



INTERNATIONAL CIVIL AVIATION ORGANIZATION

A35-WP/8
TE/1
8/7/04

ASSEMBLY — 35TH SESSION

TECHNICAL COMMISSION

Agenda Item 22: Development of an up-to-date consolidated statement of ICAO continuing policies related to air navigation

Agenda Item 23: Consolidated statement of continuing ICAO policies and practices related to communications, navigation, and surveillance/air traffic management (CNS/ATM) systems

SUMMARY

In accordance with Resolution A15-9, the Assembly is expected to adopt during the 35th Session a revised consolidated statement of continuing air navigation policies, up to date as of the end of that session.

In addition, in accordance with Resolving Clause 2 of Resolution A33-15, each ordinary session of the Assembly, for which a Technical Commission is established, is expected to continue to adopt a consolidated statement of continuing ICAO policies and practices related to communications, navigation and surveillance/air traffic management (CNS/ATM) systems.

The Council has reviewed the existing consolidated statements in Resolutions A33-14 and A33-15 and recommends amendment as set out in the appendix to this paper.

To facilitate the Assembly's task, the Council recommends a procedure for the development of the up-to-date consolidated statements.

REFERENCES

Doc 9790, *Assembly Resolutions in Force* (as of 5 October 2001)

1. INTRODUCTION

1.1 Under Agenda Items 22 and 23, the Assembly is expected to adopt revised consolidated statements of continuing ICAO policies related to air navigation and to communications, navigation and surveillance/air traffic management (CNS/ATM) systems, respectively, up to date as of the end of the 35th Session. To this end, the Council recommends amendments and additions to the existing consolidated statement in Resolutions A33-14 and A33-15 and their appendices, and a procedure for the development of the up-to-date consolidated statement.

2. REVIEW OF THE EXISTING CONSOLIDATED STATEMENTS

2.1 The Council, taking into account the recommendations of the Air Navigation Commission, reviewed the existing consolidated statements in Resolution A33-14, Appendices A to X, and Resolution A33-15, Appendices A and B to determine whether any amendments thereto should be recommended to the Assembly. In accordance with previous practice, the review was based on the following types of changes:

- a) amendments needed to clarify the intent of present policies and associated practices;
- b) amendments needed as a consequence of developments since the 33rd Session of the Assembly; and
- c) deletion of policies and associated practices that have served their purpose and are no longer required.

2.2 Amendments of a purely editorial nature (e.g. updating of resolution numbers and typographical corrections, etc.) are not proposed since they can be included in the final published document on Assembly Resolutions in Force.

2.3 The Council recommends that the following appendices to Resolution A33-14 be amended to bring the resolution into line with current developments:

- Appendix A (Formulation of Standards and Recommended Practices (SARPs) and Procedures for Air Navigation Services (PANS))
- Appendix H (Aviation training)
- Appendix M (Implementation of Regional Plans)
- Appendix N (Delineation of air traffic services (ATS) airspaces in regional air navigation plans)
- Appendix O (Provision of search and rescue services)

2.4 The Council also recommends that amendments be introduced in Resolution A33-15, in the title and in Appendix B. These amendments stem from the report of the Eleventh Air Navigation Conference (2003) which includes, among others, a recommendation to endorse the new Global ATM Operational Concept in support of a global ATM system and a performance-based future ATM system.

3. DEVELOPMENT OF REVISED CONSOLIDATED STATEMENTS UP TO DATE AS AT THE END OF THE 35TH SESSION

3.1 In accordance with Resolution A15-9, the revised consolidated statement of ICAO continuing policies related to air navigation to be adopted by the Assembly should be up to date as of the end of the 35th Session and thus should incorporate any new or revised policies and associated practices of a continuing nature adopted by the Assembly during that session. The Council recommends that the same methodology be applied to updating Resolution A33-14.

3.2 To facilitate the Assembly's task, the Council recommends below a procedure for the development of revised consolidated statements. This is based on the experience of the Assembly in the preparation of previous consolidated statements.

