Leading a Quest for Transparency

BY WAYNE ROSENKRANS

Releasing excerpts from their ICAO audit results, some civil aviation authorities seek financial/technical cooperation to correct deficiencies.

Two concepts — limiting secrecy and raising public awareness — drive the latest initiative by the world's directors general of civil aviation to accelerate compliance with eight critical elements of safety oversight required by the International Civil Aviation Organization (ICAO).[1] By the end of 2006, 87 of 189 member countries voluntarily had granted consent to ICAO to post downloadable audit excerpts in a publicly accessible table in the Flight Safety Information Exchange (FSIX) area of the ICAO Web site.[2] All these excerpts reflect audits dating from 1999–2001 and/or follow-up missions from 2001–2004; some states also posted separate comments updating their status to fall 2006.

In allowing the first public access to excerpts from safety-oversight audits conducted under ICAO's Universal Safety Oversight Audit Program (USOAP), the directors general decided that increasing the flow of information is essential as ICAO and the industry address 12 high-priority focus areas identified in the *Global Aviation Safety Roadmap,* their joint strategic action plan (see *ASW,* 1/07, p. 28). Releasing current audit summaries becomes mandatory March 23, 2008.

Calling this a "milestone of 2006," Roberto Kobeh González, president of the ICAO Council, said, "Such transparency and sharing of information will facilitate cooperation among states and with aviation stakeholders in correcting safety deficiencies."

Overcoming strong reservations about audit results being misconstrued, proponents of the initiative won support from the majority of directors general last March in the context of inadequate progress by some states in correcting deficiencies identified by USOAP in 1999–2001. A December 2004 report to the Council of ICAO said that, in the previous month, the Air Navigation Commission rejected a proposal to

publicly identify "36 states which had not made much progress in resolving the deficiencies identified during the audits."

Lawrence Cannon, Canadian minister of transport, infrastructure and communities, in a March 2006 speech, acknowledged the past reluctance of most governments to disclose audit results. "Scrutiny can mean challenges from outside, and requires time and effort to manage information and to respond to public issues," Cannon said. "But it is also an essential piece of the puzzle that will lead us to the improved safety records of the future."

Consider the Source

ICAO schedules mandatory audits for civil aviation authorities (CAAs) on a recurring six-year cycle, and every audited CAA receives an unabridged "confidential audit final report." Before the transparency initiative, a confidentiality policy prevented nongovernmental organizations and individuals from obtaining audit results from ICAO, except when a state made the disclosure. Australia, for example, has posted its entire confidential audit final report from 1999 in a public area of the Web site hosted by the Australian Department of Transport and Regional Services.[3]

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In the past, ICAO automatically distributed by letter a nonconfidential summary version of each confidential report to the governments of all other ICAO contracting states. In current practice, these governments have secure access via the Internet to any state's confidential audit final reports and to ICAO's Audit Findings and Differences Database, designed to help states prioritize their corrective actions, monitor all states' updates on corrective actions and report known differences with ICAO standards and recommended practices (SARPs).

In the FSIX table, 70 of the 87 states have posted at least a one-page or two-page executive summary; the remaining 17 have consented to post excerpts of reports only from ICAO's second audit cycle, which follows the newer comprehensive systems approach.[4,5] Summary reports of audits have been posted for 35 states; summary reports of follow-up missions have been posted for 26 states; and graphs showing "lack of effective implementation" of the critical elements of safety oversight as percentages have been posted for 64 states.

At first glance, this information seems to show the overall safety effectiveness of a state and to enable state-to-state comparisons. This impression is reinforced by data expressed to hundredths of a percent on graphs, but ICAO requests that users interpret the information with awareness of its limitations. "Audit follow-up missions are not audits and are not designed to evaluate all aspects of a state's aviation framework or safety oversight system," ICAO said. "The graphic representation of the situation in the state at the time of the audit follow-up mission [is] limited to reflecting the progress made in implementing the ICAO recommendations made during the initial audit and does not purport to depict a current comprehensive evaluation of all aspects of a state's safety oversight system."

Updates by States

Variation in how states post excerpts should decrease by 2008 under ICAO guidelines for the second cycle of audits based on the comprehensive systems approach. Meanwhile, some states have posted far more information than most, providing the complete text of all their summary reports and/or adding comments to help the public evaluate their current level of effectiveness. During fall 2006, 16 states — Austria; China; Comoros; Cuba; Guyana; Hong Kong, China; Lesotho; Niger; Romania; Singapore; Switzerland; Tanzania; United Kingdom and U.K. Overseas Territories; United States; Uruguay; and Zambia — provided one to three pages of comments on progress made since their audit or follow-up mission. Typically, these comments addressed technical details within subpoints of ICAO audit findings. Some, however, depart from ICAO's comment template.

