



ICAO

International Civil Aviation Organization
North American, Central American and Caribbean Office

Harmonization of the Regulatory Framework - Project Kick-Off Meeting – Systemic Assistance Programme (SAP) Cooperation Framework

Summary Of Discussions

On line, 21 June 2021

Prepared by the Secretariat

July 2021



ICAO

International Civil Aviation Organization
North American, Central American and Caribbean Office

Project - Harmonization of the Regulatory Framework Kick-Off Meeting
NACC Systemic Assistance Programme (SAP) Cooperation Framework Teleconference
On line, 21 June 2021

Summary of Discussions

Date	21 June 2021
Location	On Line
Opening Ceremony	The Meeting was attended by 62 delegates from 17 States/Territories and 6 International Organizations from the NAM/CAR/SAM Regions. The list of participants is shown in Attachment A . Mr. Melvin Cintron, Regional Director of the ICAO NACC Regional Office and Mr. Marcelo Orellana, Regional Officer, Safety Implementation, opened the meeting by welcoming the participants.

1. References

- 1.1 Project Presentation (**Attachment B**)
- 1.2 ICAO Virtual Meeting for Civil Aviation Authorities Directors General on Aviation Recovery in the North American, Central American and Caribbean (NACC) States, WP/01

2. Objectives

- 2.1 Discussion and clarification of the Project formulation and deployment and benefits to the States and the CAR Region; and
- 2.2 Agreement on the next steps/implementation of the recommendations.

3. Discussion Items

- 3.1 Presentation of the Project: Benefits and impact to States, the industry and the region.
- 3.2 Introduction of the Project Subject Matter Experts (SMEs)/Identification of possible States Support.
- 3.3 New events planning.
- 3.4 Confirmation of the Points of Contact (PoCs) participating in the Harmonization Process.
- 3.5 Coordination with the NACC Systemic Assistance Programme (SAP) "Champion States."

4. Introduction

- 4.1 Mr Cintron thanked the audience for their participation to this very important Project meeting. He provided an update of the Project activities and actions conducted since ICAO Virtual Meeting for Civil Aviation Authorities Directors General on Aviation Recovery in the North American, Central

American and Caribbean (NACC) States, held On line on 15 December 2020, clarified the confusion on the Project previous exchange communication and thanked States and the industry's support to this initiative.

5. Presentation of the Project: Benefits and impact to States, the industry and the CAR Region

5.1 Under **Attachment C**, ICAO explained the Project scope, objectives, impact, advantages, and benefits offered to States, highlighting that:

a) the Project intends to provide the CAR States with a Regulatory Comparison Reference Document (RCRD) and a framework to assist them in recognizing and identifying where the States regulations share similarities, different or fundamentally different, but equivalent. The RCRD will result from the analysis of all the different "base" regulations (Model Civil Aviation Regulations (MCARs), Latin American Regulations (LARS), Master Civil Aviation Regulations (MRACs) and European Aviation Safety Agency (EASA) Regulations) from which many of the NACC States use to develop their national regulations. This RCRD is aimed at providing States the necessary information to minimize the gap among states' regulations, foster bilateral and multilateral regulatory acceptance agreements, and possibly enhance future harmonization. The RCRD will become the base document in which the differences and similarities between the Model Regulations will be identified, and may serve as a reference for States in establishing bilateral/multilateral agreement negotiations mentioned above. If the States' regulations differ from the Model Regulations, then the State would have to compare them with its national regulations in order to identify updates as required. In those cases where the States previously adopted one or a mix of some of the Model Regulations, then the RCRD will indicate all the identified differences.

b) Currently the evaluation of the Harmonization Project has the potential to provide great benefits for the Civil Aviation Authorities (CAAs), such as harmonized training and guidance material for Inspectors, the exchange of technical experts/inspectors among States (avoiding duplication efforts, with a huge cost reduction on aeronautical operations), and even the possibility of joint certification processes in the mid-term.

c) The CAR Region faces several challenges that the Project seeks to resolve/assist on:

- CAR States have limited resources
- timely safety oversight inspections
- systemic update of State regulations with the ICAO Standards and Recommended Practices (SARPs) amendments
- some CAR States had capacity/experience limitations in development or updating of their regulations
- lack of updated information about the status of the safety oversight within the States

d) The Project will have a regional approach, including the coordinated work with the SAM Regional Office, wherever possible.

