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Subject: 36th Session of the Assembly —Resolution A36-11: Proficiency in the English language used for radiotelephony
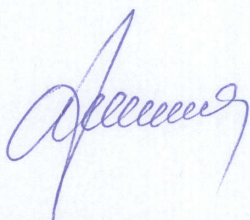

Sir,

with reference to State Letter AN12/44.6-07/68 of October 26, 2007, enclosed you find the National Language Proficiency Implementation Plan of the Republic of Bulgaria and a Notification of Differences from Language Provisions in Annexes 1, 6, 10 and 11.

The details of the Bulgarian national focal point for the implementation of the language proficiency requirements are listed below as follows:

Name:	Mr. Mintcho Tzvetkov
Title:	Senior Inspector Flight Operations
Organization:	Civil Aviation Authority
Telephone:	+359 2 937 1037
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Very truly yours,

Zahari Alexiev

Director General

NOTIFICATION OF COMPLIANCE WITH OR
DIFFERENCES FROM LANGUAGE PROVISIONS IN
ANNEXES 1, 6, 10 AND 11

(Reference to Table 1, paragraph 3, Attachment B)

To: The Secretary General
International Civil Aviation Organization
999 University Street
Montreal, Quebec
Canada H3C 5H7

1.   No differences will exist on ————————————————— between
the   national   regulations   and/or   practices   of
(State) ————————————————— and the language provisions as
detailed in Table 1, paragraph 3 of Attachment B of this State letter.

2.   The _____ following _____ differences _____ will _____ exist
on _____ 05 March 2008 _____ between the regulations and/or practices of
(State) _____ Republic of Bulgaria _____ and the provisions the language
provisions as detailed in Table 1, paragraph 3 of Attachment B of this State letter. (Please see
Note 3) below.)

a)	**Annex Provision** (Please give exact paragraph reference)	b)	**Difference Category** (Please indicate A, B, or C)	c)	**Details of Difference** (Please describe the difference clearly and concisely)	d)	**Remarks** (Please indicate reasons for the difference)
	Annex 1, 1.2.9.4		C		As of 17 May 2010 air traffic controllers shall demonstrate the ability to speak and understand the language used for radiotelephony communications to the level specified in the language proficiency requirements in Appendix 1.		Timeframe required for the assessment of all air traffic controllers.
	Annex 1, 1.2.9.6		C		As of 17 May 2010 the language proficiency of air traffic controllers who demonstrate proficiency below the Expert Level (Level 6) shall be formally evaluated at intervals in accordance with an individual's demonstrated proficiency level.		Timeframe required for the assessment of all air traffic controllers.

3.   By the dates indicated below,

(State) ——— Republic of Bulgaria ——————— will have complied with the language provisions as detailed in Table 1, paragraph 3 of Attachment B of this State letter for which differences have been notified in 2 above.

a)	**Annex Provision** (Please give exact paragraph reference)	b)	**Date**	c)	**Comments**
	Annex 1, 1.2.9.4		17 May 2010		
	Annex 1, 1.2.9.6		17 May 2010		

Signature ——— [signature] ———————

Date ——— February 29, 2008 ———————

NOTES

1) If paragraph 1 above is applicable to you, please complete paragraph 1 and return this form to ICAO Headquarters. If paragraph 2 is applicable to you, please complete paragraphs 2 and 3 and return the form to ICAO Headquarters.

2) Please dispatch the form to reach ICAO Headquarters as soon as possible but prior to 5 March 2008.

3) A detailed repetition of previously notified differences, if they continue to apply, may be avoided by stating the current validity of such differences.

4) Guidance on the notification of differences from language provisions is provided in the Note on the Notification of Differences at http://www.icao.int/fsix/.

5) Please send a copy of this notification to the ICAO Regional Director accredited to your Government.

