



CONEXÃO INTERNACIONAL

JOURNAL OF THE BRAZILIAN NATIONAL CIVIL AVIATION
AGENCY'S (ANAC) INTERNATIONAL ACTIVITIES

VOLUME 1 | No. 1 | 2021

SPECIAL EDITION: COVID-19

Brazilian and international civil
aviation in the context of the pandemic



Market

Challenges in the formulation of air transport public policies in times of pandemic

Simple Flight Program

Simplification of rules and procedures contributes to a more efficient, flexible, and modern regulatory environment

Cooperation

A futuristic vision for regional integration in Latin America

EDITORIAL TEAM

Juliano Alcântara Noman
Director-President

Ricardo Bisinotto Catanant
Rogério Benevides Carvalho
Tiago Sousa Pereira
Directors

Rafael José Botelho Faria
Deputy Director

Marcela Braga Anselmi
Head of International Affairs and Environmental Office

Ana Carolina Silva Ciroto | Amanda Alves Felix |
Astor de Lima Aversa Neto | Barbara Sbraletta
Margadonna | Henrique Costa Tavares |
Ricardo Antonio Binotto Dupont
(International Affairs and Environmental Team)
Coordination

Federal Aviation Administration (FAA) Office of the
American Embassy in Brazil
Cooperation and consultation for the English version

International Civil Aviation Organization:
South American Office (ICAO/SAM)

Secretariat of the Latin American
Civil Aviation Commission (LACAC)
Cooperation and consultation for the Spanish version

Communications Office (ASCOM)
Editing and Review

Technical Branch of Integrated Communication (GTIC)
Editorial Project and Layout

The content in this publication is informative in nature and does not replace current legislation.

Agência Nacional de Aviação Civil (ANAC).

A265c Conexão Internacional [recurso eletrônico] /
Agência Nacional de Aviação Civil (ANAC). v. 1,
n. 1, (ago. 2021). - 64 p. Brasília: ANAC, 2021 - .

Periodicidade semestral.

ISSN 2595-0207

1. Relações internacionais. 2. Aviação ci-
vil. I. Agência Nacional de Aviação Civil.

CDD 23 – 327

Edifício Parque Cidade Corporate - Torre A
Brasília - DF
CEP: 70.308-200
E-mail: asint@anac.gov.br

SUMMARY



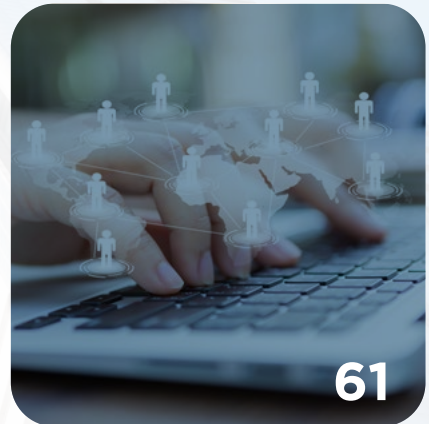
8

- 4 *Welcome Letter*
- 8 *COVID-19 Pandemic: The important role of ANAC in the repatriation of Brazilians*
- 13 *Prepared for Impact: How Brazil faced the challenges of the COVID-19 pandemic in the airline industry*
- 18 *Aviation Resumption Working Group*
- 24 *Concessions and Pandemic: Continuity of services and legal certainty for investors*



Direct from
Montreal

43



29 *China Operation: challenges of bringing masks to Brazil in times of Covid-19*

32 *How ANAC's active presence in international events helped Brazil in the COVID-19 crisis*

36 *Transport of medical products and biological substances by air taxi*

39 *Crisis and opportunity: ANAC measures and launch of the Voo Simples Program in the context of the pandemic*