5.2 The Project advantages were emphasized as follows:

- a) The RCRD will provide guidance to the States on updating their national regulations so as to be, at the same time, compliant and more regionally standardized or harmonized (Critical Element (CE)-2).
- b) Joint capacity building through the participation of stakeholders (CE-4).
- c) Facilitate international operations within the CAR Region, reducing the duplicate regulatory burden to the States' industry (CE-6).
- d) Ability to expand into possible joint certification processes (CE-6) in the near future.
- e) Foster the exchange of technical experts among States (sharing inspector resources) (CE-7).
- f) Improvement of regional level of compliance with ICAO SARPs.
- g) Base for homologated guidance material (CE-5).
- h) This will allow States to enter into bilateral or multilateral agreements on recognizing or accepting each others' regulations, as if they were fully harmonized.

5.3 The Project will start with a specific regulation as a starting point with 145 Approved Maintenance Organizations (AMOs) regulations, whereby the differences would be identified in the RCRD.

5.4 ICAO explained the Project framework/ activities as follows:

- a) The ICAO NACC Regional Office will:
 - lead the Project execution, coordinating with States and the industry and other State partners
 - manage the RCRD and monitor its timely update (twice a year)
 - notify the Member States on any updates of the RCRD
- b) ICAO NACC Regional Office and the airworthiness Subject Matter Expert (SME) with support of State PoCs, will establish a Regulatory Evaluation Working Group to carry out the Project and, the Working Group will remain coordinated with base line regulatory documents providers (such as United States Federal Aviation Administration (FAA), the European Aviation Safety Agency (EASA), the Regional Safety Oversight Cooperation System (SRVSOP), and the Central American Aviation Safety Agency (ACSA)), in order to carry out bi-annual review and update of the RCRD. The participants in the working group may change based on the regulation being reviewed.

c) Based on this initial delivery with Regulation 145 and the interaction with States and the industry, the same process will follow for Parts 129 – *Approval of Foreign International Operators*, 121 - *Commercial Air Operators*, and the Part for Personnel Licensing subsequently.

d) The Project is flexible and adjustable for the best benefit of the States and support to the industry. Depending on the need of the States the Project may include additional activities such as identifying and promoting the authority training programmes, certification procedures, that many of the base developers already have in place, as well as possible development by the appropriate group of other training, i.e. how to enter in bilateral/multilateral agreements to enter in mutual recognition of regulations/certificates.

e) The Project includes legal SMEs to support those States willing to use the information provided through the RCRD as required. The Project's Legal SME will develop a framework/mechanism for a continuous and sustainable methodology for updating of the RCRD.

f) The Technical Project SME will conduct the evaluation and analysis of the base line regulatory documents, gathering all that information into the RCRD and making it available to the PoCs of the member States

5.5 ICAO invited the States and the industry to collaborate and designate qualified PoCs to participate in the Working Group discussions of the RCRD. As such, the ICAO NACC Regional Office thanked United States, the Latin American and Caribbean Air Transport Association (ALTA), EASA, and other participating organizations and authorities for their support:

- The SAM Regional Office Regional Director also indicated his full support to this Project and mentioned that it is essential to know “how to do more with less” and to further benefit from the already existing mechanisms.
- United States thanked for the clarification provided and welcomed more details in order to further understand the Project and how the FAA can best support it.
- ALTA expressed that it strongly believed in this Project that is a way for the CAAs to save money.
- EASA stressed on the importance of the Project and of having mutual recognition. EASA is ready to discuss and to facilitate where possible.

6. Introduction of the Project Subject Matter Experts (SMEs)/Identification of Possible States Support

6.1 ICAO informed the current phase of the Project already counts with the participation of two SMEs, viz one expert from Airworthiness (DOM) and a LEGAL expert (COCESNA), who have already initiated the Project on their respective areas, with lead of the NACC Regional Office) Obviously additional SMEs from the States and the industry are needed and crucial for a timely and effective completion of this Project.

