



International Civil Aviation Organization

**NINTH MEETING OF THE
COMMUNICATIONS/NAVIGATION/SURVEILLANCE AND
METEOROLOGY SUB-GROUP OF APANPIRG
(CNS/MET SG/9)**

Bangkok, Thailand, 11–15 July 2005

Agenda Item 17: Any other business

**SPECIAL IMPLEMENTATION PROJECT (SIP)
SUB-REGIONAL SEMINARS ON
IDENTIFICATION AND NOTIFICATION OF
DIFFERENCES TO ICAO SARPS**

(Presented by Secretariat)

SUMMARY

This paper presents result of the SIP Sub-Regional Seminars.

1. INTRODUCTION

1.1 Three Special Implementation Project (SIP) Sub- Regional Seminars on Identification and Filing of Differences to ICAO Standards were held in Delhi, India from 4 to 6 October 2004, Beijing, China from 11 to 13 October 2004, and Bangkok, Thailand from 6 to 8 December 2004. The Airports Authority of India, ATMB of CAAC, and ICAO Regional Office, Bangkok hosted the Seminars. The ICAO Secretariat conducted the Seminars with the assistance of a database expert provided by Australia.

2. DISCUSSION

2.1 ICAO contracting States are obligated to implement Standards and in accordance with Article 38 of the Convention, notify ICAO of any differences between their national regulations and practices and the international Standards contained in the Annexes to the Convention. The identified differences are required to be forwarded to ICAO and also published in their aeronautical information publications.

2.2 The APANPIRG/13 Meeting adopted:

Conclusion 13/23 – Process of review and notification of differences

That, States establish a procedure with assistance of a database for review of SARPs, and notification of differences to Annexes in a timely and comprehensive manner.

2.3 The ICAO Council, while reviewing report of APANPIRG/13 noted the Conclusion and invited the Secretary General to encourage States to establish procedures for the implementation of SARPs and notification of differences to Annexes in a timely and comprehensive manner.

Subsequently, the Council at the eighth meeting of its 171st Session approved a proposal for a SIP to provide assistance to States with the identification and notification of differences to SARPs by the use of a database.

2.4 Upon approval of the SIP three Sub-Regional Seminars were conducted in New Delhi, Beijing and Bangkok. The Sub Regional Seminars were attended by: 29 participants from India, Bangladesh, Nepal, and Sri Lanka in New Delhi, India; 30 participants from China, Hong Kong China, DPR Korea, Mongolia, Republic of Korea and COSCAP NA in Beijing, China; and 28 participants from Brunei, Cambodia, Indonesia, Malaysia, Marshall Islands, Thailand, Tonga and Vietnam in Bangkok, Thailand.

3. AGENDA OF THE SEMINARS

3.1 The agenda of the Seminars included the following subjects. Presentations were made on all the agenda items. A CD- ROM containing all the documentations and the database was provided to each of the participants.

- a) Background information and objective of the Seminar;
- b) Introduction of ICAO and ICAO SARPs;
- c) Introduction of the existing flow of making ICAO standards;
- d) Requirement of filing differences between national standard/practices and ICAO standards;
- e) Relationship between State legislation, procedures, etc and the Annexes;
- f) Detailed hands on the database and exercises;
- g) Introduction on database structure, queries, events; and
- h) General discussion of the practice taken by States on identification and filing of differences

4. SEMINAR SUMMARY

4.1 The Seminars thoroughly discussed the following:

- a) organization and function of ICAO;
- b) process involved in the development and adoption of SARPs;
- c) State's responsibility with respect to Article 38 of the Convention on International Civil Aviation – "Notification of Differences";
- d) need for the State to review and update Civil Aviation regulation, as required;
- e) delegation of responsibility to different organizations involved in the implementation of concerned Annexes and establishment of reporting channels to ensure timely submission of differences;
- f) notification of availability of draft SARPs in the ICAO web page and dissemination of such information to concerned agencies;
- g) use of IT as much as possible;
- h) ensure that ICAO is notified of the differences and also publish differences in AIP;
- i) difference between SARPs and deficiency was identified;
- j) the use of database in identification and filing of differences; and
- k) participants were made familiar with the use of database.

5. ISSUES RAISED BY MOST PARTICIPANTS WERE CLARIFIED AS FOLLOWS:

5.1 A State should not file a difference in general without mentioning specific provisions of the Annexes.

5.2 Unless there is a standard requiring implementation of a system (service) by a certain date (e.g. mandatory carriage requirements for ACAS in Annex 6), there is no need to report differences for a system (service), which doesn't exist in a State or will not be required.

5.3 It was clarified that States do not need to file a difference from SARPs if there is no requirement for a function or service specified in FASID for their State or used in support of international air navigation. If there is a requirement for a service or function which is not implemented is considered a deficiency rather than a difference.

6. SEMINAR EVALUATION

6.1 An overview of the ICAO process in the filing of differences by Contracting States was received well.

6.2 Many States have expressed difficulties in filing differences due to language difficulties and a lack of clear understanding of the complexity of ICAO provisions in relation to their national practices.

6.3 States that attended suggested that ICAO set up a website database of the SARPs so that feedback/comments can be made through the website. Access security can be made through unique State passwords.

6.4 A useful database and concept provided to States for consideration and use was appreciated.

6.5 Seminars highlighted difficulties identified by the States represented.

6.6 Seminars stressed the need to file the differences to enhance safety and security of international air transport.

6.7 Proposals were made to the States to review their procedures adopted in filing of the differences, and with the information provided in the Seminar, take appropriate action to fulfill the obligation to Article 38 of the Convention were agreed and accepted.

6.8 The Seminar achieved its objective and the participants found it interesting, interactive and productive.

7. CONCLUSION

7.1 The Seminars covered most of the geographical areas provided all the required information to participants to assist them to identify differences and to file differences. Participants were made thoroughly familiar with the use of a database developed to file the differences. States are expected to set up an appropriate process to ensure timely evaluation, verification and notification of difference to SARPs with the assistance of the database. This process will also facilitate development of national legislation and also implementation of SARPs.