



**Item 8A of the
Agenda:**

Other Matters

**THE PROCESS OF TRANSITIONING INTERNATIONAL STANDARDS TO NATIONAL
REGULATIONS – IMPACT ON OPERATIONAL SAFETY**

Working Paper presented by the Republic of Colombia, “*The country of Beauty*”

SUMMARY

This working paper provides an analysis of the process of amending standards and regulations, considering both positive impacts and challenges that may affect the issuance of amendments in national regulations. It also examines the impact of transitioning from ICAO Annexes to national regulations, particularly in their application to certification and operational safety oversight processes.

References:

ICAO Doc. 9734 – Safety Oversight Manual, Part A – Establishment and Management of a State Safety Oversight System
Chicago Convention, Articles 11, 12, and 38

ICAO Objectives:	<i>Strategic</i>	-	<i>Operational Safety</i>
-----------------------------	------------------	---	---------------------------

1. Introducción

1.1 International standards outlined in the Annexes of the Convention on Civil Aviation have been essential tools in enabling the global civil aviation system to maintain and enhance safety levels to support sustained operational growth. These standards, reflected in each State’s national regulations, ensure clear and explicit applicability for service providers and serve as the foundation for the proper functioning of each State’s oversight system, in line with the principle of regulatory transposition.

1.2 Consequently, within each of the geographic regions defined by ICAO’s geopolitical structure, Annex-based standards are adapted to account for each State’s social, linguistic, cultural, and operational characteristics, which constitute underlying operational conditions.

1.3 This working paper examines the process of generating, producing, and publishing standards at the national level. From an operational safety management perspective, the issuance and adoption of such standards in each State require coherence, timeliness, and proactivity.

2. Analysis

2.1 Just as service provider organizations conduct “organizational accident” analyses to identify failures, gaps, or deficiencies in areas such as corporate policies, communication channels, procedural definitions, or supervision, a similar approach can be applied at the State, regional, or global level. This analysis can assess the definition of policies and regulations, as well as the processes for the adoption and transposition of standards by each Civil Aviation Authority (CAA).

2.2 The following impacts are considered:

2.2.1 Positive impacts:

2.2.1.1 Standardization of regulations across SRVSOP member countries ensures compliance with ICAO Annexes and aligns the numbering and content of LARs (Latin American Regulations) with Colombian Aeronautical Regulations (RACs), promoting regional harmonization and contributing to the objectives of the Regional System.

2.2.1.2 The development and updating of national regulations, their alignment with relevant Annexes, LARs, and ICAO/SRVSOP-derived documents, serve as essential guides and tools for use by various CAAs, particularly by Aerocivil, in certification, technical administration, and continuous oversight processes for national operators, as well as in the validation of foreign operators’ CDOs at a regional level.

2.2.1.3 This alignment advances the objectives of the SAM Region, including the application of uniform operational safety regulations that foster fair competition among participating States. It ensures that all air service operators holding a CDO and operating aircraft registered in SRVSOP member States are certified under uniform standards for operations, airworthiness, and crew licensing, thereby securing mutual recognition across all SRVSOP member States.

2.2.1.4 The harmonization of Colombian Aeronautical Regulations with LARs extends to associated documents that facilitate implementation, such as inspection manuals, guidance texts, and work aids that define compliance procedures. This alignment ensures that LARs and related documents provide model materials and work aids for the OPS area, guaranteeing compliance with ICAO USOAP CMA Protocol Questions (PQs).

2.2.2 Negative impacts:

2.2.2.1 The time required by SRVSOP to update and publish LARs, particularly in the OPS area, often exceeds ICAO’s required deadlines, necessitating that Aerocivil begin amending RAC OPS independently, without waiting for LAR publication. This ensures compliance with ICAO Annex amendments and associated documents within ICAO’s stipulated timeframes.

