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SAFE SKIES.
SUSTAINABLE FUTURE.

P/32

Working session: Results from the Discussions

Agenda Item 4

Working session results

ICAO SAFE SKIES. SUSTAINABLE FUTURE.

BELIZE Department Of Civil Aviation

NACC/DCA/12

Outcomes from the worktable discussions

❑ Objective

To discuss the main challenges affecting the effective implementation of ICAO SARPs in the NAM/CAR Regions, particularly in their USOAP and USAP implementation, and to propose appropriate solutions to address those challenges

❑ Main questions to be developed and discussed:

a) What challenges do States face for complying and improving their effective implementation of flight safety and aviation security oversight requirements?

b) What actions or assistance would the State need from ICAO to overcome the identified challenges?

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Outcomes from Worktable 1

Main challenges:

- CAA's are too dependent on the Government and Government budget. This is not sustainable, especially with every 4 years a change in Government. Also lack of political will. CAA's lack the proper authority and independence in performing their certification and oversight duties.

- Lack of funding, unable to recruit and retain qualified personnel.

- Lack of fresh blood in the industry, people unlikely to choose for aviation, especially after COVID

Outcomes from Worktable 1

Main challenges:

- Lack of innovation in training and qualification methods. No alignment of the training methods with today's workforce needs.
- CAA has to be able to produce its own legal framework. Slow process to issue and update legislation and regulations.
- Small countries (SIDS) have small voice in ICAO rulemaking, panels and working groups.

Outcomes from Worktable 1

Proposed actions from ICAO:

- Focusing more on OJT, comparison, screening
- CAA must be more autonomous
- ICAO can produce more specific guidance for the CAA to be more independent and autonomous.
- ICAO can use funding from larger countries for underdeveloped countries to participate in panels and working groups. This boils down to the inclusivity (NO COUNTRY WILL BE LEFT BEHIND.)

Outcomes from Worktable 1

Proposed actions from ICAO:

- Importance of the Political will.
- Sharing of best practices. Promote countries to have more cross regional and interregional activities.
- Promote for CAA's to have the authority to issue specific operational/technical regulations (CE-2)(rather than the Government)

Outcomes from Worktable 2

Main challenges:

- Outdated equipment- root cause lack of resources and lack of commitment from the States.
- Infrastructure and resources
- Lack of primary and secondary legislation (C-E 1 and C-E2) due to lack of resources
- Lack of personnel (due to lack of competitive salary packages)
- Deficiency and availability of Guidance materials

Outcomes from Worktable 2

Main challenges:

- Lack of ability to enforce due to dependence on a singular international airport
- There is a disparity in the existing regulations between France and the surrounding territories
- Need stronger oversight tools
- Some ICAO rules are not implemented in some surrounding States e.g. SET-IMC overwater commercial operation
- Lack of respect from the service providers in terms of the lack of recognition of the regulations

Outcomes from Worktable 2

Proposed actions from ICAO:

- Increased ICAO presence in the States to convince Ministers of the importance of compliance and the possible repercussions if compliance is not met
- More opportunities for operation cooperation collaboration
- Increased awareness of the products and services available from ICAO

Outcomes from Worktable 3

Main challenges:

- Lack of human resources – lack of trained/qualified and experienced personnel to effectively conduct safety and security functions. Lack of trained/qualified and experienced personnel in the service provider sector in order to effectively comply with applicable safety and security standards.
- Limited financial resources to effectively carry out safety and security functions. Limited financial resources available to service providers to effectively comply with applicable safety and security standards.
- Constant amendments to SARPS, requiring constant amendments to national civil aviation safety and security regulations. Service providers' inability to keep pace with regulatory changes due to financial and operational limitations.

Outcomes from Worktable 3

Main challenges:

- Lack of political support for the regulator in favour of industry. Lack of adequate funding to meet all oversight obligations.
- Political interference with oversight functions and the ability to effectively implement and enforce the regulatory system on non-compliers.
- Confusion, ignorance and lack of understanding by politicians of the importance of the autonomy and independence of CAA's. That autonomy and independence can be relegated to a typical government agency, staffed by government employees, subject to Ministerial and Board level directives. This can adversely affect a CAA's ability to effectively implement and enforce the regulations.

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- Conflicts of interest where CAA's regulate state owned service providers. Even more challenging a case when the CAA and the regulated entities all have the same Minister.
- Conflicts of interest in the system.
- Lack of timely and regular support from ICAO in audit preparation and effective implementation of the SARPS. Once size fits all does not work for smaller less developed States.