4. RECOMMENDED PROCEDURE FOR THE DEVELOPMENT OF THE REVISED CONSOLIDATED STATEMENTS

4.1 The following three-stage procedure is recommended:

Stage 1

At the beginning of the 35th Session, the Technical Commission reviews any amendments and additions proposed by the Council to the existing consolidated statements in Resolution A33-14 and Resolution A33-15, and their respective appendices, and any proposals from the floor for the amendment of the existing consolidated statements. Resolutions A33-14 and A33-15 are reproduced in full in Doc 9790, copies of which are available to delegates as a reference document.

Note.— Please see paragraph 4.2 below.

Stage 2

As the work of the Technical Commission on the other agenda items proceeds, any resolution developed by the Technical Commission that contains continuing policies and associated practices is submitted to the Plenary for noting only under the respective agenda item. This is done with the understanding that the substance of the resolution will be incorporated into the revised consolidated statements to be presented for adoption by the Plenary at the very end of the session.

Stage 3

Towards the end of the 35th Session, after the work on all agenda items of the Technical Commission but Items 22 and 23 are completed, the Secretariat prepares a draft final version of the revised consolidated statement. This incorporates the changes agreed upon in principle during Stage 1 as well as the continuing policies and associated practices developed during Stage 2. The Technical Commission reviews the draft revised consolidated statements and submits them to the Plenary for adoption.

4.2 During Stage 1 the Technical Commission has in the past experienced difficulty discussing proposals for substantial amendment to the existing consolidated statement submitted from the floor unless such proposals were documented in advance of the Assembly session. Accordingly, States wishing to propose substantial amendments to the consolidated statements in Resolutions A33-14 and A33-15 are requested to document them in advance of the 35th Session so that delegates in the Technical Commission can be prepared for the discussion.

5. **PRINCIPLES RECOMMENDED FOR THE WORK ON THE SUBJECT**

5.1 In the light of past experience, it is recommended that the Assembly may wish to apply the following principles:

- a) a policy or associated practice that requires continued application for a period of more than three years should be regarded as a continuing policy or associated practice; and
- b) material which is contained in readily available authoritative ICAO documents, such as Annexes and Rules of Procedures and Directives to Air Navigation Meetings, should normally be excluded from the consolidated statements. This pertains, in particular, to the associated practices.

6. **FINANCIAL IMPACT**

6.1 There are no direct budgetary implications.

7. **ACTION BY THE ASSEMBLY**

7.1 The Assembly is invited to adopt revised consolidated statements of continuing air navigation policies and associated practices, and of continuing ICAO policies and practices related to CNS/ATM systems, respectively, up to date as of the end of the 35th Session, applying the procedure and principles recommended in paragraphs 4 and 5 above.

APPENDIX

RECOMMENDED AMENDMENTS TO THE EXISTING CONSOLIDATED STATEMENTS IN RESOLUTION A33-14, APPENDICES A, H, M, N AND O, AND RESOLUTION A33-15, APPENDIX B

**A33-14: Consolidated statement of ICAO
continuing ICAO policies and
associated practices related
specifically to air navigation**

REASON: To align the title with Assembly resolutions of similar type (A31-15, A33-2, A33-7, A33-15, A33-19).

APPENDIX A¹

Formulation of Standards and Recommended Practices (SARPs) and Procedures for Air Navigation Services (PANS)

...

The Assembly resolves that:

...

3. SARPs and PANS shall be drafted in clear, simple and concise language. For complex aeronautical systems, SARPs shall consist ~~mainly~~ of broad, mature and stable provisions specifying system-level, functional and performance requirements that provide for the requisite safety levels. For such systems, any ~~necessary~~ supplementary detailed technical specifications necessary to achieve these requirements shall ~~be~~ ~~appendices to Annexes~~ or be placed in separate documents and be referenced in Annexes by means of notes.

...

6. Contracting States shall be consulted on proposals for the amendment of SARPs and PANS before the Council acts on them, except when the Council may deem urgent action to be necessary. Furthermore, notwithstanding Resolving Clause 3 above and subject to the adequacy of the verification and validation process, amendments to existing detailed technical specifications for complex systems may be acted upon by the Council without consultation with States. Such material shall however be made available to States upon request;

¹ The full text of Appendix A appears on pages II-2 and II-3 of *Assembly Resolutions in Force* (as of 5 October 2001) (Doc 9790).

...

