NCMC/3 — WP/05 09/11/18

### Third Regional Meeting for National Continuous Monitoring Coordinators (NCMC/3)

Mexico City, Mexico, 13 to 15 November 2018

Agenda Item 3: Systemic Assistance Programme (SAP)

### **NACC REGIONAL AGREEMENTS**

(Presented by the Secretariat)

#### **EXECUTIVE SUMMARY**

The Working Paper presents the progress and achievements of the North American, Central American and Caribbean States and the ICAO NACC Regional Office, to establish and maintain regional agreements as mechanisms to support the development of regional collaboration initiatives. The paper invites the NCMC Working Group to consider the regional agreements as a framework for the formulation of its work programme.

Action:	Suggested actions are presented in section 3	
Strategic Objectives:	• Safety	
References:	<ul> <li>Report of the Eighth Meeting of the North American, Central American and Caribbean Directors of Civil Aviation (NACC/DCA/08) Ottawa, Canada, 31 July to 2 August 2018.</li> <li>Report of the Fourth NAM/CAR Civil Aviation Training Centres Working Group Meeting (NAM/CAR/CATC/WG/4) Mexico City, Mexico from 6 to 8 June 2018.</li> </ul>	

#### 1. Introduction

1.1 The No Country Left Behind (NCLB) initiative highlights ICAO's efforts to assist States in implementing ICAO Standards and Recommended Practices (SARPs). The main goal of this work is to help ensure that SARP implementation is better harmonized globally so that all States have access to the significant socio-economic benefits resulting from safe and reliable air transport. In support of ICAO's No Country Left Behind (NCLB) initiative, the ICAO NACC Regional Office has developed a comprehensive strategy that has progressively evolved to become the Systemic Assistance Program.

- 1.2 The Civil Aviation Authorities in the NAM CAR region have proven its willingness to contribute to the common purpose within the SAP framework and are committed to promote the development of the civil aviation safety through non-binding agreements, that, considering the differences and specific challenges of each State/Territory, allow the establishment of mutual cooperation arrangements to face common challenges and problems through regional initiatives.
- 1.3 The working paper presents three relevant mechanisms and calls the NCMC Working Group to consider using it in the formulation of its work programme as a mechanism to materialize the activities to be proposed and to achieve the deliverables to be agreed.

### 2. Discussion

- 2.1 Declaration of Intent (DoI) for the ICAO NACC Regional Office No Country Left Behind (NCLB) Strategy
- 2.1.1 The Sixth Meeting of the North American, Central American and Caribbean Directors of Civil Aviation (NACC/DCA/6), held in Nassau, Bahamas on May 2016, considered as a common purpose the promotion and development of technical cooperation in civil aviation between the countries in the Region, and determined the arrangements for mutual cooperation in the promotion and development of civil aviation in support of the ICAO NACC Regional NCLB Strategy to assist States to increase their Effective Implementation (EI) of ICAO SARPS.
- 2.1.2 The DoI includes, in its articles, the objectives and the implementation tasks assigned to the ICAO NACC Regional Office and to the States, among other aspects; The DoI is included as **Appendix A** to this working paper.
- 2.2 Declaration of Intent (DoI) for the Regional collaboration on training among the Civil Aviation Training Centres of the North American, Central American and Caribbean Regions.
- 2.2.1 The training is recognized as a subject of critical importance to ensure safe, efficient and environmentally responsible air transport in the NAM and CAR Regions. Accredited States to the ICAO NACC Regional Office, aware of the need for civil aviation training to be coordinated, standardized and effectively harmonized and recognizing the benefits of promoting cooperation among the Training Centres to meet emerging needs and the growth of the civil aviation industry, agreed the aforementioned DoI included as **Appendix B** for analysis.
- 2.2.2 The DoI is intended to establish a formal correlation of technical-academic collaboration for the promotion and exchange of experiences, in the theme areas associated to teaching and instruction, especially in the design, planning, execution and joint control of academic programmes, continued education and research, development and innovation projects and, in general, in institutional strengthening at an international level; as well as to undertake other technical assistance activities, which are in accordance with competency issues.