— END —

NATIONAL LANGUAGE PROFICIENCY IMPLEMENTATION PLAN OF THE REPUBLIC OF BULGARIA

The present Language Proficiency Implementation Plan has been developed in accordance with the recommendations set out in State Letter AN 12/44.6-07/68, Attachments A and B to the State Letter and the Recommendations Action Plan of EANPG/49 on 27.11.2007.

Its objective is to assess the present state of implementation and determine the activities and timeframe necessary for achieving full compliance with the ICAO language proficiency requirements in the Republic of Bulgaria.

1.   National Regulatory Framework

Table 1 below contains information about Bulgaria's National Focal Point regarding the implementation of the language proficiency requirements as well as on the regulatory framework which will be in place on March 5, 2008.

Table 1 — National Regulatory Framework

Focal Point Information				
Name	Mr. Mintcho Tzvetkov			
Title	Senior Inspector Flight Operations			
Organization	Civil Aviation Authority (Republic of Bulgaria)			
Telephone	+359 2 937 1037			
Fax	+359 2 980 5337			
E-mail	mcvetkov@caa.bg			
		Compliance		
Standards and Recommended Practices (SARPs)		**Yes**, the regulatory framework is in place. *Indicate Reference*	The regulatory framework is **partially** in place. *Briefly describe what is in place, remaining work and expected date of completion*	**No**, the national regulatory framework has not yet been established. *Indicate the type of provision envisaged and the expected date of introduction*
Annex 1	1.2.9.1	Regulation No. 1		
	1.2.9.2	Regulation No. 1		
	1.2.9.4, Appendix 1, Attachment A	Regulation No. 1, deadline for ATCOs extended until May 17, 2010		

	1.2.9.6	Regulation No. 1, deadline for ATCOs extended until May 17, 2010		
	1.2.9.7 (Recommended Practice)	Regulation No. 1		
	5.1.1.2 XIII)	Regulation No. 1		
Annex 6	Part I – 3.1.8	Regulation No. 1		
	Part III – 1.1.3	Regulation No. 1		
Annex 10, Volume II	5.1.1.1	Instruction No. 512		
	5.2.1.2.1	Instruction No. 512		
	5.2.1.2.2	Instruction No. 512		
	5.2.1.2.3	Instruction No. 512		
Annex 11	2.29.1	Regulation No. 11		
	2.29.2	Regulation No. 11, Instruction No. 512		

2. Estimate of National Level of Implementation

Table 2 — Estimate of National Level of Implementation

Date: 25.02.2008				
Pilots involved in international operations	**ATPL**	**CPL**	**MPL**	**Method of Assessment of Level of Proficiency** - based on JAR-FCL 1.005(b)(5)B and 2.005(b)(5)B.
Level 3 and below	-	-	n.a.	
Level 4	449	370	n.a.	
Level 5	-	-	n.a.	
Level 6	-	-	n.a.	

PPL				
Date: 25.02.2008				
Indicate number of PPLs involved in international operations	0		Briefly describe the method of Assessment of Level of Proficiency	n.a.

Date: 31.12.2007					
Controllers involved in international operations	**Aerodrome**	**Approach**	**Area**	**Student**	**Method of Assessment of Level of Proficiency** - English Placement Test (paper); - ATC Aviation test (only listening); - assessed by means of interviews (sample test for aviation – speaking, ELPAC trial).
Level 3 and below	14	17	12		43*
Level 4	32	27	56	13	115/13
Level 5	15	12	13	4	40/4
Level 6	-	-	-	-	

Remark: The above figures result from **preliminary assessment** based on existing testing methods. Air traffic controllers (ATCOs) retiring between 2008 and 2010 are excluded from Table 2 (ca. 30 ATCOs).

* the number of ATCOs assessed at Level 3 and below in Table 2 reflects all ATC units in the Republic of Bulgaria, as follows:
- 5 Aerodrome control units/towers;
- 3 Approach radar control units;
- 1 Area radar control unit.

3.   Language Proficiency Training Programmes

The Bulgarian CAA is currently developing requirements for approval of language training courses and programmes, which are based on the recommendations set out in ICAO Document 9835.