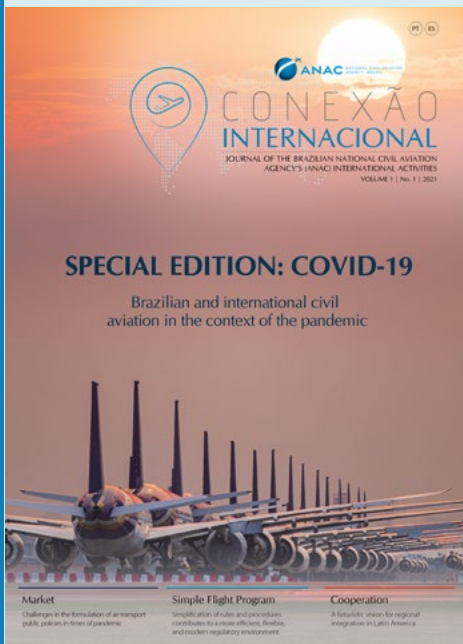
47 *News from Lima*

49 *Civil Aviation Restart, Recovery and Resilience: No Country Left Behind*

54 *A future vision for regional integration*

57 *Managing for Uncertainties*

61 *Crisis communication during the Covid-19: Strategy and lessons learned to inform ANAC audiences*



WELCOME LETTER

Astor Aversa

Deputy Head of International Affairs and Environmental Office (ANAC)

Salvador, March 12, 2020. Brazil hosted the Eleventh Meeting of the Community of Lusophone Civil Aviation Authorities (CAACL). On the first day of the event, news about the pandemic's effects on Brazilian aviation forced the early return of some ANAC delegation members to Brasília.

Despite this, there was still an optimistic perception about the near future. Present members of CAACL and representatives of the Latin American Civil Aviation Commis-

sion (LACAC) approved Brazil's proposal for LACAC to consult the African community (CAFAC) with the aim of establishing an air services agreement between the two blocs, with potential involvement of 76 countries. At that point, it was not yet clear that, very soon, there would be a general paralysis of international civil aviation.

History shows that great human transformations arise from wars, revolutions, and pandemics. Certainly, 2020 is a year that marks the beginning of a major transformation. In aviation, the sector's technical priority has always been to ensure safety. Since September 11, 2001, security against acts of unlawful interference became a second topic of fundamental attention for the aviation community. COVID-19 brings forth a third prioritized technical area with biosafety.

Much progress has already been made in biosafety, throughout the course of 2020, mainly in terms of technology and facilitation. There is also a considerable advancement in the revision of rules, processes and procedures that facilitate the resumption of aviation. In Brazil, the clearest example of this transformation can be found in the "Simple Flight Program" as explained in an article in this edition.

This review for the resumption is also developed in conceptual terms. The strengthening of an even more resilient regulatory environment can be seen. The application of risk-based management also contributes to the development of health safety requirements and to the establishment of temporary regulatory relief. The responsive regulation aims to foster a culture of cooperation between the regulator and the regulated, which encourages voluntary compliance with rules, while providing for enforcement action when there is an intentional or repeated non-compliance.

Currently, one of the main focuses of the International Civil Aviation Organization (ICAO) is the promotion of innovation and the need to keep up with technological advances in the sector. At the Latin American level, technical and political solutions are sought for greater regional integration, which is a subject also present in this edition.

Success in tackling these challenges and changes is only possible thanks to cooperation, information sharing and the exchange of best practices within the ANAC and with national and international stakeholders. It is not by chance that these three terms extend to most of the articles in this publication.

This special edition is an example of the great moment of transformation, innovation, and challenges that we are facing. Please find below a summary of the articles that make up this edition.

ANAC's role in the repatriation of Brazilian Nationals

The first article portrays ANAC assisting in the repatriation effort of passengers abroad and the coordination among various Government of Brazil agencies and other stakeholders. ANAC's work contributed to the return of approximately 12,500 passengers, and the ANAC's International Affairs and Environmental Office (ASINT) was responsible for coordinating this collective effort.