Associated practices

1. The Council should ensure that provisions of SARPs and PANS are completely consistent with each other. Furthermore, the Council should endeavour to improve the processing, presentation and usefulness of ICAO documents containing SARPs, PANS and other related provisions, especially for complex systems and their associated applications. To that end the Council should promote the development and upkeep of broad system-level, functional and performance requirements. The Council should continue seeking the most appropriate means of development, processing and dissemination of technical specifications for complex systems.

...

REASON: To correct a disparity in the status of detailed technical specifications, some of which are placed in appendices to Annexes with the status of SARPs, and some of which are published in the form of a manual, with the status of guidance material and referred to in SARPs by means of a note. (Manuals are presently the most suitable form of “separate documents” as referred to in Resolution A33-14, Appendix A, Resolving Clause 3.) Such disparity in the status of technical details of various systems, which reflects differing levels of standardization, has been a point of concern.

Placing all detailed technical specifications in appendices to Annexes would create a huge administrative and logistical burden on the Organization; moreover, it would not result in any improvement to current practices. It is, therefore, proposed that, more in line with the concept of a high-level standardization regime, detailed technical specifications should be treated only as example(s) of achieving performance-oriented SARPs and placed in existing or new manuals or other suitable ICAO documents. Consideration would have to be given to the relocation of existing detailed technical specifications currently contained in appendices. Not being part of the SARPs, detailed technical specifications would not be subject to the filing of differences by States that choose not to follow them. Nevertheless, as experience has shown, the universal desire for interoperability and market forces would usually ensure that they are followed.

Consideration should also be given to the creation of a new type of document to contain detailed technical specifications which do not strictly fit the conventional description of guidance material.

APPENDIX H²

Aviation training

...

The Assembly resolves that:

...

2. the ICAO aviation training programme shall be governed by the following principles:
 - a) aviation training is the responsibility of Contracting States;
 - b) the Organization should place the highest priority on the establishment of safety-and security-related programmes;
 - bc) mutual assistance among Contracting States in the training of aviation personnel should be encouraged and facilitated, particularly in those matters where the lack of adequate training may adversely affect the safety, security or regularity of international air navigation; and
 - d) the Organization should advise Contracting States on the operational oversight of training facilities; and
 - ce) the Organization should not participate in the operation of training facilities but should encourage and advise the Contracting States operating operators of such facilities.

Associated practices

...

2. Continuing attention should be given to the establishment by the Contracting States of specialized and advanced training courses when needed to provide the skills required to install, operate and maintain facilities and services.
3. The Council should encourage the Contracting States to establish requirements for:
 - a) ~~establish programmes for~~ on-the-job training, including familiarization with relevant operating conditions, for personnel who, after completion of their basic training, require practical experience under actual operating conditions before being assigned to positions of responsibility in operational posts; in this regard States' attention should be invited to the possibility of drawing fully upon the resources of the various technical cooperation and assistance ~~and aid~~ programmes; and
 - b) ~~arrange for~~ periodic refresher training particularly when new equipment, procedures or techniques are introduced.

² The full text of Appendix H appears on pages II-6 and II-7 of *Assembly Resolutions in Force* (as of 5 October 2001) (Doc 9790).

4. The Council should request the Contracting States to provide, for dissemination to other States, information on the types of aeronautical courses they sponsor or can arrange in which students are otherwise available in their States to which students are accepted from other States, including the address to which enquiries may be sent for additional details. Similarly, the Council should make available to Contracting States all pertinent information concerning training establishments assisted through ICAO that admit students from other countries.

5. The Council should urge Contracting States to make the maximum practicable use of training centres in their area for training their aviation personnel in fields where there are no corresponding national schools. To this end, the Council should encourage States operating training centres to establish favourable conditions for attendance by nationals of other States in the area.

...

REASON: To reflect the current situation in aviation training in which States are now more involved in overseeing the training provided by commercial entities rather than providing it directly. This amendment will also allow an extension of the TRAINAIR Programme to the private sector. Membership in the TRAINAIR Programme has been limited to government-owned and/or government-operated civil aviation training centres. However, training conducted by private sector training centres represents a large and expanding segment of aviation training conducted today. Participation by the private sector in the TRAINAIR Programme is considered essential to meeting the intent of Appendix H.