### 2.3 Multi-Regional Civil Aviation Assistance Programme (MCAAP)

- 2.3.1 As indicated at the MCAAP Procedural Handbook, the Project mission is to assist Project member States/Territories in the NAM/CAR Regions in the effective implementation of ICAO Standards and Recommended Practices (SARPs), safety improvements and performance-based air navigation services/systems; in order to achieve a safe, efficient and sustainable aviation system in harmonization with the Global Air Navigation Plan (GANP), Global Aviation Safety Plan (GASP), CAR/SAM Regional Air Navigation Plan and regional performance targets for air navigation and aviation safety, and in support of the ICAO No Country Left Behind (NCLB) initiative and this multiregional assistance programme.
- 2.3.2 The States currently participating in the Project RLA/09/801 MCAAP are: Bahamas, Barbados, Canada, Cuba, Curaçao, Dominican Republic, Haiti, Jamaica, Mexico, OECS States through ECCAA (Antigua and Barbuda, Grenada, Saint Kitts and Nevis, Saint Lucia and Saint Vincent and the Grenadines), Trinidad and Tobago and Central American States through COCESNA (Belize, Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua). Detailed information regarding the organizational chart, organization and procedures of the project is available for consultation at the website:

https://www.icao.int/NACC/Documents/eDOCS/TC/MCAAPProceduralHandbook.pdf

### 3. Suggested Action

The NCMC/3 is invited to:

- a) analyse the non-binding agreements of the ICAO NACC Regional Office accredited States and the Project RLA/09/801 MCAAP
- b) utilize the non-binding agreements and the Project RLA/09/801 MCAAP as a framework for the formulation of the NCMC Working Group work programme
- c) take any other action deemed appropriate

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# DECLARATION OF INTENT FOR THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO) REGIONAL OFFICE FOR NORTH AMERICA, CENTRAL AMERICA AND CARIBBEAN (NACC) REGIONAL NO COUNTRY LEFT BEHIND (NCLB) STRATEGY

### **BETWEEN**

## THE CIVIL AVIATION AUTHORITIES OF NORTH AMERICA (NAM) CENTRAL AMERICA AND THE CARIBBEAN (CAR)

### **AND THE**

### ICAO NACC REGIONAL OFFICE

Done by the Sixth Meeting of the North American, Central American and Caribbean Directors of Civil Aviation (NACC/DCA/6), held in Nassau, Bahamas, 10 to 12 May 2016, convened by the ICAO NACC Regional Office, and with the participation of high level officials representing North American (NAM) and Caribbean (CAR) Regions Member States/Territories, International Organizations and industry,

WHEREAS, the ICAO NACC Regional Office and the Civil Aviation Authorities of the NAM/CAR Regions, have as a common purpose the promotion and development of technical cooperation in civil aviation between the countries in the regions; and

WHEREAS, the Directors General representing the NACC member States, are authorized to develop procedures and programmes to meet the needs for the safe and efficient systems in civil aviation, and to enter into cooperative arrangements to achieve this objective; and

WHEREAS, such cooperation shall encourage the development of civil aviation and safety of air commerce in NAM/CAR Regions; and

WHEREAS, the Port-of-Spain Declaration will conclude on December 2016, and the various commitments remain unaccomplished or unresolved; and in being proactive, as well as recognizing the different challenges and socio-political and economic realities of the various member States/Territories accredited to the ICAO NACC Regional Office; and

WHEREAS, it is in the best interest of the member States/Territories to have tailored action plans that take into consideration these differences and challenges specific to each State/Territory, and that these tailored action plans can be developed as part of the ICAO NACC Regional NCLB Strategy between the NACC Regional Office and the State Civil Aviation Authority; and

CONSIDERING the important role of aviation as a contributor for economic and social development throughout the world, contributing to the creation of 8.5 million jobs and up to 700 billion dollars to the Global Gross Domestic Product (GDP), and due to its cross-cutting nature and multiple links to other economic sectors, the total economic impact of aviation reaches some 3.5 percent of world GDP, equivalent to 2.4 trillion dollars, with the creation of 58.1 million jobs; and

