



**Agenda Item 1: Review of Agreements/Actions Adopted for the Establishment of a Regional Multinational Organization (RMO) in the SAM Region**

**ACTIVITIES CARRIED OUT CONCERNING INSTITUTIONAL ASPECTS FOR THE IMPLEMENTATION OF MULTINATIONAL FACILITIES**

(Presented by the Secretariat)

**SUMMARY**

This working paper contains information on the results of the activities carried out within the framework of the GREPECAS mechanism and the Meetings of Civil Aviation Authorities for the establishment of a Regional Multinational Organization in the SAM Region to facilitate the implementation of CNS/ATM systems as multinational facilities with a view to the regional/global ATM system.

**References:**

- CAR/SAM FASID, CAR/SAM ANP Doc. 8733
- Reports of the GREPECAS/12, GREPECAS/13, GREPECAS/14, and GREPECAS/15 meetings.
- Reports of the RAAC/7, RAAC/8, RAAC/9, and RAAC/10 meetings.
- Report of the EANAI/1 meeting.

**1. Introduction**

1.1 The global nature of CNS/ATM systems and the ATM development vision under the ATM operational concept approved at the Eleventh Air Navigation Conference (AN-Conf/11) require significant international cooperation for the implementation of CNS/ATM systems with different levels of process automation, in order to take advantage of the great potential of international civil aviation technological developments for navigation purposes and for the provision of the corresponding support services.

1.2 Since the approval of the CAR/SAM Air Navigation Plan (ANP) developed by the CAR/SAM RAN/3 meeting (November 1999), the SAM Region has focused its efforts on the implementation of multinational facilities, using the guidance material developed in the EUR Region and adapted to the CAR/SAM Regions that is currently contained in the ANP FASID. However, plans to integrate efforts for the implementation of multinational facilities under the modern CNS/ATM system approach date back to the first GREPECAS meetings, which resulted in the planning/implementation of the South American Digital Network (REDDIG), one of the multinational systems that have been

successfully implemented and currently in operation with significant cost-benefit advantages for the participating States.

1.3 The following paragraphs contain an analysis of the activities carried out in the SAM Region and within GREPECAS concerning technical/operational, economic and legal matters seen from the perspective of institutional aspects, aimed at the development of facilities that will benefit international civil aviation in the participating States, with a view to implementing the ICAO vision through the ATM operational concept.

## 2. **Analysis of the activities carried out in relation to institutional aspects**

2.1 The treatment of technical/operational, economic, and legal aspects for the implementation of multinational facilities involve recognising the existence of political aspects that need to be harmonised in order to proceed with the implementation of projects of common interest. This has been one of the main objectives of the continuous and persistent work carried out by ICAO in the Region in order to create a suitable environment of cooperation among the States interested in participating in a multinational undertaking. Two fora addressed these matters: the Meetings of Civil Aviation Authorities (RAAC) and the GREPECAS mechanism.

### 2.2 **Review of Institutional Aspects within the GREPECAS Mechanism**

2.2.1 Discussion of institutional aspects within the framework of GREPECAS dates back to the days of the CNS/ATM/IC Subgroup. The greatest thrust was given when Regional Technical Cooperation Project RLA/98/003 began its activities in this regard holding a first seminar in September 2001, in Bogota, and GREPECAS took over the Institutional Aspects Task Force of the ATM/CNS Subgroup. This was the most productive period in terms of results obtained by GREPECAS in the field of institutional aspects concerning the implementation of multinational facilities.

2.2.2 Once a year, and with the support of project RLA/98/003, the Task Force held a meeting immediately after a seminar on institutional aspects, a modality that ensured a broader participation by States in the preparation of documentation and proper treatment of difficult multidisciplinary issues. The result of its work, which included activities carried out under project RLA/98/003, was presented to the GREPECAS meetings for review.