Table 3 — Language Proficiency Training Programmes

State oversight of aviation language training has been established Yes ☐ No ☑	If no, expected date of establishment
Language training will be provided through: (check all that apply)	Draft requirements for approval of aviation English training programmes have been prepared and will be implemented by 31.12.2008.
Air Navigation Service Provider: **Yes** Language training in state (general English) Specialized language training in ATSA Training center	
Air Operator/Airline	
Educational Institutions: **Yes** Aviation language training is performed both at domestic training centers and abroad (in the UK)	
Private Organizations	

4.   Language Proficiency Assessment (or Testing) for Licensing Purposes

The Bulgarian national policy on the implementation of the language proficiency requirements foresees the following methods of assessment after 05.03.2008:

- for pilots:
    - Taking an English language test at a testing center which is approved by the Civil Aviation Authority of a European Union country;
    - Testing within an examination for a Radiotelephony Operator (RTO) licence in English, administered by the Bulgarian CAA, after the present examination routine has been extended by a listening comprehension section and a speaking/interview section. These new sections shall cover plain English and aviation topics beyond the ICAO standard phraseology.

- for controllers:
  - Taking a language test at a testing center which is approved by the Civil Aviation Authority of a European Union country.

The Bulgarian CAA has developed its own approval criteria for language testing centers and interlocutors/raters, which will be in place by 05.03.2008. The approval procedure for testing centers includes requirements for the approval both of the language test used and of the entire test management and administration system in order to ensure reliable test results.

A separate procedure for assessment of Bulgarian native speakers at Expert Level (Level 6), applicable to holders of PPL and CPL pilot licenses operating in domestic uncontrolled airspace, will be in place by 05.03.2008.

The Bulgarian national regulatory framework implements the recommendations set out in Annex I, 1.2.9.7, requiring evaluation within 3 years for personnel rated at Level 4 and within 6 years for personnel rated at level 5.

Table 4 – Language Proficiency Assessment (or Testing) for Licensing Purposes

State oversight of aviation language assessment has been established	Yes ☑ No ☐	If no, expected date of establishment

Pilots	
The Language Proficiency Assessment was developed by:	
Civil Aviation Authority	Amendment of the existing RTO examination is pending
Air Operator	
Educational Institution	
Private Organization *Optionally, indicate the private organization used*	When acting as a testing center using a commercially available language test
The Language Proficiency Assessment will be administered by:	
Civil Aviation Authority	As part of the RTO examination after its amendment
Air Operator	
Educational Institution	
Private Organization *Optionally, indicate the private organization used*	After such an organization is approved as a language testing center
Controllers	
The Language Proficiency Assessment was developed by:	
Civil Aviation Authority	
Air Navigation Service Provider	
Educational Institution: **Yes** (Mayflower College)	
Private Organization *Optionally, indicate the private organization used*	

The Language Proficiency Assessment will be administered by:	
Civil Aviation Authority	
Air Navigation Service Provider	ATSA, after September 2008
Educational Institution **Yes** (Mayflower College) Expecting CAA approval	
Private Organization *Optionally, indicate the private organization used*	

5. Interim measures to mitigate risks

5.1 Pilots — Current Language Proficiency Status and Future Actions

Based on JAR-FCL 1.005(b)(5)B and 2.005(b)(5)B, all holders of Radiotelephony Operator (RTO) licenses issued before 05.03.2008 are initially rated at Operational Level (Level 4) in English as of 05.03.2008 with mandatory language assessment due by 04.03.2011. The endorsement of the present rating is performed on certificates which are attached to the respective pilot licences.

No Bulgarian pilots without language proficiency rating corresponding to Operational Level (Level 4) or higher in English will be allowed to operate internationally or in domestic controlled airspace after 05.03.2008.

Therefore, no risk mitigation measures for pilots are necessary.

