

# **The Impact of ICAO Language Proficiency Requirements on the General Aviation Community**

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## **Summary**

IAOPA appreciates the intent of ICAO language proficiency standards but sees difficulties with the largely undecided training and testing provisions among the States that may thwart the goals and objectives of the program. Alternative courses of action are offered.

## **Introduction**

The International Council of Aircraft Owner and Pilot Associations represents the interests of more than 470 000 aircraft operators and pilots in 66 States. The organization has served as a recognized observer in ICAO since 1964.

Amendment 164 to ICAO Annex 1 created language proficiency standards that will be required of international pilots and air traffic controllers by March 2008. These standards hold the promise of increased safety and efficiency for international air transportation by facilitating communication within the air traffic control system. However, as with many major issues of this nature, the details associated with the implementation of these standards must be carefully devised to achieve the desired result.

## **General Aviation**

Prior to discussing each of these elements some background regarding international general aviation and aerial work operations may prove useful. General aviation and aerial work consist of approximately 370 000 aircraft flown by more than one million pilots. Some of these operations are flown for work and business reasons but the majority of them are associated with personal use in much the same manner as automobiles are used. Importantly, the costs associated with the operation of these aircraft primarily are borne by the owner/operator. This includes purchase of the aircraft, continuing maintenance, fuel, pilot training, medical certification and proficiency demonstration required by State regulatory authorities, all adding up to a considerable financial burden. Conversely, it is States and airline companies who fund continuing training and certification requirements for air traffic controllers, aeronautical station operators and pilots in their employ.

## **Training and Testing**

A number of States in Europe and elsewhere currently require new pilots to pass an English language radiotelephone proficiency test consisting largely of standard air traffic control phrases; little conversational English is contained in these tests. This has served pilots and controllers well when visual flight rules (VFR) are conducted. Significantly, a secondary school graduate who has taken his/her English language training seriously will have little difficulty in passing the test once standard ATS phraseology is learned.

The new ICAO language proficiency requirements will surely add an additional training to this existing requirement due to the pronunciation, conversational and complications provisions of the standard. This equates to lengthy and expensive training requirements added to the more than €10 000 required just to qualify for a private pilot license in Europe.

Once training has been completed, testing at a state approved facility is required. Since the availability of testing facilities is an important feature, especially in larger States, IAOPA requested that its affiliates query their States to determine their readiness and availability for language proficiency testing. Responses from 14 affiliates indicate the following:

- Only three States indicated that they had even a rudimentary plan for testing.
- Most States said that they may not be fully prepared to meet the March 2008 requirement.
- Costs and locations for testing facilities were not available.

This level of uncertainty is unsettling for the general aviation community from several standpoints:

- Lack of preparation for the inevitable last-minute rush to obtaining testing will undoubtedly create delays for some personnel who are required to meet the language proficiency requirement.
- Few or remote testing facilities will create a travel and time requirement for many seeking to meet the ICAO language standard.
- Undetermined testing costs bring the specter of excessive and/or unregulated fees.
- Qualifications and proficiency of testing personnel have yet to be defined and regulated.

Discussions within the Air Navigation Commission confirm this level of uncertainty and lack of preparation. All of these uncertainties are making the general aviation community quite anxious. It is a sobering thought to realize that we have just 10 months to institute a worldwide testing system that potentially will affect more than a million aviation personnel.

### **Impact on Aviation Personnel**

Inadequate preparation within many States will deny aviation personnel the opportunity to legally operate internationally within the worldwide ATS system. Some pilots and controllers may be forced to operate illegally if adequate preparation and testing facilities are not made available. Law-abiding pilots will voluntarily restrict their activities to domestic operations only due to their inability to comply with the standard; this is an unwarranted restriction of their activities.

Perhaps worse, if some States rush to fulfill the testing requirements with less than fully qualified testing personnel, too few testing facilities and poor regulatory oversight, a potentially hazardous operational situation may result. Being prepared and qualified on paper but not in reality can be dangerous. None of these adverse effects will serve the safety, effectiveness or efficiency needs of civil aviation.

### **Options**

Given that full compliance with ICAO language proficiency provisions may not be possible prior to March 2008, some compromises may be required. Options include:

- Delay implementation of the language proficiency requirement until a majority of States have indicated that they can adequately accommodate the testing requirements.

- Using threat and error management (TEM) techniques, prioritize the testing of aviation personnel to qualify those with the most critical effect on the safety and effectiveness of the system. In order of priority these may include:
  - Air traffic controllers
  - Airline pilots
  - Charter pilots
  - Aeronautical station operators
  - General aviation pilots operating IFR
  - General aviation pilots operating VFR

All personnel required to comply with the standard would eventually be tested although some lower priority personnel may not make the March 2008 deadline. This may also be considered a phased implementation process.

- Qualify aviation flight test examiners (government or designee personnel authorized to qualify pilots for licenses) to administer the language proficiency test as a part of the pilot flight test (this concept is being explored by several States).
- Initially qualify general aviation pilots on the basis of length of time holding a pilot certificate and amount of international activity (grandfather rights). This option is supported in the Forward section of ICAO Annex 1, *Personnel Licencing*:

*The Council has decided that, in principle, amendments affecting existing licensing specifications are applicable to all applicants for, and holders of, licences but, in considering their application to existing holders of licences, the assessment, if necessary, by re-examination of the knowledge, experience and proficiency of individual licence holders is left to the discretion of Contracting States.*

## **Conclusion**

- IAOPA supports the concept and intent of the ICAO Language Proficiency standards, however the training and testing activities required to successfully implement this program may retard the progress of international general aviation and impose time-consuming and costly provisions not justified by the desired result. States should ensure that the training and testing infrastructures are established to effectively implement the ICAO language provisions by 5 March 2008. This paper has outlined different options that could be considered to promote the safety, effectiveness and efficiency of the required language proficiency training and testing.