Outcomes from Worktable 3

Proposed actions from ICAO:

- Offer special and targeted support to those States with lower EI's in the required areas in order to increase their EI's as soon as possible.
- ICAO know which states are struggling and need help. Therefore ICAO should focus more time and resources on those states.
- ICAO needs to provide stronger and consistent assistance to struggling states with improving their EI's.
- Whilst we all support ICAO's NCLB initiative, the reality is that some states are being left behind. ICAO knows who these states are, so respectfully ICAO should insist that it assist those states.
- More training in ICAO USOAP and USAP preparation of CAA's.

Outcomes from Worktable 3

Proposed actions from ICAO:

- Formal and express support for the full autonomy of CAA's when carrying out its safety and security oversight functions. This could be in the form of standard or strongly worded practice.
- Formal meeting with civil aviation Ministers to reinforce the importance of states compliance with ICAO SARPS, supporting their CAAs in the effective implementation of the primary legislation and regulations. Reinforce the importance of Ministerial support for the effective enforcement of the national regulations.
- Introduce standards and or recommended practices to mitigate the effects of conflicts of interest in aviation.

Outcomes from Worktable 4

Main challenges:

- Slow pace towards development /harmonised civil aviation laws, regulations and technical guidance materials – inability to keep pace with the international standards
- Lack or resources – human, technology (Capital) - Inadequate number of staff in the critical functions delaying implementation of the activities that lead to an increase % in CEs
- Inability to meet the industry emerging demands or the anticipated growth for 2030 and beyond – due to the Authority inability to recruit/retain personnel for the certification, licensing and surveillance activities.
- Political influence and lack of desire to make the aviation sector a national priority despite its significant contribution to the GDP

Outcomes from Worktable 4

Main challenges:

- Key priorities for the aviation sector are ambitious and costly (acquisition of aviation aids and infrastructure)
- The Aviation Sector competing with the hype associated with Tourism
- Short Term Planning due to the Political Agenda (Term in Office)
- The absence of an adequate legal/regulatory framework in relation to the eight CEs
- Lack of an established organization, empowered, for RSOO management. There is a shortage of personnel/ structure to provide support to Member States.

Outcomes from Worktable 4

Main challenges:

- Lack of a comprehensive Training Program – (it must be continuous) this is necessary for the State to fulfil its international obligations in Aviation safety and security
- The time taken to develop and publish Aviation Regulations
- The lack of technical resources within the ICAO NACC Office to meet the needs of the States in this region – (One Regional Officer is not sufficiently to serve a region this size).
- The need for the Director General to make Regulations – which results in the State falling behind. (The state is not agile to keep pace, e.g UAS and Cybersecurity).

Outcomes from Worktable 4

Proposed actions from ICAO:

- Technical Assistance to Regional States – in the form of a Grant/ engagement with SMEs
- Annual High-Level Meetings between ICAO, RASSOS and the individual Government Administration
- Development of a sustainable funding mechanism - ICAO influence/technical assistance in the management of the airspace initiative, modernization of Air Navigation
- Development of an Aviation Masterplan for a period of ten (10) years by the RSOO and/ individual States

Outcomes from Worktable 4

Proposed actions from ICAO:

- ICAO IPacks at the tertiary Level to promote aviation awareness and address shortages in the sector this can educate the politicians of the future and help improve gender equality. Children have to see it to be it.
- The need for the ICAO Regional Officers to work with States – two (2) months per year to assist States in their preparation of the USOAP /USAP – This requires tremendous work / effort and it is disheartening to know during the audit that the State did not understand the practicality on how to accomplish the work to adequately meet the ICAO Standards.
- ICAO fully support to allow the DG to make Regulations. ICAO Ministers meeting to educate Head of States.