CONSIDERING ICAO's current strategic objectives are linked to 13 of the 17 United Nations Sustainable Development Goals, and some States are below the global average of implementation of ICAO Standards and Recommended Practices (SARPs);

NOW THEREFORE, the ICAO NACC Regional Office and the Civil Aviation Authorities of the NAM/CAR Regions intend to the following, non-binding arrangement:

### ARTICLE I—OBJECTIVE

- A. This Declaration of Intent establishes the arrangements for mutual cooperation in the promotion and development of civil aviation, in support of the *ICAO NACC Regional NCLB Strategy* in order to assist States increasing their Effective Implementation (EI) of ICAO SARPs.
- B. Signatories to this Declaration intend to support the implementation of the ICAO NACC Regional NCLB Strategy, incorporating previously agreed commitments of the Port-of-Spain Declaration. Any additional metrics and deliverables will be developed separately as part of a specific Action Plan to be developed and concluded between the ICAO NACC Regional Office and each individual NAM/CAR member State.
- C. These objectives may be further enhanced by mutually agreeable cooperation in any of the following areas:
  - 1. The exchange of information regarding programmes and projects, research results or publications.
  - 2. The execution of joint analyses.
  - 3. The development and execution of joint action plans with accountable personnel assigned to the completion of all tasks.
  - 4. The coordination of research and development programmes and projects, and their execution based on shared effort.
  - 5. The exchange of operational and technical staff.

- 6. The exchange of specific equipment and systems for research activities and compatibility studies.
- 7. The joint organization of symposia, conferences or workshops.
- 8. Reciprocal consultations with the aim of establishing concerted action with appropriate international bodies.

### ARTICLE II—IMPLEMENTATION

### A. ICAO NACC REGIONAL OFFICE UNDERTAKINGS:

- 1. Developing, monitoring, and managing of the *ICAO NACC Regional NCLB Strategy* in coordination with States as a methodology for assisting them on implementing ICAO SARPs and improving their levels of Effective Implementation.
- 2. Encouraging States to take appropriate measures to progress in their phased implementation of ICAO SARPs and completion of tailored NCLB action plans.
- 3. Promoting support from aviation safety partners including donor States, international organizations, industry and financial institutions encouraging them to assist States/Territories to improve ICAO SARPs implementation by enhancing regional coordination, cooperation and collaboration.
- 4. Approaching entities to secure funding for the sustainable development of air transport.
- 5. Approaching States and aviation partners for getting technical expertise to assist in the implementation of ICAO SARPs while focusing on priorities.
- 6. Promoting the cooperation between States and aviation partners to cooperate to facilitate the resolution of aviation related issues.
- 7. Monitoring the implementation of ICAO SARPs by NAM/CAR Region Member States.
- 8. Leading the alignment and integration of regional frameworks, including the various ICAO Regional Groups, towards achieving ICAO objectives, regional, and national targets.

### B. NACC MEMBER STATE UNDERTAKINGS:

- 1. Actively participating in the ICAO NACC Regional Office activities established to facilitate the compliance with the ICAO strategic objectives.
- 2. Making use of all available resources to expedite full implementation of ICAO SARPs, where appropriate.

- 3. Cooperating with each other to facilitate the effective implementation of ICAO SARPs, where appropriate.
- 4. Seeking to secure funding for the sustainable development of air transport to enable a safe, secure, and environmentally responsible air transport system.
- 5. Providing "Champion State<sup>1</sup>" support to contribute with technical expertise to the regional activities under the *ICAO NACC Regional NCLB Strategy* and the leadership of ICAO.
- 6. Cooperating with each other and aviation partners to facilitate the resolution of aviation related issues.
- C. Representatives from the ICAO NACC Regional Office and the member States meet periodically to discuss proposals for new cooperative activities. A joint review of the status of ongoing activities to be conducted at least yearly by the participants, and, where possible, during the ICAO NACC Directors of Civil Aviation regional meetings.

### ARTICLE III—EXCHANGE OF PERSONNEL

The participants may exchange technical personnel as required, and appropriate, to pursue the activities described. Such personnel may be from the ICAO NACC Regional Office, the Member States, or supporting Government agencies or contractors, as required and appropriate under terms that would be part of separate agreement if required.

