

International Aviation Safety Assessment (IASA) Program

IASA Program Overview

Under the International Aviation Safety Assessment (IASA) program, the FAA determines whether another country's oversight of its air carriers that operate, or seek to operate, into the U.S., or codeshare with a U.S. air carrier, complies with safety standards established by the International Civil Aviation Organization (ICAO). The IASA program is administered by the FAA Associate Administrator for Aviation Safety (AVS), Flight Standards Service (AFS), International Programs and Policy Division (AFS-50).

The IASA program focuses on a country's ability, not the ability of individual air carriers, to adhere to international aviation safety standards and recommended practices contained in Annex 1 (Personnel Licensing), Annex 6 (Operation of Aircraft), and Annex 8 (Airworthiness of Aircraft) to the International Convention on Civil Aviation "Chicago Convention" (ICAO Document 7300).

IASA assessments determine compliance with these international standards by focusing on each critical element (CE) of an effective aviation safety oversight authority specified in ICAO Document 9734, Safety Oversight Manual. These eight critical elements include:

- (CE-1) Primary aviation legislation;
- (CE-2) Specific operating regulations;
- (CE-3) State civil aviation system and safety oversight functions;
- (CE-4) Technical personnel qualification and training;
- (CE-5) Technical guidance, tools and the provision of safety critical information;
- (CE-6) Licensing, certification, authorization, and approval obligations;
- (CE-7) Surveillance obligations; and
- (CE-8) Resolution of safety concerns.

An IASA does not evaluate the safety compliance of any particular air carrier, nor does it address aviation security, airports, or air traffic management.

Beginning in mid-1991, AFS began to formulate a method to address foreign air transportation safety concerns. As a result, the IASA Program was formally established in the Federal Register, Vol. 57, No. 164, August 24, 1992, with the purpose of ensuring that all foreign air carriers operating to or from the U.S., or codesharing with a U.S. carrier, are properly certificated and subject to safety oversight provided by a competent Civil Aviation Authority (CAA) in accordance with ICAO standards.

The IASA Program is conducted under the provisions of the Chicago Convention and applicable air transport agreements. Article 6, Scheduled Air Services, of the Chicago Convention states that, "no scheduled international air service may be operated over international or into the territory of a contracting State, except with the special permission or

other authorization of that State, and in accordance with the terms of such permission or authorization.”

The model air transport agreement also contains a safety paragraph, normally Article 6, allowing either party to, “request consultations concerning the safety standards maintained by the other party relating to... aircrews, aircraft, and operation of airlines of that party.” Further, “each party reserves the right to withhold, revoke, suspend, limit, or impose conditions on the operating authorization or technical permission of an airline or airlines of the other Party in the event the other Party does not take such appropriate corrective action within a reasonable time and to take immediate action, prior to consultations, as to such airline or airlines if the other Party is not maintaining and administering the aforementioned standards and immediate action is essential to prevent further noncompliance.”

Additionally, the model air transport agreement contains a revocation of authorization paragraph, normally Article 4, allowing either party to, “revoke, suspend, limit, or impose conditions on the operating authorizations or technical permissions of an airline where...that airline has failed to comply with the laws and regulations...” However, “unless immediate action is essential to prevent noncompliance...the rights established by this article shall be exercised only after consultation with the other party.” The U.S. may exercise these Article 4 rights at any stage of the IASA Program Process.

ICAO standards are presumptively binding on ICAO Member States as signatories to the Chicago Convention.

The AFS-50 organization maintains and publishes a country-by-country category summary listing of the results of its IASA determinations. Countries are listed as either Category 1 - the FAA has found that the country meets ICAO standards for safety oversight of civil aviation, or Category 2 - the FAA has found that the country does not meet those standards.

In accordance with Federal Register, Vol. 59, No. 173, September 8, 1994, the results of the IASA program regarding safety oversight category determinations are provided to the public, and used by the U.S. and foreign governments, the aviation industry and U.S. citizens traveling on international flights. Current IASA determinations for countries included in the IASA categorization system are available on the FAA web-site at: <http://www.faa.gov/about/initiatives/iasa/media/IASAWS.xlsx>. The FAA also issues a public release when any change of IASA Category for a country occurs.

As specified in Federal Register, Volume 60, No. 210, October 31, 1995, foreign air carriers from countries with an IASA Category have the following technical permissions regarding economic authority:

- Carriers from Category 1 countries are permitted to operate into the U.S. and/or codeshare with U.S. air carriers in accordance with Department of Transportation (DOT) authorizations.
- Carriers from Category 2 countries that operate into the U.S. and/or codeshare with U.S. air carriers have such services limited to levels that existed at the time of the assessment.
- Carriers from Category 2 countries that seek to initiate commercial service into the U.S. and/or seek to codeshare with any U.S. air carrier are prohibited from initiating such services.