Perspective and dilemmas of the air transport public policy maker

The second article reveals the confrontation of the pandemic from the perspective of the public policy maker. The text presents dilemmas, such as the need to apply new health security protocols (which create costs for a sector already in crisis) in a context of falling demand of around 90%, versus take a systemic risk. The article also presents the dilemma of complete air operation restriction versus to maintain minimal infrastructure (Essential Air Network) to guarantee the systemic functioning of civil aviation and, thus, allow for the transport of materials as well as professionals involved on the front lines of the pandemic.

Aviation Resumption Working Group (WG)

The third article deals with the Working Group established by ANAC, composed of members from different institutions around the aviation and public health sectors. The Action Plan of the Aviation Resumption WG is explained in 4 actions: 1) maintenance of the aforementioned Essential Air Network; 2) systemic guarantee of safety during the process of making regulation and surveillance more flexible; 3) definition of health protocols and rules to adapt the sector for future resumption; and 4) measures to support the cash flows of airlines and airports.

Concessions: continuity of service and legal certainty for investors

The fourth article demonstrates ANAC's work to provide investors with legal certainty through the economic and financial rebalancing of concession contracts. The rebalancing caused by unforeseeable circumstances and force majeure (not covered by the insurance market) lies with the Granting Authority (ANAC), as provided for in all concession contracts currently in force.

China Operation: challenges to bring masks to Brazil

The fifth article describes the challenges faced by the Ministry of Infrastructure to transport 240 million face masks on 39 flights between China and Brazil. The act

aimed to distribute these masks specifically to professionals of the Brazilian Unified Health System (SUS).

Transportation of cargo in the passenger cabin

The sixth article addresses the technical issues related to the transportation of cargo in the passenger cabin. The text highlights the performance of the Certification Management Team (CMT), a group formed by the four largest certification authorities in the world: the Brazilian ANAC, the U.S. FAA, the European EASA and the Canadian TCCA. In a joint action with Embraer, Boeing, Airbus and Bombardier, these four authorities defined guidelines of conditions and limitations that were observed by air operators worldwide.

Transport of medical products and biological substances by air taxi

In line with the previous article, the seventh article deals with technical issues related to the permission for air taxi transport of materials to combat COVID, including those considered hazardous material. The measure took into account the context of drastic reduction in scheduled air service and the important supplementary networks offered by air taxi operators to transport these goods.

Simple Flight Program

The eighth article describes how the pandemic crisis presented ANAC with an opportunity for a comprehensive review and simplification of civil aviation rules and procedures. This enabled the creation of the “Simple Flight Program”. The initiatives that make up the program have contributed to the establishment of a more efficient, flexible, and modern regulatory environment, in line with international rules. All while maintaining high levels of safety required by the sector.

Direct from Montreal

In this section, ANAC’s representative on the ICAO Council presents topics related to the Organization’s main events.

News from Lima

In this section, ASINT presents the main topics related to LACAC and the ICAO South America Regional Office (SAM), both based in the Peruvian capital.

The restart, recovery, and resilience of civil aviation

The ninth article reveals the coordination carried out by the ICAO SAM Regional Office in Lima, with its Member States and stakeholders, in response to the effects of the pandemic. Among the various products developed by this coordination, the SAM Strategic Framework for Responding to COVID-19 stands out as the first of its kind presented by a regional ICAO office.

A vision of the future for regional integration

The tenth article addresses the potential gains from greater integration in Latin America, with the increase in regulatory harmonization, the reduction of barriers and the opening of markets. Among other benefits, the promotion of integration facilitates economies of scale and greater competition. This progressive and long-term vision demands continuous actions from countries of the region and relies on the support of LACAC and the ICAO Regional Offices, in a joint effort with the industry.

Management for uncertainties

The eleventh article demonstrates that, thanks to its institutional maturity, ANAC was prepared to deal with the new challenges arising from the pandemic. The text reveals how ANAC allowed 97% of employees to start working remotely, in a fast, resilient manner and maintaining the efficiency of the Agency's workforce in performance of their duties.