### ARTICLE IV—FUNDING

- A. Available funding sources to be used in accordance with the structure implemented by agreement under Project RLA/09/801.
- B. Other third party funding mechanisms should continue to be sought by States and ICAO NACC Regional Office in support of NAM/CAR States/Territories, and as agreed to by the participants with assistance from the ICAO NACC Regional Office as needed.

### **ARTICLE V—AMENDMENTS**

This Declaration may be amended by mutual consent of the participants. The details of any such amendment shall be memorialized in writing.

<sup>&</sup>lt;sup>1</sup> A State that commits to providing assistance to others in the Region in the areas in which it excels.

### ARTICLE VI—COMMENCEMENT OF ACTIVITIES

This Declaration takes effect when at least 60 percent of the States/Territories have signed and shall continue until terminated through general consensus of the ICAO NACC Regional Office in coordination with the member States/Territories.

### ARTICLE VII—AUTHORITY

The ICAO NACC Regional Office and the Directors of Civil Aviation of the NAM/CAR States join in this Declaration as indicated by the signature of their duly authorized representatives.

	Name/Nombre	Signature/Firma
Antigua and Barbuda / Antigua y Barbuda		
Aruba	EDWIN KELLY	
Bahamas	16174 MAZAL	Mult Mg
Barbados	KINGSLEY OBNEISON	Kingsley Dis Nelson
Belize / Belice	LINDSAY GARBUT	
Costa Rica	ENio Cubilb A.	The state of the s
Cuba	Alperdo P. Conders P.	

Signature/Firma Name/Nombre Curacao / Curazao Dominican Republic / República Dominicana DUTIAGO **El Salvador** France / Francia for French Antilles, Guadeloupe, Martinique, Saint Barthélemy, Saint Martin and Saint Pierre et Miquelon / por Antillas Francesas, Guadalupe, Martinica San Bartolomé, San Martín y San Pedro y Miquelón Grenada Guatemala Gerardo Berganta Haiti / Haití **Honduras Jamaica** Mexico / México Netherlands / Países Bajos for Bonaire, Saba and Sint Eustatius / por Bonaire, Saba y San Eustatius

Name/Nombre Signature/Firma Nicaragua Saint Kitts and Nevis / San Kitts y Nevis Saint Lucia / Santa Lucía **Sint Maarten** Saint Vincent and the Grenadines / San Vicente y las Granadinas Trinidad and Tobago / **Trinidad y Tabago** United Kingdom / Reino Unido for Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Montserrat and Turks and Caicos Islands / por Anguilla, Bermuda, Islas Caimanes, Islas Turcas y Caicos, Islas Vírgenes Británicas y Montserrat BOYLE MARIA United States / **Estados Unidos** for Puerto Rico and Virgin Islands / por Islas Vírgenes y Puerto Rico **Eastern Caribbean Civil Aviation Authority (ECCAA)** 



### DECLARATION OF INTENT (DoI) FOR THE REGIONAL COLLABORATION ON TRAINING

#### **AMONG**

### THE CIVIL AVIATION TRAINING CENTRES OF THE NORTH AMERICA (NAM) CENTRAL AMERICA AND CARIBBEAN (CAR) REGIONS

Taking note of ICAO's role in the planning and implementation of training programmes in the NAM/CAR Regions, to promote cooperation among its members; encourage sharing of expertise among its members and other aviation organizations; developing a framework for standardization of training programmes and instructor qualifications; and publishing a report on the status of aviation training needs and resources in the regions;

Noting that training is recognized as an issue of critical importance to ensure safe and efficient air transport in the NAM/CAR Regions and that the Civil aviation training offered in the regions intends to be effectively coordinated, standardized and harmonized in order to attain the highest possible safety and aviation security levels;

Acknowledging the promotion benefits of cooperation amongst the training centres in the NAM/CAR Regions in order to face rising needs and growth of the aviation industry in the regions;

Noting that the importance of the timeliness for delivering training issues for air navigation management, planning, implementation, regulation and monitoring with increased focus on issues such as data link, trajectory operations, automation, procedure updates, etc., coincides with the fact that training centres shall implement courses related to the Aviation System Block Upgrade (ASBU) approach, update their programmes and course curricula in accordance with the ICAO Global Aviation Safety Plan (GASP), the Global Air Navigation Plan (GANP) and the Global Aviation Security Plan (GASP);