6.2 Several comments on the Project implementation were received, highlighting the following:

- a) The Eastern Caribbean Civil Aviation Authority (ECCAA) indicated that it would be a great idea to have a dashboard of regulatory comparison as a useful document for mutual recognition of sister States' aviation environment.
- b) United States indicated that the FAA and EASA are not harmonized concerning Part 145 or other areas, but that they carry out many familiarization activities, including a regulatory comparison, which enables them to have bilateral/multilateral agreements for reciprocal acceptance of some certificates.

7. Next Steps

7.1 The ICAO NACC Regional Office presented the initial Project planning (Attachment B), in addition, the request to the NACC States to provide the assigned PoC will be sent by 30 June 2021, coordination meeting will be held with the industry and "Champion States" to collect their comments, suggestion and find the best ways of collaboration for the best performance of the Project

8. Confirmation of the PoCs participating in the Harmonization Project

8.1 The ICAO NACC Regional Office will send a State letter on the designation of PoC for reply by 15 July 2021.

9. Coordination with the NACC Systemic Assistance Programme (SAP) "Champion States"

9.1 It was informed that the Project deliverables are part of the activities to support the States enhancement in their SARPs compliance under the NACC SAP and as such, the ICAO NACC Regional Office will be in close coordination with the NACC SAP "Champion States".

10. AOB

10.1 Finally ICAO NACC thanked all the participants for their attendance and support to this Project in benefit of the States, industry and the Region CAR.

Harmonization of the Regulatory Framework - Project Kick-Off Meeting – Systemic Assistance Programme (SAP) Cooperation Framework / Reunión de Inicio del Proyecto - Armonización Del Marco Regulatorio - Marco de Cooperación al Programa Sistémico de Asistencia (SAP)

21 June 2021 / 21 de junio de 2021

ATTACHMENT/ADJUNTO A
LIST OF PARTICIPANTS / LISTA DE PARTICIPANTES

ARUBA

1. Anthony Kirchner

BARBADOS

2. Tracey Forde-Bailey

BRAZIL/BRASIL

3. Aureo Vasconcelos

4. Lawrence Costa

CANADA/CANADÁ

5. Lisa Lanthier

6. Shannon Wright

COSTA RICA

7. Miguel Alonso Solano

8. Luis Diego García Palma

9. Deanna Lofthouse

10. Fernando Zeledon

11. Gerald Soto

12. Jose Blanco

13. Elmer Hernández

14. Ronny Rojas

15. Danny Davis

CUBA

16. Carlos Pérez Andino

17. Rigoberto Ochoa Almaguer

18. Ramón Ramírez

19. Adys Sánchez Agüero

CURAÇAO/CURAZAO

20. Leslie Laplace

21. Peter Steinmetz

22. Marisella Ricardo

ECCAA

23. Nina Joseph

24. Anthony Whittier

25. Sylvester Dardaine

EL SALVADOR

26. Katherin Martinez

27. Andrea Moreira

GRENADA/GRANADA

28. Margaret John

GUATEMALA

29. Berner Sandoval

HAITI/HAÏTÍ

- 30. Mario Claude St Rome
- 31. Enock Raymond
- 32. Philippe Lubin
- 33. Gilles Hudicourt
- 34. Reginald Guignard
- 35. Philippe Riche

MEXICO/MÉXICO

- 36. Salvador Lizana
- 37. Angélica González

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- 38. Kendell Peter

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- 39. Augustus John
- 40. Dillett Davis
- 41. Andrea Best

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- 43. Mark Baker

UNITED STATES/ESTADOS UNIDOS

- 44. Norma V Campos
- 45. Jacqueline Serrao
- 46. Trent Bigler
- 47. Jacqueline Ubokudom
- 48. Lou Alvarez
- 49. Emily White
- 50. Bonnie Ahumada

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ALTA

- 52. José Ricardo Botelho
- 53. Virginio Corrieri
- 54. Juan Camilo Guerrero

COCESNA

- 55. Alejandro Mena
- 56. Lucia Gonzalez
- 57. Giovanni Tobar
- 58. Nickole Barquero Ramírez

EASA

- 59. José Luis Penedo del Río

IATA

- 60. Fernando Rojas
- 61. Marco Vidal

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- 65. Julio Siu
- 66. Fernando Camargo
- 67. Carlos Orellana
- 68. Sereya Schotborgh

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ICAO

SAFETY

ATTACHMENT B / ADJUNTO B

NO COUNTRY LEFT BEHIND



Harmonization of Regulatory Framework

Kick-off Meeting

21 June, 2021

Marcelo Orellana

Safety Implementation Officer

ICAO NACC regional office.





