



WORKING PAPER

ASSEMBLY — 39TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 27: Increasing the efficiency and effectiveness of ICAO

**ADDRESSING THE LOW RESPONSE RATE
BY MEMBER STATES TO ICAO STATE LETTERS**

(Presented by the Council of ICAO)

EXECUTIVE SUMMARY

Pursuant to discussions during the 203rd and 206th Sessions of the Council on the subject of increasing the response rate to State letters by Member States, this working paper presents actions to address the low response rate, supported by an analysis of the status of and reasons for the low response rate, as well as actions aimed at increasing the response rate.

Action: The Assembly is invited to adopt the draft resolution, presented in the Appendix, that addresses the low response rate by Member States to ICAO State letters.

<i>Strategic Objectives:</i>	This working paper relates to all Strategic Objectives.
<i>Financial implications:</i>	The activities referred to in this paper will be undertaken subject to the resources available in the 2017-2019 Regular Programme Budget and/or from extra budgetary contributions.
<i>References:</i>	Doc 10022, <i>Assembly Resolutions in Force</i> (as of 4 October 2013) Doc 7300, <i>Convention on International Civil Aviation</i>

1. BACKGROUND

1.1 In order to ensure the safe and orderly development of international civil aviation, ICAO adopts Standards and Recommended Practices (SARPs) and makes policies to be implemented by its Member States in support of a safe, efficient, secure, economically sustainable and environmentally responsible civil aviation sector.

1.2 State letter is the medium through which ICAO, under the authority of the Secretary General, officially communicates inter alia SARPs and policies with and obtains air transport data and information from its Member States. In addition, State letters are used by the Regional Directors of the ICAO Regional Offices to officially communicate with the Member States in their area of accreditation. The low response rate to State letters, both at a global level and at a regional level, is a long-standing concern that can adversely impact the fulfilment of obligations to the *Convention on International Civil Aviation* (Doc 7300).

1.3 Pursuant to discussions at the 203rd and 206th Sessions of the Council, this paper examines the recent status of the response rate to State letters concerning proposed amendments to Annexes to the Convention and to Procedures for Air Navigation Services (PANS), reasons for the low response rate, and proposes actions aimed at increasing the response rate. In addition, this paper presents a draft resolution for adoption by the Assembly calling for complete and timely responses to State letters and other activities aimed at addressing and emphasizing the importance of State letter responses.

2. DISCUSSION

2.1 Status of response rate to State letters

2.1.1 Over the past five years, the Organization, under the authority of the Secretary General, has typically issued between 70 and 100 circular State letters per annum from Headquarters. In addition, there has been a smaller number of individual State letters issued each year. Circular and individual State letters contain a clause requesting follow-up action by the recipient(s). Subject matter on which follow-up action is not required is issued as an Electronic Bulletin.

2.1.2 State letters are issued by the Secretary General, typically, in connection with the following: proposals for and adoption of amendments to Annexes to the ICAO Convention; proposals for and approval of amendments to PANS; invitations to attend meetings; requests for nominations, such as expert group membership; requests for contributions, such as voluntary funds and other in-kind contributions; and general enquiries, such as questionnaires, requests for data and other consultations. It is worthwhile to note that State letters issued by the ICAO Regional Directors to Member States in their area of accreditation include some of the foregoing, as well as others such as: proposals for and adoption of amendments to the regional air navigation plan and regional supplementary procedures; communicating the outcome of regional planning and implementation meetings where follow-up action is required; and enquiries on the status of implementation of ICAO provisions. State letters therefore serve as an important means with which to directly interact with Member States and other concerned stakeholders on all facets of international civil aviation, from the identification and development of required standards and policies through to the implementation by and auditing and validation of Member States against the required standards and policies.

2.1.3 Proposals for amendment to Annexes and PANS require the distribution of State letters to all Member States¹ plus a number of international organizations. In this regard, the Secretariat has undertaken an analysis of the response rate to circular State letters issued over the last triennium (2011,

¹ 191 Member States at time of writing.

2012 and 2013) and the first two years of the current triennium (2014 and 2015) concerning proposals for amendment to Annexes and PANS. The sample size was sixty-one State letters.

