



ICAO

INTERNATIONAL CIVIL AVIATION ORGANIZATION

SIXTH MEETING OF DIRECTORS GENERAL OF CIVIL AVIATION

(DGCA/6)

(Brazzaville, Congo, 2 – 4 November 2016)

Agenda Item 9: Sustainability of Regional Organizations

IMPROVING EFFICIENCY OF RSOOs/RAIOs

(Presented by ICAO Secretariat)

SUMMARY
<p>The paper presents the current situation of Regional Organizations in the AFI Region. It briefly reviews the challenges faced by the Region and proposes avenues to be explored and further discussed during an RSOO/RAIO Conference to be held next year.</p> <p>Action by the meeting is at Paragraph 3.</p>
<p>REFERENCE(S): - 15th and 16th AFI Plan SC meeting reports</p>
<p>Related ICAO Strategic Objective(s): Safety</p>

1. INTRODUCTION

1.1 Pursuant to Article 1 of the Chicago Convention, a State has complete and exclusive sovereignty over the airspace above its territory and, in accordance with Articles 12 (Rules of the air) and 37 (Adoption of international standards and procedures), has the responsibility for safety oversight of international civil aviation within its borders and in respect of aircraft carrying its registration marks. States are also expected to collaborate to the highest degree to achieve standardization of laws, regulations, procedures and practices. The establishment of a properly resourced RSOO provides those States which individually lack the resources to establish an effective safety oversight system with the means to pool their resources for the purpose of establishing a common regional approach to safety regulation, oversight and enforcement.

1.2 The term “RSOO” covers, in a general sense, a number of legal forms and institutional structures that range from highly formalized international intergovernmental organizations, such as the European Aviation

Safety Agency (EASA), the Banjul Accord Group Safety Oversight Organization (BAGASOO), the Civil Aviation Safety and Security Oversight Agency (CASSOA), the South African Development Community Aviation Safety Oversight Organization (SASO) and the Pacific Aviation Safety Office (PASO), to less institutionalized projects established under the ICAO Cooperative Development of Operational Safety and Continuing Airworthiness Programme (COSCAP)¹.

- 1.3 The Assembly Resolution A37-8 on regional cooperation and assistance to resolve safety-related deficiencies, recognized that RSOOs have great potential to assist States in complying with their obligations under the Chicago Convention, through economies of scale and harmonization on a larger scale; and encouraged Contracting States to foster the creation of regional and sub-regional partnerships to, inter alia, participate in, or provide tangible support for, the strengthening and furtherance of sub-regional and regional aviation safety and safety oversight bodies, including RSOOs. This is also reflected in the Abuja Safety Targets adopted in 2012 by the African Ministers responsible for civil aviation.
- 1.4 **Appendix** to this working paper summarizes the membership and technical coverage of the RSOOs in the AFI Region. It particularly shows the need optimize RSOO membership and avoid unnecessary duplication of efforts and overlap in technical domains covered. As an example of solution to address this problem, ICAO developed a Memorandum of Understanding for the separation of functions that was signed by AAMAC, UEMOA and CEMAC in 2015.

2. DISCUSSION

2.1 Developments in Safety Oversight

- 2.1.1 The following significant developments both for ICAO and the Member States should be taken into consideration.
- 2.1.2 The ICAO Universal Safety Oversight Audit Programme (USOAP) gradually evolved from an Annex based approach to a comprehensive systems approach (CSA) and further moved to a Continuous Monitoring Approach (CMA). Additionally, global and regional safety targets have been established, including effective implementation (EI) of a State safety oversight system, the significant safety concern (SSC) mechanism with potential serious restrictions on aircraft operations, certification of aerodrome and air operators, safety management, etc.
- 2.1.3 As far as States are concerned, traffic has been increasing worldwide although it still remains relatively low in the AFI Region. Furthermore, a large majority of States have established or are in the process of establishing Civil Aviation Authorities that have gradually become technically and financially autonomous. And as a consequence of the evolution of the Safety Audit concept as described above, the

¹ Four COSCAP projects were established in the AFI Region mapping existing Regional Economic Communities or other established Groups of States, namely : Banjul Accord Group (BAG), Communauté Economique et Monétaire d’Afrique Centrale et Sao Tome et Principe (CEMAC & STP), Union Economique et Monétaire Ouest Africaine et Mauritanie (UEMOA et Mauritanie) and Southern African Development Community (SADC). These projects were expected to evolve into permanent or semi-permanent RSOOs.

need for States to continuously maintain their safety oversight capabilities at a certain level has augmented.