5.2 Controllers — Current Language Proficiency Status and Future Actions

The deadline set in ICAO Annex I, 1.2.9.4 and 1.2.9.6 (March 5, 2008) has been changed to May 17, 2010 respective to ATCOs in the national regulatory framework in order to provide a sufficient period for the language proficiency assessment of controllers. At the same time, the keeping of the present deadline shall ensure compliance with the language proficiency requirements (Article 8) of Directive 2006/23/EC of the European Parliament and of the Council on a Community air traffic controller licence.

The Bulgarian Air Traffic Services Authority (ATSA) has been performing a number of steps since 2005 related to the implementation of the ICAO language proficiency requirements for controllers, including:

5.2.1 Preliminary testing of all ATCOs between 2005 and 2007 using different English language tests for aeronautical personnel:

- Assessment during training in PANAM (2004-2005) — 40 % of ATCOs;
- English Placement Test in 2005/2007 — 95% of ATCOs;
- Aviation test (listening) in 2006 — 90% of ATCOs;
- Aviation English test (speaking) in 2006/2007 — 30% of ATCOs;

- ELPAC test trial versions in 2005/2006 (listening/oral interaction), ca. 30% of all ATCOs tested.

5.2.2   After the preliminary testing an analysis was made to define the scope of the future training activities and in 2006 a plan was drawn to include the following:

- Familiarization of the staff of ATSA with the ICAO language proficiency requirements, the timescale for their implementation and the ELPAC test;
- Training in general English for all ATCOs at various language training centers between 2006 and 2008 with ca. 250 ATCOs attending the courses so far. The training continues at the moment;
- Specialized language training such as the ATC Aviation English Training Programme (Skyguide) for listening comprehension and CBT modules for RTF, developed by Eurocontrol;
- English training in an English-speaking country (the UK), which started in January 2008.

5.2.3   After careful examination of test providers and different specialized tests for ATCOs such as ELPAC, RELTA, TELLCAP and TEA by ATSA language specialists and ATC experts, the Test of English for Aviation (TEA) of Mayflower College, UK, was selected as the test to assess the language proficiency of ATCOs in Bulgaria. Mayflower College is expected to be approved as a language testing center.

At present, the testing of all ATCOs is done in the UK. The first 9 ATCOs have already passed the TEA test successfully.

5.2.4   The following future activities are planned:

- ATSA has planned to train its own interlocutors and language raters and establish an approved testing center in Sofia by the end of September 2008;
- Continuation of the language training in the UK until October 2011, comprising 30 courses for 270 ATCOs;
- Continuation of the language training in Bulgaria at training centers for general English till the end of 2008, comprising 9 courses for 80 ATCOs;
- Specialized training for all ATCOs at the ATSA Training Centre using the ATC Aviation language training programme (for all ATCOs till mid of 2010) and CBT modules for RTF (for all ATCOs till mid of 2010);
- Adaptation of language training packages based on the future language training requirements of the Bulgarian CAA and ICAO Document 9835;
- Ensuring effective training by revising the training content and evaluating feedback from trainees;
- Planning and providing additional training for controllers not successful in achieving Operational Level in English;
- Provision of refresher language courses for controllers.

5.3 Controllers — Identification of Possible Hazards Potentially Leading to Partial or Non-Compliance with the Language Proficiency Requirements

BEFORE IMPLEMENTATION

5.3.1   Regulatory issues:

5.3.1.1 Incorporation of the ICAO language proficiency requirements into the national regulatory framework:
- late implementation;
- partial incorporation of the requirements in regulatory documents;
- certification of personnel or procedures:
    - delay of requirements for the approval of testing centers;
    - delay of requirements for the approval of testing personnel;
- late approval of testing centers;
- no approval of test certificates issued by testing centers not compliant with the requirements.

5.3.2   Organizational issues:
- late training of interlocutors and raters;
- late application of interlocutors and raters for approval by the CAA;
- late application of testing centers for approval by the CAA.

