



Tenth Regional Aviation Safety Group — Pan America Plenary Meeting (RASG-PA/10)
Quito, Ecuador, 20-21 June 2019

Agenda Item 3: Operational Safety Risks
3.4 NACC & SAM Risk Mitigation Activities

AIMED HARMONIZATION STRATEGY

(Presented by Secretariat)

EXECUTIVE SUMMARY	
<p>This working paper proposes to the RASGPA, to initiate a program of aimed harmonization, with the support of the industry, as a suitable strategy for the CAA and the industry to address the specific needs of the regulatory issues that impose a challenge for the industry in the assurance of connectivity in the Pan-American Region.</p>	
Action:	Request the meeting to approve the strategy of directed harmonization, based on the need to harmonize regulations that address requirements of common interest between the industry and the Civil Aviation Authorities in the Pan American region.
Strategic Objectives:	<ul style="list-style-type: none">• Safety• Economic Development of Air Transport
References:	<ul style="list-style-type: none">• Doc. 7300 – Convention on International Civil Aviation• Doc. 10046 – Second High Level Safety Conference 2015• Declaration to Promote Connectivity through the Development and Sustainability of Air Transport in the PAN-AMERICAN Region – Vision 2020-2035• The Industry High Level Group (IHLG), Aviation Benefits, 2017

1. Introduction

1.1. Article 37 of the Convention on Civil Aviation, concerning the adoption of international standards and procedures, commits each Contracting State to collaborate, in order to achieve the highest degree of uniformity possible in the regulations, rules, procedures and organization related to the aircraft, personnel, airways and auxiliary services in all matters in which such uniformity facilitates and improves air navigation.

1.2. The Second High Level Safety Conference 2015, held in Montreal, Canada from February 2nd to 5th, 2015, in its 3/1 conclusion regarding regional collaboration to improve operational safety in the States; encourages aviation safety partners, including donor States, international organizations, industry and financial institutions, to support ICAO initiatives aimed at assisting States to strengthen aviation safety by improving regional coordination, cooperation and collaboration.

1.3. Also conclusion 3/1 in its part related to the Regional Safety Oversight Organizations (RSOO), it is essential to have a common and harmonized framework and cooperation among States, safety partners and donors, in order to facilitate the establishment and sustainable evolution of the regional safety oversight organizations (RSOO).

1.4. The Second High Level Safety Conference 2015, also encouraged the States in the certification and supervision activities of recognized maintenance organizations (AMO), in collaboration with States and industry, ICAO should develop an international framework and regional initiatives to facilitate the reduction of duplication of certification and supervision activities of recognized maintenance organizations (AMO), which is perfectly extendable to the different service providers, as applicable, especially to air service operators.

1.5. Within the framework of the Declaration to promote Connectivity through the Development and Sustainability of Air Transport in the Pan American Region – Vision 2020-2035, based on the recognition that each State has full and exclusive sovereignty in the establishment of its public policies. In accordance with their level of development and national priorities, regional collaboration between States, international organizations and industry is important to support harmonized and sustainable development and the growth of air transport.

1.6. This declaration contemplates the leadership of our Region in the global context in terms of operational safety, in compliance with international civil aviation standards, in a harmonized regulatory environment that allows economies of scale to be used by its civil aviation authorities to offer an adequate level of surveillance to its air navigation service providers (ANSPs), effectively and efficiently, without creating unnecessary costs to the States and industry, building an environment conducive to the development of the air transport business.

1.7. Air transport suffers from a fragmented regulatory system, which proved its value in the past but must be deeply adapted to the demands of today and, certainly, of tomorrow. Such fragmentation could increase if countries move away from global practices, creating a fundamental challenge for the industry. Regulations should facilitate transformation and new technologies. Efforts in this regard should focus on the establishment and application of good regulatory practices and the governance of air transport, including the modernization, harmonization and convergence of regulatory approaches and regimes of States, and the promotion of connectivity, competition, transparency and the choice of consumers.

2. Analysis

2.1. Despite the great achievements made by the RSOOs of the Pan-American region, there are still many opportunities for improvement to achieve greater regional harmonization. Recognizing the complexity inherent in the harmonization processes, the States and RSOOs of the Pan American region could benefit from an identification by the industry, on the most urgent elements where aimed harmonization efforts should be focused.

2.2. RASG – PA could receive this information from the industry and agree on where the different RSOOs should focus their efforts, without having to wait for a long process of cross-references or regulatory changes to an entire regulatory structure.

2.3. It is presumed that a aimed harmonization approach, where the industry identifies the respective sections where greater regulatory dispersion exists, and that generates unnecessary costs to industry, should offer greater ease to regulators to guide their harmonization efforts with decreasing difficulties they are typical of an extensive and perhaps more traumatic regulatory change, especially for States with large volumes of aeronautical industry or with different regulatory approaches.

2.4. Taking advantage of the industry - RASGPA States, this could act as depository of the updated inventory of regulatory tasks that have been identified as of common interest by the industry, including the identification of focal points and information on the types of agreed common actions and their current status. Where appropriate, the CAAs involved in the targeted harmonization effort intend to make available to the public the list of regulatory tasks of common interest and the state of work.

2.5. The RASG-PA Executive Committee could analyse this proposal and define in greater detail the process of aimed harmonization, including it in its work plan, including objectives, priorities, indicators and the establishment of measurable goals.

3. Conclusions

3.1. The process of aimed harmonization could be an effective solution to achieve better technical regulations, better protection to safety and greater efficiency of air transport, without major regulatory changes and at the same time guarantee an acceptable level of safety in the Pan-American region, guaranteeing and facilitating connectivity.

3.2. The RASG-PA and its mechanisms can function as a communications channel between the industry and the AAC of the Pan-American region, of the requirements of aimed harmonization.

4. Suggested action

4.1. The Meeting is invited to:

- a) Take note of the information presented in this working paper; and
- b) request the RASG – PA Executive Committee to analyse the proposed aimed harmonization and develop the procedures that are necessary for its implementation.