COVID-19 crisis communication

Finally, the twelfth article deals with ANAC's communication strategy to provide information to the general public, to stakeholders, and internally within ANAC. The need to seek a cohesive voice is highlighted, even though there are different stakeholder positions, and to transmit a complete message, guaranteeing space for each interlocutor to bring his contribution according to the respective area of competence.

Enjoy!





COVID-19 PANDEMIC: THE IMPORTANT ROLE OF ANAC IN THE REPATRIATION OF BRAZILIANS*

Ana Paula Cavalcante

Head of Department of Air Services (ANAC)

The COVID-19 pandemic originated in China in January 2020 and gradually spread throughout the world, with a contagious wave hitting countries in Asia, then Iran and later Italy. At this moment, ANAC paid close attention and discussed about the necessity of public agents' travel restriction to the affected regions. However, prior to mid-March we were not aware that the pandemic would get so much worse and affect not only the whole of Europe, but also the whole of the Americas and all other regions of the world in such an overwhelming way. Given the severity of the pandemic and that one of the few alternatives for managing the crisis would be social distancing, several government authorities took measures to restrict economic activities, including modes of transport. Aviation was certainly one of the most affected sectors.

By the second week of March, measures to restrict international border crossings were intensified. The ANAC crisis management group quickly noted that these restrictions could prevent the execution of international flights and leave thousands of passengers unable to return from abroad. In a period when the main guidance to stay safe was to isolate at home, many Brazilians abroad found themselves in countries with growing restrictions that sometimes included the closure of hotels. As the world was facing an unprecedented crisis that would affect air transport passengers with humanitarian repercussions, it became clear that ANAC could, within its competencies, assist Brazilians return home.

ANAC then decided that, while commercial airlines were allowed to fly to

“AS THE WORLD WAS FACING AN UNPRECEDENTED CRISIS THAT WOULD AFFECT AIR TRANSPORT PASSENGERS, IT BECAME CLEAR THAT ANAC COULD ASSIST BRAZILIANS RETURN HOME”

other countries, the Agency would coordinate with air carriers and foreign civil aviation authorities to allow for the greatest number of Brazilians to return home. For this to happen, it was necessary to identify where the stranded Brazilian passengers were and which air carrier they were traveling on. On Saturday, March 14, the Department of Information Technology (STI) developed a repatriation form that would be filled-out by stranded Brazilians abroad. The following day, the Communications Office team developed an entire communication strategy and by Monday, March 16, the online form was available on ANAC’s website.

ANAC then faced a second challenge, which was to sort through the massive database with thousands of completed forms. A team was quickly set up, coordinated by the Office for International Affairs and Environmental (ASINT), with broad participation of other Departments (such as Air Services - SAS, Flight Standards - SPO and Airport Economic Regulation - SRA) and the advisors of the Board of Directors who promptly put their teams available to support the process. A vigorous effort had begun with a strong spirit of collaboration to repatriate vulnerable Brazilians abroad.

It is important to highlight that a crisis management team was also formed in

Brazil’s “Casa Civil,” with representatives from ANAC, the Health Regulatory Agency (ANVISA), the Federal Police, the Department of Airspace Control (DECEA), the Ministry of Foreign Affairs (MRE), the Ministry of Tourism, the Ministry of Infrastructure, and others. The MRE is responsible for supporting Brazilian citizens overseas and had witnessed its consular services overburdened with demands from citizens in precarious situations, including many travelers without the financial means to remain abroad for extended periods. The MRE also created its own stranded traveler form to identify those vulnerable Brazilians and even supported them abroad, all while devising measures to return them home to Brazil. Although ANAC worked in coordination with the MRE, it initially decided not to combine the two databases, as ANAC’s form contained other relevant data, including the flight information that was necessary to support the commercial repatriation flights.

