EAST AFRICAN COMMUNITY
CIVIL AVIATION SAFETY AND SECURITY OVERSIGHT AGENCY

MINUTES OF THE THIRD BOARD MEETING FOR CASSOA
FOURTH CASSOA BOARD MEETING

ARUSHA TANZANIA
29th – 30th May 2008
Ref: CAS/BD/04/WP2-A

BOARD SECRETARIAT
Arusha, Tanzania
May 2008
MINUTES OF THE THIRD BOARD MEETING FOR CASSOA HELD ON 31ST JANUARY 2008 IN THEMIM ROOM, AICC ARUSHA, TANZANIA

Present:
1. Mr. Ambrose Akandonda Managing Director Chairman Civil Aviation Authority Uganda
2. Mrs. Margaret T. Munyagi Director General Member Tanzania Civil Aviation Authority
3. Mr. Chris Kuto Director General Member Kenya Civil Aviation Authority
4. Mr. Mtesigwa Maugo Executive Director Member CASSOA

In Attendance:
1. Mr. Robert Mwesigwa Nviiri Technical Coordinator – CASSOA
2. Mr. Philip Wambugu Director Planning and Infrastructure – EAC Secretariat.
3. Mrs. Lillian Mwenda Office Management Assistant – CASSOA
4. Mr. Stanley Mono Accountant EACJ assigned to CASSOA by EAC Secretariat.
5. Mr. Sajan Iqbal Chief Air Navigation & Aerodromes Inspector – Tanzania Civil Aviation Authority
6. Mr. Kittony Kangogo Luke Airworthiness Manager – Kenya Civil Aviation Authority
7. Mrs. Samalie Kisekka Manager Accounts – Civil Aviation Authority, Uganda
8. Mr. John Kabbs Twijuke Director Air Transport and Regulatory Services – Civil Aviation Authority, Uganda

Observers:
1. Mr. Francis Rusenyanteko Civil Aviation Adviser, Ministry of Infrastructure, Republic of Rwanda

Minutes of the third Board Meeting of CASSOA
Min. CAS/BD/03/01

Preliminaries
Opening of the Meeting and Adoption of the Agenda

The Chairman Mr. Ambrose Akandonda, the Managing Director of Civil Aviation Authority, Uganda opened the Meeting at 9:35 a.m. and welcomed Members and other participants to the Third Board Meeting.

The Agenda was adopted with the following amendments:

(i) The outcome of the Legal experts meeting with the FAA in Washington was to be discussed under AOB.
(ii) Inclusion of 'communication from the Chair' item in the Preliminaries.

Min. CAS/BD/03/02

Minutes of the Second Board Meeting

Minutes of the Second Board Meeting were reviewed and made two corrections:
(i) Corrected spelling of the name of Mr Lambert Ndiwai in the list of observers on page 2; and
(ii) Added under Min. CAS/BD/02/03 item (2) the word 'per-month' after USD 240.70 in the last sentence.

The Board:

| a) Confirmed the Minutes as a true record of the proceedings of the Second Board Meeting; and |
| b) Commended the Secretariat for having recorded the Minutes correctly. |

Min. CAS/BD/03/03

Matters Arising from Minutes of the Second Board Meeting

(1) Funding for CASSOA

The meeting noted that the two Partner States of Uganda and Kenya have not yet remitted their commitment funds. CAA Uganda informed the Board that the committed USD 150,000 would be remitted in instalments of USD 50,000 over a period of three months in the third quarter of FY 2007/8. Kenya CAA assured the meeting that the Authority will remit their commitment funds within the month of February 2008.
(2) **TORs for Technical Committee – F & A**

The Board expressed the difficult in states consulting and ensuring balance of professions when meeting of the Technical Committee is convened. The meeting directed that the Agency Secretariat does the coordination and therefore the TORs be amended accordingly.

(3) **Logo for CASSOA**

The Secretariat reported that it has only received responses from Uganda and Kenya, and still the responses were not conclusive in order to come to the final decision as to who was the winner. The Board directed that before the end of February, CASSOA convenes a meeting for all the Public Relations Managers of the Partner States CAAs in order to make a final decision together. The EAC Secretariat suggested that CASSOA also consults with the CTC on the issue before the final decision is made as the EAC is also in the process of reviewing its logo to ensure Rwanda and Burundi is included.

