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## Regional aviation safety organisations: enhancing air transport safety through regional cooperation

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## **Appendix**

### Core sample of organisations selected for the study

- 1) European Aviation Safety Agency (EASA)
- 2) European Organisation for the safety of air navigation (EUROCONTROL)
- 3) European Network of Civil Aviation Safety Investigation Authorities (ENCASIA)
- 4) Interstate Aviation Committee (IAC)
- 5) Banjul Accord Group Aviation Safety Oversight Organisation (BAGASOO)
- 6) Banjul Accord Group Accident Investigation Agency (BAGAIA)
- 7) East African Community Civil Aviation Safety and Security Oversight Agency (CASSOA)
- 8) Les Autorités Africaines et Malgache de l'Aviation Civile (AAMAC)
- 9) Pacific Aviation Safety Office (PASO)
- 10) Eastern Caribbean Civil Aviation Authority (ECCAA)
- 11) Caribbean Aviation Safety and Security Oversight System (CASSOS)
- 12) Regional Cooperation System on Safety Oversight in Latin America (SRVSOP)
- 13) Agencia Centroamérica para la Seguridad Aeronáutica (ACSA)
- 14) Agence de Supervision de la Sécurité Aérienne en Afrique Centrale (ASSA-AC)

## **Curriculum Vitae**

RATAJCZYK Mikołaj was born on 6 September 1978 in Warsaw, Poland. He graduated from the Warsaw University as a Master of Law and Administration in 2002, and subsequently completed postgraduate studies in civil aviation management at the National Academy of Defense in Warsaw.

In 2003 he joined the Polish Civil Aviation Authority where he worked in positions of increasing responsibility until 2006, when he was seconded to the Air Transport Directorate of the European Commission and where he dealt with development of policy and legislation related to air accident investigations, occurrence reporting and international safety information exchange programmes.

In 2011 he worked for the Polish Presidency of the European Union, and was involved in chairing the Aviation Working Group of the EU Council. In 2012 he joined the European Aviation Safety Agency, and is currently involved in supporting the European Commission in developing a new aviation safety policy for the EU.

He is a member of the European Air Law Association (EALA), and periodically lectures on aviation safety law at the International Institute of Air and Space Law of the Leiden University. He has published articles on aviation related topics in Polish and international aviation law periodicals, and presented papers on aviation safety at international conferences.

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## Selected Bibliography

### 1. TREATIES AND WORKING ARRANGEMENTS

AFCAC, 'Memorandum of Understanding (MoU) between the African Civil Aviation Commission (AFCAC) and African States for the use of national inspectors under the AFI Cooperative Inspector Scheme', (2013).

'Agreement between the European Community and the Swiss Confederation on Air Transport', 21 June 1999, (OJ L 114, 30.4.2002).

'Agreement between the European Union and the Government of the Federative Republic of Brazil on civil aviation safety', 14 July 2010, (OJ L 273, 19.10.2011).

'Agreement between the Government of Antigua and Barbuda and the Eastern Caribbean Civil Aviation Authority regarding the Headquarters of the Authority', St. John's, 15 April 2008.

'Agreement between the government of the Russian Federation and the Government of the United States of America for the promotion of aviation safety', (Moscow, 1998).

'Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety', 30 June 2008, (OJ L 291, 9.11.2011).

'Agreement establishing the Caribbean Aviation Safety and Security Oversight System', Gros Islet, 9 May 2008.

'Agreement Establishing the Eastern Caribbean Civil Aviation Authority', Grenada, 21 October 2003.

'Agreement for the establishment of the Banjul Accord Group', Banjul, 29 January 2004, ICAO Registration No. 5455.

'Agreement on Civil Aviation and Airspace Utilization ', Minsk, 30 December 1991, ICAO Registration No. 3720.

'Agreement on civil aviation safety between the European Community and Canada', 6 May 2009, (OJ L 153, 17.06.2009).

'Agreement on the European Economic Area', 2 May 1992 (OJ L 1, 3.1.1994).

'Annex on aviation safety to the Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation', (OJ L 232, 9 September 2011).

'Arrangements concerning the development, the acceptance and the implementation of Joint Aviation Requirements', (Cyprus, 1990).

'Banjul Accord Group Accident Investigation Agency Agreement', Montreal, 30 June 2009, ICAO Registration No. 5463.

'Banjul Accord Group Aviation Safety Oversight Organisation Agreement', Montreal, 30 June 2009 ICAO Registration No. 5462.

'Common Aviation Area Agreement between the European Union and its Member States and Georgia', 2 December 2010, (OJ L 321, 20.11.2012).

'Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova', 26 June 2012, (OJ L 292, 20.10.2012).

'Consolidated version of the EUROCONTROL International Convention Relating to Co-operation for the Safety of Air Navigation of 13 December 1960, as

variously amended', Brussels, 27 June 1997, Final Act of the Diplomatic Conference.

'Convention on International Civil Aviation', Chicago, 7.12.1944, 15 UNTS 295.

'Convention relating to Co-operation for the Safety of Air Navigation (EUROCONTROL) with Annexes and Protocols', 13 December 1960, UK Treaty Series No. 39 (1963).

'Convention Relating to International Air Navigation Agreed to by the Allied and Associated Parties', Paris, 13 October 1919, LNTS (1922) No. 297.

'Convention relative a l'Agence pour la Securite de la Navigation Aerienne en Afrique et Madagascar (ASECNA)', Ouagadougou, 28 avril 2010, Official Journal of the Republic of Senegal N° 6641, 28 January 2012.

'Decision No 1/2013 of the Joint European Union/Switzerland Air Transport Committee set up under the Agreement between the European Community and the Swiss Confederation on Air Transport of 2 December 2013 replacing the Annex to the Agreement between the European Community and the Swiss Confederation on Air Transport', 2 December 2013, (OJ L 12, 17.1.2014).

'Decision of the EEA Joint Committee No 179/2004 of 9 December 2004 amending Annex XIII (Transport) to the EEA Agreement', 9 December 2004, (OJ L 133, 26.5.2005).

'Decision of the EU-ICAO Joint Committee of 21 September 2011 on the adoption of an Annex on aviation safety to the Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation', (OJ L 172, 25.6.2013).

EASA, 'Working Arrangement on Airworthiness between the European Aviation Safety Agency and the InterState Aviation Committee', (St. Petersburg, 2004).

EU, 'Treaty on the Functioning of the European Union (TFEU)', in: Consolidated Treaties and Charter of Fundamental Rights (2010).

ICAO, 'Annex 1 to the Chicago Convention: Personnel Licensing', (2011).

\_\_\_\_\_, 'Annex 2 to the Chicago Convention: Rules of the Air', (2005).

\_\_\_\_\_, 'Annex 4 to the Chicago Convention: Aeronautical Charts', (2009).

\_\_\_\_\_, 'Annex 6 to the Chicago Convention: Operation of Aircraft, Part I - International Commercial Air Transport with Aeroplanes', (2010).

\_\_\_\_\_, 'Annex 6 to the Chicago Convention: Operation of Aircraft, Part II - International General Aviation with Aeroplanes', (2008).

\_\_\_\_\_, 'Annex 7 to the Chicago Convention: Aircraft Nationality and Registration Marks', (2012).

\_\_\_\_\_, 'Annex 8 to the Chicago Convention: Airworthiness of Aircraft', (2010).

\_\_\_\_\_, 'Annex 10 to the Chicago Convention: Aeronautical Telecommunications, Volume I - Radio Navigation Aids', (2006).

\_\_\_\_\_, 'Annex 11 to the Chicago Convention: Air Traffic Services', (2001).

\_\_\_\_\_, 'Annex 12 to the Chicago Convention: Search and Rescue', (2004).

\_\_\_\_\_, 'Annex 13 to the Chicago Convention: Aircraft Accident and Incident Investigation', (2010).

\_\_\_\_\_, 'Annex 14 to the Chicago Convention: Aerodromes, Volume I - Aerodrome Design and Operations', (2013).

\_\_\_\_\_, 'Annex 18 to the Chicago Convention: The Safe Transport of Dangerous Goods by Air', (2011).

\_\_\_\_\_, 'Annex 19 to the Chicago Convention: Safety Management', (2013).