ICAO

SAFETY

- B2- NO COUNTRY LEFT BEHIND



What is the harmonization project about?

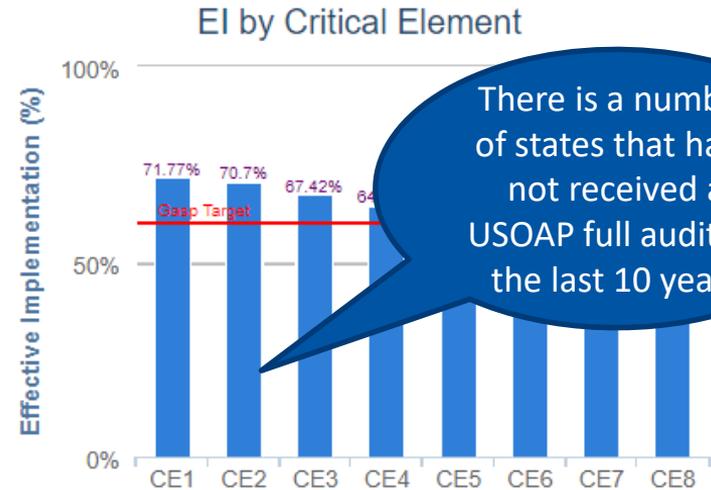
To provide the CAR region States with a Regulatory Comparison Reference Document (RCRD) and a framework to assist them in recognizing and identifying where the States regulations are the same, different but equivalent, or are fundamentally different.





ICAO Impact on States overall Compliance

- The current CE-2 Protocol Questions represents a 14.3% of the USOAP CMA framework.
- Timely updated and full compliant State regulations is the basis for a robust safety oversight system and for establishment of a comprehensive and effective inspector's guidance material and training (CE-4 and 5).
- The State Regulations empowers the State CAA surveillance activities and enforcement actions (CE- 7 and 8).





Regulation Status in the CAR Region

FACTS

- Several State Regulations follow certain Regulation models (MCARs, MRACs, LARs, etc...)
- Existence of RSOO (COCESNA/ ACSA and CASSOS)
- Lower compliance rates notes in USOAP audits in CE-2 (28.72 – 38.32%)
- Regional collaboration among States has been an effective success mechanism

Challenges

- CAR States had limited resources
- Timely Safety Oversight inspections
- Systemic update of State Regulations with ICAO SARP Amendments
- Some CAR States had capacity/experience limitations in development or updating their regulations
- Lack of updated information about the status of the safety oversight within our states



Advantages of the Harmonized Regulatory Framework

- ✓ The Regulatory Reference Document will give guidance to the States in updating their national regulations so as to be, at the same time, compliant and regionally harmonized (CE-2)
- ✓ Joint Capacity building through the participation of stakeholders (CE-4)
- ✓ Ease international operations within the region, reducing the duplicative regulatory burden to the State`s industry (CE-6)



Advantages of the Harmonized Regulatory Framework

- ✓ Ease mid term possible joint certification processes (CE-6)
- ✓ Foster the interchange of technical experts among states (sharing inspector resources) (CE-7)
- ✓ Improvement of regional level of compliance with ICAO SARPS
- ✓ Base for homologated guidance material (CE-5)
- ✓ This will allow States to enter into bilateral or multilateral agreements on recognizing or accepting each others regulations, as if they where fully harmonized



Champion states, international organization and industry support.