Recognizing the establishment of the NAM/CAR Civil Aviation Training Centres Working Group (NAM/CAR/CATC/WG) as the body to support the NAM/CAR Regions Civil Aviation Directors for improving training and human factors based on the experience in planning/implementation of aviation systems in all areas and by adopting a more effective structure based on subject matter experts;



Noting that participating Administrations are institutions in charge of training, established by the various States in the NAM/CAR Regions represented by the Director General or his/her designate, (hereby jointly denominated as "Participants");

Expecting to establish a framework to carry out training activities that will be carried out in compliance with the NACC No Country Left Behind (NCLB) Strategy, with the objective of using existing regional services for advanced services; and the air transport system infrastructure in order to facilitate and accelerate regional efforts to apply civil aviation international standards and regulations, in accordance with ICAO plans and projects;

Referring to the objectives of all entities, in the framework of their goals and competences, considerations of interest, a collaboration in the field of development, the exchange of experiences in the fields of teaching, research, development and innovation in the areas of knowledge that the Participants manage;

All signatories share the vision that through efficient and timely technical-academic collaboration the compliance of its purpose can be achieved; thus they adopt this Declaration of Intent;

### 1. PURPOSE

The objective of this Declaration of Intent (DoI) is to establish a formal correlation of technical-academic collaboration for the promotion and exchange of experiences, in the theme areas associated to teaching and instruction, especially in the design, planning, execution and joint control of academic programmes, continuing education and research, development and innovation projects and in general, in institutional strengthening at an international level; as well as to undertake other technical assistance activities, which are in accordance with competency issues.

In accordance with the spirit of this DoI, and as agreed by Participants, the following services, training or technical assistance intended to be provided:

- a) Standardization of the training programme curricula under the competency-based training approach and based on a regional platform.
- b) Exchange of teachers and researchers, update of curricula.
- Continuing Education: updating of contents, design and joint development of courses.
- d) In-house programmes; access to specific agreements with organizations from the Participants for the training of their personnel in areas deemed appropriate.

- e) Entrepreneurial programme: access to specific agreements for the technical support of innovating ideas, technology transfer, consultancy and shared consulting.
- f) Joint training activities and/or annual commitment for providing certain courses.
- g) Existing agreements between CATCs remain exempt from this provision.

This Dol does not imply any dependency among the signatory Participants, which intends to act in an absolutely independent and autonomous manner, with the specific and exclusive obligation of each participant to comply with as many legal obligations as they may have in carrying out their activity in accordance with the national regulations that may result from them.

### 2. ANNEXES

Participants may establish separate Annexes to initiate, develop or implement any of the activities proposed under this Dol.

### 3. EXCHANGE OF INFORMATION AND CONFIDENTIALITY

Participants are committed to observe upon the due discretion regarding any fact, data or information that may address their attention regarding this Dol that emanate directly and exclusively from the other Participant and that, as such, cannot be publically disseminated. This information will have to be used only for established purposes in this Dol and kept strictly confidential and which will not be disseminated to third parties who are not Participants of institution activities.

At any point there might be consultations regarding the actual implementation, interpretation or compliance of this DoI, as well as its respective Annexes.

#### 4. FINANCIAL CONTRIBUTIONS

This Dol does not entail economic contribution commitments. Associated resources to the implementation of initiatives that are developed in the framework of this Dol may be in accordance to the budget determined for each particular project and mutually agreed by the respective Participants, which may be established specifically in the Annexes that may be subscribed for their implementation.

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### 5. FOLLOW-UP COMMITTEE

The NAM/CAR/CATC/WG intends to facilitate the elaboration of the Specific Agreements, their follow-up and compliance. The NAM/CAR/CATC/WG intends to:

- a) Propose collaboration possibilities and raise them to the competent bodies of each entity.
- b) Keep track of the activities.
- c) Clarify the doubts and controversies that may arise in the interpretation and execution of this DoI and the Specific Agreements.