(4) **Website for the Agency**

The Secretariat informed the meeting that the website had not been established due to under funding. The meeting was also informed that a provisional amount of USD 30,000 had been given to CASSOA as the amount needed to operationalise the Agency’s website to be hosted on the EAC website as a web-page. The Board considered this to be a high figure and directed CASSOA to consult with the Partner States CAA Information Technology Managers in order to get the correct estimates from among the figures quoted by the short listed bidders in the States.

(5) **USOAP Preparation Missions**

The Secretariat reported that Missions for preparation on the USOAP audits had been carried out in Tanzania and Uganda. Kenya was yet to undergo the preparation mission. The Director General of KCAA informed the meeting that the dates of 18th – 22nd were acceptable for the Mission to take place in Kenya. CASSOA was asked to consult with the ICAO experts and communicate these dates to them. The Agency thereafter should come up with an action plan before the end of March in order to resolve any deficiencies identified by the Mission team. The Partner States were asked to forward to CASSOA the deficiencies identified following the mission completion.

(6) **Burundi and Rwanda Missions**

The EAC Secretariat clarified that a consultant was to be engaged in order to carry out a mission to Rwanda and Burundi so as to facilitate the gaps in bringing the two PS on board in all matters of the EAC. This mission would evaluate how far these two PS have gone in the harmonisation of the Regulations.
(7) **English Language Proficiency workshop and meeting**

The meeting was informed that the ICAO English Language Proficiency Workshop that was scheduled to be held in Nairobi had been postponed because of the security situation in Nairobi. However, the meeting on the implementation of the English Language Proficiency requirement in the region that had been planned to take place in Arusha would continue as per schedule.

(8) **TOR for the Consultancy**

CASSOA informed the meeting that sourcing of funding this consultancy is on going and the Agency was to meet with RISP contact person (Dr Njagu) at the EAC Secretariat for possible funding.

(9) **Harmonised Civil Aviation Safety Regulations Implementation Status**

Partner States of Kenya, Tanzania and Uganda reported status of implementation of the harmonised civil aviation safety regulations and the approved technical guidance materials. Tanzania and Uganda are going on with the implementation of the regulations in line with the decision of the Sectoral Council (TCM) at their 4\textsuperscript{th} Meeting, which requires the States to implement the Regulations by January 2008. However, Kenya is experiencing problem in some section of its industry, where there is reluctance not only to implement the Regulations but also to accept them as promulgated. Kenya air operators state that their comments raised during the regional workshop in April 2006 were not considered/ incorporated in the promulgated Regulations. Further, they also claim that there was an agreement for them to be involved in the development of technical guidance materials. Due to this, the Permanent Secretary Ministry of Transport, Kenya has formed a Committee to look into the issue.

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<th>The Board:</th>
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<tr>
<td>a) Directed CASSOA to coordinate with the EAC Secretariat for mobilisation of resources as provided for under Article 15(1)(b) of the Protocol;</td>
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<td>b) Directed the TORs for the Technical Committee – F &amp; A be amended to provide for the Agency Secretariat coordinating the selection of the membership when convened to ensure required compliment of competences.</td>
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<td>c) Directed that before the end of February, CASSOA convenes a meeting for all the Public Relations Managers of the Partner States CAAs in order to make recommendations for a final decision on the Logo.</td>
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<td>d) Directed CASSOA to consult with the Partner States CAA Information Technology Managers in order to get the correct estimates for website designing and the list of short-listed design organisations.</td>
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<td>e) Urged Partner States to develop action plans immediately after the USOAP preparation Missions to resolve any identified deficiencies and forward such plans to CASSOA and directed CASSOA to convene a meeting before the end of March in order to harmonise the resolution of identified deficiencies from the Partner States.</td>
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*Minutes of the third Board Meeting of CASSOA*
f) Directed CASSOA to bring to the attention of the EAC Secretary General the implementation status of the harmonised civil aviation regulations in the Partner States and in particular request for his intervention in the Kenya impasse to ensure that Kenya implements the Regulations as the other Partner States.

