

IFATCA's comments on the proposal for the amendment of PANS-ATM

Attachment A, page A-2

ICAO Proposal:

6.3 PROCEDURES FOR DEPARTING AIRCRAFT

6.3.2.4 LEVEL CLEARANCES ON A SID

Note.— See also 11.4.2.6.2.5.

When level clearances are issued to aircraft departing or established on a SID, the controller shall explicitly indicate either that the aircraft shall follow the published level restriction(s) or that the level restriction(s) on the SID is cancelled. Published minimum levels based on terrain clearance shall always be applied.

Note.— Example where the initial clearance is, CLEARED VISOS ONE ALFA DEPARTURE CLIMB ON SID TO FLIGHT LEVEL 160. If the climb is interrupted at FL 080 and the subsequent climb clearance requires adherence to the published level restrictions, the clearance would be CLIMB ON SID TO FLIGHT LEVEL 160. If the subsequent climb clearance no longer requires the adherence to published level restrictions, the clearance would be OPEN CLIMB TO FLIGHT LEVEL 160.

IFATCA Comments:

IFATCA strongly agrees that the need for clarity, with respect to flight crews' understanding of compliance with SID published level restrictions is a global, safety-critical issue. The proposed amendment addresses this need. The proposed amendment would require ATC to explicitly state that compliance with published level restrictions is either required or that compliance with published level restrictions is not required, in conjunction with any level clearance associated with operations on a SID. Establishing this fundamental rule will eliminate the risk that a flight crew may guess whether the restrictions apply or not. As a statement is required in either case, the absence of an explicit indication would trigger a query by the crew and remove any ambiguity in the case where the rule has yet to be implemented. This provides a further level of safety in the implementation phase.

It is imperative that ICAO emphasizes that an OPEN climb only cancels level restrictions up to the assigned altitude and not subsequent level restrictions on the SID.

Accordingly, global harmonized application of the amendment being proposed will foster flight safety. We believe that the application by States of procedures that diverge from those agreed at the global level, can introduce ambiguities internationally. That is why IFATCA believes the rule change is needed and will deliver the clarity required.

ICAO Proposal:

6.5 PROCEDURES FOR ARRIVING AIRCRAFT

6.5.2.4 LEVEL CLEARANCES ON A STAR

Note.— See also 11.4.2.6.2.5.

When level clearances are issued to aircraft arriving or established on a STAR, the controller shall explicitly indicate either that the aircraft shall follow the published level restriction(s) or that the level restriction(s) on the STAR is cancelled. Published minimum levels based on terrain clearance shall always be applied.

Note.— Example where the initial clearance is, CLEARED KODAP ONE ARRIVAL DESCEND ON STAR TO FLIGHT LEVEL 100. If the descent is interrupted at FL 120 and the subsequent descent clearance requires adherence to the published level restrictions, the clearance would be DESCEND ON STAR TO FLIGHT LEVEL 100. If the subsequent descent clearance no longer requires the adherence to published level restrictions, the clearance would be OPEN DESCEND TO FLIGHT LEVEL 100.

IFATCA Comments:

IFATCA strongly agrees that the need for clarity, with respect to flight crews' understanding of compliance with STAR published level restrictions is a global, safety-critical issue. The proposed amendment addresses this need. The proposed amendment would require ATC to explicitly state that compliance with published level restrictions is either required or that compliance with published level restrictions is not required, in conjunction with any level clearance associated with operations on a STAR. Establishing this fundamental rule will eliminate the risk that a flight crew may guess whether the restrictions apply or not. As a statement is required in either case, the absence of an explicit indication would trigger a query by the crew and remove any ambiguity in the case where the rule has yet to be implemented. This provides a further level of safety in the implementation phase.

It is imperative that ICAO emphasizes an OPEN descent only cancels level restrictions down to the assigned altitude and not subsequent level restrictions on the STAR.

Accordingly, global harmonized application of the amendment being proposed will foster flight safety. We believe that the application by States of procedures that diverge from those agreed at the global level, can introduce ambiguities internationally. That is why IFATCA believes the rule change is needed and will deliver the clarity required.

ICAO Proposal:

12.3 ATC PRHASEOLOGIES

12.3.1.2 LEVEL CHANGES, REPORTS AND RATES

... clearance to cancel all level restriction(s) of the vertical profile of a SID during climb

z) OPEN CLIMB TO **(level)**

... clearance to cancel all level restriction(s) of the vertical profile of a STAR during descent

aa) OPEN DESCEND TO **(level)**

... clearance to climb in accordance with the vertical profile of a SID where level restrictions apply

bb) CLIMB ON SID TO **(level)**;

... clearance to descend in accordance with the vertical profile of a STAR where level restrictions apply

cc) DESCEND ON STAR TO **(level)**;

... cancel specific SID or STAR level restriction(s)

dd) LEVEL RESTRICTION(S) AT **(point(s))** CANCELLED;

... to request confirmation if level restrictions are cancelled on SID or STAR

*ee) CONFIRM (OPEN CLIMB **or** OPEN DESCEND);

... to request confirmation if level restrictions apply on SID or STAR

*ff) CONFIRM (CLIMB ON SID **or** DESCEND ON STAR).

Note.— See 6.3.2.4 and 6.5.2.4 for climb and descent clearance procedures associated with SID or STAR.

IFATCA Comments:

While it is the intention of the Secretariat, the Contracting States, and all of the various stakeholders to support a global harmonized implementation, it should be noted that, as has been the case with other ICAO phraseologies, some States might prefer a variation of the specific phraseology "ON" identified in Attachment A and B, for reasons that are varied and legitimate. It is critically important that a debate over precise phraseology does not undermine the importance of implementing this critical rule change. The actual amendment to the rule in chapter 6 ensures that regardless of the phraseology employed, there SHALL be clarity with respect to the flight crew's understanding of compliance with SID and STAR published level restrictions.

While we agree with the proposed amendment, we suggest that it is a first step in addressing several issues related to airspace design and published restrictions that have been identified in this process. We ask that ICAO continue work in this area to harmonize rules related to the application of all published restrictions. **To truly capture the intent of the amendment, and eliminate any confusion concerning all level clearances, we believe that a clear definition to explain "terrain restrictions always apply" is necessary prior to, or in conjunction with, the final rule change.**

We know that this definition is contained in the PANS ATM in at least two separate sections, and understand that avoiding terrain and obstructions is ultimately the responsibility of the flight crew. Since most SID/STAR level restrictions are designed to avoid terrain, ATCO's will not feel comfortable giving an "open" climb/descent clearance if it is not clearly understood that even though the restrictions contained in the published SID/STAR are eliminated, terrain and obstruction avoidance remains the responsibility of the flight crew. IFATCA believes that a clear definition contained in this amendment outlining the responsibilities concerning terrain and obstruction avoidance combined with a statement clarifying that an open climb/descent clearance only cancels the level restrictions to the assigned altitude and not subsequent level restrictions would remove any ambiguity for pilots and controllers when an open climb/descent clearance is given to the flight crew.

Finally, such an essential procedure change calls for intense training. IFATCA strongly supports the inclusion of harmonized training on the SID/STAR level restriction phraseology in the appropriate ATM documents, as well as applicable documents affecting pilot/controller training. And concerning the examples contained in the proposal annex, our members have commented that ICAO's effort to capture multiple scenarios through the inclusion of several examples has lead to more confusion than offer the desired clarity on the rule change. IFATCA believes these scenarios are not necessary.