- The project is supported by the United States of America, Dominican Republic, Canada, IATA, ALTA, COCESNA, CANSO, Airbus, Boeing, among others, either through direct contribution, resources/in-kind support





PROJECT FRAMEWORK/ ACTIVITIES

1. The project will start with the evaluation using the various regions` “base line REGULATORY documents,” 145 (MRO) regulations used within the region that are mainly the MCARS (FAA), South American LARS, Central American MRACs, European EASA regulations. The evaluation will produce the Regulatory Comparison Reference Document (RCRD), showing the following:
 - If the provide the same content
 - If the content is similar or equivalent?
 - If the content is totally different?



PROJECT FRAMEWORK/ ACTIVITIES

2. States collaboration on:
 - Providing qualified PoCs to participate in the working group discussions of the Regulatory Comparison Reference Document (RCRD)
 - If applicable review National regulation for its up-to-date amendment, using the Regulatory Comparison Reference Document (RCRD)



PROJECT FRAMEWORK/ ACTIVITIES

3. ICAO NACC office and the airworthiness SME with support of State PoCs, will establish a Regulatory Evaluation Working Group to carry out the project and, the working group will remain coordinated with base line REGULATORY documents providers in order to carry out bi-annual review and update of the Regulatory Comparison Reference Document (RCRD). The participants in the working group may change based on the regulation been reviewed.
4. Based on this initial delivery and the interaction with States and Industry, the same process will follow for Parts 129 – Approval of Foreign International Operators, 121 - Commercial Air Operators, and the Part for Personnel Licensing subsequently.



PROJECT FRAMEWORK/ ACTIVITIES

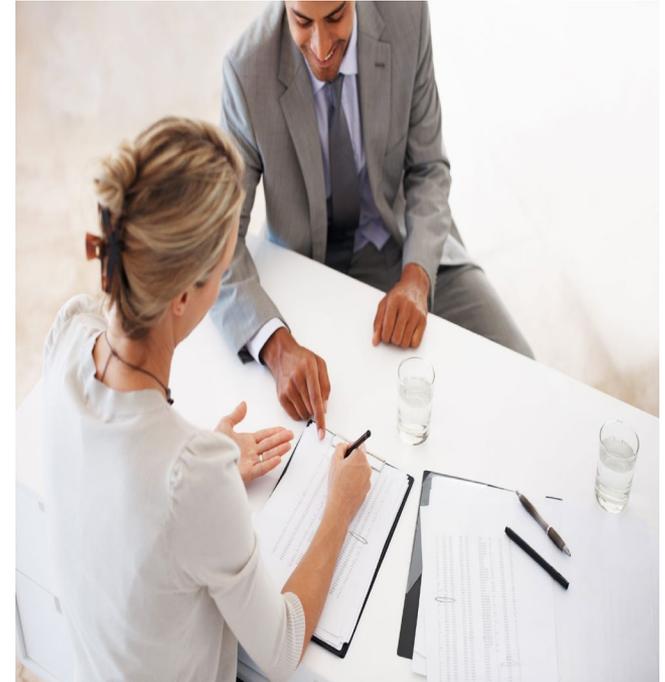
5. The Project is flexible and adjustable for the best benefit of the States and support from the industry. Depending on the need of the States the project may include additional activities like the development of the authority training programs, certification procedures, for example how to enter in bilateral/multilateral agreements to enter in mutual recognition of regulations/certificates.





Legal Support for the States

- The project includes legal SME to support the States willing use the information provided through the Regulatory Comparison Reference Document (RCRD) as required.
- Legal Project SME will develop a framework/ mechanism for a continuous and sustainable methodology for updating of the Regulatory Comparison Reference Document (RCRD).





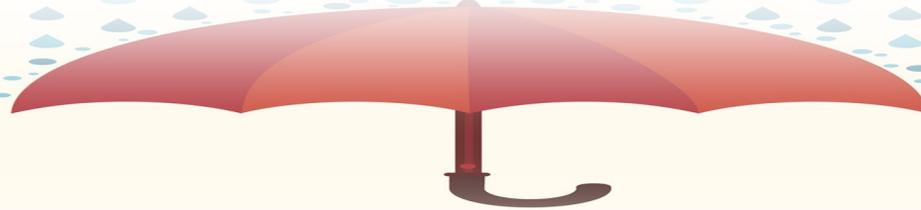
Technical SME

- The project is using Technical SMEs for the evaluation and analysis of the base line REGULATORY documents, putting together all that information in Regulatory Comparison Reference Document (RCRD) and making it available to the PoCs of the Member States.
- This task is being led by NACC regional office in close coordination national stakeholders.