Min. CAS/BD/03/04

Management Report

The Secretariat presented a Management Report highlighting activities carried out by the Agency from 1st October 2007 till 30th January 2008 including meetings attended or convened by the Agency.

The Board commented that in line with Article 9 of the Protocol from now onwards, this report should be called the Secretariat Report instead of Management Report.

(1) Legal Development

The Secretariat reported that the ratification of the Protocol on the Establishment of the EAC CASSOA is yet to be complete. Up to now Uganda is the only State which has ratified and submitted to the Secretary General the instrument of ratification on 4th December 2007. According to Article 19(1), the Protocol shall enter into force upon ratification and deposit of instruments of ratification with the Secretary General by all Partner States. In this case the States required to ratify the Protocol are Kenya, Uganda and Tanzania which are signatories to the Protocol. As for Burundi and Rwanda they require acceding to the Protocol in line with Article 20 of the Protocol in order to become Members of CASSOA. Delay in ratification by signatory Partner States is not only delaying the coming into force of the Protocol but also affecting Burundi and Rwanda becoming full Members of the Agency.

(2) Relocation to the Host State

Uganda CAA informed the Meeting that in a period of two weeks from the date of the Board meeting, a formal letter of invitation would be sent to the EAC Secretariat in order to send an assessment team to Uganda to assess the facilities and start negotiating the Headquarters Agreement. The EAC Secretariat was asked to provide a draft Headquarters Agreement to be used for negotiation. The Board after consideration of what Uganda was offering it was agreed that tentatively plans should ensure that the Agency relocates by October 2008 taking into account the civil work required to be made on the proposed facility. The proposal by Uganda of hosting CASSOA at a temporary facility was rejected by the Board.

(3) 15th Ordinary Council and Summit

The meeting was informed that the Ordinary Council and Summit that were to be held in November 2007 but postponed because of CHOGM and the elections in Kenya, would be held from 12th – 18th March, 2008.
Request to FAA to assist CASSOA during workshops/seminars

The meeting noted the costs to be accrued in the States and Agency participation in the safe Skies technical assistant programmes drawn up during the planning meeting in Entebbe in December 2007. The Board agreed that as part of the partnership in the programme USA DOT be requested to cover the costs of the per-diem of participants while the Partner States cover the travel cost.

The Board:

a) Directed the Agency to bring to the attention of the matter of Protocol ratification delay to the Secretariat to follow-up with States.
b) Urged the EAC Secretariat to develop a draft Headquarters Agreement ready for consideration when the assessment team is convened.
c) Directed the Executive Director to make consultation with the USA DOT to assist by covering the per-diem costs while States cover the travel costs for the participants in the implementation of the programme drawn up in Entebbe Uganda in December 2007.

Min. CAS/BD/03/05

Training, Qualifications and Sharing of Regional Inspectors

The Secretariat presented to the Board the draft Orders and Circulars of Flight Safety Standards Inspectors Training and Qualifications for approval. The Board recommended areas requiring amendments in the draft Orders which should be affected within a month’s time i.e. by 29th February 2008, before the final approval of the Orders. However, the review should continue throughout the utilisation period.

The Board approved USD 250 as the per diem for the Inspectors carrying out duties on behalf of the requesting Authority in the exercise of Sharing of Inspectors, and directed that item 9.3.2 of the Order CAA-O-GEN004 be amended not to reflect the per-diem figures.

The Board:

a) Approved the draft Orders CAA-O-GEN004; CAA-O-AWS017 and CAA-O-OPS032 subject to the Secretariat incorporating amendments identified by the Board.
b) Approved the USD 250 as per diem for Inspectors carrying out assignments on behalf of the requesting Authority through the Sharing of Inspectors programme.
Min. CAS/BD/03/06

Draft Annual Programme of Activities and draft Budget for FY 2008/2009

In introducing the Agenda the Executive Director thanked the Technical Committee (F & A) for the assistance it offered to CASSOA in finalising of the draft 2007/08 Annual Programme of Activities and Budget since CASSOA is yet have expertise in these areas.

