



Agenda Item 3: Regional Air Navigation Planning and Implementation Issues

3.1 Report on Institutional Aspects

REVIEW OF THE ACTIVITIES OF THE INSTITUTIONAL ASPECTS TASK FORCE

(Presented by the Secretariat)

SUMMARY

In light of the results of the regional activities carried out by GREPECAS in the area of institutional, legal, and economic aspects, this working paper reviews the status of implementation of the activities of the Institutional Aspects Task Force. The action to be taken by GREPECAS is described in paragraph 4.1.

1. Introduction

1.1 The Institutional Aspects Task Force has held 3 meetings in which it has performed its tasks, with the support of Project RLA/98/003 and the seminars sponsored by the latter. Based on the results obtained, GREPECAS has made recommendations to the States in the form of conclusions. The results in terms of institutional, legal, and economic aspects at the time of the GREPECAS/14 meeting were as follows:

1. A CAR/SAM strategy for the implementation of multinational facilities.
2. Study of various implementation options. The implementation of multinational facilities through a Regional Multinational Organisation (RMO) was recommended.
3. Identification of systems subject to implementation as multinational facilities.
4. Definition of the operational scenarios where multinational systems would be implemented.
5. Conduction of a preliminary cost-benefit analysis.
6. Development of a generic document on a draft agreement for the establishment of an RMO

7. Technical assistance mechanisms for the implementation of an RMO were recommended.

1.2 Considering the complexity involved in the implementation of multinational facilities that require a multidisciplinary approach to technical/operational, institutional, legal, and economic matters, together with the acknowledgment of the existence of political matters that need to be harmonised in order to conduct planning activities, the work done by the Task Force at its three meetings has been fruitful. An analysis of its activities follows.

2. Analysis

2.1 The terms of reference, work programme and composition of the task force, as approved by the GREPECAS/14 meeting, are shown in **Appendix A**. With reference to Appendix A, the status of implementation of the tasks performed by the group is analysed below.

Task TF-IA/1 As activities for the implementation of the global ATM system in the CAR/SAM Regions, based on GANP initiatives, were being conducted, the Group developed criteria for defining the operational scenarios for the implementation of multinational systems, the aspects of which were gradually defined. In this sense, the group prepared the necessary material for reviewing valid proposals that would serve as implementation options for these systems. This task has been **ACCOMPLISHED**.

Task TF-IA/2 This task specifically involves the economic area. Through project RLA/98/003, a very preliminary work was done which had to be continued by economic experts working jointly with the technical/operational area. At that time, the Group did not have the necessary expertise, and was more focused on developing legal and institutional aspects based on technical/operational concepts. It was felt that that was the direction to be followed in order to finalise the agreements for the implementation of multinational systems. Furthermore, as a result of the ALLPIRG/5 (Conclusion 5/4 - Use of the business case model in the implementation of CNS/ATM systems), ICAO encouraged the States to create a network of experts on cost effectiveness, cost-benefit analysis, and business cases for the implementation of CNS/ATM systems. To this end, ICAO has developed software and has conducted seminars on the topic through Special Implementation Projects (SIPs). In November 2008, the first seminar on this topic will be held in Lima. Consequently, it seems that the Task Force may have difficulties to develop this matter and, on the other hand, there might be an overlap with ICAO efforts, through the aforementioned SIPs, to put at the disposal of the States guidance material on cost-benefit analysis, which is also one of the objectives of the Task Force. In this sense, it would seem that the Task Force might **SUSPEND** this activity.

- Task TF-IA/3 GREPECAS Conclusions 14/5 and 14/6 fully cover this activity of the group. This task could therefore be considered as **COMPLETED**.
- Task TF-IA/4 This matter has to be analysed from the point of view of the predisposition that might exist in the CAR and SAM Regions for the conduction of legal activities. From the point of view of the SAM Region, this matter is covered by the aforementioned Conclusion 14/5. In the SAM Region, the corresponding meetings have already begun to implement the agreement for the creation of an RMO, and there is a clear idea of how to proceed. Apparently, in the CAR Region, there are no plans to develop the legal aspects in support of Conclusion 14/5 and this activity would be in the hands of CAR States/Territories/International Organisations. Accordingly, it would seem appropriate to consider this task as **COMPLETED**.
- Task TF-IA/5 The strategy can be refined, as necessary, by other contributory bodies of GREPECAS for the implementation of CNS/ATM systems as multinational systems. It would seem that the group could **SUSPEND** its activities in this area.
- Task TF-IA/6 ICAO plans to reconfigure planning tools include a complete reformulation of the Regional Air Navigation Plan and its use through software tools that are in the last stage of development. The new plan, *inter alia*, is connected to the GANP and to ICAO Strategic Objectives. In view of this, it would make no sense to carry out this task since it is **NO LONGER VALID**.

