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

Ratajczyk, M.A.

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Author: Ratajczyk, Mikołaj

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Propositions relating to the dissertation:

Regional Aviation Safety Organisations: Enhancing Air Transport Safety through Regional Cooperation

by RATAJCZYK Mikołaj

- (1) It is acceptable for a State to discharge its international aviation safety obligations by relying, in part or entirely, on a Regional Aviation Safety Organisation (RASO), as long as the State can demonstrate that the provisions of the Chicago Convention and its Annexes are effectively implemented.
- (2) ICAO should build a Global Aviation Safety Oversight Network (GASON), and rely on it for the standardisation and monitoring of its Member States' level of effective implementation of the critical elements of State safety oversight.
- (3) The current global aviation safety system suffers from a 'death by audit syndrome', which stems from redundant regulatory oversight and repetitive certifications of the same aviation activities conducted under jurisdictions of different States.
- (4) Regions comprised of small States with limited resources and/or States with low levels of aviation activity which are unable to generate revenues big enough to support fully fledged national civil aviation authorities, are recommended to establish RASOs in the form of a single Regional Civil Aviation Authority (RCAA).
- (5) From the perspective of the responsibility for the implementation of the Chicago Convention and its Annexes, the actions of a RASO will normally be attributed to its Member States, as the RASO acts as an agent of States which remain ultimately responsible for compliance with their international safety obligations vis-à-vis third parties.
- (6) The obligation to notify differences under Article 38 of the Chicago Convention should be effectively narrowed down to those differences which are of particular relevance for the safety and regularity of air navigation, in line with risk and performance based approaches to safety regulation.
- (7) Aviation safety is a relative notion. What was considered safe yesterday, may not be today, and will definitely not be considered as such tomorrow.
- (8) Aviation has become so complex, that a regulatory framework predominantly based on prescriptive regulations and compliance audits is no longer enough to achieve long-term improvements in the global aviation safety system.
- (9) In the face of limited scientific evidence, policy makers and regulators will be more prone to industry lobbying and opinions.
- (10) In international negotiations never let the other party lose face.