For example, Austria said, "The process of restructuring of the civil aviation authorities has finally been completed in 2005. Now all

operative tasks regarding issuing and surveillance of approvals (operators, maintenance organizations, etc.) are carried out by Austro Control [which] is supervised by the Department for Civil Aviation."

China said, "Aviation safety has been improved significantly in China, with the fatal accident rate per million flight hours of scheduled services dropping from 1.428 in the 1990s to 0.298 for the past five years. … From 2001 to 2006, General Administration of Civil Aviation of China (CAAC) headquarters and regional offices employed 518 inspectors who perform safety oversight functions, increasing the number of technical personnel from 448 in 2001 to 966 in 2006, a 116 percent total increase and more than 20 percent annual increase, exceeding the 500 [inspectors] recommended in the audit follow-up in 2001."

And Switzerland said, "In January 2005, the Federal Office of Civil Aviation (FOCA) was completely reorganized. … In addition to the separation of policy-making activities from safety-related responsibilities, the FOCA has now introduced … a modern safety management system, as an integral part of its management processes … [and] foresees the introduction of a 'nonpunitive' reporting system."

Recurrent Issues

Content of each state's excerpts on FSIX is unique, but shared or recurrent issues are apparent. For example, excerpts for several states said that deficiencies had not been corrected because an organization external to the CAA — such as the ministry of transportation, national legislature or ministry of justice — had not yet approved the relevant laws or regulations or had not authorized CAA-requested personnel, training or funds. Use of ministerial decrees and orders — rather than national laws and the regulations of an autonomous CAA — also was prevalent as some states attempted to address audit findings. Numerous excerpts note problems of delegation of power to CAAs to enforce regulations and implement effective inspector training; and inadequate working conditions and remuneration for technical professionals. Excerpts for other states show in recent years similar struggles to establish basic laws, regulations, organizations and procedures.

Although some states report significant differences with SARPs, ICAO auditors sometimes noted that standards applied were not necessarily lower than ICAO's minimum requirements. Some audits were conducted while CAAs were undergoing major transformation — causing corrective actions to be delayed pending implementation of new regulations or systems. "Paper commitments" to correct deficiencies — even if ICAO accepted a detailed action plan — typically were insufficient to close audit findings unless ICAO's follow-up mission validated that commitments actually were fulfilled. Similarly, states' proposals to conduct a study of the feasibility of correcting deficiencies were not accepted as equivalent to really correcting deficiencies.

USOAP audits can seem anachronistic compared with fast-track oversight improvements in countries responding to safety recommendations in the aftermath of a recent aircraft accident. Yet, by studying ICAO's safety oversight audit excerpts on FSIX, safety professionals who are familiar with an accident's contributing factors sometimes will find the same factors echoing through words written years earlier by ICAO auditors (see *ASW*, 1/07, p. 18). ●

Notes

1. The International Civil Aviation Organization (ICAO) specifically audits how effectively countries provide the following critical elements of a safety-oversight system: primary aviation legislation; specific operating regulations; state civil aviation system and safety oversight functions; technical personnel qualification and training; technical guidance, tools and the provision of safety-critical information; licensing, certification, authorization and approval obligations; surveillance obligations; and resolution of safety concerns.
2. The Internet address is <www.icao.int/fsix/auditrep1.cfm>.
3. The Internet address is <www.dotars.gov.au/aviation/safety/report/index.aspx>.
4. Regarding each of the 17 states, the Web site says, "ICAO did not solicit comments from [this] state, which recently underwent an audit under the comprehensive systems approach, as the information contained in the report of the first cycle of audit is superseded by the more recent audit [for which] information … will be disseminated in accordance with a mechanism that has been approved by the ICAO Council in June 2006 and that is being implemented."
5. ICAO. *Safety Oversight Manual – Part A, The Establishment and Management of a State's Safety Oversight System.* Document 9734. *Safety Oversight Audit Manual.* Document 9735. Second editions, 2006. In 2004, ICAO began to expand safety-oversight audits of states to include safety-related provisions in the 2005 editions of a larger number of ICAO annexes. This involved adopting the "comprehensive systems approach," which uses safety provisions from six annexes as core elements; minimizes the time interval between audits; makes all aspects of the auditing process transparent to states; validates the accuracy of statements made by states; provides a restructured safety-oversight audit report; and increases auditors' flexibility.