2.2 RSOO challenges

2.2.1 Over the past few years, priority has been given by COSCAP Member States to implement the transition of their programmes into Regional Safety Oversight Organizations. However these Organizations have been facing major challenges of which the most salient are the lack of sufficient funding as well as the ineffectiveness of the Regional Organizations.

2.2.2 Lack of funding

2.2.2.1 It has been observed that States do not always meet their financial obligations vis-à-vis the Organizations of which they are members. The same situation prevailed during the COSCAP Projects times. Additionally the more membership dues are required from States, the more this situation is likely to happen considering the limited resources available in some States. Other States may also question their return on investment. It may also be the translation of the lack of commitment of the States to support the Regional Organization.

2.2.2.2 The lack of sustainable funding limits the ability of Regional Organizations to recruit and retain highly qualified personnel, to effectively implement their action plans, thus adversely affecting their effectiveness and visibility.

2.2.2.3 Different avenues could be explored to sustainably fund these Organization :

- a) Optimize the operating costs of each Regional Organization as well as the number of Regional Organizations with a view to reduce the individual level of contributions by each Member State (per Organization and in general);
- b) Continue to promote the autonomy of CAAs;
- c) Envisage alternative funding mechanisms in order to minimize the dependence on States' budgets.

2.2.3 Ineffectiveness of Regional Organizations

2.2.3.1 A satisfaction survey conducted on a COSCAP revealed that the Program has provided limited assistance to its Member States thus contributing only marginally to the performance of their Safety Oversight functions. This statement may be extended to the other existing Regional organizations.

2.2.3.2 Reasons that may account for this situation includes the following :

- a) In the absence of a clear delegation of functions to the RSOOs, it is States' responsibility to either solicit or accept assistance from the RSOOs. However there seem to be a gap at this level;
- b) States may not have granted the Regional Organization Technical Staff with the credentials to enable them to perform/participate in inspections/audits;
- c) The ability of the Regional Organization to effectively contribute is questioned by the States;
- d) Although States belong to one (or more) Regional Organization(s), the States' civil aviation roadmaps/strategies do not always include synergy actions with the Regional Organizations;

- e) An erroneous perception of Regional Organizations’ contributions due to poor communication and low visibility.

2.2.3.3 An increased effectiveness by Regional Organizations will require States to give a stronger role, clearly identify the functions and duties they wish to transfer to the Regional Organizations and enhance their capacity as required. Furthermore, a proper legal framework will also be required.

2.3 Way forward

2.3.1 Although potential solutions have been outlined in this paper, a more elaborate thought is required in order to propose practical solutions for the optimization, strengthening and sustainability of Regional Organizations in the AFI Region.

2.3.2 In view of the above, the Steering Committee of the Comprehensive Regional Implementation Plan for Aviation Safety in Africa (AFI Plan) resolved that the “AFI Plan Secretariat should strategize and work on ways of ensuring sustainability of the Regional Safety Oversight Organizations and Regional Accident Investigation Organizations (RSOOs/RAIOs), and organize in this respect, an AFI RSOO coordination meeting”. The objectives of such a forum may include the following – among other aspects:

- a) Agreement on Roadmap and Action Plan for improvement of RSOOs and RAIOs in terms of functionality and sustainability;
- b) Clarification of relationships between States and RSOOs/RAIOs;
- c) Working arrangements between RSOOs and ICAO; and
- d) Other forms of safety oversight mechanisms.

3. ACTION BY THE MEETING

3.1 The meeting is invited to:

- a) Note of the information contained in the paper
- b) Provide guidance as appropriate in the development of practical solutions for the optimization, strengthening and sustainability of Regional Organizations in the AFI Region to be discussed at the upcoming Regional Organizations Conference in March 2017.

-END-

Appendix

Membership and Technical Coverage of AFI RSOOs/RAIOs

Table 1: RSOO Membership

Group of States / RSOO	BAGASOO /BAGAIA	CEMAC RSOO	UEMOA RSOO	AAMAC	SASO	CASSOA	ACAC/MID RSOO
BAG	x						
CEMAC		x		x			
COMESA				x	x	x	x
ECCAS		x		x	x (DRC)	x (Burundi, Rwanda)	
IGAD						x	x
UEMOA			x	x			
ECOWAS	x		x	x			
ASECNA		x	x	x			
SADC				x (Madagascar)	x		
EAC						x	
UMA				x (Mauritania)			x

Table 2: RSOO Technical Areas

Technical Areas	BAGASOO /BAGAIA	CEMAC RSOO	UEMOA RSOO	AAMAC	SASO	CASSOA	ACAC/MID RSOO
AGA							x
AIG	x						
AIR	x	x	x		x	x	x
ANS				x			x
OPS	x	x	x		x	x	x
PEL	x	x	x		x	x	x
AVSEC						x	