After identifying where the Brazilians were located, discussions were held with airlines that resulted in additional flight frequencies to destinations with large numbers of stranded Brazilian passengers, which included Australia, South Africa, Portugal, and Argentina. Another strategy adopted amongst the air carriers, in assistance from ANAC, was to coordinate



**“A TOTAL OF 17,000
PASSENGERS FILLED-OUT
ANAC’S FORM (BETWEEN
MARCH 17 AND APRIL 14)
AND MORE THAN 12,500
BRAZILIAN NATIONALS
WERE REPATRIATED”**

flights with airlines to ensure repatriation from locations that did not have enough stranded passengers to carry out many flights by different airlines. This work was done in close collaboration with air carriers, the Ministry of Foreign Affairs, as well as local embassies. This type of measure, with coordinated flights and mediation for the endorsement among the airlines, supported the return of Brazilians who were stranded in Peru, the Dominican Republic, Cuba, Portugal, France, Germany, and the United Kingdom, among other countries.

Another aspect of the ANAC’s work that deserves attention was the direct service to representatives of groups of Brazilians who were abroad. For example, in the Dominican Republic, Peru, Portugal and South Africa, passenger representatives who were at airports, or isolated in hotels, contacted ANAC directly. The agency’s public agents provided their mobile number to monitor the situation and helped to organize the largest number of passengers on the few available commercial flights.

After four intense weeks of work, the closing of international borders had reached a point that left nearly 95% of international commercial aviation grounded. A total of 17,000 passengers filled-out ANAC’s form (between March 17 and April 14) and more than 12,500 Brazilian nationals were repatriated. On April 14, when most international commercial flights came to a standstill, it was concluded that

the repatriation of Brazilians and non-residents abroad would require an action by the Government of Brazil to charter flights. The MRE received budget for this purpose and competed to the MRE, from its local representations (i.e., Consulates and Embassies abroad) to contract the charter flights. At that time, understanding that its hole on coordinating with regulated had reached its limit, ANAC unified its stranded passenger database with the MRE's database. ANAC continued to provide full support when authorising repatriation flights involving other Civil Aviation Authorities was necessary.

The form data was also used by ANAC to monitor the airlines' compliance with contracts of carriage, in particular the carriers' obligations under ANAC Resolution 400/2016, considering the context of force majeure brought on by the pandemic. ANAC directed passengers to first seek the airline's own customer service channels. If the passenger did not agree with the airlines' offered solution, then the passenger should register a complaint with consumer complaint website (www.consumidor.gov.br). ANAC uses this data to monitor the services provided by airlines and to subsidize regulation and oversight of the sector. During this period, it was observed an increase in the volume of passenger complaints. On the other hand, it was verified a great effort by the airlines, especially the Brazilian ones, to transport their passengers who were abroad.

“... IT WAS VERIFIED A GREAT EFFORT BY THE AIRLINES, ESPECIALLY THE BRAZILIAN ONES, TO TRANSPORT THEIR PASSENGERS WHO WERE ABROAD”





In conclusion, I want to point out that I believe this was an experience to be remembered by the Agency. ANAC not only contributed effectively to a cause of significant relevance, but together with the airlines and MRE, ANAC promoted the return of thousands of Brazilians back to their homeland. This work should also be remembered as an example of the spirit of commitment, engagement, and solidarity that marked the performance of ANAC's workforce during this period. The workforce, at all hierarchical levels (from the Board of Directors to specialists and technicians in regulation) surpassed their typical functions and skills to devote themselves, even after working hours throughout the night, to an intense and exhausting workload. It was worthy of great pride and admiration and demonstrates the strength of our Agency.

