



WORKING PAPER

THIRTEENTH AIR NAVIGATION CONFERENCE

Montréal, Canada, 9 to 19 October 2018

COMMITTEE A

Agenda Item 3: Enhancing the global air navigation system

3.5: Other ATM issues

CERTIFICATION OF AIR NAVIGATION SERVICES PROVIDERS

(Presented by the United Arab Emirates)

EXECUTIVE SUMMARY

This paper presents the processes introduced by the United Arab Emirates to implement certification of air navigation services providers (ANSPs). It suggests that ICAO provisions are reviewed to recommend certification of air navigation service providers, and accompanied by appropriate guidance material.

Action: The Conference is invited to agree to the recommendation in paragraph 3.2.

1. INTRODUCTION

1.1 The *Convention on International Civil Aviation*, (Doc 7300) requires, under Article 28, that contracting States shall provide airports and air navigation services (ANS) in their territory according to the standards set by the Convention and the Annexes. The certification of aerodromes is clearly required Annex 14 — *Aerodromes* and there is significant guidance on the matter in the *Manual on Certification of Aerodromes* (Doc 9774), however the certification of air navigation services providers (ANSPs) is not clearly required, nor is there much guidance on the subject to enable States to implement a certification scheme when they desire to do so.

2. DISCUSSION

2.1 In the early decades of aviation, the provision of air navigation services was fairly limited, and those services that were provided were of a generally simple nature and provided by the State, usually by the civil aviation authority. As aviation advanced, the demand for air navigation services to be provided increased commensurate with technology and growth of the industry. Air navigation services, as long as they remain functional are a mostly invisible function of a safe and efficient aviation system, and this may explain why the level of oversight and scrutiny is generally less so than that placed on aircraft operators and aerodromes.

2.2 Over the last several decades there has been a global trend to separate the provision of services from the regulatory body to ensure effective oversight, however the mechanisms in place to perform that oversight are various and in some cases less effective than desired.

2.3 Through the separation of the provider from the regulator, various forms have developed from State owned corporations to wholly private enterprises. While the ownership and/or management of air navigation services may be delegated to other parties, in whatever the form of this arrangement, the overall responsibility of compliance with the Standards of the Convention remains with the State.

2.4 It is apparent from State oversight audits that those States that have implemented certification schemes for ANSPs obtain higher compliance with ICAO Standards and Recommended Practices (SARPs) and therefore there can be a direct safety benefit from the introduction of an ANSP certification scheme.

2.5 Within the United Arab Emirates, ANSP approach and tower services are delegated to organisations which are clearly separated from the State, whilst the en-route ANSP remains within the State's general civil aviation authority. Having the en-route ANSP and State under the same organisational umbrella is managed effectively with clear and define roles determined for both the regulator and the ANSP. A key component driving the success and maturity of the United Arab Emirates ANSP organisations, is firm and consistent regulatory oversight, supported through the introduction of ANSP certification regulatory requirements.

2.6 In 2010, the General Civil Aviation Authority (GCAA) published regulations for ANSP certification requirements for each ANSP discipline; air traffic services (ATS), communications, navigation, and surveillance (CNS), aeronautical information management (AIM), and meteorological (MET). Certification oversight is managed by each discipline to allow for a focused approach on development, and application of specific pressure on any ANSP discipline which had identified deficiencies, issues or regulatory non-compliances, particularly in the areas of safety management system (SMS) and quality management system (QMS).

2.7 The requirement for any organisation which is accountable to provide an air navigation service, to hold a valid certificate, reinforces the mandate which is incorporated in United Arab Emirates civil aviation law, that any organisation providing an aviation service shall be licenced by the GCAA. The ANSP certificate acts as the vital vessel to record and manage the validity of the ANSP organisations success at compliance to civil aviation regulations.

2.8 The success of this ANSP certification process has clearly been demonstrated over the past decade with all ANSPs reaching a high standard of regulatory compliance.

2.9 A further improvement which was recently introduced by the United Arab Emirates, was adding the regulatory requirement for any ANSP which are Sub-contracted by the organisation accountable for the provision of an ANS, to attain a valid ANSP organisation certificate. It was determined that while requiring the Accountable ANSP drove regulatory compliance, there were situations, where a sub-contracted organisation may indirectly not fully comply with regulatory expectations. The introduction of certification requirements for sub-contracting ANSP organisations further strengthens the State's ability to enable effective regulatory compliance.

3. CONCLUSION

3.1 Certification of ANSP organisations, including any organisations which are sub-contracted to provide such a service should be required within Annex 11 — *Air Traffic Services*, and supported with guidance material regarding the implementation of effective ANSP certification processes.

3.2 In light of the above, the Conference is invited to agree on the following recommendations:

Recommendation 5.1/xx –

That the Conference:

- a) note the contents of the working paper; and
- b) request ICAO to introduce guidance material and provisions as necessary to recommend certification of air navigation service providers.

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