ICAO NACC office



- Will lead the Project execution, coordinating with States and industry and other State partners
- Will manage the Regulatory Comparison Reference Document (RCRD) and monitor its updating by the working group. (twice a year)
- ICAO will notify the Member States on any updates of the Regulatory Comparison Reference Document (RCRD).



ICAO

SAFETY

- B15- NO COUNTRY LEFT BEHIND



Questions?





ICAO

SAFETY

- B16- NO COUNTRY LEFT BEHIND



ICAO

North American
Central American
and Caribbean
(NACC) Office
Mexico City

South American
(SAM) Office
Lima

ICAO
Headquarters
Montréal

Western and
Central African
(WACAF) Office
Dakar

European and
North Atlantic
(EUR/NAT) Office
Paris

Middle East
(MID) Office
Cairo

Eastern and
Southern African
(ESAF) Office
Nairobi

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(APAC) Sub-office
Beijing

Asia and Pacific
(APAC) Office
Bangkok



THANK YOU

PHASE 2 ACTIVITIES / ACTIVIDADES DE LA FASE 2

Task Name	Duration (Day)(s)	Start	Finish	Resource Names
phase 2	110	Wed 07/06/21	Fri 19/11/21	
Model Regulations Preliminary evaluation: ICAO ANNEXES, MCARS, MRAC, LAR'S, EASA 145	35	Wed 07/06/21	Mon 26/07/21	Marcelo Orellana;LEGAL SME; TECHNICAL SME
coordination teleconference among the State's post holders, SME and NACC office	10	Tue 27/07/21	Tue 10/08/21	Group of experts;Marcelo Orellana; TECHNICAL SME
Harmonization meeting	4	Wed 11/08/21	Mon 16/08/21	Marcelo Orellana; TECHNICAL SME;Group of experts
Harmonization works	3	Tue 17/08/21	Thu 19/08/21	Marcelo Orellana; TECHNICAL SME
Harmonization meeting	4	Fri 20/08/21	Wed 25/08/21	Group of experts;Marcelo Orellana; TECHNICAL SME
Harmonization works	3	Thu 26/08/21	Mon 30/08/21	Marcelo Orellana; TECHNICAL SME
Harmonization meeting	4	Tue 31/08/21	Fri 03/09/21	Group of experts;Marcelo Orellana; TECHNICAL SME
Harmonization works	3	Mon 06/09/21	Wed 08/09/21	Marcelo Orellana; TECHNICAL SME
Harmonization meeting	4	Thu 6/10/21	Tue 07/09/21	Group of experts;Marcelo Orellana; TECHNICAL SME
Harmonization works	3	Wed 08/09/21	Fri 10/09/21	Marcelo Orellana; TECHNICAL SME
Harmonization meeting	4	Tue 14/09/21	Fri 17/09/21	Group of experts;Marcelo Orellana; TECHNICAL SME
Harmonization works	3	Mon 20/09/21	Wed 22/09/21	Marcelo Orellana; TECHNICAL SME
Harmonization meeting	4	Thu 23/09/21	Tue 28/09/21	Group of experts;Marcelo Orellana; TECHNICAL SME
Harmonization works	3	Wed 29/09/21	Fri 01/10/21	Marcelo Orellana; TECHNICAL SME
Harmonization meeting	4	Mon 04/10/21	Thu 07/10/21	Group of experts;Marcelo Orellana; TECHNICAL SME
Harmonization works	3	Fri 08/10/21	Tue 12/10/21	Marcelo Orellana; TECHNICAL SME
presentation of the Regulatory Comparison Reference Document (RCRD)	1	Mon 25/10/21	Tue 26/10/21	Group of experts;Marcelo Orellana; TECHNICAL SME
verification and acceptance process in the participant states	15	Mon 01/11/21	Fri 19/11/21	LEGAL SME