



**Cooperative Development of Operational Safety
and Continuing Airworthiness Programme
(Under ICAO Technical Co-operation
Programme)
COSCAP – South Asia**



**19th Meeting of the Steering Committee
26th – 28th January 2010
Bangkok, Thailand**

**INSTITUTIONALISATION AND EVOLUTION
OF COSCAP-SA TOWARDS RSOO**

EXECUTIVE SUMMARY

This paper outlines the institutional arrangements that are in place in COSCAP-South Asia and highlights the further steps envisaged for its consolidation with the final objective of elevating COSCAP-South Asia mechanism towards the formation of a Regional Safety Oversight Organization (RSOO).

1. Background :

- 1.1 According to the terms of reference of COSCAP-SA as laid down in the Programme Document Phase III and the Memorandum of Understanding (MoU) signed between Civil Aviation Administration of the COSCAP-South Asia Member States, it shall be one of the objectives of COSCAP-SA to provide assistance to its Members on safety oversight matters.
- 1.2 Likewise, it shall be one of the objectives of COSCAP-SA to provide assistance to its Members in the removal of deficiencies identified through USOAP audits. Similarly, assistance in other USOAP related activities may be provided, including assistance in the preparation for USOAP audits.
- 1.3 These objectives are generally in line with the policy established by Resolution A36-2 of the ICAO Assembly, which called for the establishment of Regional Safety Oversight Organizations (RSOOs) among those States whose resources are insufficient to fully discharge their safety oversight obligations. COSCAP-SA is presently taking important steps towards creating the institutional conditions for being able to fulfill the functions of an RSOO. COSCAP-SA is ahead of most other COSCAPs in this regard. However, further consolidative steps in this direction will be required.

2. Discussion :

2.1. Conclusion of Bilateral Agreements:

- 2.1.1 Assistance to its Members on safety oversight matters may be provided in a variety of ways.

However, the most important type of assistance is the provision of Regional Experts to carry out inspections on behalf of the Member concerned. In order to enable such inspections to proceed, it is necessary for the Member Administration to delegate the respective inspection functions to the COSCAP-SA and its Technical Experts (CTE's), and to agree on the terms and conditions under which the inspections may be carried out.

2.1.2 Accordingly, on the basis of the Institutional MoU signed among the Members of COSCAP-SA, bilateral Agreements have been signed in the course of 2009 between COSCAP-SA and, respectively, Bangladesh, Bhutan, Nepal, Pakistan and Sri Lanka. India and Maldives have also indicated that they will follow suit in due course. The terms of these bi-laterals are based on the common template given in the Institutional Framework and Procedures Manual (IF&PM) (COSCAPSA Doc.1997) and are essentially identical.

2.1.3 Under the terms of the agreements, COSCAP-SA will:

- Grant its consent to the Member Administration to obtain the services of the CTEs when formally released;
- Inform the Member Administration periodically;
- Authorize the CTEs to abide by the published Rules, Regulations, Procedures and Guidance material of the Member Administration and the written instructions issued by the Chairman of COSCAP-SA;
- Instruct the CTEs to maintain strict confidentiality of information;
- Authorize the CTEs to respect and follow the established channels of communication within the Member Administration.

On the other hand, the Member Administration will:

- Obtain services or assign duties to the CTEs subject to the written consent of the COSCAP-SA Programme Management;
- Not hold any CTE personally responsible or institute legal action against them or summon them before a court of inquiry in connection with any of the safety oversight activities or functions performed by them on behalf of the Member Administration;
- Treat the CTEs as part of the Member Administration's technical staff when they perform safety oversight functions;
- Provide the CTEs with all the facilities and services needed to perform the assigned functions, including handbooks, materials, inspector credentials and access passes, uniforms, transport etc;
- Absorb all costs (except the monthly salaries of CTEs) incurred for the implementation of the activities for the performance of the safety oversight activities.

2.1.4 On the basis of the bilateral, COSCAP-SA has started to provide assistance to the five States, and the activities under the arrangements are ongoing.

2.1.5 In this connection, COSCAP-SA has also commenced to collect information from its Member Administrations regarding their assistance needs for safety oversight activities and inspections, with a view to match CTE expertise to such needs in the best possible way. These information collection activities are also ongoing.

2.2 Assistance regarding ICAO USOAP audits:

2.2.1 In 2009, COSCAP-SA has also embarked upon providing assistance to its Members in

relation to ICAO USOAP audits. The assistance may either relate to the preparation of an upcoming audit, or it may relate to the development and/or implementation of a corrective action plan (CAP) following a USOAP audit. On a priority basis, COSCAP-SA has provided assistance to the CAA Bangladesh and to the CAA Nepal in connection with planned USOAP audits. Furthermore, presently assistance is being provided to CAD Maldives, the CAA Pakistan and the CAA Sri Lanka in relation to upcoming audits and/or the follow-up and implementation of CAPs.