\_\_\_\_\_, 'Protocol Relating to an Amendment to the Convention on International Civil Aviation (Article 83bis)', ICAO Doc 9318, (1980).

'Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation', 4 May 2011, (OJ L 232, 9 September 2011).

'Memorandum of Cooperation between the International Civil Aviation Organisation and the European Community regarding security audits/inspections and related matters', 17 September 2008, (OJ L 36, 5.2.2009).

'Memorandum of Understanding between the government of the United States of America and the government of the Russian Federation on cooperation in the field of civil aircraft accident/incident investigation and prevention', 2nd September 1998, 1998 TIAS 12983.

'Multilateral Agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo on the establishment of a European Common Aviation Area', 9 June 2006, (OJ L 285, 16.10.2006).

'Multilateral Agreement Relating to Certificates of Airworthiness for Imported Aircraft', Paris, 22 April 1960, ICAO Doc. 8056.

'Operating Agreement on the International Maritime Satellite Organization (INMARSAT)', London, 3 September 1976, 15 ILM 233.

'Pacific Islands Civil Aviation Safety and Security Treaty', Apia, 7 August 2004, ICAO Registration No. 5381.

'Protocol on the establishment of the East African Community Civil Aviation Safety and Security Oversight Agency', signed on 18 April 2007 and approved during the 5th Extraordinary Summit of EAC Heads of State held in Kampala, Uganda on 18th June 2007'.

'Revised Treaty of Basseterre establishing the Organisation of Eastern Caribbean States Economic Union', Gros Islet, 18 June 2010.

'Statute of the Council for Aviation and Airspace Utilization and the Statute of the Interstate Aviation Committee', 19 February 1992, ICAO Registration No. 3720.

'Traité relative aux Autorités Africaines et Malgache de l'Aviation Civile (AAMAC Treaty)', N'Djaména, 20 January 2012, LOI n°2012 -012, of 29 July 2012, Le Congrès de la Transition et le Conseil Supérieur de la Transition, République de Madagascar.

'Treaty establishing the Organisation of Eastern Caribbean States', Basseterre, 18 June 1981, 1338 UNTS 97.

'Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies', London, Moscow and Washington, 27 January 1967, 610 UNTS 205.

UN, 'Commentary to draft articles on the responsibility of international organizations', Yearbook of the International Law Commission, Volume II, Part 2 (2011).

\_\_\_\_\_, 'Draft articles on responsibility of States for internationally wrongful acts (DASR)', *Yearbook of the International Law Commission*, Volume II, Part 2 (2001).

\_\_\_\_\_, 'Draft articles on the responsibility of international organizations (DARIO)', *Yearbook of the International Law Commission*, Volume II, Part 2 (2011).

'Vienna Convention on the Law of the Treaties', Vienna, 23 May 1969, 1155 UNTS 33.

'Соглашение между Правительством Российской Федерации и Межгосударственным авиационным комитетом об условиях его пребывания на территории Российской Федерации (Agreement between the Government of the Russian Federation and the InterState Aviation Committee on the conditions of its stay in the Russian Federation)', Moscow, 20 October 1995.

## 2. COURT CASES

### a) *Court of Justice of the European Union*

'Case C-4/69, Lütticke v. Commission', in: [1971] ECR I-325 (CJEU, 1969).

'Case C-6/64, Flaminio Costa v. ENEL', in: [1964] ECR I-585 (CJEU, 1964).

'Case C-9/56 Meroni and Co., Industrie Metallurgiche S.p.A. v. Highly Authority', in: [1957-1958] ECR I-133 (CJEU, 1958).

'Case C-26/62, Van Gend en Loos v. Administratie der Belastingen', in: [1963] ECR I-1 (CJEU, 1963).

'Case C-98/80, Giuseppe Romano v. Institut national d'assurance maladie-invalidité', in: [1981] ECR I-1241 (CJEU, 1981).

'Case C-247/87, Star Fruit Company v. Commission', in: [1989] ECR I-291 (CJEU, 1989).

'Case C-270/12, United Kingdom v. Parliament and Council', in: not yet published (available on-line) (CJEU, 2014).

'Case C-366/10, Air Transport Association of America v. Secretary of State for Energy and Climate Change', in: [2011] ECR I-13755 (CJEU, 2011).

'Case T-311/06, FMC Chemical SPRL v. European Food Safety Authority (EFSA)', in: [2008] ECR II-88 (CJEU, 2008).

'Case T-571/93, Lefebvre and Others v. Commission', in: [1995] ECR II-02379 (CJEU, 1995).

'Joined Cases C-154/04 and C-155/04, The Queen v. Secretary of State for Health and National Assembly for Wales', in: [2005] ECR I-06451 (CJEU, 2005).

'Joint Cases C-6 and C-9/90, Francovich and Bonifaci v. Republic of Italy', in: [1991] ECR I-05375 (CJEU, 1991).

'Opinion 1/76 concerning the draft agreement establishing a European laying-up fund for inland waterway vessels', in: [1977] ECR I-741 (CJEU, 1977).

### b) *International Court of Justice and Permanent Court of International Justice*

'Case concerning the Factory at Chorzów (Germany v. Poland), Judgement', in: [1928] PCIJ Series A-No 17 (PCIJ, 1928).

'Certain Phosphate Lands in Nauru (Nauru v. Australia), Preliminary Objections', in: [1992] ICJ Reports 240 (ICJ, 1992).

'Corfu Channel, Judgement', in: [1949] ICJ Reports 4 (ICJ, 1949).

'Difference Relating to Immunity from Legal Process of a Special Rapporteur of the Commission on Human Rights, Advisory Opinion', in: [1999] ICJ Reports 62 (ICJ, 1999).

'Interpretation of the Agreement of 25 March 1951 between WHO and Egypt, Advisory Opinion', in: [1980] ICJ Reports 73 (ICJ, 1980).

'Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion', in: [1996] ICJ Reports 66 (ICJ, 1996).

'Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)', in: [1986] ICJ Reports 14 (ICJ, 1986).

'Phosphates in Morocco (Italy v. France), Judgement', in: [1938] PCIJ Series A/B- No 74 (PCIJ, 1938).

'Reparation for Injuries Suffered in the Service of the United Nations, Advisory Opinion', in: [1949] ICJ Reports 174 (ICJ, 1949).

'United States Diplomatic and Consular Staff in Tehran (United States of America v. Iran), Judgement', in: [1980] ICJ Reports 3 (ICJ, 1980).

c) *Other cases*

'Rainbow Warrior (New Zealand v. France)', in: [1990] RIAA, Volume XX (New Zealand-France Arbitral Tribunal, 1990).

'Swanson et al v. The Queen in right of Canada', in: [1991] 80 DLR (4) 741 (Federal Court of Appeal of Canada).

'Perrett v. Collins', in: [1998] 2 Lloyd's LR 255.

### 3. BOOKS AND MONOGRAPHS

Amerasinghe, Chitharanjan F., 'Principles of the International Law of International Organisations' (2005).

Andenas, Mads, Fairgrieve, Duncan, and Bell, John, 'Tort Liability of Public Authorities in Comparative Perspective' (2002).

Bailey, Stephen H., 'Cases materials and Commentaty on administrative law' (2005).

Blumenkron, Jimena, 'Transparency and the International Civil Aviation Organisation: Implications of increased transparency in safety audit information' (2011).

Boisson de Chazournes, Laurence, 'Les relations entre organisations régionales et organisations universelles', in: L'Académie de droit international de la Haye: Recueil des Cours' (2010).

Booth QC, Cherie, and Squires, Dan, 'The Negligence Liability of Public Authorities' (2006).

Boteva, Meglena, 'A new century and a new attitude towards safety oversight in air transportation', in: Master Thesis (McGill University: Institute of Air and Space Law, 2000).

Boulle, Laurence, 'The Law of Globalization: An Introduction' (2009).

Brown, Lionel N., and Bell, John, 'French Administrative Law' (2003).

Brownlie, Ian, 'The responsibility of States for the acts of international organizations', in: *International Responsibility today: Essays in the Memory of Oscar Schachter*, ed. by Ragazzi, Maurizio (2005).

Calleja Crespo, Daniel, and Mendes de Leon, Pablo, eds., 'Achieving the Single European Sky: Goals and challenges' (2011).