APPENDIX M³

Implementation of Regional Plans

...

Whereas any serious shortcomings/deficiencies in the implementation of Regional Plans may affect the safety, regularity and efficiency of international air operations and therefore should be eliminated as quickly as practicable;

The Assembly resolves that:

...

2. the identification, investigation and action by the Organization on important/serious shortcomings/deficiencies in the implementation of Regional Plans shall be carried out in the minimum practicable time; and

³ The full text of Appendices M and N appear on pages II-9, II-10 and II-11 respectively of *Assembly Resolutions in Force* (as of 5 October 2001) (Doc 9790).

3. regional planning and implementation groups shall identify problems and shortcomings/deficiencies in Regional Plans and in the implementation thereof, along with suggested remedial measures.

...

REASON: To align with the terminology used in the uniform methodology for the identification, assessment and reporting of air navigation deficiencies.

APPENDIX N³

**Delimitation of air traffic services (ATS) airspaces
in regional air navigation plans**

...

The Assembly resolves, with reference to regional air navigation plans, that:

1. ~~the boundaries~~ of ATS airspaces, whether over States' territories or over the high seas, shall be established/delimited on the basis of technical and operational considerations with the aim of ensuring optimum efficiency and economy for both providers and users of the services;

...

Associated practices

...

2. The Council should encourage States providing air traffic services over the high seas to enter, as far as is practicable, into agreements with appropriate States providing air traffic services in adjacent airspaces, so that, in the event the required air traffic services over the high seas cannot be provided, contingency plans, which may require temporary modifications of ATS airspace limits/boundaries, will be available to be put into effect with the approval of the ICAO Council until the original services are restored.

REASON: To avoid use of a term customarily associated with areas of sovereignty.

APPENDIX O⁴

Provision of search and rescue services

...

Whereas Annex 12 to the Convention recommends that ~~boundaries of~~ search and rescue regions should, in so far as practicable, be coincident with ~~the boundaries of~~ corresponding flight information regions and, with respect to those areas over the high seas, maritime search and rescue regions;

...

The Assembly resolves that:

1. ~~the boundaries of~~ search and rescue regions, whether over States' territories or, in accordance with regional air navigation agreement, over an area greater than a State's sovereign airspace or over the high seas, shall be ~~determined~~ delimited on the basis of technical and operational considerations, including the desirability of coincident flight information regions, ~~and~~ search and rescue regions, and, with respect to areas over the high seas, maritime search and rescue regions, with the aim of ensuring optimum efficiency with the least overall cost;

2. States shall ensure the closest practicable cooperation between maritime and aeronautical search and rescue services where they serve the same area and, where practical, establish joint rescue coordination centres to coordinate aeronautical and maritime search and rescue operations;

3. if any search and rescue regions need to extend over the territories of two or more States, or parts thereof, agreement thereon should be negotiated between the States concerned;

4. the providing State in implementing search and rescue services over the territory of the delegating State shall do so in accordance with the requirements of the delegating State, which shall establish and maintain in operation such facilities and services for the use of the providing State as are mutually agreed to be necessary;

5. any delegation of responsibility by one State to another or any assignment of responsibility over the high seas shall be limited to technical and operational functions pertaining to the provision of search and rescue services in the area concerned;

6. remedies to any inadequacies in the provision of efficient search and rescue services, particularly including over the high seas, should be sought through negotiations with States which may be able to give operational or financial assistance in search and rescue operations, with a view to concluding agreements to that effect;

and *furthermore, declares that:*

⁴ The full text of Appendix O appears on pages II-11 and II-12 of *Assembly Resolutions in Force* (as of 5 October 2001) (Doc 9790).

7. any Contracting State which delegates to another State the responsibility for providing search and rescue services within its territory does so without derogation of its sovereignty; and

8. the approval by Council of regional air navigation agreements relating to the provision by a State of search and rescue services within areas over the high seas does not imply recognition of sovereignty of that State over the area concerned.

...

...

REASON: As a result of Amendment 17 to Annex 12 — *Search and Rescue* which includes provisions for more cost-effective civil aviation search and rescue services by closely harmonizing them with maritime search and rescue services, and facilitating, where practicable, their organization on a cooperative, regional basis.

