



Twelfth Meeting of Directors of Civil Aviation of North America, Central America and the Caribbean

(NACC/DCA/12)

Placenta, Belize 09-11 July 2024

Agenda Item 5: Toward More Effective Implementation Support

Harmonization of regulations by the States

(Presented by Belize, Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua)

EXECUTIVE SUMMARY

This Working Paper has as its main objective the adoption of a standard regulatory system, to promote the harmonization and standardization of regulations by the States, in order to strictly comply with the instructions of the Honorable Board of Directors of the COCESNA Members States - Resolution 262.5.9: Approve Agreement CT-151-8-2024 that determines: Instruct COCESNA/ACSA to prepare the roadmap for the harmonization process of aeronautical rules and standards in coordination with the industry, FAA , ICAO NACC/SAM, and present it to the COCESNA Technical Committee in order to comply with the resolution of the ROCD Board of Directors.

<i>Strategic Objectives:</i>	<ul style="list-style-type: none"> • Safety • Air Navigation Capacity and Efficiency • Economic Development of Air Transport • Environmental Protection
<i>Financial Repercussions</i>	<ul style="list-style-type: none"> • Resources for the approval of regulations developed through the Regional System
<i>References:</i>	<ul style="list-style-type: none"> • Chicago Convention • ICAO Annexes

1. Introduction

1.1 Regulatory harmonization in aviation is a fundamental process involving the coordination and standardization of regulations and standards among different States. This practice is essential to ensure safeness, efficiency and uniformity of the aviation industry.

1.2 As air transport has become a crucial pillar of global connectivity, regulatory harmonization has become essential to ensure a safe, efficient and cost-effective operating environment.

2. Background and Challenges.

2.1 Regulatory harmonization has evolved over time in response to the challenges and needs of the aviation industry.

2.2 In 1944, the Chicago Convention was drafted by 54 Contracting States, establishing the basic principles that make international air transport by air possible and leading to the creation of the International Civil Aviation Organization (ICAO), as well as defining international standards for aviation, promoting safety and efficiency.

2.3 The European Union has made progress in the harmonization of regulations through this agreement, seeking common regulations for Member States.

2.4 The standardization of regulations faces different challenges, which are the following:

- Diversity of regulations, as each State has its own standards.
- Costs and resources, as the implementation of regulatory harmonization can be costly and require significant resources.
- Geopolitical challenges, which may hinder cooperation and harmonization.

3. Development

3.1 Article 37 of the Chicago Convention establishes that "each Contracting State undertakes to cooperate, with a view to achieving the highest possible degree of uniformity in regulations, standards, procedures and organization relating to aircraft, personnel, airways and auxiliary services, in all matters where such uniformity will facilitate and improve air navigation. "

3.2 Nowadays, Air Operators belonging to a Holding Company are being affected by the compliance with the different standards existing in the region, a situation that should not occur, since the States must comply through their regulations with the Annexes established by the ICAO, which would result in a common standard. The importance of aviation regulatory harmonization for holding companies is significant and translates into a series of benefits for the industry.

3.3 Regulatory harmonization will guarantee operational safety, since air operators belonging to a holding company will comply with the same safety standards in the region. This will result in a reduction of incidents and accidents.

3.4 By eliminating regulatory barriers and simplifying procedures, there will be an improvement in efficiency and cost reduction for airlines, since it will generate savings in time and resources for airlines. This will generate benefits in terms of profitability for the holding company.

3.5 The standardization of the regulatory framework in the region will allow for fair competition among airline operators, since there is a commitment that all airlines will comply with the same standards for their proper conformation and operation.

3.6 The existence of regulatory harmonization in the region will facilitate the expansion of airlines in the region, since compliance with the same standards will simplify their entry into a new State, which will benefit holding companies for their growth within the region.

3.7 Additionally, it encourages innovation for the introduction of new technologies in the industry. The different holding companies can take advantage of these opportunities to improve their operations and services.

4. Conclusions

4.1 Harmonization of standards in aviation is essential to ensure safety, efficiency, and competitiveness in the industry, resulting in benefits for both Civil Aviation Authorities, airlines and the economy.

4.2 The implementation of a harmonized regulatory system has already been implemented in other parts of the world, with satisfactory results.

5. Suggested Actions

5.1 ICAO is urged to support the implementation of a harmonized regulatory system in the NAM/SAM region, as this is a regional interest with the aim of:

- a) Member States adopt a harmonized regulatory system for the region that benefits Air Operators and Holdings;
- b) establish coordination among States to establish common standards and regulations; and
- c) train and educate the personnel of the Civil Aviation Authorities for an effective establishment and implementation of the harmonized regulatory system.