Cannizzaro, Enzo, Palchetti, Peolo, and Wessel, A. Ramses, eds., 'International law as law of the European Union' (2012).

Cobb, Roger W., and Primo, David M., 'The plane truth: Airline crashes, the media and transportation policy' (2003).

Cortés Martín, Jose Manuel, 'European Exceptionalism in International Law? The European Union and the System of International Responsibility', in: *Responsibility of international organizations: essays in memory of Sir Ian Brownlie*, ed. by Ragazzi, Maurizio (2013).

Craig, Paul, and de Búrca, Gráinne, 'EU Law: Text, Cases, and Materials' (2011).

Crawford, James, 'Brownlie's principles of public international law' (2012).

\_\_\_\_\_, 'The International Law Commission's Articles on State Responsibility: Introduction, Text and Commentaries' (2002).

\_\_\_\_\_, 'State Responsibility: The General Part' (2013).

De Florio, Filippo, 'Airworthiness, An Introduction to Aircraft Certification: A guide to understanding JAA, EASA and FAA standards' (2006).

Detra, Zachary D., 'The legitimacy of the International Civil Aviation Organization's Universal Safety Oversight Audit Programme', in: *Master Thesis* (McGill University: Institute of Air and Space Law, 2006).

Diederiks-Verschoor, Isabella H. Ph., 'An Introduction to Air Law' (2006).

Eeckhout, Piet, 'External Relations of the European Union: Legal and Constitutional Foundations' (2004).

Funk, William F., and Seamon, Richard H., 'Administrative Law: Examples and explanations' (2009).

Hawke, Neil, and Parpworth, Neil, 'Introduction to Administrative Law' (1996).

Hofmann, Herwig C.H., Rowe, Gerard C., and Türk, Alexander H., 'Administrative Law and Policy of the European Union' (2011).

Huang, Jiefang, 'Aviation Safety through the Rule of Law: ICAO's mechanism and practices' (2009).

Institute of International Law, 'Yearbook', Volume 66, Part I, Session of Lisbon, (1995).

Klabbers, Jan, 'An Introduction to International Institutional Law' (2009).

Kraus, Theresa L., 'The Federal Aviation Administration: A historical perspective, 1903-2008' (2008).

European Group on Tort Law, 'Principles of European Tort Law: text and commentary' (2005).

Leckow, Ross, and Plith, Erik, 'Codification, Progressive Development or Innovation? - Some Reflections on the ILC Articles on the Responsibility of International Organizations', in: *Responsibility of international organizations: essays in memory of Sir Ian Brownlie*, ed. by Ragazzi, Maurizio (2013).

Lenaerts, Koen, and Verhoeven, Amaryllis, 'Institutional Balance as a Guarantee for Democracy in EU Governance', in: *Good Governance in Europe's Integrated Market*, ed. by Joerges, Christian and Dehousse, Renaud (2002).

Manuhutu, Frank, 'Article 83bis (Revisited): Transfer of Safety Oversight Responsibilities Seen from a European's Regulator Perspective', in: *From Lowlands to High Skies: A multilevel Jurisdictional Approach towards Air Law*, ed. by de Leon, Pablo Mendes (2013).

McInally, John, 'EUROCONTROL: History Book', (2010).

Mendes de Leon, Pablo, 'Cabotage in Air Transport Regulation' (1992).

Michaelides-Mateou, Sofia, and Mateou, Andreas, 'Flying in the Face of Criminalization: The Safety Implications of Prosecuting Aviation Professionals for Accidents' (2010).

Milde, Michael, 'International Air Law and ICAO' (2012).

Nakatani, Kazuhiro, 'Responsibility of Member States towards Third Parties for an Internationally Wrongful Act of the Organization', in: *Responsibility of international organizations: essays in memory of Sir Ian Brownlie*, ed. by Ragazzi, Maurizio (2013).

Nierhaus, Michael, 'Administrative Law', in: *Introduction to German Law*, ed. by Reimann, Mathias and Zekoll, Joachim (2005).

Ott, Andrea, Vos, Ellen I. L., and Coman-Kund, Florin, 'European Agencies on the Global Scene: EU and International Law Perspectives', in: *European Agencies in between Institutions and Member States*, ed. by Everson, Michelle, Monda, Cosimo and Vos, Ellen I. L. (2014).

Ragazzi, Maurizio, ed., 'Responsibility of international organizations: essays in memory of Sir Ian Brownlie' (2013).

Ringbom, Henrik, 'The EU maritime safety policy and international law' (2008).

Sarooshi, Dan, 'International Organizations and State Responsibility', in: 'Responsibility of international organizations: essays in memory of Sir Ian Brownlie', ed. by Ragazzi, Maurizio (2013).

———, 'International organizations and their exercise of sovereign powers' (2005).

Schermers, Henry G., and Blokker, Niels M., 'International Institutional Law' (2011).

Schipke, Alfred, Cebotari, Aliona, and Thacker, Nita, 'The Eastern Caribbean Economic and Currency Union: Macroeconomics and Financial Systems' (2013).

Schlumberger, Charles, 'Open Skies for Africa: Implementing the Yamoussoukro Decision' (2010).

Shaffer, Gregory, and Pollack, Mark A., 'Hard and Soft Law', in: *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art*, ed. by Dunoff, Jeffrey L. and Pollack, Mark A. (2013).

Spyropoulos, Philippou K., and Fortsakis, Théodore, 'Constitutional Law in Greece' (2009).

Steinberger, Helmut, 'Sovereignty', in: *Encyclopedia of Public International Law*, ed. by Bernhardt, Rudolf (2000), p. 501.

Van Antwerpen, Niels, 'Cross-Border Provision of Air Navigation Services with Specific Reference to Europe: Safeguarding Transparent Lines of Responsibility and Liability' (2008).

Venzke, Ingo, 'How Interpretation Makes International Law: On Semantic Change and Normative Twists' (2012).

von den Steinen, Erwin, 'National interest and international aviation' (2006).

von Erlach, Burkhart, 'Public law aspects of lease, charter and interchange of aircraft in international operations', in: Master Thesis (McGill University: Institute of Air and Space Law, 1990).

Wassenbergh, Henri A., 'Post-War International Civil Aviation Policy and the Law of the Air' (1962).

Weber, Ludwig, 'International Civil Aviation Organization: An Introduction' (2007).

#### 4. JOURNAL ARTICLES

Abeyratne, Ruwantissa, 'Ensuring regional safety in air transport', ASL, 35 (2010).

Aras, Aytaç, 'European aviation safety regulatory framework and Turkey: A critical analysis', University of Turkish Aeronautical Association, Faculty of Business Working Papers (2011).

Aviassist, 'Insight into the EU Blacklist', in: Safety Focus: Quarterly Journal on African aviation safety (Aviassist, 2010).

Bell, John, 'Governmental Liability: some comparative reflections', InDret, 1 (2006).

Bradley, Curtis A., and Kelley, Judith G., 'The concept of international delegation', Law and Contemporary Problems, 71 (2008).

Broderick, Anthony J., and Loos, James, 'Government Aviation Safety Oversight: trust but verify', JALC, 67 (2002).

Cariou, Pierre , Mejia, Maximo Q. Jr. , and Wolff, Francois-Charles, 'On the effectiveness of port State control inspections', Transportation Research Part E (2008).

d'Aspremont, Jean, 'Abuse of the Legal Personality of International Organizations and the Responsibility of Member States', IOLR (2007).

Dempsey, Paul S., 'Blacklisting: Banning the unfit from the heavens', AASL, XXXII (2007).

———, 'Compliance and enforcement in international law: achieving global uniformity in aviation safety', North Carolina Journal of International Law and Commercial Regulation, 30 (2004).

———, 'Independence of Aviation Safety Investigation Authorities: Keeping the Foxes from the Henhouse', JALC, 75 (2010).

El - Hussainy, Khairy, 'Registration and Nationality of Aircraft operated by International Agencies in Law and Practice', Air Law, X (1985).

Freer, Duane W., 'Regionalism is asserted: ICAN's global prospects fade (1926 to 1943)', ICAO Bulletin, Special Series 4 (1986).

Gisen, Ivo, 'Regulating regulators through liability: the case for applying normal tort rules to supervisors', Utrecht Law Review, 2 (2006).