“THIS WORK SHOULD ALSO BE REMEMBERED AS AN EXAMPLE OF THE SPIRIT OF COMMITMENT, ENGAGEMENT, AND SOLIDARITY THAT MARKED THE PERFORMANCE OF ANAC’S WORKFORCE DURING THIS PERIOD”

**text completed in December 2020*



**PREPARED FOR IMPACT:
HOW BRAZIL FACED THE
CHALLENGES OF THE
COVID-19 PANDEMIC IN
THE AIRLINE INDUSTRY***

Marcelo Sampaio Cunha Filho¹

*Executive Secretary of the
Ministry of Infrastructure*

Rodrigo Otávio Moreira da Cruz²

*Deputy Executive Secretary
of the Ministry of Infrastructure*

Leandro Monteiro de Souza Miranda³

*Advisor to the Executive Secretariat of the
Ministry of Infrastructure*

In March 2020, the World Health Organization declared the spread of the novel Coronavirus as pandemic and, since then, governments around the world have sought alternatives to slow viral contagion throughout the population. The recommended social isolation measures posed a major dilemma for any air transport public policy maker: how to increase the spacing between users, increase the frequency of operations and apply all required health protocols, without increasing costs to the sector, all while airlines and airports faced an unprecedented crisis.

Initially, the proposed health protocols imposed a distance of 2 meters among passengers. In terms of airport capaci-

ty, terminals would be able to deal with this limitation in a scenario of very low demand. However, the cost of expanding Brazilian terminals would be impractical if we again reached end 2019 passenger levels with each person distancing from each other by 2 meters within boarding queues. The scenario would become even more dystopic within the aircraft. The need for distance and proposals to increase the frequency of flights would make the price of airline tickets impractical for an overwhelming portion of Brazilians. Without passengers, and with rising costs, the civil aviation industry would perish in a few months.

“THE GOVERNMENT HAS FACED THE NEED TO CREATE AN ‘ESSENTIAL NETWORK’ THAT WOULD GUARANTEE THE COUNTRY’S AIR LOGISTICS CORRIDORS. THE SOLUTION WAS TO DIVIDE THE COUNTRY’S ROUTES BY COMPANIES TO GUARANTEE CONTINUITY OF SERVICES”

The demand for air transport in Brazil fell by an unimaginable 91% (TODESCO; CHAVES, 2020). On the verge of the civil aviation requiem, the Government, with the most liberal profile that the country has ever witnessed since its re-democratization, faced the need to create, together with

the airlines, an “essential network” that would guarantee the country’s air logistics corridors. The solution was to divide the country’s routes by companies to

- 1 *Executive Secretary of the Ministry of Infrastructure. He earned a Master in Transportation Planning with a concentration in Transportation Infrastructure Vulnerability Assessments, from the University of Brasília - UnB, Specialist in Economics in the Public Sector and an MBA in Public Management. He graduated in Civil Engineering with an emphasis in the Transport Sector from the UnB. He is currently a public agent and Infrastructure Analyst at the Ministry of Economy.*
- 2 *Deputy Executive Secretary of the Ministry of Infrastructure. He earned a Doctorate and Master in Transport Engineering from UnB. HE graduated in civil and environmental engineering from the University of Brasília (UnB) and in law from the Centro Universitário de Brasília (CEUB). He is currently a public agent and Infrastructure Analyst at the Ministry of Economy.*
- 3 *Advisor to the Ministry’s Executive Secretariat. He is a Transport Systems PhD student in Transport Systems, from the Department of Civil Engineering at the University of Coimbra - Portugal. He graduated in International Relations at PUC Minas and Specialist in Political and Governmental Marketing. He is currently a public agent and ANAC Civil Aviation Regulation Specialist.*

“HOWEVER, THE MAIN ARGUMENT FOR THE CONTINUITY OF SERVICES RELIES ON THE DEPENDENCE OF REGULAR AIR TRANSPORT TO SEND CARGO. AND, AT THAT MOMENT, CARGO WAS SYNONYMOUS WITH HOSPITAL SUPPLIES”

guarantee continuity of services - an act in the opposite direction of the much-valued freedom of routes, the premise of the free market and competitiveness. Nonetheless, this “gentlemen’s agreement” was necessary to allow for the country’s minimal connectivity.

