

**55th CONFERENCE OF
DIRECTORS GENERAL OF CIVIL AVIATION
ASIA AND PACIFIC REGIONS**

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AGENDA ITEM 3: AVIATION SAFETY

**IMPROVEMENT OF THE OVERALL EFFECTIVE IMPLEMENTATION (EI)
OF A STATE BY FACING ICAO COORDINATED VALIDATION MISSION
(ICVM) AND SUBSEQUENT CHALLENGES TO UPHOLD
THE EI ON CMA AUDIT**

Presented by Bangladesh

SUMMARY

International Civil Aviation Organization (ICAO) conducts ICAO Coordinated Validation Mission (ICVM) by which Effective Implementation (EI) of a state normally increases but at the same time state faces challenges to uphold the EI during USOAP CMA full scale audit. This paper discusses the probable reasons behind these challenges and urges to take immediate action for the sustainability of ICAO's NCLB initiative.

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1. INTRODUCTION

The objective of an ICVM is to assess and validate the status of the corrective actions or mitigating measures taken by a State to address previously identified findings, including any Significant Safety Concerns (SSCs). The scope of each ICVM is limited to:

- a) the level of progress made by the State in resolving previously identified deficiencies;
- b) significant changes in any of the audit areas within the State's civil aviation system;
- c) the State safety risk profile; and
- d) whether or not an on-site activity is required or requested;

2. DISCUSSION

2.1 In ICVM, the audit team reviews and updates the status of Protocol Questions (PQs) previously assessed as "not satisfactory" based on progress made by the State in resolving identified Findings in implementing its Corrective Action Plan (CAP). As ICVM focuses on Non Satisfactory PQs only, there is no room to verify the current status of PQs previously assessed as satisfactory. As a result, after ICVM, state has to bear the full load of addressing all the PQs in a full CMA audit activity which most of the cases contribute to the reduction of EI because States pay so to say no attention to those PQs assessed satisfactory during the first USOAP Audit.

2.2 ICAO has taken 'No Country Left Behind' (NCLB) initiative and has established Combined Action Team with subject matter experts drawn from ICAO Regional Office, COSCAPs and member States. During the years 2016-2018, ICAO regional office has successfully completed a number of CAT missions in different countries in this region in the eight audited areas of LEG, ORG, PEL, OPS, AIR, AIG, ANS and AGA. This initiative resulted positively in the following ways:

- (a) States got the opportunities to take preparation on the upcoming ICVMs. Through the APAC CAT Missions, the States reviewed their progress in respect of implementation of CAPs;
- (b) Contributed positively to the increment of state's EI by 10-15% on an average;
- (c) The nominated experts gained further experience and knowledge by being a part of the mission. As a result, the overall oversight capacity of the ICAO has been increased;
- (d) CMA OLF activities of states got momentum;

2.3 *ICAO Safety Report (2018 Edition)* shows USOAP EI Improvements for States by SAFE Funded TA Projects (2014–March 2018) under which CAT missions were done in 11 states and average increment in EI is 16.12%.

2.4 There are instances in past few years where states achieved increment of EI in ICVM followed by reduction in the next CMA full audit. This type of reduction of EI is being observed in most of the cases. We need to think about the root cause for such a reduction of EI.

2.5 The following factors may be considered as the reasons for the abatement in EI:

- (i) ICVM focuses on limited number of PQs (only non-satisfactory PQs), even at times in limited number of audited areas. But CMA audit is conducted in all PQs in all 08 audit arrears. In CMA audit, state has to take preparation for whole PQs applicable for her at that time;
- (ii) States, who have constrains or shortage of aviation safety inspectors, mostly utilize their manpower in conducting inspections or safety oversight related activities of operators and service providers. Most of the time they are unable to deploy their inspectors or technical officials to take appropriate actions against corrective actions submitted against previous ICVM activities in a timely manner;

- (iii) Retention of experts is one of the main factors. The experts who faced the full scale audit 08-10 years back, may not be with the CAA concerned to face the next CMA full audit;
- (iv) Discontinuous flow or dearth of experts of all 08 audited in a state is one of the main reasons in this type of changes in EI;
- (v) Most of the cases user ID and password of USOAP CMA OLF remain unshared with the audited area experts. This makes the CMA OLF activities slow;
- (vi) ICAO mainly emphasizes on providing CAPs, updating information in CMA OLF, completing the self-assessment, filling the differences, etc. These factors are not directly affecting the improvement of overall EI of a state rather than the improvement in the whole civil aviation safety oversight activities in the state;
- (vii) The expert who knows the way of answering the PQs, he may not be capable to upload as per the requirement. On the other hand, the expert who is capable to upload the information in the OLF may not be able to answer the PQs. As a result, the main goal of speeding up CMA OLF process remains incomplete.
- (viii) The remarks given by a state including the evidences against non-satisfactory PQs are assessed by an audit team who did not conduct the previous audit;
- (ix) Day by day the techniques of the auditors are changing. Presently, the techniques for conducting audits are more scientific and methodical which was not before. So that, the results of present and future assessment affect in the result of previous activities;
- (x) Insertion of new PQs or deletion of previous satisfactory PQs;
- (xi) CMA OLF does not have enough data or remarks and evidences (other than the findings) those were submitted in the previous USOAP audit conducted on or before 2012 and got satisfactory results. So that, state has to prepare for all PQs from grass root stage;