Guillaume, Gilbert, 'ICAO at the beginning of the 21st century ', ASL, 33 (2008).

Hofmann, Herwig C.H., and Morini, Alessandro, 'The Pluralisation of EU Executive - Constitutional Aspects of "Agencification"', ELR, 37 (2012).

ICAO, 'Journal', 1 (2012).

Jennison, Michael, 'The Future of Aviation Safety Regulation: New US-EU Agreement Harmonizes and Consolidates the Transatlantic Regime, but What is the Potential for Genuine Regulatory Reform', ASL, 38 (2013).

———, 'Regional safety oversight bodies deliver economies of scale and greater uniformity', ICAO Journal, 61 (2006).

Kasprzyk, Piotr, 'Legal Ramifications of the Investigations of the 2010 Polish President's Aircraft Accident', *ASL*, 36 (2011).

Korzeniowski, John, 'Liability of Aviation Regulators: Are the floodgates opening?', *ASL*, XXV (2000).

Manuhutu, Frank, 'Aviation Safety Regulation in Europe: Towards a European Aviation Safety Authority', *ASL*, 25 (2000).

McDorman, Ted L., 'Regional port State control agreements: some issues of international law', *OCLJ*, 5 (2000).

Melanie, Fink, 'Frontex Working Arrangements: Legitimacy and Human Rights Concerns Regarding "Technical Relationships"', *Utrecht Journal of International and European Law*, 28 (2012).

Mendes de Leon, Pablo, 'The Relationship between Eurocontrol and the EC: Living Apart Together', *IOLR*, 4 (2008).

Messineo, Francesco, 'Multiple Attribution of Conduct', in: *The Research Project on Shared Responsibility in International Law (SHARES)* (2012).

Milde, Michael, 'Aviation Safety Oversight: Audits and the Law', *AASL*, XXVI (2001).

———, 'Nationality and registration of aircraft operated by Joint Air Transport Operating Organizations or International Operating Agencies', *AASL*, X (1985).

Onidi, Olivier, 'A critical perspective on ICAO', *ASL*, 33 (2008).

Ott, Andrea, 'EU regulatory agencies in EU external relations: Trapped in a legal minefield between European and International Law', *European Foreign Affairs Review*, 13 (2008).

Özçayır, Oya Z., 'The use of port State control in maritime industry and the application of the Paris MoU', *OCLJ*, 14 (2009).

Pierre, Jon, and Peters, Guy B., 'From a club to a bureaucracy: JAA, EASA, and European aviation regulation', *JEPP*, 16 (2009).

Ratajczyk, Mikołaj 'Regional Safety Oversight Organisations: an overview', *The Aviation and Space Journal*, X (2011).

Reitzfeld, Alan D. , and Mpande, Cheryl S., 'EU Regulation on Banning of Airlines for Safety Concerns', *ASL*, 33 (2008).

Ryngaert, Cedric, 'The Immunity of International Organizations Before Domestic Courts: Recent Trends', *IOLR*, 7 (2010).

Schusterschitz, Gregor, 'European Agencies as Subjects of International Law', *IOLR*, 1 (2004).

Sereni, Angelo P., 'Agency in International Law', *American Journal of International Law*, 34 (1940).

Sulocki, Thaddée, and Cartier, Axelle, 'Continuing Airworthiness in the framework of the transition from the Joint Aviation Authorities to the European Aviation Safety Agency', *ASL*, 28 (2003).

Swiecicki, Ewa M., 'Liability of the Canadian Government for the Negligent Enforcement of Aviation Safety Legislation', *AASL*, XVIII/I (1993).

Vos, Ellen I. L., 'Reforming the European Commission: What Role to Play for EU Agencies?', *CMLR*, 37 (2000).

Zayko, Sergey V., 'Russia's Interstate Aviation Committee', *ISASI Forum*, 46 (2013).

## 5. INTERVIEWS

Former President of the ICAO Air Navigation Commission, 'Interview No 1', (2013).

Official of the European Maritime Safety Agency, 'Interview No 2', (2012).

Official of the Swiss Civil Aviation Authority, 'Interview No 3', (2014).

Official of the European Aviation Safety Agency, 'Interview No 4', (2014).

Former official of the European Maritime Safety Agency, 'Interview No 5', (2014).

Official of the Banjul Accord Group Aviation Safety Oversight Organization, 'Interview No 6', (2014).

Official of the Eastern Caribbean Civil Aviation Authority, 'Interview No 7', (2014).

Official of the Regional System on Safety Oversight in Latin America, 'Interview No 8', (2014).

Official of the European Commission, 'Interview No 9', (2014).

Official of the Banjul Accord Group Accident Investigation Agency, 'Interview No 10', (2014).

Former Rulemaking Director of the European Aviation Safety Agency, 'Interview No 11', (2014).

Former Chairman of the European Aviation Safety Agency Management Board, 'Interview No 12', (2014).

## 6. LEGISLATION

'Civil Aviation Act', Laws of Grenada, Act No. 12 of 2004, amended by Act No. 18 of 2006.

'Civil Aviation Regulations', Laws of Grenada, SRO 12 of 2005.

'Code of Federal Regulations', <<http://www.gpo.gov/fdsys/pkg/CFR-2014-title14-vol1/pdf/CFR-2014-title14-vol1.pdf>> [Accessed 29 March 2014].

EASA, 'Notice of Proposed Amendment relating to rules on third country operators for commercial air transport', (NPA No 2011-05).

EC, 'Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services', (COM(2013) 409 final).

\_\_\_\_\_, 'Proposal for a Regulation of the European Parliament and of the Council on establishing common rules in the field of civil aviation and creating a European Aviation Safety Agency', (COM(2000) 595 final).

EU, 'Commission implementing Regulation (EU) No 659/2013 of 10 July 2013 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community', (OJ L 190, 11.7.2013).

\_\_\_\_\_, 'Commission Implementing Regulation (EU) No 923/2012 of 26 September 2012 laying down the common rules of the air and operational provisions regarding services and procedures in air navigation and amending Implementing Regulation (EU) No 1035/2011 and Regulations (EC) No 1265/2007, (EC) No 1794/2006, (EC) No 730/2006, (EC) No 1033/2006 and (EU) No 255/2010', (OJ L 281, 13.10.2012).

- \_\_\_\_\_, 'Commission Regulation (EC) No 1962/2006 of 21 December 2006 in application of Article 37 of the Act of Accession of Bulgaria to the European Union', (OJ L 408, 30.12.2006).
- \_\_\_\_\_, 'Commission Regulation (EU) No 646/2012 of 16 July 2012 laying down detailed rules on fines and periodic penalty payments pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council', (OJ L 187, 17.7.2012).
- \_\_\_\_\_, 'Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations', (OJ L 224, 21.8.2012).
- \_\_\_\_\_, 'Commission Regulation (EU) No 1332/2011 of 16 December 2011 laying down common airspace usage requirements and operating procedures for airborne collision avoidance', (OJ L 336, 20.12.2011).
- \_\_\_\_\_, 'Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents', (OJ L 145, 31.5.2001).
- \_\_\_\_\_, 'Regulation (EC) No 1108/2009 of the European Parliament and of the Council of 21 October 2009 amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services and repealing Directive 2006/23/EC', (OJ L 309, 24.11.2009).
- \_\_\_\_\_, 'Regulation (EC) No 1592/2002 of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency', (OJ L 240, 7.9.2002).
- \_\_\_\_\_, 'Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC', (OJ L 344, 27.12.2005).
- \_\_\_\_\_, 'Regulation (EU) No 216/2008 of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC', (OJ L 79, 19.3.2008).
- \_\_\_\_\_, 'Regulation (EU) No 628/2013 of 28 June 2013 on working methods of the European Aviation Safety Agency for conducting standardisation inspections and for monitoring the application of the rules of Regulation (EC) No 216/2008 of the European Parliament and of the Council and repealing Commission Regulation (EC) No 736/2006', (OJ L 179, 29.06.2013).
- \_\_\_\_\_, 'Regulation (EU) No 996/2010 of the European Parliament and of the Council of 20 October 2010 on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC', (OJ L 295, 12.11.2010).
- \_\_\_\_\_, 'Regulation No 376/2014 of the European Parliament and of the Council of 3 April 2014 on the reporting, analysis and follow-up of occurrences in civil aviation, amending Regulation (EU) No 996/2010 of the European Parliament and of the Council and repealing Directive 2003/42/EC of the

European Parliament and of the Council and Commission Regulations (EC) No 1321/2007 and (EC) No 1330/2007', (OJ L 122, 24.4.2014).  
'Eastern Caribbean Civil Aviation Authority Agreement Act', Laws of Grenada, Act No. 11 of 2004.  
IAC, 'АВИАЦИОННЫЕ ПРАВИЛА (Aviation Regulations)'  
<<http://www.mak.ru/russian/russian.html>> [Accessed 10 August 2014].  
Le Congrès de la Transition et le Conseil Supérieur de la Transition, République de Madagascar, 'LOI n°2012-012: Autorisant la ratification du Traité relatif aux Autorités Africaines et Malgache de l'Aviation Civile signé à N'Djaména le 20 janvier 2012, Exposé des motifs', (2012).

