

O.V.Bashta¹, PhD, P.L.Nosko¹, Prof., A.O.Bashta², PhD, O.S.Povzun¹

¹(National aviation university, Ukraine)

²(National university of food technologies, Ukraine)

Progress on ICAO's Strategic Objectives and Global Safety Plans. Pandemic safety challenges

Alleviations to the Standards of the Annexes and its associated system – CCRD, were established as interim measures to support continued operations during the initial stages of the COVID-19 pandemic. However the CCRD system for filing alleviations has been closed and replaced with planning tools, approaches and guidance for the recommencement of operations in line with the requirements of the SARPs.

The coronavirus disease 2019 (COVID-19) crisis, the aviation system facing ever-changing challenges. The International Civil Aviation Organization (ICAO) to partner with its Member States, international and regional organizations, and industry provides global guidance for a safe, secure and sustainable restart and recovery of the aviation sector.

Diseases such as COVID-19 pose a risk to the travelling public because they can be transmitted between humans. Therefore, it is important that all involved stakeholders assist in limiting its spread by air transport. ICAO, ACI, CANSO, IATA, TIACA, WFP and WHO have worked in close cooperation in the development of this single source for aviation-specific guidelines with the objective of ensuring appropriate planning and action at all levels in order to mitigate the effects of a human outbreak.

As we move cautiously towards the "new normal", alleviations and the guidance for their use provided in the associated Quick Reference Guides have been replaced with planning tools, approaches and guidance for the recommencement of operations in line with the requirements of the Standards and Recommended Practices (SARPs). The SARPs concerning the prevention and management of communicable diseases (CAPSCA) in aviation are contained in ICAO Annexes 6, 9, 11, 14, 18 and the PANS-ATM.

In 2021, a new, more tightly specified system of Targeted Exemptions (TEs) was implemented to enable States to publish temporary differences to ICAO Standards and ensure that continued operations would not be unduly impacted by contingency measures related to travel restrictions. The tightly scoped TE system replaced the COVID-19 Contingency-Related Differences (CCRD) system, which was established at the start of the pandemic.

The term "alleviations" was introduced to encompass any temporary changes to national regulations necessary to maintain aviation operations during the COVID-19 pandemic. Alleviations refer to temporary differences as provided in Article 38 of the Chicago Convention, and temporary exemptions and exceptions as described in the Safety Oversight Manual (Doc 9734). Alleviations are essentially temporary changes to national regulations, applicable to all those subject to the regulations.

A targeted exemption (TE) is a tightly scoped and time limited State-issued

exemption to a specified Standard granted as a result of the COVID-19 pandemic. A TE is granted to a specific operator or defined group of individuals while national regulations remain in compliance with Standards and Recommended Practices (SARPs). TEs should be specific to a clearly defined situation and drafted specifically for that situation.

TEs differ from alleviations in that on their own, they do not constitute notification of a temporary differences as provided in Article 38 of the Chicago Convention. TEs that result in a temporary difference need to be filed in the EFOD system (see TEs and EFOD section). TEs are also more structured than alleviations and apply to a defined subgroup of those subject to a Standard. Further, TEs relate only to a specified set of Standards, where operations are being conducted outside the borders of the State granting the TE.

Where TEs are granted, their implementation should be continuously monitored by the issuing State.

States were advised that a return to normal compliance with the Standards was necessary; however, where exceptional circumstances persisted, a means to extend exemptions on pilot training, qualification and licensing requirements was provided. While many States did not require TEs to maintain their operations, 74 TEs were published from 23 States.

Considering the increased operational risk from extended periods of low activity and the challenges in conducting proficiency checks, ICAO worked with State and industry experts to update its online guidance and ensure that sufficient mitigative measures were implemented to maintain an acceptable level of safety performance.

As an example at the end of 2021, an additional TE was developed to address challenges among manufacturers in meeting the new 25-hour cockpit voice recording requirement due to supply chain issues caused by the pandemic. This TE was established in time for States to issue the exemption and make this information available to other States, facilitating continued operations by affected operators.

So the purpose of a TE system is threefold:

- a) To provide for a structured approach to the notification and dissemination of temporary exemptions to specific Standards relating to the COVID-19 pandemic;
- b) To allow States to review TEs authorized by another State, including those that are associated with Article 40, and determine whether to accept flights using such TEs within their territory;
- c) To allow for verification by a State's foreign operator inspector that an operator or individual is complying with the conditions of the TE imposed by the State of the Operator.