2.2.2 Given the fact that after several full cycles of USOAP audits of virtually all of the 190 ICAO Member States the methodology of these audits will change to become essentially a monitoring activity, ICAO headquarters intends to involve appropriate regional entities in the carrying out of such USOAP monitoring. It is intended that ICAO USOAP will formally recognize such appropriate regional entities as authorized to carry out monitoring activities on its behalf, subject to fulfilling certain conditions and subject to their obligation and commitment to follow ICAO USOAP methodology and protocol. The details of this aspect of the USOAP programme are not yet fully established. However, certain elements of a model exist already, such as the regional arrangements relating to the implementation of the USOAP in Latin America.

2.2.3 In this regard, according to USOAP representatives, the COSCAPs are potential candidates to fulfill this future role of regional monitoring entity on behalf of the USOAP programme. The terms and conditions for such a new role need to first be defined by USOAP before concrete steps in this direction could be considered. However, in order for COSCAP-SA to shoulder such new responsibilities, it will be necessary to review its organizational, financial, operational and institutional arrangements in order to ensure that COSCAP-SA can assume such functions and will be adequately structured and equipped for such tasks.

2.3 IFFAS-funded RSOO study and planned RSOO Conference

2.3.1 As of 1 December 2009, the Governing Body of the International Financial Facility for Aviation Safety and Security (IFFAS) approved the funding of a project, submitted on behalf of the three Asian COSCAPs, on ``Assistance to the COSCAPs in Asia to become RSOOs``. The main objective of the project is to develop the tools necessary for enhancing the COSCAPs in Asia so as to become Regional Safety Oversight Organizations (RSOOs) in the sense of Assembly Resolution A36-2 and ICAO Doc. 9734. In particular, it will develop the elements necessary for enhancing the institutional and programme structure of the three COSCAPs, and will assist the COSCAPs in implementing the required changes and enhancements.

2.3.2 The important multiplier effect which will result from this change is aimed at enabling the COSCAP Member States to significantly improve their safety oversight. It will thus help to remove one of the deficiencies found through USOAP audits in many of these States where sufficient numbers of trained inspectors are lacking, mainly because of lack of financial resources.

2.3.3 The project thus bears a direct relationship to the removal of deficiencies identified through USOAP audits and to the enhancement of aviation safety.

2.3.4 The project is the result of the significant shortcomings in the safety oversight capabilities of COSCAP States detected by ICAO's USOAP programme. The ICAO USOAP programme uncovered the fact that many States in the Asia-Pacific region are not in a position to fully and adequately carry out their safety oversight functions consistently. ICAO Assembly Resolution A36-2 provided guidance for those States which lack the necessary resources to

carry out their safety oversight functions adequately by recommending to entrust RSOOs with these functions on their behalf to the extent required. The project's methodology follows the policy under the Unified Strategy in accordance with ICAO Assembly Resolution A36-2 and the Safety Oversight Manual (Doc. 9734).

2.3.5 It is intended that the project commence its work in the course of February 2010 and that the results of the project be available in the course of June 2010. For this purpose, the project will work closely with the Project Coordinators of the three COSCAPs as well as with their Chairmen.

2.3.6 It is further intended that an **RSOO Conference be convened by ICAO from 27 to 28 May 2010 in Hong Kong**, in close liaison with the COSCAPs and in cooperation with EASA, the FAA and other partners, in order to discuss ways forward regarding RSOOs. Certain groups and bodies in other parts of the world, such as ACSA, PASO and COSCAP UEMOA, which have embarked on safety oversight activities on behalf of their Member States, are to be invited and may be asked to report on their respective experience. It is hoped that the RSOO Conference will assist in developing a concept for the Asian COSCAPs which will be well suited to their respective situation, while being mindful of the financial limitations.

2.4 Conclusion

2.4.1 As is evident from the above, the Asian COSCAPs including COSCAP-SA are in a stage of evolution as a result of a number of fast-moving developments in international civil aviation, including impending changes to the USOAP programme and a move towards the establishment of RSOOs.

2.4.2 COSCAP-SA has already moved towards the conclusion of bilateral arrangements with its Member Administrations relating to safety oversight functions. This move should be applauded, as it enables COSCAP-SA to effectively start carrying out safety oversight functions on behalf of the respective Members. In order to make fully use of the opportunities created thereby, **all COSCAP-SA Member Administrations should be urged to sign such bilateral arrangements with COSCAP-SA as soon as possible**. Not only are there advantages for all COSCAP-SA Members in the full utilization of the available resources of the COSCAP, but also the potential of COSCAP in assisting in the preparation of upcoming USOAP audits and even more importantly, in the rectification of the deficiencies found, should be fully and efficiently utilized.

2.4.3 Furthermore, COSCAP-SA Members should note the planned RSOO project and the date of the planned RSOO Conference, to be held from 27 – 28 May 2010 in Hong Kong. An official invitation from ICAO will be forthcoming in due course

3. Recommendations:

3.1 To make note of the content of the paper and take action as appropriate.