2.1.4 The analysis² is available on an interactive ICAO website via URL: <http://www.icao.int/A39-SLresponserate/>. The analysis offers the following observations: year-on-year variance of State letter response rate; region-to-region as well as sub-regional variance of State letter response rate; lowest, highest and mean State letter response rates; and Member States with the highest response rate and Member States with the lowest response rate, including those Member States that did not respond to any of the sixty-one State letters containing proposals for amendment to Annexes and PANS issued over the past five years.

2.1.5 Based on the analysis, for State letters concerning proposals for amendment to Annexes and PANS issued between 2011 and 2015 inclusive (figures rounded to nearest whole per cent):

- a) the lowest State letter response rate was 0 (zero) per cent. Thirty Member States had a response rate of zero, where they did not respond to any of the sixty-one State letters issued;
- b) the highest State letter response rate was 97 per cent. Two Member States (namely China and Greece) had a response rate of 97 per cent, where they responded to fifty-nine of the sixty-one State letters issued; and
- c) the mean State letter response rate was 28 per cent, i.e. the global average Member State response rate was to seventeen of the sixty-one State letters issued.

Moreover, 121 of the 191 Member States were identified as being below the global average — i.e. 121 Member States responded to seventeen or fewer of the sixty-one State letters concerning proposals for amendment to Annexes and PANS issued over the five year period under review.

2.2 Reasons for the low response rate to State letters

2.2.1 There are, potentially, many reasons why the response rate to State letters is low. Such reasons may include (non-exhaustive and in no particular order): too many State letters are issued in addition to other forms of correspondence from ICAO — both at a global (Headquarters) and regional (Regional Office) level; no categorization nor prioritization applied to State letters issued; only minimal information provided in the State letter on the follow-up action required and which specific Member State entity is expected to supply requested information; incomplete or erroneous contact details of State letter recipients; use of inadequate or legacy distribution and receipt mechanisms for State letters, such as facsimile, and limited use of contemporary online tools, such as secure web-based portals; complex or inadequate institutional and/or legislative arrangements locally (i.e. within the receiving Member State); a high turnover rate of Directors General of Civil Aviation (DGCA) within some Member States compounded by a lack of appreciation by the DGCA of the importance to be attributed to State letters and responses thereto; insufficient resources and/or low priority assigned by Member States to process the State letters received; little or no awareness that a Member State should respond to a State letter even when there is no comment or no objection to a proposal; often complex and/or voluminous construct of State letters, especially those containing multiple appendices or other attachments, and a lack of capacity of Member States to manage; a lack of capability of Member States to address, in particular, highly technical civil aviation matters contained in State letters; and limited guidance on how Member States should efficiently and effectively handle and respond to State letters.

² The data upon which the analysis has been based was extracted from the working papers containing the final review of proposed amendments to Annexes and PANS, as considered by the Air Navigation Commission at the time of the final review.

2.3 **Proposed actions aimed at increasing the response rate to State letters**

2.3.1 Having considered the status of the response rate to certain types of State letters and examined some of the reasons for the low response rate, it is worthwhile to consider actions aimed at increasing the response rate which could apply to all the types of State letter issued. Such actions may include:

- a) *Implement a registry attributes scheme for State letters* that identifies the category, priority, discipline or subject matter, and response needs, in order to facilitate the necessary and appropriate processing of the State letters by recipients;
- b) *Implement an automated system to report on response rates to State letters* in order to increase visibility of the response rate status by State, by region and/or globally;
- c) *Undertake a review and, as necessary, revision of the format of State letters and Electronic Bulletins*, including design layout, as a means to more effectively communicate the content of State letters to recipients;
- d) *Investigate and, as necessary, introduce new communication tools, including web-based solutions*, as a means to improve the communication and interaction with State letter recipients, the recording of replies in the ICAO Records Management System, and the reporting of the regional and/or global status of the State letter response rate;
- e) *Identify and share best practices amongst Member States* to promote awareness and continuous improvement and to build capacity of Member States in concert with ICAO's No Country Left Behind (NCLB) campaign;
- f) *Where not already existing, introduce State letter follow-up procedures at ICAO Regional Offices*, as a component of the Regional Office Manual as necessary, as a means to further inform and interact with focal points within the Member States in their area of accreditation where responses are low or absent, and to take advantage of the presence of delegations at ICAO Headquarters in this connection also; and
- g) *Conduct an awareness campaign*, through ICAO Regional Offices, regional DGCA conferences and/or other fora such as regional civil aviation commissions, to ensure that the importance of State letters and need for responses is well understood, and to promote the importance of the ICAO DGCA Directory in order to ensure, amongst other data, that the contact details of State letter recipients are kept up-to-date.