We received legitimate proposals from mayors, governors, parliamentarians, and members of the judiciary concerned about the pandemic and calling for the complete shutdown of transportation. The exercise of convincing the continuity of air services included questions such as: a Brazilian national’s family member from the south of the country lives in a particular northern state and they need to meet; health professionals needed to be relocated; Brazilians abroad need to be repatriated. However, the main argument for the continuity of services relies on the dependence of regular air transport to send cargo. And, at that moment, cargo was synonymous with hospital supplies.

However, not all arguments were sufficient. The possibility that such transport, mainly of hospital supplies, could be car-

ried out by the Air Force Command, was voiced. However, as large and great our Air Force may be, it would be impossible to distribute cargo in the country within the time it was required.

The Ministry of Infrastructure maintained a clear objective of governance to face the pandemic: “to ensure the availability of infrastructure and transport services.” We knew that it was necessary to maintain operations to give rise to the transport of goods and services, including those necessary for health, as well as combating COVID-19⁴. The risk of shortages would only aggravate the imminent economic crisis.

In order to minimize impacts to users, we defined the goal of a minimum once weekly flight to each Brazilian capital city and 100% unblocked federal highways. At the same time, it was necessary to alleviate the impacts of the crisis on the economy through operational adjustments. To this end, we initiated regulatory processes and we aligned our efforts with companies in the sector to provide safe working conditions for employees. The National Civil Aviation Agency promoted a series of exemptions and postponed the expiration of certificates (ANAC, 2020). The government disbursed nearly R\$10 million from the National Civil Aviation Fund to pay for the cost of parking aircraft in INFRAERO’s airport aprons and took measures to exempt and expand the sector’s financial guarantees (BRASIL a, 2020). Among these measures were:

4 Acronym referring to the disease caused by Coronavirus (Corona Virus Disease).

- the possibility of rescheduling or extending the deadline for payment of fixed and variable contributions within the concession contracts of airports;
- an additional period of 12 months for reimbursement of the face value of airline tickets; and
- the termination of additional charges applied to current international boarding fees.

Finally, we recognized the need to restore the economic and financial balance of airport concession contracts, and airlines carried out an intense in-flight health awareness campaign and regained the confidence of Brazilian passengers⁵.

Ten months after the beginning of the pandemic in Brazil, there is no doubt about the resilience of our market and the success of the policies applied thus far. The quick response from the government allowed us to use the period of low air transport demand to carry out several airport public works projects, and the most prominent was the renovation of the runway pavement at Congonhas Airport (INFRAERO, 2020). The intervention would have had very strong impacts on the airport at other times, but during the pandemic it was possible to carry it out without any inconvenience to passengers.

Until we have hindsight to review our planning and aim beyond Pandemic, we continue to seek, day by day, the objective of keeping the transportation corridors

“TEN MONTHS AFTER THE BEGINNING OF THE PANDEMIC IN BRAZIL, THERE IS NO DOUBT ABOUT THE RESILIENCE OF OUR MARKET AND THE SUCCESS OF THE POLICIES APPLIED THUS FAR”

operational. One of the most recent verifications of this effort in civil aviation was the publication of Provisional Presidential Decree nº 1,024, on December 31, 2020, by which we extended the term that eases the reimbursement of the face value of air tickets to the consumer due to flight cancellations by the airline or passenger. (BRASIL b, 2020).

We are confident in the recovery of Brazilian civil aviation. We maintain government plans for the country to simplify and reduce state burdens over the airline sector. We also support the processes for the 6th and 7th airport concession rounds in the certainty that the investor trusts the strength of our economy and, regardless of the crisis caused by the Coronavirus, we know that we have the potential to become the 3rd largest aviation market in the world⁶. Proof of our resilience is that we have already recovered 70% of our domestic air market by the end of 2020 (AE-ROIN, 2020).

The main lesson learned in these 10 long months is that it was only in a democratic environment and with full respect for State institutions that it was possible for different policy makers to sit at the table and seek a joint solution for the sector while avoiding, at the same time, the proliferation of the virus and the collapse of air transport.