2.6 Now, we have to address this issue to build sustainable Safety oversight capabilities in all states equally. So that results of ICAO's "No Country Left Behind" initiative can sustain permanently. To do so, ICAO may start such initiative by which every state can keep their EI equal or better than now (above world average achieved in recent ICVM). In this circumstance introducing of series of CAT missions (not only before ICVM) or other similar types of assistance by ICAO which can assist states in addressing all PQs (Satisfactory, Not Satisfactory and New), may be one of the solutions.

2.7 To make sure that we really do achieve the desired EI after ICVM, we need to establish a mechanism which would aid the states to prepare answer for all the PQs once the ICVM is over. This will give us 2 fold benefits:

- (i) States will be able to uphold their EI and sustain it for long time;
- (ii) Implied to that, states would realistically maintain the magnitude of safety oversight system expressed in EI to ensure safe sky.

2.8 Case Study on Bangladesh is given as appendix-A of this paper.

3. ACTION BY THE CONFERENCE

3.1 The Conference is invited to:

- a) recognize CAT missions contribution in ICAO's NCLB initiative;
- b) request ICAO to device a mechanism if required by forming a committee or working group to study the issue and find out a solution to assist the States to sustain their EIs for prolonged period; or
- c) request ICAO to conduct CAT mission or any other similar type of assistance programme on a regular basis;

1.1. In September 2017, Civil Aviation Authority of Bangladesh (CAAB) faced an ICAO Coordinated Validation Mission (ICVM) as part of ICAO's USOAP programme. The aim of ICVM audit was to review the progress made by Bangladesh following its last ICVM in 2012, and USOAP CSA audit in 2009. Specific/major actions taken by Bangladesh to improve the implementation of SARPs before facing the ICVM:

- (i) In the year of 2017, 02 primary aviation legislations (Civil Aviation Authority Act, 2017 and Civil Aviation Act, 2017) were enacted by the Parliament of Bangladesh.
- (ii) As the previous aviation legislations were very much old, the regulations are required to be updated. CAAB is now developing the specific operating regulations in line with the new Acts.
- (iii) A number of regulatory documents have been prepared and revised as per the necessity.
- (iv) CAAB inspectors received Trainings in different fields of safety oversight from different organizations, such as- ICAO, COSCAP-SA, EASA, IATA, FAA as a part of fulfillment of their Training requirement.
- (xii) CAAB Established Aviation Safety Reporting and Tracking System (ASRTM) which enables CAAB inspectors to process surveillance and Resolution of Safety concern (RSC) electronically.
- (xiii) 02 CAT Missions were conducted by the ICAO Bangkok office in the year of 2016 and 2017. A dedicated mentor was worked with Bangladesh. CAT mission experts provided technical assistance in preparation of ICVM. The regional office sent 02 missions covering the most of the areas including Legislation, Organization, Personnel Licensing, Flight Operations, Airworthiness, Accident and Incident Investigation, Air Navigation Services and Aerodromes and Ground Aids.
- (xiv) CAAB received knowledge on preparation of ICVM from Civil Aviation Authority of Nepal as Nepal faced ICVM 04 months before Bangladesh.
- (xv) etc.

1.2 CAAB has been evaluated with 75.34% of Effective Implementation (EI) by the ICAO in the frame of the Universal Safety Oversight Audit Programme (USOAP) through the ICAO Coordinated Validation Missions (ICVM) audit in September 2017. The ICVM concluded that Bangladesh's rating of Effective Implementation had considerably improved from 51.3% to 75.34%. Bangladesh's positive rating is now higher than the average for Asia Pacific (61.96%) and world average (66.52%).

1.3. The majority credit of such score goes to the tremendous work performed by the CAAB with assistance of CAT Mission. According to the score, a significant number of PQs were closed and successfully completed Phase I of the GASP Implementation.

1.4. It may be mentioned here that the USOAP audit of the civil aviation system of Bangladesh, conducted in 2009 generated an overall EI of 35.87% for the eight critical elements (CEs) and ICVM, conducted in 2012 resolved SSC (imposed in 2009) and added an overall EI of 15.43%.

1.5. Now, after facing ICVM, Bangladesh is facing challenge to keep the achieved EI remain same or increment in next CMA full audit.