



Twelfth Regional Aviation Safety Group — Pan America Meeting (RASG-PA/12)

Salvador, Bahia, Brazil, 14 – 15 November 2022

Second GREPECAS–RASG-PA Joint Meeting

Salvador, Bahia, Brazil, 15 November 2022 (13h00 local time)

Agenda Item 5: Specific measures and improvements that require consideration by the ANC and the Council

SPECIFIC MEASURES AND IMPROVEMENTS THAT REQUIRE CONSIDERATION BY THE AIR NAVIGATION COMMISSION (ANC) AND THE ICAO COUNCIL

(Presented by Secretariat)

EXECUTIVE SUMMARY	
This working paper presents the specific measures and improvements, identified by the RASG-PA, that require consideration by the ANC and the Council, to facilitate GASP implementation activities in the region.	
Action:	The Meeting is invited to: a) Review the content of this working paper; b) Comment and approved conclusions proposed in paragraphs 3.1, 3.2 and 3.3 of this working paper.
Strategic Objectives:	<ul style="list-style-type: none"> • Safety
References:	<ul style="list-style-type: none"> • RASG-PA Procedural Handbook • RASGs TORs

1. Introduction

1.1 In accordance with the "General Terms of Reference of Regional Aviation Safety Groups (RASG)" mandated by the ICAO Council, the RASGs are expected to identify specific measures or improvements that would require review by the ANC and the Council to address particular implementation problems.

1.2 The measures identified in paragraph 2.1 et seq. constitute those aspects that the RASG-PA considers important in order to progress in the implementation of the Standards and Recommended Practices (SARPs), as well as the Global Plans. While these measures, and their recommendations, reflect

the needs of the Pan-American region, their timely attention by the ANC and the Council will be beneficial to the other regions.

2 Specific measures and improvements that require consideration by the ANC and the Council

2.1 The specific measures identified by the RASG-PA, which require the consideration and intervention of the ANC and the ICAO Council, are described below:

2.2 SARPs amendment process based on recommendations arising from the RASGs

- a) As part of the ESC/29 meeting held in Mexico on 29 and 30 November 2017, the Executive Steering Committee of RASG-PA agreed on Conclusion RASG-PA/ESC29/2, with the objective of expanding the scope of flight data monitoring and analysis programs (FDMP/FDAP), and requested that the ICAO Air Navigation Commission (ANC) take note of the results of a cost-benefit study conducted under the auspices of RASG, and consider the amendment to Annex 6 Part I, specifically Recommendation 3.3.1 on FDAP, and Standard 3.3.2 in Section 3.3.
- b) The proposed amendment was reviewed by the ICAO Flight Operations Panel (FLTOSP) during its FLTOSP/4 meeting in December 2017 and in FLTOSP/WG/5 in May 2018, and subsequently referred to the Dedicated Working Group on Flight Recorders (FLIRECSWG/12) for review and comment (Washington 2019).
- c) FLTOSP/7 (2 to 5 November 2020) revised the proposal and, after a thorough analysis, concluded that there was strong evidence to reduce the threshold from 27 000 kg to 15 000 kg.
- d) In May 2021, the RASG-PA was informed that the proposal has already passed the stages of the Commission Group (GC) and the Working Group on Production of Deliverables of the NA Work Programme (WG/PDP) in charge of reviewing the proposed changes to the Annexes and PANS contained in the preliminary review; subtracting only the formal stage of approval by the ANC.
- e) In May 2022, the RASG-PA was informed that the proposed amendment was included in SL 21/50, with comments to be received by 17 November 2021. After that, the final revision of PANS PAHO and Annex 6 proposals was carried out by the ANC on March 10, 2022, where it was approved.
- f) Finally, the RASG-PA was notified that the publication of the Amendment to Annex 6 Part I where its proposal will be incorporated, will occur in 2024 with an entry into force date of 2027.

2.2.1 In view of the above, it is evident that between the date of the communication of the proposal to the ANC (2017) and the entry into force of the Annex Amendment (2027), there is a period of 10 years.

2.2.2 The text of the amendment expands the universe of air operators who are required to implement a flight data analysis program and, therefore, generate a new ability to proactively identify hazards and mitigate risks, in order to reduce accidents and avoid potential deaths and injuries to passengers. In this sense, the delay in time could translate into accidents and loss of life.

2.2.3 Finally, the fact that the treatment of a proposal of this nature lasts 10 years until its implementation, could cause that, in the future, the RASGs think twice before proposing SARPs amendments and opt for other mechanisms, which could be faster and more effective, but that may not have the global reach that a SARP implies, limiting the scope of safety benefits.

2.3 **Strengthening the governance of Civil Aviation Authorities**

2.3.1 The levels of effective implementation in the region follow an oscillating behaviour, where:

- a) Regional Offices and Regional Safety Organizations (RSOOs) make multiple costly efforts to help States improve their level of effective implementation;
- b) Through this assistance, States develop internal capacities, recruit and train the required technical personnel, develop guidance materials, and carry out certification and monitoring activities;
- c) Through the activities described in b), States achieve improvements, in some cases substantial, in their levels of effective implementation;
- d) However, for various reasons, the capacities developed generally begin to be lost in a cycle of change of administration or even less, as a result of the high turnover of authorities, continuous changes in middle management, multiple modifications of internal structures, gaps in human resource planning, lack of sensitivity regarding the impact of talent loss and operational safety, and other related factors, are some of the main causes of these skills losses;
- e) States return to the starting point, where they again need to request the support of the Regional Offices and RSOOs.