3. **CONCLUSION**

3.1 This paper has presented the status of the response rate to ICAO State letters containing proposals for amendment to Annexes and PANS issued over the past five years. The global average response rate by Member States for the sixty-one sample State letters issued in this regard, from 2011 to 2015 inclusive, was 28 per cent, with 121 of the 191 Member States below the global average. In addition, this paper has presented reasons for the low response rate as well as proposed actions aimed at increasing the response rate for consideration. A draft Resolution for adoption is presented in the Appendix which would establish actions to address the State letter response rate issue.

APPENDIX

DRAFT RESOLUTION FOR ADOPTION

27/xx: Addressing the low response rate by Member States to ICAO State letters

Whereas Article 37 of the *Convention on International Civil Aviation* (Chicago Convention) requires the Organization to adopt and amend international Standards and Recommended Practices and Procedures and each Contracting State to collaborate in securing the highest possible degree of uniformity in regulations and practices in all matters in which such uniformity will facilitate and improve air navigation;

Recognizing that a State letter is a medium through which the Organization, under the authority of the Secretary General, officially communicates its Standards and Recommended Practices and policies and interacts with its Member States and with others concerned;

Concerned that the low response rate by Member States to State letters is a long-standing issue that can adversely impact the fulfilment of obligations under Articles 37, 38, 54, 57 and 90 of the Chicago Convention;

Recalling that Resolution A29-3 urged States to respond to the ICAO Council's requests for comments and agreement or disagreement on ICAO proposed Standards to prevent decisions being taken on the basis of a small number of responses;

The Assembly:

1. *Calls* on Member States to reaffirm the necessity and honour their commitment to responding to all State letters issued by the ICAO in a complete and timely manner and to share best practices, through ICAO Regional Offices and/or regional civil aviation commissions, in order to promote continuous improvement, mobilize resources and build capacity within Member States in concert with ICAO's No Country Left Behind (NCLB) initiative;
2. *Instructs* the Secretary General to implement a registry attributes scheme for State letters that identifies the category, priority, discipline or subject matter and response needs, to facilitate improved processing of the State letters by Member States and other recipients;
3. *Requests* the Secretary General to review and, as necessary, revise the format of State letters and Electronic Bulletins, including design layout, as a means to more effectively communicate their content with Member States and other recipients;
4. *Requests* the Secretary General to investigate and, as necessary, introduce new communications tools, including web-based solutions, as a means to improve communication and interaction with Member States and other recipients of State letters and the recording of replies in the ICAO Records Management System;
5. *Instructs* the Secretary General to implement an automated and interactive web-based system capable of reporting the response rates to State letters, thus improving visibility of the status of State letter responses by Member States, by regions and/or globally, and promoting awareness and capacity building among Member States;

6. *Instructs* the Secretary General to introduce follow-up procedures at all ICAO Regional Offices, as a component of the Regional Office Manual as necessary, as a means to further inform and interact with focal points within the Member States in their area of accreditation where responses to State letters are low or absent, and to take advantage of the presence of delegations at ICAO Headquarters in this connection also;
7. *Directs* the Council to monitor and analyse the response rate to State letters on a periodic basis, to make recommendations where the response rate of Member States is below the global average;
8. *Calls* on Member States to consider establishing focal points for internal (State-level) coordination and follow-up to State letters, continuously review the ICAO Directors General of Civil Aviation (DGCA) Directory and ensure that the contact details of the State letter recipients is kept up-to-date with changes notified to ICAO in a complete and timely manner; and
9. *Requests* the Secretary General to conduct an awareness campaign through ICAO Regional Offices, regional DGCA conferences and/or other fora such as regional civil aviation commissions targeted at Member States to increase the level of awareness of the importance of responding to all State letters issued by ICAO and in maintaining up-to-date contact details.

— END —