

ELEVENTH AIR NAVIGATION CONFERENCE

Montreal, 22 September to 3 October 2003

Agenda Item 4: Capacity-enhancement measures

4.2 Regional measures

:

RECTIFICATION OF DEFICIENCIES IN THE AIR NAVIGATION FIELD

(Presented by the Secretariat)

SUMMARY

In June 2002, the Council expressed its concern that many air navigation deficiencies have continued to persist for a number of years. This paper proposes that States and users review their respective lists of identified deficiencies to ensure validity. Plans indicating actions intended and time frames for the elimination of deficiencies in air navigation facilities and services, as listed by PIRGs, should then be formulated and forwarded to ICAO. As a final step in the reporting process, the regional office should be systematically notified of the rectification of deficiencies and receive confirmation from entities which originally identified the deficiency.

Action by the conference is in paragraph 3.

1. INTRODUCTION

1.1 ICAO has been actively involved in pursuing a task pertaining to the elimination of deficiencies in the air navigation field and assisting States with the implementation of all regional air navigation plans to further improve the existing levels of safety. The 33rd Session of the ICAO Assembly (October 2001), through its Resolution A33-16, urged States to apply the political will to take the remedial action identified by universal safety oversight audit programme (USOAP) audits, to correct the deficiencies identified in the regional planning process and related activities, and to promulgate the necessary regulations to implement the safety systems developed under the Global Aviation Safety Plan (GASP). Remedial action will be required in additional areas with the expansion of the USOAP to include Annex 11 — *Air Traffic Services* and Annex 14 — *Aerodromes* by 2004.

1.2 In accordance with Article 28 of the Convention on International Civil Aviation, Contracting States undertake, insofar as they may find practicable, to provide air navigation facilities and services necessary to facilitate international air navigation. Regional air navigation plans detail, *inter alia*, the requirements for facilities and services to be provided by States. Any serious deficiency in the implementation of regional plans may have implications on the safety, regularity and efficiency of international air operations.

1.3 To ensure a consistent approach in all regions, ICAO — with the assistance of its planning and implementation regional groups (PIRGs) — developed a uniform methodology for the identification, assessment and reporting of air navigation deficiencies. The methodology was approved by the ICAO Council on 23 June 1998.

1.4 Based on the above-mentioned methodology, a *deficiency* is a situation where a facility, service or procedure is not provided in accordance with a regional air navigation plan approved by the Council, or with related ICAO Standards and Recommended Practices (SARPs), and wherein the situation has a negative impact on the safety, regularity and/or efficiency of international civil aviation. Deficiencies may also have a negative effect on the safety issues identified in the GASP.

1.5 In this context, it should be noted that Appendix M to Assembly Resolution A33-14 and, on several occasions, the Council urged users of air navigation facilities and services to report any serious problems encountered due to the lack of implementation or unsatisfactory operation of air navigation facilities or services required by the various regional air navigation plans. As a standing instruction, missions to States by ICAO regional office staff as well as regular correspondence and PIRGs should specifically identify deficiencies and propose remedial action required.

1.6 In addition, relevant international organizations, such as the International Air Transport Association (IATA) and the International Federation of Air Line Pilots' Associations (IFALPA) are valuable sources to identify deficiencies and forward this information to the respective regional office for action.

1.7 The purpose of these lists of deficiencies is to assist States in defining their implementation priorities and to indicate the remedial action required. This information is also provided to the PIRGs. As part of their terms of reference, the PIRGs, *inter alia*, make detailed assessments of the safety impact of the deficiencies as listed and propose remedial action required by States for subsequent review by the Air Navigation Commission and Council. To expedite the work required in this regard, the Caribbean/South American Regional Planning and Implementation Group (GREPECAS) has established an Air Navigation Safety Board in response to Assembly Resolution A33-16 to deal with deficiencies. The Asia/Pacific Air Navigation Planning and Implementation Regional Group (APANPIRG) decided to establish a Task Force on Deficiencies in the Air Navigation Field with the task of developing detailed regional procedures for the identification, assessment, reporting and monitoring of air navigation deficiencies.