Outcomes from Worktable 5

Main challenges:

- Financial resources
- Expectations of all member states are the same regardless of size (unreasonable expectations)… one size does not fit all. Number of operations / capacity are different and economic / financial means vary greatly. Make is scalable.
- Political will and/or ignorance: reduction of budget arbitrarily / or other priorities (even if its said that its a priority)
- Studies / reports given without appropriate knowledge (i.e., economists providing technical information on aviation)

Outcomes from Worktable 5

Main challenges:

- Auditors have different interpretation of the “words” and their meaning vs. meeting the intent of the SARPs. Metric may not provide a true picture of the situation (95% of an item could be compliant but since not 100% that criteria is not met)
- ICAO may not understand the way the state wrote the regulation or the interpreted intent of the regulations.
- Staffing and Training: replacing competent workforce and retaining them (not enough for the workload / need)
- Training is too expensive and being able to give the staff the “time” to go to training.
- Hard to access training (e.g., FAA stopped offering course so now need to go to Singapore or “borrow” from other CAAs to fill gaps)

Outcomes from Worktable 5

Main challenges:

- Struggling to keep regulations up to date and the training may not match what the state has (now or proposed)
- Challenge getting regional groups together in a timely manner
- Building the infrastructure but not maintaining it
- The EI score changes (down) as new standards are implemented, but the scores could go down even without a re-audit / re-evaluation. In addition there is no way to measure improvements which could improve the score.
- The outcome/score may not be calibrated correctly
- Different legislative structures (some are based on “English” law while others are uniquely different), which always a challenge
- Safety culture promotion (needs more)
- Data collection is a challenge (difficult to get from the operators from smaller states and operators)

Outcomes from Worktable 5

Proposed actions from ICAO:

- Regional cooperation (pool resources and knowledge and effort)
- Get regulations up to “speed”… flexible enough to allow regulations to last 10-15 years.
- Model standard material (regulations, manuals, training, etc.) with an accessible repository. (But most only covers Annex 1, 6, 8, and 19… would like to have for other annexes as well).
- Give example of the states that are models (and this could be by size)… provide an example of a smaller state with a high score and what they are doing.

Outcomes from Worktable 5

Proposed actions from ICAO:

- ICAO needs to speak to heads of governments to make these changes
- The USOAP and USAP report is a great “consultation” report but should not be used to shame the state. (Although there could be value to get the political will).
- Focus on improving safety / security culture and implement a tool that could measure this culture.
- Larger states could assist smaller states in how to better collect data… ties to safety culture and protection of data.

Outcomes from Worktable 7

Main challenges:

Not counting on the appropriate budget to face the needs

Proposed actions from ICAO:

With assistance, training and management of political will of the States

Outcomes from Worktable 8

Main challenges:

- For the establishment
  - Resources are required
    - Human resources (trained, to be able to supervise locally)
    - Economic (to implement technological actions, HR, etc.)
    - Technological
  - Organization appropriate to available resources
- For implementation
  - Resources are required (rained human resources, Economic resources and Technological resources)
  - Organization appropriate to available resources
  - Adequate national supervision

Outcomes from Worktable 8

Main challenges:

- Adequate regulatory or legal framework
  - Regulations that administratively and pecuniarily penalize faults and infractions of SAFETY and SECURITY.
  - That establishes operational and security responsibilities
- Establish a safety monitoring system and the implementation of corrective actions, which includes a risk and impact analysis of non-compliance.
- Lack of knowledge from the public and private sides of the critical elements required by aviation, therefore adequate resources are not assigned to address issues related to mitigating SECURITY and SAFETY.

Outcomes from Worktable 8

Proposed actions from ICAO:

- Continuous support for the proper implementation of the 19 annexes and their 8 critical areas.
  - Specifically 1, 6 and 8
  - Security 17
- National requirements must be established in law.
- Develop practical orientation guides.

Outcomes from Worktable 8

Proposed actions from ICAO:

- Strategic communication towards the countries.
  - in public sector areas
  - in private sector areas
  - Ensure that no State is left behind.
- Accompany states in countries that have the most compliance challenges.
  - Accompany them in the development and implementation of the action plan
  - Implementation of updated regulatory framework
- Support with training

Common challenges identified by Worktables

- Lack of financial resources
- Lack of human resources
- Lack of political will/support or political interference
- Lack of autonomy/independency/empowerment
- Obsolete/inappropriate primary aviation legislation
- Same requirements for aviation systems with different levels of complexity
- Conflicts of interests (CAA vs governmental service providers)

Solutions most proposed by Worktables

ICAO should:

- Interact with governments to foster political will to aviation systems
- Provide assistance/technical support to States with low EI
- Develop tailored guidance, models, action plans, master plans to support States
- Develop/implement training on USOAP/USAP principles to prepare States
- Foster regional cooperation with technical/financial support from big States
- Develop a funding mechanism to support small States

Thank You!

ICAO