The Chairperson of the Technical Committee (F & A) summarised the findings of the Committee, namely;

a) CASSOA needs to be assisted in the soliciting of funds from other sources rather than depending on Partner States CAA funding alone.
b) The Partner States that have not yet ratified the Protocol should be urged to do so in order for Rwanda and Burundi to accede to the Protocol. This would pave way for Rwanda and Burundi to contribute to the Agency’s budget.
c) Credit should be given to the Agency’s core staff for the achievement so far attained, despite constrains in funds, particularly the finalisation of harmonised Safety Regulations and Technical Guidance Materials.
d) The budget for FY 2007/8 of USD 1,250,953.00 that had been approved by the Board should be revised to USD 805,708.00 in order to balance with the possible funding from the PS and the presented revised activities.
e) The Board considers the annual programme of activities which focuses in the following areas:
   i) Development of a 5-year strategic plan;
   ii) Continuous development of technical guidance materials and amendment of harmonised regulations;
   iii) Support to Partner States in preparation for USOAP audits;
   iv) Assist Burundi and Rwanda in integrating in the EAC CASSOA programmes; and
   v) Participation in the technical assistance by the FAA to enable Partner States achievement of USA IASA Category 1.

f) The Board considers the required budget to fund the above annual programmes amounting USD 1,361,700 out of which USD 215,790.30 is expected to be funded through funds mobilised by the Community (donor funding) and the remaining amount contributed equally by the five Partner States.

The Agency Secretariat elaborated in detail the draft Annual Programme of Activities and the accompanying budget for FY 2008/9 and the Board made the following observations:

a) The estimates for website designing and launching of USD 30,000 were quite on the higher side. The figure should be reviewed after consulting the CAAs’ IT experts to find the estimated costs.
b) It was not necessary for CASSOA to attend full time the USOAP audits in the Partner States in November but only debriefs.
c) The Agency should ensure visits to Rwanda and Burundi are carried out in the FY 2007/8.
d) The certification of Partner States to IASA Category 1 should be marked as Key Focus activity No. 5 for the FY 2008/9.
The Board activity expenditure of USD 55,000 should be indicated as an outstanding item in order to highlight all the expenses involved.

There is a need to make footnotes explaining some of the programmes.

Corporate Image should become an independent item.

The Agency Secretariat clarified on the issue of including a budget for auditing of accounts, that the EAC Treaty and the CASSOA Protocol requires an Audit Commission which comprises Auditor Generals of EAC PS to carry out audits of the accounts of the Community and CASSOA respectively. CASSOA as a self-accounting institution of the Community and since it will be located outside the EAC Secretariat, taking into account that it also does not have its own internal auditor, there will be costs involved in the auditing of its accounts.

The Board:

(a) Approved the draft Annual Programme of Activities subject to inclusion of the amendments stated above and to fit the budget as approved.

(b) Approved the draft Budget with amendments to be revised such that it fits in the PS contributions of USD 200,000.00 each and prospective funding for the Consultancy of USD 215,790.30 making a total of USD 1,215,790.30

(c) Directed the Agency to coordinate with EAC Secretariat in mobilising for resources to reduce the burden from the Partner States CAAs.

Min. CAS/BD/03/07

Gap Analysis of Inspectors for Flight Safety Standards in the EAC region

The Secretariat presented to the Meeting its initial findings as far as the current regional flight operations and airworthiness inspectors are concerned in terms of numbers and together with their qualifications. The Board thanked CASSOA for a job well done and asked CASSOA in conjunction with experts in human resources to carry out the detail analysis to provide the actual gap. The Secretariat committed itself to complete the Gap Analysis of Airworthiness and Flight Operations inspectors by the end of February.