2.2.3 When the GREPECAS/14 meeting was held, the following had been achieved:

1. A CAR/SAM strategy for the implementation of multinational facilities, which will be updated at the next meeting of the Task Force.
2. A study of the various implementation options. It was decided that the best option would be to implement multinational facilities through a Regional Multinational Organization (RMO).
3. Systems subject to implementation as multinational facilities.
4. Definition of operational scenarios where multinational systems would be implemented.
5. Preliminary cost-benefit analysis.
6. Development of a draft Constituent Agreement for the Implementation of a Regional Multinational Organization (RMO).

7. Recommendation to provide the necessary assistance for the implementation of the RMO.

2.2.4 The GREPECAS/15 meeting analysed the terms of reference and the six tasks of the Institutional Aspects Task Force, and agreed that, for the time being, it was not necessary for the mechanism to carry out further activities concerning institutional aspects, and decided to dissolve the Task Force.

### 2.3 **Review of Institutional Aspects at the Meetings of Civil Aviation Authorities**

2.3.1 Since the RAAC/6 meeting (Panama, Panama, 1999), the Region started to become interested in the institutional aspects related to the implementation of CNS/ATM systems. In this sense, it was clearly stated that the GREPECAS mechanism should proceed with the definition of operational scenarios and the use of the available guidance material. This meeting foresaw the need to create a high-level panel to address institutional aspects once GREPECAS had made progress with the respective tasks (Con. 6/9).

2.3.2 The RAAC/7 meeting (Bahia, Brazil, 2002) took note of the progress made in terms of including guidance material for the implementation of multinational facilities in the CAR/SAM Air Navigation Plan, and the progress made by regional project RLA/98/003 regarding multinational systems and the definition of operational scenarios. It was agreed that, with the support of project RLA/98/003, the GREPECAS mechanism should first address these matters and that, pursuant to Conclusion 6/9 of the RAAC/6 meeting, the High-Level Regional Group should be established, for which terms of reference and a work programme were developed. It also agreed that the ICAO Regional Office should coordinate with the States with a view to holding the first meeting of the group, depending on the progress made by GREPECAS with respect to institutional aspects (Con.7/5).

2.3.3 The RAAC/8 meeting (Buenos Aires, 2003) took note of the amendments made to the activities under project RLA/98/003, aimed at the formulation of a regional institutional arrangement in the area of air navigation services. In this respect, the RAAC/8 meeting encouraged States to give all their support to the project with a view to creating a regional cooperation environment for the establishment of common plans for the implementation of CNS/ATM systems (Con.8/11). Likewise, and considering the importance of referring this concern to GREPECAS, the RAAC/8 meeting encouraged those States that had designated experts as members of the Institutional Aspects Task Force to give all their support to said experts in the performance of the tasks of the group (Con. 8/12).

2.3.4 The RAAC/9 meeting (Santiago, Chile, 2005) took note of the results of the Eleventh Air Navigation Conference (AN-Conf/11) and the endorsement given by the 35<sup>th</sup> Session of the ICAO Assembly to the ATM operational concept. The RAAC/9 meeting agreed that the implementation of these matters as formulated by the 35<sup>th</sup> Assembly (Res. A35-15) required the States to make an unprecedented commitment to the implementation of CNS/ATM technology and the development of legal and institutional matters to expedite the implementation of these technologies, according to the Convention on International Civil Aviation. The RAAC/9 meeting reviewed all the work done by GREPECAS/12, and coincided with its approach, expecting the GREPECAS mechanism to make progress with the arrangements for holding a first meeting of the high-level panel. However, in order to proceed with the definition of multinational systems, the RAAC/9 meeting felt that the implementation of air traffic flow management (ATFM) (Con. 9/13), already considered within the GPIs of the Global Air Navigation Plan, would help further the development of CNS/ATM technologies within the ATM operational concept.