3. Discussion

3.1 Based on the foregoing analysis, the Meeting should consider the results obtained by the Task Force in terms of the concrete matters that the group submitted to GREPECAS regarding the institutional and legal matters that had been addressed, taking into account the technical/operational aspects for the implementation of the global ATM. As may be seen from the analysis above, it would seem that the guidance material have been developed, the necessary conditions are in place, and a mechanism has been recommended for the implementation of multinational facilities by the States/Territories/Organisations concerned. In this respect, the Meeting could agree that it is not necessary, for the time being, for GREPECAS to carry out further activities, and, accordingly, the Task Force could be disbanded. In light of the above, the Meeting could formulate the following decision:

Decision 15/XX- Dissolution of the Institutional Aspects Task Force

Taking into account the results obtained from the work done by the Institutional Aspects Task Force, and that, for the time being, GREPECAS would not need to carry out additional activities on this matter in the CAR/SAM Regions, it was agreed to:

- a) dissolve the Institutional Aspects Task Force; and
- b) request the GREPECAS Secretary to acknowledge the member States of the group for the important work done and the significant results obtained regarding multinational facility implementation planning.

4. **Suggested action**

4.1 The Meeting is invited to consider the information presented in this working paper with respect to the work done and the results obtained by the Institutional Aspects Task Force, in order to:

- a) agree that there is no need at the present time to continue conducting activities in the area of institutional aspects within GREPECAS; and
- b) accordingly, consider the adoption of the decision shown in paragraph 3.1 with a view to dissolving the Institutional Aspects Task Force.

APPENDIX A

TASK FORCE ON INSTITUTIONAL ASPECTS

1. Terms of Reference

- a) Based on the new ATM operational concept approved by the Eleventh Air Navigation Conference as the global framework for the implementation of ATM systems, study the actions taken by the ICAO Council, and by some States, regarding the institutional aspects for the implementation of the aforementioned systems in the CAR/SAM Regions.
- b) Taking into account the performance objectives for the ATM improvements identified in the CAR/SAM Regions in keeping with the Global Plan, suggest measures to assist the States that so require, in the conduction of cost/benefit analyses and economic, financial, legal and administrative studies concerning technical and operational projects for the implementation of CNS/ATM systems.
- c) Analyze, as necessary, those aspects of the CAR/SAM Regional Air Navigation Plan that would require multinational arrangements.

2. Work Programme

TASK NUMBER	TASK DESCRIPTION	PRIORITY	DATE	
			START	END
TF-IA/1	Taking into account the new ATM operational concept, as well as the performance objectives for the ATM improvements identified in the CAR/SAM Regions in keeping with the Global plan, develop proposals for the CAR/SAM Regions, based on the global action taken by the ICAO Council and by some States on institutional aspects.	B	As of new edition of CNS/ATM Global Plan	
TF-IA/2	Taking into account the performance objectives for the ATM improvements identified in the CAR/SAM Regions and the Global Plan, develop guidance material to assist CAR/SAM States in the conduction of cost/benefit analyses for the institutional arrangements of the multinational facilities identified.	A		2007

TASK NUMBER	TASK DESCRIPTION	PRIORITY	DATE	
			START	END
TF-IA/3	Develop proposals for the coordination of financial, administrative and other relevant arrangements for the implementation of multinational ATM systems.	A	Follow up on the application of the Constituent Agreement for the implementation of an OMR	
TF-IA/4	Determine the elements that require legal arrangements on the institutional aspects identified in the previous item, and provide guidelines to facilitate their implementation.	A		2008
TF-IA/5	Based on the available material, develop a strategy for the implementation of multinational facilities.	A	2006	2008
TF-IA/6	Study the most appropriate way of reflecting multinational facilities in the FASID in order to facilitate the identification, description and processing of future amendments.	B		2008

3. Composition

Argentina, Brazil, Chile, Colombia, Cuba, Peru, United States, Venezuela and COCESNA.

4. Rapporteur

Mr. Eduardo Rodino (Argentina)