



Office National de l'Aviation Civile

Direction Générale

HAÏTI

**ENGLISH LANGUAGE PROFICIENCY
IMPLEMENTATION PLAN**

Février 2008

HAÏTI ENGLISH LANGUAGE PROFICIENCY IMPLEMENTATION PLAN

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1. BACKGROUND

1.1- The decision to address language proficiency for pilots and air traffic controllers is long standing and was first made by the 32nd Session of the Assembly in September 1998 as a direct response to an accident that cost the lives of 349 persons, as well as previous fatal accidents where the lack of proficiency in English was a casual factor. Subsequently, the Air Navigation Commission initiated the development of language provisions in Annex 1- *Personnel Licensing*, Annex 6- *Operation of Aircraft*, Annex 10- *Aeronautical Telecommunications*, and Annex 11- *Air Traffic Services*. On 5 March 2003, the Council adopted Amendment 164 to Annex 1. As of 5 March 2008, the ability to speak and understand the language used for radiotelephony that is currently required for pilots and air traffic controllers will have to be demonstrated based on the ICAO holistic descriptors and language proficiency rating scale (at Level 4 or above). Additionally, since November 2003, Annex 10 has required the availability of English language at all stations on the ground serving designated airports and routes used by international air services.

1.2- Several States have invested considerable resources and efforts to comply with the provisions by 5 March 2008. While some States may not be compliant by March 2008, the applicability date establishes a milestone that helps to retain the focus required to implement the safety Standards related to language proficiency as soon as practicable.

1.3- On 27 June 2007, the Council at the 18th meeting of its 181st Session, considered the consequence of non-compliance including the impact on multilateral recognition of pilots' licenses provided for under Article 33 of the *Convention on International Civil Aviation* (Doc 7300) when a State is unable to meet the minimum Standards prescribed in Annex 1.

1.4- The Council proposed and the Assembly adopted Resolution A36-11 on Proficiency in the English language used for radiotelephony communications which urges Contracting States that are not in a position to comply with the language proficiency requirements by the applicability date to post their language proficiency implementation plans including their interim measures to mitigate risk.

2. SCOPE

2.1- The intent of the implementation plan is to provide a means of communicating the steps that Haiti will take to meet the language proficiency requirements and mitigate risks during a transition period from the applicability date of 5 March 2008 to 5 March 2011. This language proficiency implementation plan will consist of the following components:

- a) Regulatory framework to support the implementation of the requirements;
- b) Estimate of national level of implementation;

- c) Language proficiency training programmes;
- d) Language proficiency assessment plan for licensing purposes; and
- e) Interim measures to mitigate risks.

2.2- Haiti will provide its plan to ICAO for posting on the Flight Information Exchange Website (FSIX) as early as possible but no later than 5 March 2008. In this way, all other States will be aware of its implementation plans and can make informed decisions.

3. CONTENT OF THE REGULATORY FRAMEWORK

3.1- A regulatory framework is essential to support the implementation of the language proficiency requirements. It could consist of a combination of legislation, regulations or other documentary evidence (e.g. orders, advisory circulars) that Haiti deems would be sufficient to implement and enforce the language proficiency requirements. ICAO has recommended, when the regulatory framework has already been established, a reference number to the applicable national provisions should be provided. When the national provisions have not yet been modified, the type of provisions envisaged should be indicated, as well as the date the provision is expected to be in place.

3.2- Beyond the establishment of a regulatory framework for the language requirements, Haiti is responsible for the oversight of language proficiency assessments when issuing licenses or rendering valid foreign licenses to allow holders operate Haitian registered aircraft. Haiti will ensure that language assessments required for licensing purposes are conducted in a manner that provides valid and reliable results concerning the level of proficiency of the prospective license holder. Haiti will develop procedures to collect and analyze language test/assessment results and analyze the safety occurrence reporting system, as well as any other safety data, as regards language proficiency.

3.3- Haiti has nominated a focal point in regard to the implementation of language proficiency requirements. The focal point will:

- a) Collect all the necessary information to complete the implementation plan;
- b) Post the implementation plan with ICAO;
- c) Assist in notifying a difference to ICAO and updating the AIP as necessary;
- d) Liaise with ICAO and other Contracting States requesting information on the national implementation plan;
- e) liaise regularly with national airlines and service providers, language testing and training organizations, pilots and controllers, and any other stakeholder involved in the implementation of language proficiency requirements within the States;
- f) Report any discrepancy or slippage of the implementation plan with the accountable managers and the appropriate authority; and
- g) Amend the implementation plan as progress towards full compliance is achieved.

3.4- The name, title and contact details of the focal point are provided in this plan.