5.3.3   Resources (human, technical and time):

5.3.3.1 Lack of qualified specialists:
- specialists for performing training of ATCOs;
- specialists for testing (raters and interlocutors).

5.3.3.2 Lack of planning for language training activities or time allocation:
- training activities;
- testing activities.

5.3.3.3 Insufficient time to perform testing of all controllers.

AFTER IMPLEMENTATION

5.3.4   Operational factors:
- shortage of controllers for some ATC units and difficulty to provide ATS service;
- additional time for training of new students at the operational units may be necessary.

5.3.5   Personnel factors:
- social issues resulting from the implementation of the ICAO language proficiency requirements;

- staff for retirement — a calculation has been made till 2010 based on current legislation (ATCOs retire at 57 years of age). A change in the legislation is expected in 2009 so that the retirement age may increase;
- language proficiency in English for Student Air Traffic Controllers.

5.3.6. Economic factors — need for Cost-benefit analysis.

5.4 Controllers — Measures to Mitigate Risk

5.4.1 Assessment of all future activities and the staff needed:
- Selection and recruitment of additional ATCOs by 2010;
- Hiring of additional specialists (language raters and interlocutors).

5.4.2 Apply a minimum level of language proficiency for Student Air Traffic Controllers:
Test and ensure that all Student Air Traffic Controllers have language proficiency in English at Level 4 or above.

5.4.3 Plan new language (refresher) courses:
- for controllers to maintain and improve their language proficiency;
- for language specialists and testing personnel.

5.4.4 Plan and expand additional activities for language proficiency implementation:
Introduction of CBT products and specialized training/self-study packages.

5.4.5 Improve the training process in the light of the recommendations of ICAO Document 9835 and in compliance with the future CAA language training requirements:
Offering of new methods of training, amendment of the content of the programmes and evaluation of feedback from the trainees.

5.4.6 Resource sharing initiatives:
Establish arrangements for cooperative initiatives:
- between states in the region to support the implementation of language proficiency requirements;
- within the state – between ATSA, the CAA and air operators.

5.4.7 Calculation of staff for retirement:
There are 38 ATCOs assessed below Level 4 in English who will retire between 2008 and 2010. If there is an "early retirement" scheme in place until then, some more might retire as well.

5.4.8 Operational measures:
- Declare lower capacity and apply ATFM measures for ATC units with staff shortages;

- ATCOs rated below Level 4 in English shall be evenly spread among different shifts and planned to work only on the planning location.

5.4.9 ATSA Management measures aimed at the resolution of social issues resulting from the implementation of the ICAO language proficiency requirements:
- Move to new positions — offering the staff assessed below Level 4 to move to positions not requiring English language proficiency at Operational Level, but requiring ATC experience;
- Identify other possible work locations within ATSA which to be "frozen/kept" for possible relocation of ATCOs;
- Motivational measures — develop and offer together with the ATCO professional organization solutions (such as early retirement or other) to be approved by the ATSA Management Board/Ministry of Transport/State.

A summary of the most important risk mitigation measures in the following years is given in the table below.

Table 5 – Interim Measures to Mitigate the Risk

	2008	**2009**	**2010**
Controllers	- Continue language training activities; - Apply minimum level of language proficiency for Student Air Traffic Controllers; - Train more Student Air Traffic Controllers; - Expand additional activities for specialized language training; - Move ATCOs to new positions; - Operational measures: ATCOs below Level 4 evenly spread in the different shifts.	- Continue language training activities; - Provide refresher training; - Apply minimum level of language proficiency for Student Air Traffic Controllers; - Train more Student Air Traffic Controllers; - Early retirement initiatives; - Move ATCOs to new positions.	- Continue language training activities; - Provide refresher training; - Apply minimum level of language proficiency for Student Air Traffic Controllers; - Train more Student Air Traffic Controllers; - Early retirement initiatives; - Move ATCOs to new positions.

6. Miscellaneous

The present implementation plan shall be updated every six months with the last update due in February 2010.