameworks could be developed which would allow States to better utilize resources by reducing the number of inspections needed on a recurring basis at a common location, and would allow the industry to conduct their activities in accordance with a more transparent and manageable surveillance schedule. This could be done through the development of a database or other mechanism to share information on audit findings and schedules, which would assist States with common certificates in determining where and when they may need to focus their resources.

2.7 Finally, States may also consider ways they may be able to legally accept the findings of another State as a basis for their safety oversight obligations. This may include the development of bilateral or multilateral agreements between States that would allow reciprocal acceptance of certain types of surveillance activities.

2.8 Ultimately, the regional approach to shared surveillance may vary depending on the unique operational needs of the industry and the regulatory set-up of States in that region. Therefore, it is recommended that each region work collaboratively to develop proposals for what may work best in that particular region.

2.9 As an example, the Regional Aviation Safety Group – Pan America (RASG-PA) has since its inception served as a model forum for collaboration between States and the aviation industry. Therefore, it would be appropriate to propose that RASG-PA may serve as a mechanism to develop proposals and best practices that may be considered in the effort to reduce the burden of duplicative surveillance for both States and industry in the North American, Caribbean, and South American region.

2.10 Overall, for any durable, effective, harmonized, and well-organized change to the management of surveillance activities worldwide, there must be a compliant, cohesive, collaborative, and detailed framework developed together by ICAO, States, and industry.

2.11 To build upon the progress already underway in this area, ICAO should consider existing internationally accepted auditing standards that have been developed but not yet widely implemented as a starting point for the development of a sharing framework. This could include the International Auditing and Assurance Standards, such as International Aerospace Quality Group (IAQG) 9100.

2.12 Based on feedback gained from the regions, ICAO may be able to develop a common framework providing guidance on the common criteria for AMO surveillance obligations and outcomes that could be used by States to utilize each other's findings. Such an approach may help to mitigate the need for duplicate surveillance by several States with similar inspection needs, such as in cases where an AMO is certificated to conduct maintenance on aircraft from the registry of multiple States.

2.13 Also to be considered in the development of this framework would be the status of participating States' compliance with international obligations. For States to be assured of the baseline capabilities of other participating States, it would be necessary to develop a system of on-going quality audits of all participant States to allow for confidence-building activities in regards to the ability to provide continued surveillance in compliance with ICAO standards. In order for any State to be able to utilize the findings of another's surveillance activities, the State conducting the surveillance must do so in compliance with the ICAO eight critical elements for safety oversight.

## **CONCLUSION**

2.14 Civil air transportation is expected to grow significantly over the course of the next several decades; the aviation forecast developed by The Boeing Company predicts a 5.0 percent increase in commercial passenger traffic annually over the next twenty years. It is a reality that civil aviation authorities must be more effective in the application of its resources; this increase in air travel will demand the support of a trained and qualified inspector work force with an already taxing workload.

2.15 Therefore it is crucial that States identify areas where they may increase the efficiency and effectiveness of their AMO certification and surveillance programs.

2.16 This begins at the national level, by determining where duplication or unnecessary auditing activities may be occurring and developing procedures or organizational changes to reduce such duplication.

2.17 At the regional level, States should work collaboratively with regional partners to conduct their fundamental oversight obligations as efficiently as possible through joint certification and surveillance programs, harmonization of regulations, and by the addition of bilateral or multilateral agreements that would allow them to share resources to conduct their national oversight functions.

2.18 Finally, at the international level, in collaboration with ICAO and industry, States could develop a framework for shared surveillance of AMOs which would be of significant benefit to States and industry in realizing such efficiency and effectiveness in these activities.

2.19 Due to the success of RASG-PA bringing together States and industry to pursue safety enhancements in the region, The U.S. is partnering with its RASG-PA partners to initiate discussion on this issue. The U.S. is pursuing a proposed RASG-PA charter a group of experts to develop proposals and best practices which may be applied in the region and shared with ICAO for inclusion in a broader international framework.

### 3. **Suggested action**

3.1 The Meeting is invited to:

- a) Transnational international maintenance organizations are subject to oversight and surveillance by a multitude of regulatory jurisdictions due to the number of different certifications they hold. Audits conducted separately by each regulatory authority do not necessarily increase the level of safety.
- b) States should work with industry to identify ways to mitigate duplicative surveillance, while still remaining mindful of national oversight obligations.
- c) The U.S. is partnering with its RASG-PA to develop proposals and best practices on more efficient ways to share surveillance activities and share findings with ICAO for inclusion in a broader international framework.

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