2.3.2 This cycle is repeated continuously, causing fluctuations of gains and losses of effective implementation, at a very high financial cost for States, and Regional Offices. But mainly, causing an inefficiency in the use of resources that negatively affects the surveillance capabilities of the operational security of the States, raising the level of risk. The design of ICAO's current USOAP program PQs, could better capture these gaps and thus generate an incentive for better governance of the AACs and a sustainable improvement in the process of mitigating risks to safety¹.

2.4 **Development of iPACKs on the implementation of SSPs**

2.4.1 The NACC and SAM Regional Offices have been developing several efforts for many years to promote the implementation of an effective SSP in their States. At the beginning, important progress was made, but even so the level of establishment of the SSP in the Pan American Region has reached only 33% and a year-on-year improvement between 2021 and 2022 of 1.24%.

2.4.2 Despite the work done and the motivation of the States, the pace of establishment of the SSP is worryingly low, and an active and more aggressive intervention is needed to achieve regional and global implementation goals.

¹ The following link contains a study carried out by OECD in connection with the NACC and SAM Regional Offices that can serve as an initial reference for the development of guidance material and future USOAP PQs: https://www.oecd-ilibrary.org/governance/the-governance-of-civil-aviation-authorities-in-latin-american-countries_e8bdf362-en

3 Proposal for conclusions on specific measures and improvements

3.1 Regarding the process of amending SARPs based on recommendations arising from the SSR, referred to in section 2.2, the following conclusion is proposed to the NCA:

CONCLUSION RASG-PA-12/CX/2022		PROPOSALS FOR AMENDMENTS TO THE SARPs SUGGESTED IN THE RASGs	
<p>That:</p> <p>Request the ICAO Air Navigation Commission (ANC) to ensure the publication of the proposed Amendment to Annex 6 Part I proposed by the RASG-PA in 2024 and its entry into force in 2027, and that no further postponements arise.</p> <p>Additionally, require the ANC to consider more agile mechanisms that allow the timely treatment of the recommendations for amending the SARPs arising in the RASGs.</p>		<p>Expected impact</p> <p><input type="checkbox"/> Political/Global</p> <p><input checked="" type="checkbox"/> Inter-regional</p> <p><input type="checkbox"/> Economic</p> <p><input type="checkbox"/> Enviromental</p> <p><input checked="" type="checkbox"/> Operational/Technical</p>	
<p>Why: To avoid further delays in the publication of the approved amendment; and to prevent the RASGs from considering the proposed amendment of SARPs as a valid and efficient mechanism for the improvement of operational safety at the global level.</p>			
<p>When: As part of the next RASGs annual report to the ANC.</p>	<p>Status: Valid</p>		
<p>Who: <input checked="" type="checkbox"/> (Secretariat)</p>	<p>Responsibles: Javier Puente</p>		

3.2 With regard to Strengthening the Governance of Civil Aviation Authorities, referred to in paragraph 2.3, the following conclusion is proposed addressed to the ANC:

CONCLUSION RASG-PA-12/CX/2022		STRENGTHENING THE GOVERNANCE OF PCS	
<p>That:</p> <p>ICAO amends guidance material from Doc. 9734 Part A and subsequently incorporates Protocol Questions in the areas of LEG and ORG to measure the levels of institutional governance and strength of Civil Aviation Authorities.</p>		<p>Expected impact</p> <p><input checked="" type="checkbox"/> Political/Global</p> <p><input checked="" type="checkbox"/> Inter-regional</p> <p><input type="checkbox"/> Economic</p> <p><input type="checkbox"/> Enviromental</p> <p><input checked="" type="checkbox"/> Operational/Technical</p>	
<p>Why: To mitigate the intensity of the oscillations of effective implementation in the States caused by the political and social instability of the Region, through the implementation of best governance practices and the institutional strengthening of the Civil Aviation Authorities.</p>			
<p>When: As part of the next RASGs annual report to the ANC.</p>	<p>Status: Valid</p>		
<p>Who: <input checked="" type="checkbox"/> (Secretariat)</p>	<p>Responsibles: Javier Puente</p>		

3.3 Regarding the development of iPacks for the implementation of SSPs, referred to in section 2.4, the following conclusion is proposed to the ANC:

CONCLUSION RASG-PA-12/CX/2022	
<p>That:</p> <p>Request the ICAO Air Navigation Commission (ANC) to:</p> <p>a) Consider the development of an iPACK to support the implementation of an effective SSP in the States, and that the delivery of the SSP is carried out by specialists provided by those States that have an SSP implemented, and that have obtained a satisfactory result during an evaluation of the implementation of the State Safety Programs (SSPIA); and</p> <p>b) b) a greater number of SSPIAs are scheduled in each region, at least two (2) per year, starting in 2025, informing States two (2) years in advance so that they have sufficient time for their preparation.</p>	<p>Expected impact</p> <p><input checked="" type="checkbox"/> Political/Global</p> <p><input checked="" type="checkbox"/> Inter-regional</p> <p><input type="checkbox"/> Economic</p> <p><input type="checkbox"/> Enviromental</p> <p><input checked="" type="checkbox"/> Operational/Technical</p>
<p>Why: To strengthen and promote the process of establishing and implementing SSPs in the States of the Region.</p>	
<p>When: As part of the next RASGs annual report to the ANC.</p>	<p>Status: Valid</p>
<p>Who: <input checked="" type="checkbox"/> (Secretariat)</p>	<p>Responsibles: Javier Puente</p>

4 Suggested Actions

3.1 The Meeting is invited to:

- a) Analyze the content of the present working paper and Appendix; and
- b) comment and approve Conclusions proposed in paragraphs 3.1, 3.2 and 3.3 of this working paper.