Thus in terms of organization when States respond to communicable diseases of international concern such as COVID-19 ICAO standards requires presence of the National Aviation Plan that references planning for an outbreak of communicable diseases must be in place. It should follow the guidance provided by ICAO and preparedness guidance available from the World Health Organization (WHO). A National Air Transport Facilitation Programme or similar body must also be in place that clarifies roles and responsibilities of all relevant government

agencies and ministries and other stakeholders to prevent the spread of disease, as per ICAO Doc10042 Model National Air Transport Facilitation Programme.

States are obliged (see Annex 9) to establish National Air Transport Facilitation Committees to coordinate broad policy issues including responses to public health emergencies of international concern. The success of such a committee requires the active participation of relevant Government ministries and/or agencies such as customs, immigration, civil aviation authorities, foreign affairs, agriculture/environment, quarantine and public health.

ICAO requires that "Contracting States shall not prevent an aircraft from calling at any international airport for public health reasons" unless such action is taken in accordance with the International Health Regulations (2005) of the World Health Organization. WHO evidence provides some support for short-term measures that might interfere with international traffic at the early containment phase of an outbreak. However, longer-term restrictions are normally not effective once appropriate containment measures are in place. And States must inform WHO about additional health measures that significantly interfere with international traffic.

Article 22 of the Chicago Convention establishes that States should normally prevent unnecessary delays to aircraft, crews, passengers and cargo. Thus, any implementation of restrictive measures should be necessary based on a clear assessment of risk.

Here are some of the practical steps that a State should consider taking in order to respond to COVID-19:

- a) The State should convene meetings of both the National Air Transport Facilitation Committee and the Airport Facilitation Committee (or similar coordinating bodies) to consider the situation and any actions aimed at mitigating the risk of COVID-19 spreading through international civil aviation. When necessary, it should consult WHO.
- b) The State should designate a focal point of contact for communication with other States and the World Health Organization regarding the implementation of the relevant provisions of the International Health Regulations (2005)
- c) Protocols for responding to all notifications and reports from operators related to possible instances of communicable diseases should be assessed and made known to relevant stakeholders. All necessary channels of communication should be fully active.
- d) National aviation authorities need to be fully involved in the planning process to ensure that their expertise is available to the national public health authority.
- e) In addition to WHO guidelines, States should also consider ICAO general preparedness guidelines.

Conclusions

Thus ICAO coordinates and provides guidance and information. ICAO and WHO work closely together. ICAO facilitates information sharing with and amongst Member States of Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA), as well as IATA, ACI, EACCC, EASA, CDC and the FAA.

Targeted Exemptions (TEs) are tightly scoped and time limited State-issued

exemptions to a specified subset of Standards, granted as a result of the COVID-19 pandemic.

TEs should not be granted in response to systemic issues. They represent a temporary transitional option for States as they move back from reliance on the use of alleviations towards compliance with the SARPs. TEs should only be considered by a State once it is clear that all other options have been considered and determined to be unsatisfactory.

References

1. Doc 7300. Convention on International Civil Aviation. 9th edition. ICAO. 2006.
2. Annex 19. Safety Management. 2nd edition. ICAO. 2019.
3. Annex 9. Facilitation. 15th edition. ICAO. 2017.
4. Doc 9859. Safety Management Manual (SMM). 4th edition. ICAO. 2018.
5. Doc 10004. Global Aviation Safety Plan 2020–2022. ICAO. 2019.
6. Doc 9957. The Facilitation Manual. ICAO 2011.
7. Doc 10042. Model National Air Transport Facilitation Program. ICAO 2015.
8. Doc 10144. ICAO Handbook for CAAs on the Management of Aviation Safety Risks related to COVID-19. ICAO. 2020.
9. Doc 9734. Safety Oversight Manual. ICAO. 2017.
10. State Letter AN 11/55- 21/27. End of the CCRD system for recording differences related to the COVID-19 pandemic, and establishment of the Targeted Exemptions (TE) system for exceptional circumstances.
11. State Letter AN 11/55-20/50. Operational measures to ensure safe operations during the COVID-19 pandemic.
12. State Letter AN 11/55-21/78. Targeted exemptions (TEs) with respect to the crew requirement for twenty-five hour recording duration for cockpit voice recorder (CVR) in Annex 6, Parts I and II.
13. <https://www.icao.int/Security/COVID-19/Pages/default.aspx>.
14. <https://www.icao.int/safety/OPS/OPS-Normal/Pages/default.aspx>.
15. https://www.unitingaviation.com/publications/safetymanagementimplementation/content/#!/lessons/CHZW4YD184M_KUSyKemRlde_j6NYXjx0.
16. <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>.
17. <https://www.icao.int/safety/CAPSCA/Pages/Coronavirus.aspx>.