The AFS-50 organization may periodically revisit the CAA of a country with air carriers operating into the United States to maintain full familiarity with the methods of that country's continued compliance with ICAO provisions. AFS-50 may also find it necessary to reassess a country at any time if it has reason to believe that minimum ICAO standards are not being met.

IASA Process Requirements

A foreign air carrier of a sovereign state desiring to conduct foreign air transportation operations into the United States, or codeshare with a U.S. carrier, files an application with DOT under 49 U.S. Code § 41302 - Permits of foreign air carriers. Title 14 Code of Federal Regulations (CFR) Parts 211 and 302 specify the requirements for issuance of these authorities.

Consistent with international law, certain safety requirements for operations into the United States are prescribed by 14 CFR Part 129. 14 CFR Part 129 specifies that the carrier must meet the safety standards contained in Part 1 (International Commercial Air Transport) of Annex 6 (Operations of Aircraft) to the Convention on International Civil Aviation (Chicago Convention). Before DOT issues a foreign air carrier permit, it notifies the FAA of the application and requests the FAA's evaluation of the respective CAA's capability for providing safety certification and continuing oversight for its international carriers.

IASA Process Overview

AFS-50 normally determines the appropriate IASA category rating for a country using information collected during an in-country assessment of that country's CAA. AFS-50 also may consider other reliable sources of information on a CAA's compliance with international standards when making a determination of safety oversight under the IASA program. AFS-50 may use the information developed by these other sources to supplement the information developed during an assessment of the CAA, or to entirely replace the assessment altogether, when making an IASA category determination.

In conducting its IASA assessments, AFS uses a standardized checklist that groups international standards into the eight CEs of safety oversight established by ICAO. AFS-50 publishes the current IASA checklist at: <http://www.faa.gov/about/initiatives/iasa/checklists/>. An in-country assessment typically is conducted over the course of one week by a specially trained IASA team, and consist of a team leader, at least one aviation safety inspector in operations and maintenance, and an FAA international aviation law attorney.

Once an in-country IASA has been completed, the assessment team returns to the United States, compiles findings, and produces a detailed written report. Subsequently, FAA provides the results of the assessment, through the report, to other U.S. Government officials and the CAA, details the updated status of the IASA process, and requests appropriate follow on activities.

When the initial results of the assessment of a CAA's safety oversight indicate that a country does not meet ICAO standards, the FAA formally requests IASA final discussions. IASA final discussions are meant to provide an opportunity for the CAA to present necessary actions to

correct findings of noncompliance with ICAO requirements identified during the assessment activity. Final discussions may also be an opportunity to provide guidance on possibilities to reconcile items identified during the assessment.

To achieve an IASA Category 1 rating, a country must demonstrate that it meets the ICAO standards for each of the eight CEs. Category 2 means that the safety oversight provided by a country's CAA was found noncompliant in at least one of the CEs.

After the conclusion of the IASA activities, including the assessment visit, final discussions, and notifications have been completed, FAA publicly releases assessment results, in accordance with Federal Register, Vol. 59, No. 173, September 8, 1994. The current categories for all countries with an IASA rating are published online: <http://www.faa.gov/about/initiatives/iasa/media/IASAWS.xlsx>. The FAA also issues a public release when any change of IASA Category for a country occurs.

When an IASA results in a country receiving an IASA Category 1 rating, AFS-50 will forward a positive recommendation to DOT. If there is a pending foreign carrier application, DOT will issue the requested economic authority and the responsible AFS International Field Office (IFO) will issue operations specifications (OpsSpecs) to permit the carrier to begin operations to and from the United States. Detailed IASA Category information regarding foreign air carrier economic authority and technical permissions are specified in Federal Register, Volume 60, No. 210, October 31, 1995.

AFS recently adopted a procedure to remove a country from the IASA program summary listing when that country's air carriers no longer provide air service to the U.S., none of the country's air carriers participate in code-share arrangements with U.S. air carriers, and the country's CAA has ceased interacting with the FAA for an extended period of time. AFS made this change, detailed in Federal Register Volume 78, No. 46, March 8, 2013, (<http://www.faa.gov/about/initiatives/iasa/media/fedr-525.pdf>) to improve the quality of the IASA summary listing by ensuring that countries do not remain categorized when the results of their IASA determinations might no longer be accurate or reasonably current.

Desired Outcome of the IASA Program

Since the inception of the IASA program, AFS has seen tangible improvements in the level of civil aviation safety oversight provided by CAAs worldwide. Through the application of the IASA program, AFS continues to facilitate compliance with international standards, ensure that countries provide proper oversight of each air carrier operating into the U.S., or code sharing with a U.S. air carrier, meet the statutory requirements of Congress for aviation safety, and meet expectations of the traveling public. As a result, the IASA program remains an integral part of the FAA's continuing mission to provide the safest, most efficient aerospace system in the world.