## 7. ICAO ASSEMBLY RESOLUTIONS

ICAO, 'Assembly Resolution A10-5: Relationship of ICAO with the European Civil Aviation Conference', (10th ICAO Assembly, 1956).  
\_\_\_\_\_, 'Assembly Resolution A27-17: Relationship between ICAO and Regional Civil Aviation Bodies', (27th ICAO Assembly, 1989).  
\_\_\_\_\_, 'Assembly Resolution A29-3: Global Rule Harmonization', (29th ICAO Assembly, 1992).  
\_\_\_\_\_, 'Assembly Resolution A32-11: Establishment of an ICAO universal safety oversight audit programme', (32nd ICAO Assembly, 1998).  
\_\_\_\_\_, 'Assembly Resolution A33-9: Resolving Deficiencies and Encouraging Quality Assurance', Assembly Resolution A33-9, (33rd ICAO Assembly, 2001).  
\_\_\_\_\_, 'Assembly Resolution A33-11: A global design code for aircraft', (33rd ICAO Assembly, 2001).  
\_\_\_\_\_, 'Assembly Resolution A35-7: Unified strategy to resolve safety related deficiencies', (35th ICAO Assembly, 2004).  
\_\_\_\_\_, 'Assembly Resolution A36-5: International Financial Facility for Aviation Safety (IFFAS)', (36th ICAO Assembly, 2007).  
\_\_\_\_\_, 'Assembly Resolution A36-6: State Recognition of the Air Operator Certificate of Foreign Operators and Surveillance of their Operations', (36th ICAO Assembly, 2007).  
\_\_\_\_\_, 'Assembly Resolution A37-1: Principles for a code of conduct on the sharing and use of safety information', (37th ICAO Assembly, 2010).  
\_\_\_\_\_, 'Assembly Resolution A37-5: The Universal Safety Oversight Audit Programme (USOAP) continuous monitoring approach', (37th ICAO Assembly, 2010).  
\_\_\_\_\_, 'Assembly Resolution A37-8: Regional cooperation and assistance to resolve safety-related deficiencies', (37th ICAO Assembly, 2010).  
\_\_\_\_\_, 'Assembly Resolution A37-21: Cooperation with regional organizations and regional civil aviation bodies', (37th ICAO Assembly, 2010).  
\_\_\_\_\_, 'Assembly Resolution A38-2: ICAO global planning for safety and air navigation', (38th ICAO Assembly 2013).  
\_\_\_\_\_, 'Assembly Resolution A38-5: Regional cooperation and assistance to resolve safety deficiencies, establishing priorities and setting measurable targets', (38th ICAO Assembly, 2013).  
\_\_\_\_\_, 'Assembly Resolution A38-7: Comprehensive Regional Implementation Plan for Aviation Safety in Africa', (38th ICAO Assembly, 2013).

- \_\_\_\_\_, 'Assembly Resolution A38-11: Formulation and implementation of Standards and Recommended Practices (SARPs) and Procedures for Air Navigation Services (PANS) and notification of differences', (38th ICAO Assembly, 2013).
- \_\_\_\_\_, 'Assembly Resolution A38-12: Consolidated Statement of continuing ICAO policies and associated practices related specifically to air navigation', (38th ICAO Assembly, 2013).
- \_\_\_\_\_, 'Assembly Resolution A36-1: Comprehensive Regional Implementation Plan for Aviation Safety in Africa', (36th ICAO Assembly, 2007).

## 8. CONFERENCE PROCEEDINGS

- '2013 EASA/FAA International Aviation Safety Conference', <<http://easa.europa.eu/newsroom-and-events/events/easa-faa-international-aviation-safety-conference-2013>> [Accessed 5 August 2014].
- ACAC/ICAO, 'Seminar/Workshop on Regional Safety Oversight Programmes', (Rabat, Morocco, 2012).
- AFCAC, 'AFI Cooperative Inspectorate Scheme (AFI-CIS)', in: Africa-Indian Ocean (AFI) Aviation Safety Symposium (Dakar: 2014).
- United States of America, 'Improving international cooperation in certification and validation of products and parts', in: ICAO High Level Safety Conference (Montréal: 2010).
- UAE General Civil Aviation Authority, 'Regional Accident Investigation Organization', in: ACAC/ICAO Seminar/Workshop on Regional Safety Oversight Programmes (Rabat, Morocco: 2012).
- Banal, Francesco, former EASA Quality and Standardisation Director, 'EASA Standardisation', in: Aircraft Engineers International Conference (Belgrade 2006).
- Belai, Haile, 'Air Transport Safety: Africa', in: Symposium on Regional Aviation Safety Agencies (Livingstone, Zambia: 2009).
- Benjamin, Raymond, 'Closing remarks, Final Report of the Conference', in: ICAO High Level Safety Conference (Montreal: 2010).
- 'Canadian Revised Preliminary Draft of an International Air Convention', in: International Civil Aviation Conference (Chicago, USA: 1944).
- CASSOA, 'Regional cooperation for the enhancement of safety oversight: obstacles and lessons learnt', in: ACAC/ICAO Seminar/Workshop on Regional Safety Oversight Programmes, (Rabat, Morocco, 2012).
- Ceubah, Guelpina 'Autorités Africaines et Malgaches de l'Aviation Civile', in: Symposium on Regional Aviation Safety Agencies (Livingstone, Zambia: 2009).
- Cheston, Mary, 'U.S. Perspective on Bilateral Safety Agreements: where we've been and where we're going', in: Europe/U.S. International Aviation Safety Conference.
- Cormier, Len, 'Cooperative Arrangements Under ICAO Modalities - Safety', in: ICAO Symposium on Regional Safety Oversight Organizations (Montréal, Canada: 2011).
- EASA, 'Aviation Safety Agreement between the United States and the European Community'2011) <[www.faa.gov/aircraft/repair/media/EASA\\_US\\_roadshows.pdf](http://www.faa.gov/aircraft/repair/media/EASA_US_roadshows.pdf)> [Accessed 5 August 2014].

\_\_\_\_\_, 'The EASA system as an integral part of the EU (Aviation) legal system', in: EASA International Cooperation Forum Legal Workshop (Brussels, 12-14 October 2009).

'EC-ICAO Symposium on Regional Organisations', (Montréal, Canada: 2008).

Graham, Nancy, 'Briefing on the State of global aviation safety', in: ICAO High Level Safety Conference (Montréal, Canada: 2010).

IAC, 'The Role of a Regional International Civil Aviation Organization in Ensuring Flight Safety', in: Directors General of Civil Aviation Conference on Global Strategy for Aviation Safety (Montréal, Canada: 2006).

ICAO, 'COSCAPs in Five Regions', in: World Bank/ICAO Air Transport Development Forum (Kuala Lumpur: 2008).

\_\_\_\_\_, 'Improving ICAO Transparency Policy: Sharing and Using Information in a Transparent, Consistent and Fair Manner', in: ICAO High Level Safety Conference (Montréal: 2010).

\_\_\_\_\_, 'Mutual Recognition', in: Directors General of Civil Aviation Conference on Global Strategy for Aviation Safety (Montréal, Canada: 2006).

\_\_\_\_\_, 'Recognition and validation of approvals and certificates issued by other States', in: ICAO High Level Safety Conference (Montréal: 2010).