The Board:

a) Noted the efforts carried out by CASSOA in the compilation of Inspector Data and the initial Gap analysis.

b) Directed the Agency to conduct a more thorough gap analysis for airworthiness and flight operations inspectors to be completed by the end of February 2008.

c) Directed that gap analysis be also done in other oversight areas, in particular aerodrome, air navigation, personnel licensing and aviation security.
Min. CAS/BD/03/08

Draft Technical Guidance Materials for Aerodrome and Aviation Security

The Secretariat presented a soft copy of the draft TGM for Aerodrome and Aviation Security. The following technical guidance materials were presented:

a) Aviation Security
i. Aviation Security Inspectors Manual (ASIM);
ii. Appendices to the Aviation Security Inspectors Manual;
iii. The Model East Africa National Civil Aviation Security Quality Control Programme (NCASQCP);
iv. The Model East Africa National Civil Aviation Security Training Programme (NCASTP); and
v. The Model East Africa National Civil Aviation Security Programme (NCASP).

b) Aerodrome
i. Aerodromes Inspector's Hand Book. This document includes orders, the resolutions of safety concerns, enforcement procedures, processes and sample letters and checklists;
ii. Template for Development of Wildlife Hazard Management Plan at Aerodromes;
iii. Manual of Aerodrome Standards; and

The Technical Committee (Regulatory) considered the draft Technical Guidance Materials and recommended for approval aviations security guidance materials to be approved while aerodrome technical guidance materials required reviewing and finalising by the technical experts.

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<td>a) Approved the draft civil aviation security technical guidance materials for adoption and release by Partner States Civil Aviation Authorities to the appropriate users.</td>
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<td>b) Directed CASSOA to produce hard copies of the approved civil aviation security technical guidance materials with the Agency's Logo printed on and distribute them to the PS.</td>
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<td>c) Directed CASSOA to coordinate and facilitate the finalisation of Aerodrome Technical Guidance Materials before the next Board and required experts in States to review the draft with legal input before the Agency convenes the experts meeting.</td>
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Staff Report (Closed Session)

This agenda was discussed under closed session. Three issues presented by the Executive Director were considered:
(a) Confirmation of the Executive Director and Technical Coordinator after their six months probation period expired in November 2007;
(b) Appointment of the Accountant; and
(c) Recruitment of a Driver for Executive Director.

The Board due to time was unable to complete the performance evaluations of the Executive Director and Technical Coordinator.

The Board:

| a) | Appointed Ms. Wanjiru Muita from Kenya, as the Accountant in Grade P1 after her successful performance in the interviews conducted on 4th and 5th December 2007. The appointment should be effected as soon as possible. |
| b) | Deferred the performance review of the Executive Director and Technical Coordinator to a later date in March when the Board would convene at an extraordinary meeting during the scheduled EAC Council of Ministers Meeting. |
| c) | Directed the Agency to recruit a driver for the Executive Director on temporary basis pending conclusion of Host Agreement and relocation to host State. |

Min. CAS/BD/03/10

Any Other Related matters

1) The Executive Director informed the meeting that he was to hold a teleconference with the Safe Skies for Africa Manager, Ms Connie Hunter and the FAA to agree on the revised technical assistant programme which was agreed upon in Entebbe during the December 2007 planning meeting. The review has been necessitated due to failure of USA experts coming to the region due to the security situation in Kenya.

2) The Heads of Civil Aviation Training Institutions of EASA of Kenya, CATC of Tanzania and EACAA of Soroti Uganda presented a joint paper on the East African Community Approved Training Organisations Rehabilitation Project (ATORP) with possible funding from international donors.
The Board:

a) Noted the information about the planned teleconference with DOT and FAA and directed the Executive Director to request DOT consider covering the per-diem costs while the CAAs cover the travel costs of the CAA experts in the execution of the technical assistance programme.

b) Directed CASSOA to forward the Civil Aviation Training Organisations write-up to the EAC Secretariat so that it can be brought to the civil Aviation Sectoral Committee for consideration.

c) Directed the Agency to follow-up with the Chairman of legal experts team which travelled to Washington in January 2008 on the outcome of the civil aviation laws evaluation and bring the outcome to the attention of the Board.

Min. CAS/BD/03/11

Date and venue of the next Board meeting

The next Board meeting will be held at the Agency’s Headquarters on the 24th – 25th April, 2008.

Min. CAS/BD/03/12

Closing of the Meeting

The Board Meeting was closed at 9:10 p.m.

These minutes are hereby signed by the Heads of Civil Aviation Authorities, of the EAC Partner States, on this 10 day of July, 2008 in Arusha, Tanzania.

Mr. Ambrose Akandonda
Chairman of the Board

Mr. Mtesigwa O. Mauge
Secretary to the Board

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