Table 1- National Regulatory Framework

Focal Point Information				
Name		Direction Generale		
Title				
Organization		Office National de l'Aviation Civile		
Telephone		(509)2250 0052 / 2250 0647		
Fax		(509)2250 0175 / 2250 0998		
E-mail		lpierre@ofnac.org		
Compliance				
Standards and Recommended Practices (SARPs)	Yes , the regulatory framework is in place. -References-	The regulatory framework is partially in place. <i>Briefly describe what is in place, remaining work and expected date of completion</i>	No , the national regulatory framework has not yet been established. <i>Indicate the type of provision envisaged and the expected date of introduction</i>	
		HCAR		
Annex 1	1.2.9.1	2.2.7.a		
	1.2.9.2	2.2.7.b		
	1.2.9.4, Appendix 1, Attachment A	2.2.7.c.1		
	1.2.9.6	2.2.7.c.3		
	1.2.9.7 (Recommended Practice)	2.2.7.c		
	5.1.1.2 XIII	IS 2.2.9		
Annex 6	Part I- 3.1.8	8.4.1.2		
	Part III- 1.1.3	8.4.1.2		
Annex10, Volume II	5.1.1.1			X. Regulations in project expected to be introduced by March 2010
	5.2.1.2.1			
	5.2.1.2.2			
	5.2.1.2.3			
Annex 11	2.29.1			X. Regulations in project expected to be introduced by March 2010
	2.29.2			

4. ESTIMATE OF NATIONAL LEVEL OF IMPLEMENTATION

4.1- In order to describe the degree of implementation of language proficiency requirements, the plan is providing estimate, or snapshot, of the existing level of the proficiency of the pilots, controllers involved in international operations. This estimate will be revised at regular intervals and not less than once a year. The implementation plan will be updated with ICAO accordingly.

4.2- Haiti, with the assistance of operators and service providers, has determined the number of pilots and controllers that are involved in international operations. Within these figures, the following information have been required: the number of pilots holding ATPL, CPL and PPL and the number of controllers working in aerodrome, approach and area control facilities. These numbers are shown below, broken down into levels of language proficiency in accordance with the ICAO rating scale and included in the implementation plan using the table below.

4.3- Haiti will implement the ICAO language proficiency requirements, to varying degrees, from minimal implementation activities to nearly full compliance. Therefore, it's providing estimates, to the best of its capability, and the numbers will be updated as its capacity to assess language proficiency in accordance with the ICAO Rating Scale is developed or acquired. The estimates are based on training assessments for licensing purposes and allow to confirm a level of proficiency for some of the personnel

Table 2- Estimate of National Level of Implementation

Date: February 2008			
Pilots involved in international operations	ATPL	CPL	Method of Assessment of Level of Proficiency
Level 3 and below	80%	74%	Personnel Linguistic History Competency check
Level 4	20%	10%	
Level 5	0%	0%	
Level 6	0%	16%	

Date: February 2008					
Controllers involved in international operations	Aerodrome	Approach	Area	Student	Method of Assessment of Level of Proficiency
Level 3 and below	21%	8%	8%		Personnel Linguistic History Diagnostic Test ATS Competency Training
Level 4	57%	70%	70%		
Level 5	13%	13%	13%		
Level 6	9%	9%	9%		

5. LANGUAGE PROFICIENCY TRAINING PROGRAMMES

5.1- Language proficiency training programmes are an essential component towards ensuring that personnel achieve and maintain ICAO operational Level 4 in many States. Haiti will ensure that training is appropriate, effective and efficient through oversight of training providers. Language training programmes will be procured through private organizations. In any case, language training providers will ensure that the programmes address the holistic descriptors of Annex 1, Appendix 1, the ICAO rating scale and use language training best practices as described in ICAO *Manual on the Implementation of ICAO Language Proficiency Requirements* (Doc 9835).

5.2- The table below described the existing and planned training programmes for Haiti.

Table 3 – Language Proficiency Training Programmes

State oversight of aviation language training has been established Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If no, expected date of establishment
Language Training will be provided through: (Check all that apply)	
Air Navigation Service Provider	
Air Operator/Airline	
Educational Institutions ✓	
Private Organizations	

6. LANGUAGE PROFICIENCY ASSESSMENT (OR TESTING) FOR LICENSING PURPOSES

6.1- The high stakes of languages proficiency assessments (also referred to as tests) for licensing purposes are well recognized. Chapter 6 of Document 9835 provides more detailed information on the impact and requirements of these tests. These requirements will be taken in account even the assessment is procured through a private organization.

6.2- The following information concerning initial and recurrent proficiency assessments for licensing purposes for pilots and controllers will be provided in the implementation plan.