The NAM/CAR/CATC/WG intends to establish its internal operating rules, and intends to meet as many times as it deems necessary, at the convening of any of the Participants.

### 6. VALIDITY

This Dol is intended to commence on the date that is signed by Participants and is intended to continue for an indefinite period of time.

### 7. TERMINATION

Participant(s) can terminate its participation in this Dol at any time. Any of the Participants may rescind on this Dol for any reason and on any time by notifying the NAM/CAR/CATC/WG Rapporteur in writing at least three months in advance. Participants intend to take measures to ensure that any project or activity that is active at the moment of the notification is orderly completed. All confidentiality and non-disclosure obligations will prevail upon termination.

### 8. INTELLECTUAL AND INDUSTRIAL PROPERTY

Intellectual and industrial property rights of each of the Participants, as well as the use of names, brands and/or signs, may be established in the corresponding Annexes, specifying any particular implementation conditions on a case by case scenario. All property that results from joint collaborations, unless previously agreed and otherwise specified, may be shared by the Participants.

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All records or documents, whether printed copies, disks or other media, including but not limited to training material that has been delivered or which is accessible to Participants in virtue of training or technical assistance services initiatives which are provided through the present DoI, will be property of the corresponding institution. No part of such records or documents may be reproduced, reformatted or transmitted in any way or through any means, whether electronical or mechanical, including photocopying, recordings, or any type of information recovery storage, without the written consent of the other party. This article may prevail even if this DoI is terminated.

#### 9. MODIFICATION

After the signature of this Dol, any amendment to the document will require written consensus of Participants.

### 10. SETTLEMENT OF CONTROVERSIES

Terms and conditions of this Dol are intended to be regulated on the principle of good faith, on the basis of a cooperation desire among subscribed entities. In consequence, all controversies resulting from the application, interpretation and compliance are intended to be debated among Participants, through mediation, good practices and harmony and intended to be settled by common agreement.



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### DECLARATION OF INTENT (DoI) FOR THE REGIONAL COLLABORATION ON TRAINING

#### **AMONG**

## THE CIVIL AVIATION TRAINING CENTRES OF THE NORTH AMERICA (NAM) CENTRAL AMERICA AND CARIBBEAN (CAR) REGIONS

For

Cuba

For

Jamaica

Official in charge

Inés Bárbara Álvarez Izaguirre Directora de Capital Humano Corporación de la Aviación Civil (CACSA)

Location

**Mexico City** 

Date 7 June 2018

For

México

Official in charge

Coral McLaren

Principal, Jamaica Civil Aviation Authority

Kingsley O'B Nelson

Training Institute (CAATI)

Location

**Mexico City** 

Date 7 June 2018

For

Barbados

Official in charg

Claudio Arellano

Director de Investigación e Instrucción –

Aeropuerto y Servicios Auxiliares (ASA)

Location

**Mexico City** 

Date 7 June 2018

Official in charge

Kingsley Nelson

**Director of Civil Aviation** 

Civil Aviation Department

Location

Ottawa, Canada

Date 31 July 2018







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### SIGNATURE PAGE

### DECLARATION OF INTENT (DoI) FOR THE REGIONAL COLLABORATION ON TRAINING

### **AMONG**

## THE CIVIL AVIATION TRAINING CENTRES OF THE NORTH AMERICA (NAM) CENTRAL AMERICA AND CARIBBEAN (CAR) REGIONS

For

**Dominican Republic** 

Official in charge

Santiago Rosa Martínez Subdirector General

Instituto Dominicano de Aviación Civil (IDAC)

Location

Ottawa, Canada

Date 31 July 2018

For

**United States** 

Official in charge

Carl Burleson

Acting Deputy Administrator Federal Aviation Administration

Location

Ottawa, Canada

Date 31 July 2018

For

**Trinidad and Tobago** 

Official in charge

Francis Regis

Director General of Civil Aviation

Trinidad and Tobago Civil Aviation Authority

Location

Ottawa, Canada

Date 31 July 2018

For

**COCESNA** 

Official in charge

Miriam Salgado

Presidencia Ejecutiva (Interina)

**COCESNA** 

Location

Ottawa, Canada

Date 31 July 2018