\_\_\_\_\_, 'Symposium on Regional Safety Oversight Organisations' 2011 <<http://www.icao.int/Meetings/RSOOSYMP0/Pages/default.aspx>> [Accessed 6 August 2014].

ICAO/AFCAC/EASA, 'Symposium on regional civil aviation agencies', (Livingstone, Zambia: 2009).

Jallow, Mam Sait, 'Progress on key activities of the comprehensive regional implementation plan for aviation safety in africa (AFI PLAN)', in: AFI Ministerial briefing (Montréal: 2013).

Jennison, Michael, 'Is the RSOO a success story?', in: ICAO Symposium on Regional Safety Oversight Organisations (Montréal, Canada: 2011).

Konate, Gaoussou, 'Air Safety Situation in Africa, Current Problems: need for innovation', in: Symposium on Regional Aviation Safety Agencies (Livingstone, Zambia: 2009).

'Main conclusions and follow-up to the Symposium', in: Symposium on Regional Aviation Safety Agencies (Livingstone, Zambia: 2009).

Ratajczyk, Mikołaj, 'Features and Evolution of Regional Safety Oversight Organisations: Comparative Analysis', in: ICAO Symposium on Regional Safety Oversight Organizations (Montréal: 2011).

Singapore, 'Recognition and validation of foreign AMO approvals', in: ICAO High Level Safety Conference (Montréal: 2010).

Tuala, Seiuli A.W., 'Establishment of a funding mechanism to ensure the sustainability of an RSOO', in: ICAO Symposium on Regional Safety Oversight Organizations (Montréal, Canada: 2011).

\_\_\_\_\_, 'Regional cooperation for the enhancement of safety oversight', in: ICAO Symposium on Regional Safety Oversight Organizations (Montréal, Canada: 2011).

Wilson-Hunter, Cornelia, 'Remarks', in: ICAO Symposium on Regional Aviation Safety Organisations (2011).

## 9. EU AND EASA DOCUMENTS

European Network of Civil Aviation Safety Investigation Authorities (ENCASIA), '2014 Work Programme', (2014).

\_\_\_\_\_, 'Annual Report', (2013).

Horváth & Partners Management Consultants on behalf of the EASA management board, 'Evaluation on the Implementation of EU Regulation 1592/2002: Final Report', EASA evaluation prepared on the basis of Article 51 of Regulation (EC) 1592/2002, (2007).

Pricewaterhouse Coopers on behalf of the European Parliament's Committee on Budgets, 'The impact on the EU and national budgets of EU agencies: case studies, PricewaterhouseCoopers study prepared for the European Parliament's Committee on Budgets', (2012).

Ramboll-Euréval-Matrix on behalf of the European Commission, 'Evaluation of the EU decentralised agencies: Final Report - Volume III, Agency level findings', (2009).

EASA, '10th Anniversary Chronicle', (2013).

\_\_\_\_\_, 'Annual General Reports for the years 2010-2013' <<http://easa.europa.eu/newsroom-and-events/general-publications>> [Accessed 28 July 2014].

\_\_\_\_\_, 'Annual Safety Review', (2013).

\_\_\_\_\_, 'Article 62 Panel Evaluation: final report', (2013).

\_\_\_\_\_, 'Business Plan 2014-2018', EASA Management Board Decision Nr 12-2013, (2013).

\_\_\_\_\_, 'General Principles Related to the Certification procedures to be applied by the Agency for the issuing of certificates for products, parts, and appliances (Product Certification Procedures)', (Decision of the EASA Management Board No 07-2004, and amended by Decision No 12-2007).

\_\_\_\_\_, 'Guidelines for the allocation of certification tasks to National Aviation Authorities and Qualified Entities', (Decision of the EASA Management Board No 01-2011).

\_\_\_\_\_, 'Information Note: Agreement between the United States of America and the European Union on cooperation in the regulation of civil aviation safety' <<http://easa.europa.eu/document-library/bilateral-agreements/eu-usa>> [Accessed 5 August 2014].

\_\_\_\_\_, 'Revised 4-year Rulemaking Programme 2014-2017', Annex I to EASA Executive Director's Decision No 2013/029/R, (2013).

\_\_\_\_\_, 'Safety Assessment of Foreign Aircraft (EC SAFA Programme)' <<http://easa.europa.eu/safety-assessment-foreign-aircraft-ec-safa-programme>> [Accessed 5 August 2014].

EC, 'Commission Working Document: In view of the discussions within the Council on the creation of the European Aviation Safety Authority in the Community framework', COM (2000) 144 final, (Brussels, 2000).

\_\_\_\_\_, 'Communication from the Commission to the European Parliament and the Council: European Agencies: The Way Forward', COM (2008) 135 final.

\_\_\_\_\_, 'Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Accelerating the implementation of the Single European Sky', (COM (2013) 408 final, 2013).

- \_\_\_\_\_, 'Communication from the Commission: Governance and incentive mechanisms for the deployment of SESAR, the Single European Sky's technological pillar', COM(2011) 923 final, (Brussels, 2011).
- \_\_\_\_\_, 'Decentralised agencies: 2012 Overhaul (analitical fiches)' <[http://europa.eu/agencies/documents/fiche\\_3\\_sent\\_to\\_ep\\_cons\\_2010-12-15\\_en.pdf](http://europa.eu/agencies/documents/fiche_3_sent_to_ep_cons_2010-12-15_en.pdf)> [Accessed 9 January 2014].
- \_\_\_\_\_, 'Draft Interinstitutional Agreement on the operating framework for the European regulatory agencies', COM (2005) 59 final.
- \_\_\_\_\_, 'The EC SAFA Programme: Past, Present and Future' <[http://ec.europa.eu/transport/modes/air/safety/doc/2009\\_12\\_04\\_info\\_fiche\\_safa\\_programme.pdf](http://ec.europa.eu/transport/modes/air/safety/doc/2009_12_04_info_fiche_safa_programme.pdf)> [Accessed 5 August 2014].
- \_\_\_\_\_, 'The EU's External Aviation Policy: Addressing Future Challenges, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions', COM(2012) 556, (Brussels, 2012).
- \_\_\_\_\_, 'European Governance: A White Paper', (COM (2001) 428 final).
- \_\_\_\_\_, 'European Union SAFA Program', COM (2012) 91 final.
- \_\_\_\_\_, 'Impact Assessment accompanying the proposal of the European Commission for a Regulation of the European Parliament and of the Council on investigation and prevention of accidents and incidents in civil aviation', COM(2009) 611 final, (Brussels, 2009).
- \_\_\_\_\_, 'Information Note: Handling of notifications in the context of the flexibility provisions under Articles 14(1), 14(4) and 14(6) of EU Regulation No 216/2008', (meeting of the EASA committee No 3/2013).
- \_\_\_\_\_, 'A new response to a changing Neighbourhood: Joint Communication by the High Representative of The Union For Foreign Affairs And Security Policy and the European Commission', COM (2011) 303, (Brussels, 2011).
- \_\_\_\_\_, 'Participation of European third countries in the work of the European Aviation Safety Agency, Commission Staff Working Paper', SEC(2002) 1090, (Brussels, 2002).
- \_\_\_\_\_, 'Roadmap for a policy initiative on aviation safety and a possible revision of Regulation (EC) No 216/2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency', (2014).
- \_\_\_\_\_, 'Template for EU Member States démarche to ICAO on the transfer of regulatory tasks to EASA', (EU Council archives, Brussels, 14 November 2003).
- EU, 'European Organisation Responsible for Civil Aviation Safety: Report on the Work of the Expert Group on Legal Issues', Working Party on Aviation of 19 February 1998, Working Document AER/98/17, (EU Council archives, Brussels, 1998).
- \_\_\_\_\_, 'Joint Statement of the European Parliament, the Council of the EU and the European Commission on decentralised agencies', (2012).
- \_\_\_\_\_, 'Recommandation de décision du Conseil autorisant la Commission à engage des négociations en vue de la création d'une organisation européenne pour la sécurité de l'aviation civile', SEC(96) 2152 final, (EU Council archives, Brussels, 1996).
- Kinnock, Neil, Member of the European Commission responsible for Transport, 'Meeting the global challenge: the outlook for civil aviation in the EU', SPEECH/98/1, (Forum Europe, Brussels, 1998).

