ICAO Action

The task of the development of harmonized stop bar contingency procedures for degraded or failed stop bar systems has been on the work programme of the Air Traffic Management Operations Panel (ATMOPSP) since 2015 and have recently been removed from the work programme of the ATMOPSP. A review of the subject and related provisions and guidance contained in Annex 2 — *Rules of the Air*, *Procedures for Air Navigation Services — Air Traffic Management* (PANS-ATM, Doc 4444), and the *Manual on the Prevention of Runway Incursions* (Doc 9870), has concluded that while a consistent procedure and phraseology to avoid stopping at stop bars that remain lit due to some system failure might be useful, such a procedure would move away, even contradict the intent and text of the Standard. The ATMOPSP was also of the view that contingency measures to mitigate the impact caused by unserviceable stop bar lights might be better addressed by the appropriate air traffic services authority, recognizing that it is not always feasible to cater for every circumstance and that pilots and controllers are expected to use plain language for communication in a clear and concise manner, especially when standard phraseologies are not available. Considering the removal of this task from the ATMOPSP work programme and given the significant number of circumstances, external to the stop bar procedures that contributed to this incident, ICAO is unable to support this safety recommendation.

Subsequent actions

Comments received from CIAIAC, Spain, 18 September 2017:

This Commission[1] considers not satisfactory ICAO's answer to safety recommendation REC 31/16. ICAO does not explain clearly in its answer why it has been decided to remove from the work programme of the Air Traffic Management Operations Panel (ATMOPSP) the task of the development of harmonized stop bar contingency procedures for degraded or failed stop bar systems, in which safety recommendation REC 31/16 could be framed. ICAO says that it is preferable to rely on the appropriate air traffic services authority, so that they would tackle each situation in the best way possible, and that pilot and controllers are expected to use plain language for communication in a clear and concise manner. But this is precisely what did not happen in the case of incident IN-005/2016. Even though the ICAO's Manual on the Prevention of Runway Incursions and the European Action Plan on the Prevention of Runway Incursions (EAPPRI) consider the possibility of crossing an active stop bar in the case that this stop bar cannot be turned off, and the application of contingency procedures is considered, in this case it has been detected the absence of common phraseology or procedure in all airports that allow to clearly identify that these measures are being applied. This could have caused in this case in Germania's crew a misunderstanding, because after informing ATC that there was a turned-on stop bar and being again allowed to align the runway, they could have considered that these contingency measures were being applied, whereas this was not the case, and it was indeed a controller's mistake. The reason of issuing safety recommendation REC 31/16 is to avoid situations like this one, and we ratify the need of such safety recommendation. It is for all of the

[1] Civil Aviation Accident and Incident Investigation Commission

above that this Commission considers that the assessment of ICAO's answer should be for the recommendation to be "Open, not satisfactory answer".

ICAO's response, 11 January 2018:

[ICAO] wish to recall that to qualify as a Standard, the specification must be such that its uniform application by all contracting States is necessary in the interests of safety or regularity of international air navigation. However, the applicability of the Standard may be subject to the existence of certain specified conditions. Air traffic services procedures have their very basis in the provision of clearances and instructions under specific conditions, and flight crew respond to those clearances and instructions under equally well defined conditions. If those conditions are not met and a request for clarification is responded to with a repetition of the original instruction, procedure dictates that the flight crew must determine if the clearance remains unsatisfactory.

There are numerous occasions where flight crew can and do request clarification on the suitability of clearances, particularly when the flight crew is aware of some determining factor of which the controller may not be aware. If the clearance is repeated, a decision must be made on whether to accept the clearance or request an alternative clearance. There are also a number of circumstances where clearances should not be accepted that are relatable and comparable to clearances to cross a lit stop bar. These include clearances that conflict with traffic alert and collision avoidance system (TCAS) resolution advisories or clearances that conflict with warnings from an autonomous runway incursion warning system (ARIWS). In both scenarios, the provisions are specific on the action that should be taken by both the controller and the flight crew.

While [ICAO] remain convinced that contingency measures to mitigate the impact caused by unserviceable stop bar lights might be better addressed by the appropriate air traffic services authority, ICAO will take action to ensure the relevant guidance material is aligned with provisions contained in Annex 2 — *Rules of the Air*, and the *Procedures for Air Navigation Services — Air Traffic Management* (PANS-ATM, Doc 4444).