

WORKSHOP ON AIRPORT AND ROUTE FACILITY MANAGEMENT

(Nairobi, 27 – 31 May 2002)

Agenda Item 7: ICAO policy on air navigation services charges

STATEMENT OF ICAO POLICY ON CNS/ATM SYSTEMS IMPLEMENTATION AND OPERATION

(Presented by the Secretariat)

1. Attached is the Statement of ICAO Policy on CNS/ATM Systems implementation and operation to which reference is made in the Secretariat Note provided on agenda item 7 in WARFM (Nairobi) - WP/1.

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APPENDIX

**STATEMENT OF ICAO POLICY ON CNS/ATM SYSTEMS
IMPLEMENTATION AND OPERATION**

Approved by Council (C 141/13) on 9 March 1994

In continuing to fulfil its mandate under Article 44 of the Convention on International Aviation by, inter alia, developing the principles and techniques of international air navigation and fostering the planning and development of international air transport so as to ensure the safe and orderly growth of international civil aviation throughout the world, the International Civil Aviation Organization (ICAO), recognizing the limitations of the present terrestrial-based system, developed the ICAO communications, navigation and surveillance/air traffic management (CNS/ATM) systems concept, utilizing satellite technology. ICAO considers an early introduction of the new systems to be in the interest of healthy growth of international civil aviation.

The implementation and operation of the new CNS/ATM systems shall adhere to the following precepts:

1. UNIVERSAL ACCESSIBILITY

The principle of universal accessibility without discrimination shall govern the provision of all air navigation services provided by way of the CNS/ATM systems.

**2. SOVEREIGNTY, AUTHORITY AND
RESPONSIBILITY OF CONTRACTING STATES**

Implementation and operation of CNS/ATM systems which States have undertaken to provide in accordance with Article 28 of the Convention shall neither infringe nor impose restrictions upon States' sovereignty, authority or responsibility in the control of air navigation and the promulgation and enforcement of safety regulations. States' authority shall be preserved in the co-ordination and control of communications and in the augmentation, as necessary, of satellite navigation services.

3. RESPONSIBILITY AND ROLE OF ICAO

In accordance with Article 37 of the Convention, ICAO shall continue to discharge the responsibility for the adoption and amendment of Standards, Recommended Practices and Procedures governing the CNS/ATM systems. In order to secure the highest practicable degree of uniformity in all matters concerned with the safety, regularity and efficiency of air navigation, ICAO shall co-ordinate and monitor the implementation of the CNS/ATM systems on a global basis, in accordance with ICAO's regional air navigation plans and global co-ordinated CNS/ATM systems plan. In addition, ICAO shall facilitate the provision of assistance to States with regard to the technical, financial, managerial, legal and co-operative aspects of implementation. ICAO's role in the co-ordination and use of frequency spectrum in respect of communications and navigation in support of international civil aviation shall continue to be recognized.

4. TECHNICAL CO-OPERATION

In the interest of globally co-ordinated, harmonious implementation and early realization of benefits to States, users and providers, ICAO recognizes the need for technical co-operation in the implementation and efficient operation of CNS/ATM systems. Towards this end, ICAO shall play its central role in co-ordinating technical co-operation arrangements for CNS/ATM systems implementation. ICAO also invites States in a position to do so to provide assistance with respect to technical, financial, managerial, legal and co-operative aspects of implementation.

5. INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION

The CNS/ATM systems shall, as far as practicable, make optimum use of existing organizational structure, modified if necessary, and shall be operated in accordance with existing institutional arrangements and legal regulations. In the implementation of CNS/ATM systems, advantage shall be taken, where appropriate, of rationalization, integration and harmonization of systems. Implementation should be sufficiently flexible to accommodate existing and future services in an evolutionary manner. It is recognized that a globally co-ordinated implementation, with full involvement of States, users and service providers through, inter alia, regional air navigation planning and implementation groups, is the key to the realization of full benefits from the CNS/ATM systems. The associated institutional arrangements shall not inhibit competition among service providers complying with relevant ICAO Standards, Recommended Practices and Procedures.

6. GLOBAL NAVIGATION SATELLITE SYSTEM

The global navigation satellite system (GNSS) should be implemented as an evolutionary progression from existing global navigation satellite systems, including the United States' global positioning system (GPS) and the Russian Federation's global orbiting navigation satellite system (GLONASS), towards an integrated GNSS over which Contracting States exercise a sufficient level of control on aspects related to its use by civil aviation. ICAO shall continue to explore, in consultation with Contracting States, airspace users and service providers, the feasibility of achieving a civil internationally controlled GNSS.

7. AIRSPACE ORGANIZATION AND UTILIZATION

The airspace shall be organized so as to provide for efficiency of service. CNS/ATM systems shall be implemented so as to overcome the limitations of the current systems and to cater for evolving global air traffic demand and user requirements for efficiency and economy while maintaining or improving the existing levels of safety. While no changes to the current flight information region organization are required for implementation of the CNS/ATM systems, States may achieve further efficiency and economy through consolidation of facilities and services.

8. CONTINUITY AND QUALITY OF SERVICE

Continuous availability of service from the CNS/ATM systems, including effective arrangements to minimize the operational impact of unavoidable system malfunctions or failure and achieve expeditious service recovery, shall be assured. Quality of system service shall comply with ICAO Standards of system integrity and be accorded the required priority, security and protection from interference.

9. COST RECOVERY

In order to achieve a reasonable cost allocation between all users, any recovery of costs incurred in the provision of CNS/ATM services shall be in accordance with Article 15 of the Convention and shall be based on the principles set forth in the Statements by the Council to Contracting States on Charges for Airports and Air Navigation Services (Doc 9082), including the principle that it shall neither inhibit nor discourage the use of the satellite-based safety services. Co-operation amongst States in their cost recovery efforts is strongly recommended.

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