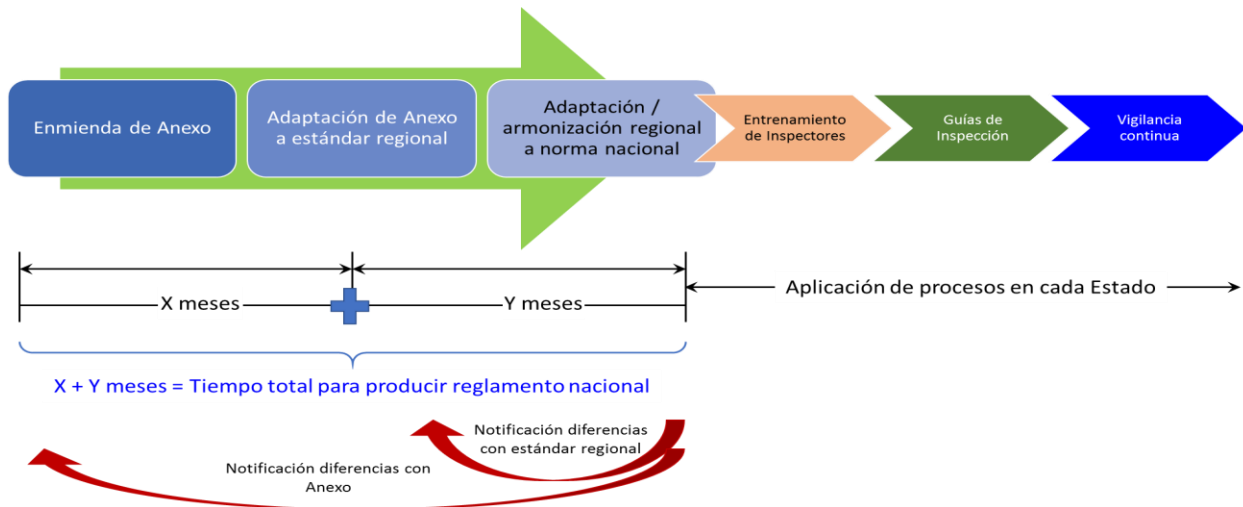
2.2.2.2 SRVSOP allows one year from General Board approval of an LAR amendment for its implementation in equivalent RACs. Therefore, Aerocivil cannot afford to wait for LAR publication before implementing an ICAO Annex amendment, making the RAC amendment process more cumbersome. This results in multiple rounds of revision—first based on ICAO amendments and later on LAR amendments (which often incorporate FAA, EASA, or SRVSOP-specific requirements).

2.2.2.3 The delays in regional regulation issuance pose challenges, particularly when compounded by inaccurate translations, slow national harmonization processes, and delayed training, inspection guide

development, and oversight activities. Additionally, ICAO Annex amendments require further effort for identifying and publishing differences (via EFOD).

2.2.2.4 The notification of differences has become a two-way process—States must now declare differences both with respect to ICAO Annexes and regional regulations, adding administrative burdens and requiring additional resources, particularly in States with limited multidisciplinary personnel (lawyers, technicians, pilots, etc.) dedicated to adapting standards to national regulations. The root cause of these challenges appears to be the dual transition process—from international standard (Annex) to regional standard (LAR) and then to national regulation.

2.2.2.5 Regarding harmonizing State regulations with LAR-based OPS standards not derived from Annexes, some cases have been identified where SRVSOP has mistakenly implemented FAA-derived requirements (Title 14 CFR) that are not applicable to SRVSOP member States. These errors have, in some instances, been transposed into national regulations, creating regulatory gaps and leading to operator complaints. LARs include mandatory Advisory Circulars, whereas Colombian regulations use informational Circulars, which are not mandatory. Colombian regulations were heavily based on FARs, but LARs differ significantly in structure from FAA regulations, leading to notable content discrepancies. LARs do not account for specific Colombian operational conditions, such as foreign-registered aircraft operated by Colombian carriers.



2.2.2.6 Given these challenges, LAR regulations must be amended each time an ICAO Annex is updated, causing delays in their adaptation into national regulations across the SAM Region, potentially impacting operational safety.

2.2.2.7 Considering the rapid evolution of technologies—such as RPAS, CPDLC, ADS-B, PBN, and PEDs—it is essential to establish mechanisms to ensure that regulatory updates keep pace with technological advancements.

3. Conclusion

3.1 It is essential to establish more dynamic mechanisms covering both LARs and related documents, to ensure a faster transition of international standards into national regulations, even if they must first pass through regional amendments. ICAO is invited to improve Annex nomenclature to facilitate their interpretation.

4. **Suggested actions**

4.1 The meeting is invited to:

- a) Urge ICAO to develop mechanisms to ensure that Annexes align more effectively with regional regulations from their inception, reducing delays and reprocessing in their regional and national adoption. This would facilitate regional regulatory adoption, compliance with PQs, improved corrective action plan (CAP) definition, and more efficient difference notification.
- b) Encourage regional bodies to adopt standards more swiftly, making the regulatory process more dynamic, less time-consuming, and more effective, ensuring a faster transition into national regulations.

- END -