1.8 The Africa-Indian Ocean Planning and Implementation Regional Group (APIRG) and the Middle East Air Navigation Planning and Implementation Regional Group (MIDANPIRG) are planning to complete their actions on the establishment of similar bodies at their respective meetings in 2003. In addition, GREPECAS has developed a strategy to prepare and implement coordinated action plans to deal with the resolution of air navigation deficiencies. A similar approach is being pursued in other regions. Furthermore, the Asia/Pacific Regional Office has encouraged and assisted in the establishment of sub-regional safety teams under the Cooperative Development of Operational Safety and Continuing Airworthiness Programme

(COSCAP) mechanism. These teams have already been established by COSCAP – South Asia, COSCAP – South East Asia and COSCAP – North Asia.

2. DISCUSSION

2.1 In discussing the ways and means of resolving air navigation deficiencies, the Council observed that many deficiencies have continued to persist for a number of years, thus causing concern. While recognizing that problems with funding could be one of the delaying factors in eliminating the deficiencies by the States, it was decided that States should be reminded of their responsibilities under Article 28 of the *Convention on International Civil Aviation* to provide a safe air navigation system. Furthermore, States should increase their efforts to overcome the delay in mitigating the air navigation deficiencies identified by the respective PIRG and resolve cases of non-implementation of regional plans.

2.2 To this end, a letter has been addressed by the Secretary General to Ministers responsible for civil aviation (State letter M 6/1-02/79, dated 27 September 2002), attaching the list of deficiencies in the State concerned as identified by the PIRGs, and requesting the Ministers to resolve the deficiencies through a plan of action and the allocation of the necessary financial and human resources.

2.3 In order to assist States with the timely elimination of deficiencies, ICAO has taken special measures for the implementation of air routes in the regional and interregional context. These measures include informal meetings and the coordination and establishment of Implementation Coordination Groups (ICGs). ICAO has, through its regional machinery, also provided assistance to States and international organizations with the establishment of bilateral and multilateral cooperative agreements to eliminate deficiencies. In addition, seminars and workshops that target specific areas of air navigation are held in the regions to provide guidance and assistance to States.

2.4 In addition, the Assembly approved a total appropriation of US\$ 474 000 for special implementation projects (SIPs) for the 2002 – 2004 triennium; SIPs are intended to assist States in overcoming problems of implementation of regional plans which may have a significant adverse effect on the safety, regularity or efficiency of international civil aviation and which are beyond the normal resources of the Organization. The Council approved twelve such projects for 2003 alone. Furthermore, once a special implementation project has been successfully completed in one region, its structure may be considered as a model that is appropriate for application in other regions.

2.5 A proper reporting mechanism for deficiencies exists. What is required is improvement in the monitoring and reporting of corrective actions taken and progress towards the elimination of deficiencies. For example, it is possible that reports of PIRG meetings list deficiencies that no longer exist. It is therefore important not only to encourage States to take action to eliminate deficiencies, but also to establish a reliable monitoring system to ensure a true reflection of those deficiencies that have been resolved.

2.6 Before a deficiency is deleted from the PIRG's list, it is proposed that the State concerned officially inform the ICAO regional office once the remedial action has been implemented, thus confirming that a deficiency has in fact been eliminated. Such a procedure would ensure a standardized mechanism for the listing of deficiencies and updating of the situation.

2.7 The ICAO GASP urges States, *inter alia*, “to correct the deficiencies identified in the regional planning process and related activities”. States that have not already done so should review and maintain their respective list of deficiencies and identify those that have not been resolved, formulate and forward an action plan to ICAO for review, and allocate sufficient resources as required for their elimination. The action plan should include the corrective measures to be taken by the State and a date by which it is anticipated that the identified deficiencies will be eliminated.

2.8 Noting the above, the following draft recommendation is proposed:

Recommendation 4/ — Rectification of air navigation deficiencies

That ICAO :

a) urge States to:

- 1) review their respective lists of identified deficiencies and inform the ICAO Regional Office of those that have been eliminated;
- 2) formulate and forward an action plan and time-table for rectification of outstanding deficiencies to the respective ICAO Regional Office for review; and
- 3) identify areas, if any, where the establishment of multinational agreements or informal coordination groups may contribute to the resolution of deficiencies;

- b) encourage users of air navigation facilities and services to report to the respective regional office once they note that the remedial action on the deficiency they had reported has been taken; and
- c) continue to provide assistance to States for the purpose of rectifying deficiencies.

3. ACTION BY THE CONFERENCE

3.1 The conference is invited to:

- a) note the information contained in this paper; and
- b) approve the draft Recommendation in paragraph 2.8 above.

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