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ASSEMBLY — 40TH SESSION

TECHNICAL COMMISSION

Agenda Item 28: Aviation Safety and Air Navigation Policy

**REVIEW OF ANNEX 19, SECOND EDITION
AND DOC 9859 SAFETY MANAGEMENT**

(Presented by Nepal)

EXECUTIVE SUMMARY

The first edition of Annex 19 — *Safety Management* provisioned for two sets of requirements related to safety oversight for the States. These were the eight critical elements (CEs) of a State's safety oversight (SSO) system; and the four components of a State safety programme (SSP). These two safety-related obligations of the State were being observed as two independent systems whereas the object of both mandates had been the management of safety of the State.

Adoption of ICAO Annex 19, second edition by the Council in 2016 was the result of the need to clarify the relationship between SSP and the SSO CEs. Consequently Doc 9859, *Safety Management Manual (SMM)* was amended restructuring the SSP including it within the State safety management responsibilities. In this regard, the obligation of establishment of an SSP as well as the establishment and implementation of CEs of the SSO system are the State safety responsibilities. However, this categorization is not in consonance with the concept presented by the second edition stating that the CEs form the foundation of the SSP and has led to confusion regarding whether the CEs of SSO are the elements under the SSP components forming the foundation of the SSP as a whole or SSP and the CEs of SSO are separate components which are the safety management responsibilities of the State.

Similarly, Doc 9859 enlists the CEs of the SSO system as the elements of the SSP components. The enlisting of SSP as one of the State safety responsibilities, the others being the CEs of the State SSO system has created confusion with regards to the relationship between SSP and the CEs of the SSO.

<i>Strategic Objectives:</i>	This information paper relates to the Safety Strategic Objectives.
<i>Financial implications:</i>	No additional resources required.
<i>References:</i>	

1. INTRODUCTION

1.1 Adoption of ICAO Annex 19, second edition by the Council in 2016 was the result of the need to clarify the relationship between SSP and the SSO CEs. The States are bound to establish SSP to manage the overall safety of the State. Similarly, the States are also bound to set up a strong safety oversight system so that the overall safety system of the State can be managed. These two safety-related obligations of the State were being observed as two independent systems whereas the object of both mandates had been the management of safety of the State.

1.2 Feeling the need to address the above redundancy, Annex 19, second edition has tried to establish the relationship between the CEs of the State safety oversight and the components and elements of SSP. These responsibilities, as stated in the second edition of Annex 19 (Chapter-3, State Safety Management Responsibilities), are referred to as the State's safety management responsibilities. In this regard, the obligation of establishment of SSP as well as the establishment and implementation of CEs of the SSO system are the State safety responsibilities. However, this categorization is not in consonance with the concept presented by the second edition stating that the CEs form the foundation of the SSP (Note 1, Chapter 3). Similarly, Chapter 8 of the Doc 9859 enlists the CEs of the SSO system as the elements of the SSP components. The enlisting of SSP as one of the State safety responsibilities, the others being the CEs of the State SSO system, has created further confusion whether the CEs are a part of the SSP itself or just a part of State safety management responsibilities along with the SSP of the State.

2. DISCUSSION

2.1 Prior to the adoption of the first amendment to Annex 19 by the Council in 2016, the States had been complying with two sets of provisions related to safety oversight namely the CEs of safety oversight functions and the components and elements of SSP. The eight CEs were detailed in Appendix 1 of the Annex with the status of Standards and Recommended Practices (SARPs), and the elements of a framework for the implementation and maintenance of the SSP were provided in Attachment A as guidance material. The provisions were meant to fulfil similar purpose of safety management.

2.2 The issuance of the second edition was the result of the need to clarify the relationship between SSP and SSO CEs; its intent being the establishment of the CEs as the foundation of SSP (Note 1, Chapter 3). Note 2 of 3.1 (Annex 19, Second Edition) has stated that "Guidance on an SSP and the delegation of safety management-related functions and activities are contained in the Safety Management Manual (Doc 9859)".

2.3 The development of fourth edition of Doc 9859 was initiated after the adoption of Amendment 1 to Annex 19 to address the changes introduced by the amendment... (Foreword, ICAO Doc 9859 Safety Management, Fourth Edition). In this regard, the framework, component, elements and intent of SSP provisions must be in congruence in Annex 19 and the Manual (Doc. 9859).

2.4 Regarding the relation between SSP and SSO, Doc 9859 clarifies in 8.1.4 that "though the term SSP is still used in the Second Edition of Annex 19, the meaning has changed to encompass the integrated set of SARPs found in Chapter 3. As such, the SSP is no longer described as a framework, but rather as a programme to meet the State's safety management responsibilities, which includes safety oversight. So, the SSP is part of the broad concept of State safety management". Annex 19, Chapter 3, Note 1 also mention that "the State safety oversight system critical elements found in Appendix 1 constitute the foundation of an SSP".

2.5 However, Doc 9859 itself mentions the components and elements of the SSP in Chapter 8 keeping alive the concept of SSP being a framework. Chapter 8 of the document lists the CEs of SSO system as the elements of the four components of the State safety programme. Paragraph 8.2.2 of the document incorporates the four components of the SSP as State safety policy, objectives and resources, State safety risk management, State safety assurance and State safety promotion. Paragraph 8.3.3 of the document enlists all the elements within each of these components of the SSP fall wherein CEs 1-5 have been mentioned as the elements under the first component "State Safety Policy, Objective and Resources". CE 6 and CE 8 have been enlisted, inter alia, under the second component, "State Safety Risk Management". Similarly, CE 7 has been enlisted, inter alia, under the third component of SSP, "State Safety Assurance".

2.6 It means that a State cannot have a strong SSP unless all the eight CEs, inter alia, are well established. This provision does not envisage SSP and the CEs as different responsibilities of a State but rather clarifies that the integration of CEs with six other elements forms the SSP as a whole. In this regard the CEs of SSO system are automatically included within an SSP.

2.7 Regarding the same issue, Chapter 3 of Annex 19, again, has mentioned SSP (Ref. 3.1, Annex 19), not as framework but as the first among five responsibilities of a State, the other four being State safety policy, objectives and resources (Ref. 3.2, Annex 19), State safety risk management (Ref. 3.3, Annex 19), State safety assurance (Ref. 3.4, Annex 19) and State safety promotion (Ref. 3.5, Annex 19). The CEs have been included under State safety policy, objectives and resources, State safety risk management and State safety assurance as the elements of these components.

3. **CONCLUSION**

3.1 The Assembly is invited to:

- a) note the information presented in this information paper;
- b) discuss the issues raised in this paper; and
- c) urge ICAO to clarify in Annex 19 the confusion related to the SSP and the CEs of an SSO system.

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