'Report of the High Level Group for the Future European Aviation Regulatory Framework: A framework for driving performance improvement', (2007). Verhaugen, Günter, Vice-President of the European Commission responsible for Enterprise and Industry, 'The role of the Aviation Safety Agency from an industry point of view', SPEECH/04/536, (Speech at the occasion of the inauguration of EASA in Cologne, 2004).

## 10. ICAO DOCUMENTS

AFCAC, 'Establishment of Regional Safety Oversight Organizations in Africa', A37-WP/166, (37th ICAO Assembly, 2010).

\_\_\_\_\_, 'Progress report on the implementation of AFI Cooperative Inspectorate Scheme (AFI-CIS)', A38-WP/214, (38th ICAO Assembly, 2013).

Akature, Emmanuel 'Institutionalization of the Banjul Accord Group Safety Oversight Organization', RASG-AFI/1 - IP/7, (First meeting of the Africa - Indian Ocean Regional Aviation Safety Group, RASG-AFI/1, 2012).

BAGASOO, 'Framework of the Banjul Accord Group Aviation Safety Oversight Organization (BAGASOO) and The Banjul Accord Group Accident Investigation Agency (BAGAIA)', C-WP/13396, (187th session of the ICAO Council, 2009).

CASSOA, 'Safety Initiatives and Regional Organizations in the AFI Region', RASG-AFI/1 – IP/8, (First meeting of the Africa Indian Ocean Regional Aviation Safety Group, 2012).

IAC, 'Regional Organizations in Accident and Incident Investigations', AIG/08-WP/22, (ICAO Accident Investigation and Prevention (AIG) Divisional Meeting, 2008).

ICAO, 'Annual Report to Council on Regional Offices' activities during 2012 and Work Programmes for 2013', C-WP/13919, (2013).

\_\_\_\_\_, 'Annual Reports of the Council (2009-2013)'.

\_\_\_\_\_, 'Comprehensive Regional Implementation Plan for Aviation Safety in Africa, 12th meeting of the steering committee: report', AFI SC/2013/12, (2013).

\_\_\_\_\_, 'Cooperation with Regional Organizations and Regional Civil Aviation Bodies', C-WP/13885, (197th session of the ICAO Council, 2012).

\_\_\_\_\_, 'Cooperation with Regional Organizations and Regional Civil Aviation Bodies', A38-WP/9, (38th ICAO Assembly, 2013).

\_\_\_\_\_, 'Cooperation with Regional Organizations and Regional Civil Aviation Bodies', A37-WP/28, (37th ICAO Assembly, 2010).

\_\_\_\_\_, 'Directives to Regional Air Navigation Meetings and Rules of Procedure for their Conduct', ICAO Doc. 8144-AN/874, (1991).

\_\_\_\_\_, 'Encouraging the improvement of safety oversight in States with significant safety concerns (SSCs): Summary of decisions', C-DEC 195/6, (195th session of the ICAO Council, 2012).

\_\_\_\_\_, 'Evolution of the ICAO Universal Safety Oversight Audit Programme (USOAP) beyond 2010', C-WP/13356, (187th session of the ICAO Council).

\_\_\_\_\_, 'Final Report on the ICAO Coordinated Validation Mission in the Organization of Eastern Caribbean States', (2013).

\_\_\_\_\_, 'Final Report on the safety oversight audit of the civil aviation system of the European Aviation Safety Agency', (2008).

- \_\_\_\_\_, 'Final Report on the safety oversight audit of the civil aviation system of the Federal Republic of Germany', (2005).
- \_\_\_\_\_, 'Final report on the safety oversight audit of the civil aviation system of the Kingdom of Norway', (2006).
- \_\_\_\_\_, 'Final report on the safety oversight audit of the civil aviation system of the Organization of Eastern Caribbean States (Antigua and Barbuda; Grenada; St. Kitts and Nevis; Saint Lucia; and Saint Vincent and the Grenadines)', (2007).
- \_\_\_\_\_, 'Final review of proposed amendment to Annex 13 relating to independence of accident and incident investigations', AN-WP/8803, (Air Navigation Commission, 2013).
- \_\_\_\_\_, 'Formulation and implementation of Standards and Recommended Practices (SARPS) and Procedures for Air Navigation Services (PANS) and notification of differences', A38-WP/48, (38th ICAO Assembly, 2013).
- \_\_\_\_\_, 'Global Aviation Safety Plan', Doc. 10004, (2013).
- \_\_\_\_\_, 'Guidance on the Implementation of Article 83 bis of the Convention on International Civil Aviation', Circular 295, (2003).
- \_\_\_\_\_, 'ICAO plans of action for States under the review of the MARB', AFI Plan-SC/2013/11-DP/02, (11th AFI Plan Steering Committee, 2013).
- \_\_\_\_\_, 'Infractions of the Convention on International Civil Aviation', C-WP/11186, (185th session of the ICAO Council, 1999).
- \_\_\_\_\_, 'Known Issues and Difficulties', in: 1st Meeting of Filing of Differences Task Force (Montreal, Canada: 2011).
- \_\_\_\_\_, 'Manual of Procedures for Operations Inspection, Certification and Continued Surveillance', Doc. 8335, (2010).
- \_\_\_\_\_, 'Manual on Regional Accident and Incident Investigation Organization', Doc. 9946, (2011).
- \_\_\_\_\_, 'Notification and publication of differences: Report to Council by the President of the Air Navigation Commission', C-WP/12412, (177th session of the ICAO Council, 2006).
- \_\_\_\_\_, 'Notification and publication of differences: Summary of Decisions', C-DEC 177/14, (177th session of the ICAO Council, 2006).
- \_\_\_\_\_, 'Outcomes of the Symposium on Regional Safety Oversight Organisations', Oral report by the ICAO Secretary General, (194th session of the ICAO Council, 2011).
- \_\_\_\_\_, 'Outlook for Air Transport to the Year 2025', Circular 313, AT/134, (2007).
- \_\_\_\_\_, 'Policy and Guidance Material on the Economic Regulation of International Air Transport', ICAO Doc. 9587, (2008).
- \_\_\_\_\_, 'Policy and Principles on the Use of the Electronic Filing of Differences (EFOD) System', C-WP/13803, (195th session of the ICAO Council, 2012).
- \_\_\_\_\_, 'Progress in Africa – report on the Comprehensive Regional Implementation Plan for Aviation Safety in Africa (AFI PLAN)', A38-WP/67, (38th ICAO Assembly, 2013).
- \_\_\_\_\_, 'Progress Report on Comprehensive Study on Known Issues in Respect of the Notification and Publication of Differences', C-WP/13954, (198th session of the ICAO Council, 2013).

\_\_\_\_\_, 'Progress report on the implementation of the electronic filing of differences (EFOD) system', C-WP/13803, (195th session of the ICAO Council, 2012).

\_\_\_\_\_, 'Proposed Terms of Reference of the Secretariat/Council Group on Regional Bodies: Summary of Decisions', C-DEC 186/2, (186th session of the ICAO Council, 2009).

\_\_\_\_\_, 'Regional Performance Dashboards' <<http://www.icao.int/safety/Pages/Regional-Targets.aspx>> [Accessed 4 August 2014].

\_\_\_\_\_, 'Relationship of ICAO with regional civil aviation bodies', A21-WP/35, (21st ICAO Assembly, 1974).

\_\_\_\_\_, 'Report of ANC — Establishment of Regional Aviation Safety Groups (RASGs): Summary of Decisions', C-Dec 190/4, (190th session of the ICAO Council 2010).

\_\_\_\_\_, 'Report of ARRB – Report of the Audit Results Review Board (ARRB): Summary of Decisions', C-DEC 191/2, (191st session of the ICAO Council, 2010).

\_\_\_\_\_, 'Report of the Secretariat/Council Group on Regional Bodies', C-WP/13404, (188th session of the ICAO Council, 2009).

\_\_\_\_\_, 'Report of the Secretariat/Council Group on Regional Bodies: Summary of Decisions', C-Dec 188/3, (2009).

\_\_\_\_\_, 'Resolution on Nationality and Registration of Aircraft Operated by International Operating Agencies', (Reproduced in ICAO Doc. 9587 'Policy and Guidance Material on the Economic Regulation of International Air Transport').

