



International Civil Aviation Organization

North American, Central American and Caribbean Office (NACC)

**Twenty Second Meeting of Directors of Civil Aviation of the Eastern Caribbean
(E/CAR/DCA/22)**

Port of Spain, Trinidad and Tobago, 8 to 11 December 2009

E/CAR/DCA/22 — WP/17

23/11/09

Agenda Item 5:

Air Navigation Matters

5.2 E/CAR Aeronautical Fixed Services (AFS) Network

PIARCO FLIGHT INFORMATION REGION (FIR)

(Presented by OECS States (Antigua & Barbuda, Dominica, St. Lucia, Grenada,
St. Kitts & Nevis, St. Vincent & the Grenadines))

1. Introduction

1.1 This paper seeks to review the current status of the Piarco Flight Information Region (FIR) with its stakeholders.

2. Discussion

2.1 In 1950, under international agreement with the International Civil Aviation Organisation (ICAO), the Government of Trinidad and Tobago was entrusted with what is known as the Piarco Flight Information Region (FIR). As custodian of the Piarco FIR, the government accepted certain responsibilities for the operation and development of the FIR, one of which is the provision of air traffic management services within the upper airspace (above flight level 245 or 24,500 feet) over Trinidad and Tobago and the other Terminal airspace over the Eastern Caribbean, ranging from mid-Caribbean to mid-Atlantic.

2.2 The FIR covers the entire Eastern Caribbean Region and spans a range of some 750,000 square miles. It consists of seven Terminal Control Areas (TMA's), Antigua, Guadeloupe (fr), Martinique (fr), Barbados, Grenada, St Vincent and the Grenadines and Trinidad.

2.3 The FIR encompasses the States of Antigua and Barbuda, Barbados, Grenada, Anguilla, Montserrat, Dominica, Martinique, Guadeloupe, St Vincent and the Grenadines, St Kitts and Nevis, St Lucia and Tortola. Of these States, three are UK Dependent Territories, two are French Departments and six individual States are ICAO Contracting States.

2.4 It should be noted that when the agreement for the establishment of the FIR was made in 1950, all the English speaking states including Trinidad and Tobago were colonies of the United Kingdom. Therefore, only agreement with the UK was necessary.

2.5 Article 1 of the Chicago Convention of 1944 reaffirms that “every State has complete and exclusive sovereignty over the airspace above its territory”. Territory is defined by Article 2 of the Chicago Convention as “the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, adjacent thereto, protection or mandate of each State.”.

2.6 Notwithstanding that the Eastern Caribbean (E/CAR) States comprises the Piarco FIR, each State is responsible for providing aviation safety oversight of the airspace over its territory. This fact was further reinforced in the ICAO Universal Safety Oversight Audit Report of the OECS States which was conducted in November 2007. One of the recommendations states “The OECS should ensure that there is oversight of the information submitted by OECS Member States to be published in the *Eastern Caribbean Aeronautical Information Publication (AIP)*, and ensure that the AIRAC system is being used in accordance with Annex 15. In addition, the ECCAA should ensure:

- a) that safety critical information is disseminated in an effective and efficient manner;
- b) a mechanism is established to ensure that aeronautical data quality requirements related to publication resolution and data integrity are in accordance with Annex 15; and
- c) that significant differences are listed in the AIP in accordance with Annex 15.

2.7 While traditionally Trinidad and Tobago, as the custodian of the FIR, provides several services and facilities, there are no written agreements between Trinidad and Tobago and several of the stakeholders to govern the terms and conditions of the services provided. Without these agreements it is extremely difficult for States to provide oversight of these services as their responsibilities have not been articulated and well established. These include but are not limited to:

- a) E/CAR AFS Network;
- b) AFTN Management;
- c) AIP Publication.

2.8 The letter dated 14th October 2009 from the ICAO Regional Director addressed to the individual E/CAR States and captioned “Re; Critical Deficiencies in the Eastern Caribbean (E/CAR) Aeronautical Fixed Services (AFS) Network”, was a vivid reminder of the individual and joint responsibilities of the States for ensuring safety, regularity and efficiency of air operations throughout the E/CAR region. The letter stated that “the current E/CAR AFS network does not meet the operational requirements in terms of availability, reliability, timely maintenance response for fault-resolution and transparency of information for users about the status of the AFS network”.

2.9 Indeed over the last four years, the ECCAA has received complaints and criticisms from the OECS Member States regarding the low level of reliability of the various systems and arrangements in general within the FIR. In fact these States have criticized the ECCAA for its apparent failure to take steps towards resolving these issues. While most of the criticism have centered on the unreliability of the AFS Network, others are related to the lack of transparency and sharing of information.

2.10 During the same period a number of structures were established, for example the Piarco FIR Policy Group. It was expected that these would facilitate the involvement of E/CAR States in the development of the FIR. Unfortunately, the current situation suggests that some of the present structures have proven to be ineffective.

2.11 In addition, the E/CAR Region has not progressed as expected in a number of areas. They include:

- a) Transition to CNS/ATM;
- b) Implementation of GNSS;
- c) AFS Network.

2.12 Since 1950 many events have taken place, these include:

- a) The independence of former colonies from the UK;
- b) Changes and developments in ICAO Standards and Recommended Practices (SARPs);
- c) The formation of the Organisation of Eastern Caribbean States (OECS) and the subsequent establishment of the ECCAA as its Civil Aviation Authority;
- d) Changes in technology;
- e) Changes in airspace configuration;
- f) Establishment and demise of IACL;
- g) The establishment of CANAS.

3. Conclusion

3.1 In light of the foregoing, there is a need to review the agreement establishing the FIR and the resulting arrangements so as to achieve the following:

- a) Participative approach to the governance of the FIR which should result in a more effective use of the limited resources and give member States a greater voice in the management of the FIR;
- b) Agreements defining the roles, responsibilities and rights of the States within the FIR; and
- c) Enhancing structures and arrangements.

3.2 While the above are in keeping with the principles enshrined in the Chicago Convention, these recommended measures will facilitate the enhancement of safety, security, regularity and efficiency as well as create an improved environment for the further development of Civil Aviation in the region.

4. Action requested

4.1 The meeting is invited to:

- a) note and consider the contents of this paper; and
- b) urge the ICAO to take urgent action with respect to the review of the agreement establishing the Piarco FIR and the resulting arrangements, and to report its' findings and recommendations no later than 31st March 2010.