2.3.5 The RAAC/10 meeting (Caracas, June 2007) made a complete assessment of the work done by GREPECAS on the topic of institutional aspects. In this sense, it took note of Conclusions 14/5 and 14/6, which appear in Appendix A, and stated that the material recommended by GREPECAS for the establishment of a regional mechanism to consolidate, manage, and implement multinational facilities should be taken into account, requesting ICAO to prepare a draft document to expedite the implementation of this regional mechanism. The RAAC/10 meeting also requested ICAO to coordinate with the States the holding of the first meeting of the High-Level Panel to review the guidance material prepared by GREPECAS on the establishment of a regional mechanism and the aforementioned draft document (Con. 10/8).

2.3.5.1 Accordingly, the RAAC/10 meeting updated the work programme of the high-level panel to reflect the activities to be carried out according to the aforementioned Con. 10/8.

2.3.6 Based on the results of the RAAC/10 meeting, the Secretariat convened the first meeting of the High-Level Panel on Institutional Aspects (EANAI/1, Lima, June 2008). This meeting addressed matters of great interest, such as:

- a) It reviewed the entire process of development of institutional aspects in the SAM Region.
- b) In preparation for the RAAC/11 meeting, it reviewed the material developed by GREPECAS in relation to the draft Constituent agreement for the establishment of an RMO, and amended it as necessary for consideration by the RAAC/11 meeting.
- c) It examined some preliminary studies on costs for REDDIG and CARSAMMA, and recommended that additional studies be made for CARSAMMA on the feasibility of including this agency in the future RMO.
- d) It recommended that the Secretariat prepare a draft technical cooperation document for the implementation of the RMO.
- e) It recommended that the Secretariat define the minimum conditions required for the establishment of RMO headquarters, so that interested States could submit their respective proposals.

2.3.6.1 The EANAI/2 meeting will discuss in detail the progress made since the EANAI/1 meeting, as well as other relevant matters in preparation for the RAAC/11 meeting.

### 3. **Suggested action**

3.1 The Meeting is invited to consider the information contained in this working paper, which summarises the important activities carried out by the States in the Region and GREPECAS regarding institutional aspects, in order to expedite the implementation of CNS/ATM technologies under the modality of multinational facilities, with a view to the implementation of a regional/global ATM system. The Meeting is also expected to consider this information as a basis for its discussions on the other matters contained in its agenda.

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**APPENDIX A**

**CONCLUSIONS OF GREPECAS/14 MEETING REFERRED TO THE  
CONSTITUTION OF THE RMO**

**CONCLUSION 14/5                    GENERIC    DOCUMENT    CONCERNING    AN  
AGREEMENT FOR THE ESTABLISHMENT OF A  
REGIONAL MULTINATIONAL ORGANIZATION**

Whereas the most effective way to implement/consolidate multinational facilities, and manage and provide services is through the implementation of a Regional Multinational Organization (RMO), and that this requires a basic reference document to serve as basis for the States/Territories concerned to conduct the necessary studies:

- a) it is recommended that the States/Territories that are interested in implementing an RMO use the summarised Draft Agreement for the establishment of a Regional Multinational Organization (RMO) shown in the attached **Appendix A**, the Draft Agreement for the Establishment, Operation, and Management of an RMO, shown in **Appendix B**, and the corresponding draft by-laws shown in **Appendix C** to this part of the Report; and
- b) the ICAO NACC and SAM Regional Offices are requested to follow-up on action taken by the States with respect to the implementation of an RMO, as appropriate.

**CONCLUSION 14/6                    TECHNICAL    COOPERATION    PROJECT    TO  
FACILITATE THE IMPLEMENTATION OF A  
REGIONAL MULTINATIONAL ORGANIZATION  
(RMO)**

Based on GREPECAS guidelines for the implementation of multinational facilities, the States interested in implementing RMOs should consider, in coordination with ICAO, the formulation of a technical cooperation project that includes an agreement for its establishment, operation, and management, taking into account the possible objectives contained in Appendix D to this part of the Report.