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

State oversight of aviation language assessment has been established.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	If no, expected date of establishment
Pilots		
The language Proficiency Assessment was/is/will be developed by:		
Civil Aviation Authority		✓
Air Operator		
Educational Institution		

Private Organization <i>Optionally, indicated the private organization used</i>	
The Language Proficiency Assessment was/is/will be administered by:	
Civil Aviation Authority	
Air Operator	
Educational Institution	✓
Private Organization <i>Optionally, indicate the private organization used</i>	

Controllers	
The Language Proficiency Assessment was/is/will be developed by:	
Civil Aviation Authority	✓
Air Navigation Service Provider	✓
Educational Institution	✓
Private Organization <i>Optionally, indicate the private organization uses</i>	
The Language Proficiency Assessment was/is/will be administered by:	
Civil Aviation Authority	
Air Navigation Service Provider	
Educational Institution	✓
Private Organization <i>Optionally, indicate the private organization used</i>	

7. INTERIM MEASURES TO MITIGATE THE RISK

7.1- Haiti is not in a position to comply with the language proficiency requirement by the applicability date, and therefore will provide information on the interim risk mitigation measures it will introduce until compliance is achieved by March 2011. All States will need this information to carry out a risk analysis to ensure that the lack of language proficiency is minimized as a potential cause of accidents and incident.

7.2- Haiti will develop interim measures based on the identification of hazards and risks associated with non- or partial compliance with the language proficiency requirements. A hazard is any situation or condition that has the potential to cause adverse consequences and a risk is the assessed potential for adverse consequences resulting from a hazard. Risk mitigating measures can then be identified.

7.3- Risk mitigation measures will be carefully evaluated to ensure that they do not introduce additional risks and that they are appropriate to organizational and national circumstances. Therefore, the prescription of universally applicable risk mitigating measures for the progressive implementation of language proficiency requirements is impractical. Haiti will apply the procedures outlined in the ICAO Safety Management Systems training course (<http://www.icao.int/anb/safetymanagement>) and the *Safety Management Manual (SMM)* (Doc 9859) to determine mitigating measures that are the most suitable to the state.

7.4- The mitigating measures will be described in this implementation plan until compliance is achieved by March 2011.

Table 5-

	2008	2009	2010
Commercial Multipilot Operations	<ul style="list-style-type: none"> - Enactment of regulations - Reinforcement of the validation procedures 	<ul style="list-style-type: none"> - Enactment of regulations - surveillance 	Full compliance
Air Traffic Controllers	<ul style="list-style-type: none"> - Training - Enactment of regulations - Establishment of procedures to have at least one level 4 controllers per shift/per station 	<ul style="list-style-type: none"> - Training - Enactment of regulations - Establishment of procedures to have at least one level 4 controllers per shift/per station 	Full compliance

The potential risk mitigating measures have been developed by considering the most urgent needs in terms of safety for commercial operations involved in international operations.

8- POSTING THE PLAN AND NOTIFYING ICAO

8.1- Haiti English proficiency implementation plan is available in the English language on the ICAO Flight Safety Information Exchange (FSIX) website at <http://www.icao.int/fsix/>. Sates can view it and report to the published focal point for any required information.

9- NOTIFICATION OF DIFFERNECE

9.1- As specified in its implementation plan, Haiti will not be in full compliance of the language provisions mentioned in Annex 1, 6, 10 and 11 and applicable by March 5, 2008.

9.2- In accordance to Article 38 of the Chicago Convention, Haiti has filed also a notification of differences to language provisions, which has been addressed to the ICAO Secretary General, in February 2008. This difference is set to be documented in the National AIP. The text of the difference is attached to the present document (Attachment A).

– ANNEX A –

**NOTIFICATION OF DIFFERENCES FROM LANGUAGE
PROVISIONS IN ANNEXES 10 AND 11**

– HAITI –

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

1. The following differences will exist on 5 March 2008 between the regulations and/or practices of Haiti and the provisions the language provisions as detailed in Annex 10 and 11.

	a) Annex Provision (Please give 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 10	5.1.1.1	- C	- Not implemented	- No promulgation of National Regulations
	5.2.1.2.1	- C	- Not implemented	- No promulgation of National Regulations
	5.2.1.2.2	- C	- Not implemented	- No promulgation of National Regulations
	5.2.1.2.3	- C	- Not implemented	- No promulgation of National Regulations
ANNEX 11	2.2.9.1	- C	- Not implemented	- No promulgation of National Regulations
	2.2.9.2	- C	- Not implemented	- No promulgation of National Regulations

2. By the dates indicated below,

Haiti will have complied with the language provisions as detailed in Annexes 10 and 11 which differences have been notified in this table.

	a) Annex Provision	b) Date	c) Comments
ANNEX 10	5.1.1.1	March 2010	- Regulation in Project
	5.2.1.2.1	March 2010	Regulation in Project
	5.2.1.2.2	March 2010	Regulation in Project
	5.2.1.2.3	March 2010	Regulation in Project
ANNEX 11	2.2.9.1	March 2010	Regulation in Project
	2.2.9.2	March 2010	Regulation in Project

Signature originally signed by Jean Lemerque Pierre
Director General

Date 02/21/2008