



International Council of Aircraft Owner and Pilot Associations

ICAO Language Proficiency Requirements

-- Affiliate Action Required --

17 May 2007

I just returned from the second ICAO Language Proficiency Symposium in Montreal where 62 States and other interested parties met to discuss ways and means of implementing this ICAO standard. (See attached paper I delivered to the Symposium.)

On 8 March 2008 any pilot flying internationally and all air traffic controllers must be able to speak English to a high level of proficiency when communicating via radio with air traffic control facilities. This goes beyond just knowing air traffic control phraseology; basic conversational English must also be spoken and understood. Pronunciation, structure and vocabulary and must also be demonstrated to a high level of proficiency. While English is considered the universal language of aviation, you will also be able to use the language of the country into which you are operating, also to a high level of proficiency.

These requirements apply to both VFR and IFR operations. Fortunately, since radio communications are not required in ICAO Class E, F or G airspace, pilots flying in this airspace need not comply with the language proficiency requirement. Yet, some States over-classify their airspace, largely eliminating categories E, F and G, making it difficult for the VFR pilot to avoid required radio communications. Importantly, anytime an air traffic control tower is contacted (at least Class D airspace) the language proficiency requirement applies.

In order to comply with the language proficiency requirements each State must institute a language proficiency testing organization and a method of certifying compliance; the testing standards recommended by ICAO are detailed and stringent. Public comments and informal conversations with State authorities at the symposium indicate that a significant number of States may not be fully prepared to process the initial surge of pilots and controllers. If States are not prepared to meet this requirement pilots will not be in compliance with ICAO standards when flying internationally and communicating with air traffic control facilities. This will prove to be a major inconvenience to your members.

IAOPA President Phil Boyer sent a letter to the ICAO Council President today requesting a delay in the implementation of the language program and a modification of the standards for pilots flying under VFR. However, we need your assistance to convince individual States for the need to take action with ICAO as well.

Alternatives

1) Language proficiency certification is a major undertaking for all States, involving much time and effort. However, ICAO has inserted a provision in the Foreword to Annex 1, *Personnel Licencing*, permitting States to, at least temporarily avoid the effort required to implement the new standard for existing licence holders:

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.

This provision permits States to bypass the testing for all or part of existing licence holders. However, pilots will still require some form of language proficiency certification (an endorsement on your pilot licence) to fly internationally. Conceivably, this could be accomplished by submitting one's licence for endorsement to the State aviation authority.

It will be difficult for States to use this method for airline pilots and air traffic controllers but they could easily do it for private pilots operating under VFR.

2) While ICAO recommends a formal, multi-part certification test to determine language proficiency it is up to the State to choose testing/qualification methods that will ensure compliance with ICAO standards. ICAO Annex 1 states:

2.1.1.3.1 An applicant for any pilot licence or rating shall demonstrate, in a manner determined by the Licensing Authority, such requirements for knowledge and skill as are specified for that licence or rating.

Therefore, it is possible for the State to employ flight test examiners or designated flight instructors, as some states propose to do, to conduct language proficiency certification tests. Also, they may use more than one method; for example, a formal test conducted by a linguist could be employed for IFR rated pilots and air traffic controllers and a flight test examiner for VFR pilots, conducted during a required check ride or proficiency flight.

3) Is your national aviation authority (NAA) capable of meeting the language proficiency testing and certification requirements? Speak frankly with your State aviation authorities to determine whether they are truly ready to test and certify *all* required personnel for language proficiency. If they will not be able to certify *all* required personnel by 8 March 2008 then they should be encouraged to contact ICAO and request an implementation delay for the standard. While this may be perceived as a radical measure for some States (few governments wish to admit that they cannot meet an international standard which they originally endorsed), not doing so will create unsafe assumptions regarding the ability of the State's aviation personnel to meet an ICAO standard.

4) Finally, although I have attempted several times to have ICAO modify the language proficiency requirement for VFR operations my requests have been rejected. Meeting the new standard will prove difficult, inconvenient and costly for any pilot attempting the certification. It is unrealistic to require the VFR pilot who may occasionally have to communicate with a small aerodrome control tower or request permission to transit a TMA to meet the ICAO Level 4 language proficiency requirement. Therefore, ask your State to request a modification to this requirement from ICAO to incorporate one or more of the following provisions:

- a) Request a lower level of language proficiency for VFR operations. Level 3 requires knowledge of work-related vocabulary (air traffic control phraseology) and basic pronunciation skills and would therefore be more appropriate.
- b) Exempt VFR-only pilots from any language requirement if operations are not conducted in Class A, B or C airspace.
- c) Execute bilateral agreements with bordering States and regional groups which will exempt VFR pilots from meeting the ICAO language proficiency requirement.

Action

This is an important issue that will affect our members for years to come. I urge you to act on these issues soon. I suggest using the following method:

1. Determine who is responsible for the ICAO language proficiency requirement within your NAA.
2. Meet with that person to discuss the issues outlined within this paper.
3. Describe the difficulty of achieving level 4 language certification (hundreds of hours of training/practice and hundreds of dollars for certification), all for a skill that will be rarely used by the VFR pilot.
4. Present the alternatives listed above as solutions to the problem.
5. Encourage early action by the NAA since the qualification deadline is just nine months away.
6. Ensure that this issue receives high-level attention within the NAA so that it receives an adequate level of action.
7. Obtain support from other aviation organizations for this issue.
8. Keep me informed regarding the progress of your efforts.

IAOPA endorses the need for pilots flying IFR internationally and air traffic controllers to proficiently speak and understand a common language: this is a safety issue. But, expecting pilots flying VFR to do so to the same level of proficiency is unreasonable and an unnecessary burden on the general aviation community.

Thanks for your prompt action on this important issue.

Sincerely,

John Sheehan
IAOPA Secretary General