A33-15: Consolidated statement of continuing ICAO policies and practices related to a global air traffic management (ATM) system and communications, navigation and surveillance/air traffic management (CNS/ATM) systems

REASON: As a result of the endorsement of the Eleventh Air Navigation Conference (2003) of a global ATM concept.

...

APPENDIX B

Harmonization of the implementation of the ICAO CNS/ATM systems

Considering the international character of civil aviation and the regional interactions of air navigation services;

Considering Recommendations 4/5, 6/2, 7/1, 8/4 and 8/5 of the Tenth Air Navigation Conference, Recommendations 4/4 and 4/5 of the third meeting of the Special Committee for the Monitoring and Coordination of Development and Transition Planning for the Future Air Navigation System (FANS Phase II), and Recommendation 4/4 of the fourth meeting of the FANS (Phase II) Committee, and Recommendations 1/1, 1/5, 1/13, 2/8, 4/1, 6/9, 7/3 and 6/13 of the Eleventh Air Navigation Conference;

Considering that these recommendations have been noted or approved by the Council of ICAO, which has instructed the Secretary General of ICAO to take all appropriate measures;

Recognizing the role which regions must play in the planning and implementation of the ICAO CNS/ATM systems;

Conscious of the delay which certain regions could experience in the transition to these systems;

Noting with satisfaction the trials and demonstrations programmes and the progress being achieved by all regions with regard to ~~these~~ the implementation of advanced ATM systems;

Believing that the contribution of all regions would guarantee a better evaluation of the trials and would favour the evolution of the ICAO CNS/ATM systems in order to ensure that the systems become interoperable and contribute to a global, seamless ATM system that allows adaptation to efficiently meet regional and local needs;

Noting that economic and institutional issues, in particular cost/benefit analysis, and facility financing, cost recovery and cooperative aspects, need to be addressed by States individually and/or collectively; and

Noting that for an early realization of benefits to users and for globally coordinated and harmonious CNS/ATM systems implementation, in support of a global ATM system, certain States will require technical and financial assistance and recognizing the statement concerning the central role ICAO shall play in coordinating technical cooperation arrangements as well as in facilitating the provision of assistance to States with regard to the technical, financial, managerial, legal and cooperative aspects of implementation;

The Assembly:

1. *Calls upon* States, PIRGs and aviation industry to use the ICAO Global ATM Operational Concept as the common framework to guide planning and implementation of CNS/ATM systems and to focus all such development work on the Global ATM Operational Concept;

2. *Urges* the Council to ensure that ICAO develop the transition strategies, ATM requirements and SARPs necessary to support the implementation of a global ATM system;

53. *Urges* the Council to continue considering without delay the economic, institutional, legal and strategic aspects related to the implementation of the ICAO CNS/ATM systems;

4. *Urges* the Council to take the steps necessary to ensure that the future global ATM system is performance based and that the performance objectives and targets for the future system are developed in a timely manner;

15. *Calls upon* States, in a position to do so, and
Invites international organizations concerned, users and service providers to:

- a) spare no effort in cooperating and facilitating the execution of the research, development, trials and demonstrations (RDT&D) programme in close cooperation with States with limited resources; and
- b) validate the concept components identified in the Global ATM Operational Concept;

~~26. *Invites* the cooperation of the international organizations concerned, users and service providers for the execution of the abovementioned programme in favour of States with limited resources;~~

36. *Requests* the Council, as a matter of high priority within the budget adopted by the Assembly, to ensure that adequate resources are made available to the ICAO Regional Offices, particularly those which are accredited to the developing States, taking into account the increased support they will be called upon to provide to the regional planning and implementation groups, which are the main bodies for the regional planning of the transition to the ICAO CNS/ATM systems; and

47. *Further requests* the Council to continue to urge States, international organizations and financial institutions to mobilize resources in order to assist States requiring technical cooperation in the planning and implementation of the ICAO CNS/ATM systems; ~~and.~~

REASON: As a result of the report of the Eleventh Air Navigation Conference which included, among others, a recommendation to endorse the new Global ATM Operational Concept in support of a global ATM system and a performance-based future ATM system.