\_\_\_\_\_, 'Review of the outcomes of the Symposium on Regional Safety Oversight Organizations', C-WP/13810, (195th session of the ICAO Council, 2011).

\_\_\_\_\_, 'RSOOs and COSCAPs' (2014), <[http://www.icao.int/safety/Implementation/Lists/COSCAP\\_RSOO/AllItems.aspx](http://www.icao.int/safety/Implementation/Lists/COSCAP_RSOO/AllItems.aspx)> [Accessed 14 March 2014].

\_\_\_\_\_, 'Safety Audit Information' <<http://www.icao.int/safety/Pages/USOAP-Results.aspx>> [Accessed 14 March 2014].

\_\_\_\_\_, 'Safety Management Manual', Doc. 9859, (2013).

\_\_\_\_\_, 'Safety Oversight Manual, Part A: The Establishment and Management of a State's Safety Oversight System', Doc. 9734, Part A, (2006).

\_\_\_\_\_, 'Safety Oversight Manual, Part B: The Establishment and Management of a Regional Safety Oversight Organization', Doc. 9734, (2011).

\_\_\_\_\_, 'Safety Report', (2014).

\_\_\_\_\_, 'Second meeting of the Regional Aviation Safety Group for Africa and the Indian Ocean region (RASG-AFI/2): Update on the AFI Plan and Other Safety Initiatives', RASG-AFI/2 – WP/13, (2013).

\_\_\_\_\_, 'Significant Safety Concerns (SSCs) – A mechanism for the sharing of SSCs with the public: Summary of decisions', C-DEC 197/4, (197th session of the ICAO Council, 2012).

\_\_\_\_\_, 'State letter concerning the adoption of Amendment 16 to Annex 6, Part III, Attachement D: Note on the notification of differences', AN 11/32.3.8-11/46, (2011).

\_\_\_\_\_, 'State of Global Aviation Safety', (2013).

\_\_\_\_\_, 'Universal Safety Oversight Audit Programme – Continuous Monitoring Approach (USOAP CMA)', A38-WP/50, (38th ICAO Assembly, 2013).

———, 'Universal Safety Oversight Audit Programme Continuous Monitoring Manual', Doc. 9735, (2011).

El Salvador, 'Establishment of a central american accident and incident investigation organization', A38-WP/232, (38th ICAO Assembly, 2013).

## 11. OTHER SOURCES

The Aviation & Allied Business Journal (12.10.2012), 'BAGASOO: Future Regional Safety Pivot', Interview with Mr Emmanuel Akatue, Executive Director of the BAGASOO'  
[\[Accessed 23 July 2014\]](http://www.aviationbusinessjournal.aero/2012/10/12/bagasoo-future-regional-safety-pivot.aspx).

AFCAC, 'Report on progress made in the areas of Safety, Security, Implementation of Yamoussoukro Decision and Environment: Progress Report on the Implementation of AFI-CIS', WP/3, (22nd AFCAC Plenary Session, 2013).

Allianz, 'Safety and Shipping 1912-2012: From Titanic to Costa Concordia', (2012).

BAGASOO, 'Revised Brochure'  
[\[Accessed 10 August 2014\]](http://www.bagasoo.org/en/images/docs/downloads/bagasoo_brochure_revised.pdf).

Asian Development Bank, 'Institutional Strengthening for Aviation Regulation'  
[\[Accessed 10 August 2014\]](http://www.adb.org/projects/43429-012/details).

World Bank, 'Pacific Aviation Safety Office Reform Project', Report No: PAD532, (2013).

———, 'Pacific Aviation Safety Office Reform, project No. P145057'  
[\[Accessed 14 August 2014\]](http://www.worldbank.org/projects/P145057/pacific-aviation-investment-program?lang=en).

CANSO, 'Guide to Separation of Service Provision and Regulation', (2011).

CASSOA, 'Organisational Development Plan 2010/11–2014/15'  
[\[Accessed 10 August 2014\]](http://www.cassoa.org/docs/Approved%20CASSOA%20Organisation%20Evolution%20Plan%20R2.pdf).

CEMAC, 'Reunion des ministres des transports des etats membres de la cemac et sao tome et principe - communique final' [\[Accessed 7 August 2014\]](http://www.cemac.int/press-release/reunion-des-ministres-des-transports-des-etats-membres-de-la-cemac-et-sao-tome-et).

CEPS, 'Upgrading the EU's role as Global Actor: Institutions, Law and the Restructuring of European Diplomacy', (2011).

COSCAP-SA, 'Model bilateral agreement between COSCAP South Asia and States for obtaining Services of Technical Experts from COSCAP South Asia to perform Safety Oversight functions'2009)  
[\[Accessed 6 August 2014\]](http://www.coscapsa.org/Manuals/ifapmanual.pdf).

ECAC, 'Code of Conduct on co-operation in the field of civil aviation accident/incident investigation' [\[Accessed 7 August 2014\]](https://www.ecac-ceac.org//publications_events_news/ecac_documents/codes_of_conduct).

———, 'Report on 'JAA activities'', DGCA/86, (ECAC archives, Paris, 1992).

\_\_\_\_\_, 'Report on JAA activities, presented by the Chairman of JAA Committee', (ECAC DGCA/16, ECAC archives in Paris, 1994).

\_\_\_\_\_, 'Roadmap for JAA', (2005).

EUROCONTROL, 'Challenges of Growth 2013: Task 4: European Air Traffic in 2013', (2013).

FAA, 'Bilateral agreements: purpose'  
[http://www.faa.gov/aircraft/air\\_cert/international/bilateral\\_agreements/purpose/](http://www.faa.gov/aircraft/air_cert/international/bilateral_agreements/purpose/) [Accessed 5 August 2014].

\_\_\_\_\_, 'Generic Steps for Obtaining a Bilateral Aviation Safety Agreement'  
[http://www.faa.gov/aircraft/air\\_cert/international/bilateral\\_agreements/media/BASAProcess.pdf](http://www.faa.gov/aircraft/air_cert/international/bilateral_agreements/media/BASAProcess.pdf) [Accessed 5 August 2014].

GAO, US, 'FAA Needs to Strengthen the Management of Its Designee Programs', GAO-05-40, (2004).

Aviation Working Group, 'Economic impact assessment and select recommendations: dissimilar technical regulatory requirements impacting cross border transfer of aircraft', (2011), p. 2.

ICAO, 'Cooperative Development of Operational Safety and Continuing Airworthiness Programme – South Asia (COSCAP-SA) Phase III'  
<http://www.coscapsa.org/maindocuments.php> [Accessed 6 August 2014].

NLR Air Transport Safety Institute, 'Safety Oversight Comparative Analysis Study', NLR-CR-2009-260, (2010).

Radio New Zealand International, 'Pacific Aviation Safety Office in financial strife' <http://www.radionz.co.nz/international/pacific-news/205665/pacific-aviation-safety-office-in-financial-strife> [Accessed 22 March 2014].

JAA, 'FUJA II Working Group: Final Report (2008)'  
[http://www.jaa.nl/fuja/fuja\\_report.html](http://www.jaa.nl/fuja/fuja_report.html) [Accessed 28 March 2014].

Murray, Kimball, Bartsch, Ron, and Foon, Max, 'Legal and Technical Review Report for the Pacific Aviation Safety Office', (AvLaw Aviation Consultants, 2007).

OECS, 'Eastern Caribbean Civil Aviation Authority' <http://www.oecs.org/about-the-oecs/institutions/eastern-caribbean-civil-aviation-authority-eccaa> [Accessed 8 August 2014].

PASO, 'Regional approach to aviation through harmonised regulatory application in the south west pacific', Working Paper WP/23, (First Meeting of the Regional Aviation Safety Group - Asia and Pacific Regions - RASG-APAC/1, 2011).

Congressional Research Service, 'International Law and Agreements: Their Effect Upon U.S. Law', RL32528, (2010).

van Dam, Cees C., 'Aansprakelijkheid van Toezichthouders, Een analyse van de aansprakelijkheidsrisico's voor toezichthouders wegens inadequaat handhavingstoezicht en enige aanbevelingen voor toekomstig beleid', (British Institute of International and Comparative Law, 2006).