5 *Air transport health safety results from scientific research that guarantees the low risk of contamination inside an aircraft (SCHIVE, 2020; TAMARA HARDINGHAM-GILL, 2020). However, it is important for passengers to take proper care also at airports.*

6 *Also in line with the reduction of bureaucracy, simplification and cost reduction, the Simple Flight Program was launched on October 7, 2020, with measures for private aviation and improving the general aviation business environment.*



BIBLIOGRAPHIC REFERENCES

AEROIN. Brazil is leading aviation recovery in the west, points FlightRadar24. 2020. Available at: <https://www.aeroin.net/brasil-esta-liderando-recuperacao-da-aviacao-no-ocidente-aponta-flightradar24/#:~:text=Brasil%20est%C3%A1%20liderando%20recupera%C3%A7%C3%A3o%20da%20avia%C3%A7%C3%A3o%20no%20ocidente%2C%20aponta%20FlightRadar24,-Por&text=O%20maior%20aplicativo%20de%20rastreamento,rastreamento%20de%20voos%20no%20mundo.>

ANAC. Coronavirus: main information - National Civil Aviation Agency ANAC. 2020. Available at: <https://www.anac.gov.br/coronavirus>. Accessed on December 6th, 2020.

BRAZIL (a). LAW NO 14.034, AUGUST 5, 2020 DOU - National Press, 2020. Available at: <https://www.in.gov.br/en/web/dou/-/lei-n-14.034-de-5-de-agosto-de-2020-270712514>. Accessed on December 6th, 2020.

BRAZIL (b). PROVISIONAL PRESIDENTIAL DECREE No. 1,024, FROM DECEMBER 31, 2020 DOU - National Press, 2020. <https://www.in.gov.br/en/web/dou/-/medida-provisoria-n-1.024-de-31-de-dezembro-de-2020-297446236>. Accessed on January 12, 2021.

INFRAERO. Infraero concludes work on the main runway in Congonhas and releases landings and takeoffs. 2020. Available at : <https://www4.infraero.gov.br/imprensa/noticias/infraero-conclui-obra-na-pista-principal-de-congonhas-e-libera-pousos-e-decolagens/>. Accessed on December 6th, 2020.

SCHIVE, Kim. How safe is air travel? | MIT Medical. 2020. Available at: <https://medical.mit.edu/covid-19-updates/2020/09/how-safe-air-travel>. Accessed on December 6th, 2020.

TAMARA HARDINGHAM-GILL. Chances of catching Covid-19 on a plane are lower than previously thought, say scientists | CNN Brazil. 2020. Available at: <https://www.cnnbrasil.com.br/viagem/2020/09/13/chances-de-pegar-covid-19-em-aviao-sao-menores-do-que-se-pensa-dizem-cientistas>. Accessed on December 6th, 2020.

TODESCO, Fabiana; CHAVES, Mauro C. S. Impacts of the pandemic on civil aviation: What are the horizons for the resumption of the sector? - Infra Agency. 2020. Available at: <https://www.agenciainfra.com/blog/infradebate-impactos-da-pandemia-na-aviacao-civil-quais-os-horizontes-para-a-retomada-do-setor/>. Accessed on December 6th, 2020.

*text completed in December 2020

AVIATION RESUMPTION WORKING GROUP*

Rafael José Botelho Faria
Director (ANAC)

Marco Antônio Lopes Porto
Advisor (ANAC)

With the rapid proliferation of the SARS-Cov-2 virus (COVID-19) around the world - which led to the declaration of pandemic by the World Health Organization (WHO) - the Federal Government issued, among several other measures, Provisional Presidential Decree N° 925, dated March 18, 2020, which provides for emergency measures for Brazil's civil aviation

sector due to the COVID-19 pandemic.

It is important to note that, given the rapid spread of COVID-19, the Tourism and Civil Aviation sectors were heavily impacted. In early April 2020, the civil aviation sector experienced a decrease of approximately 95% in domestic flights and 84% in international flights, as the world tallied the first million infected people.

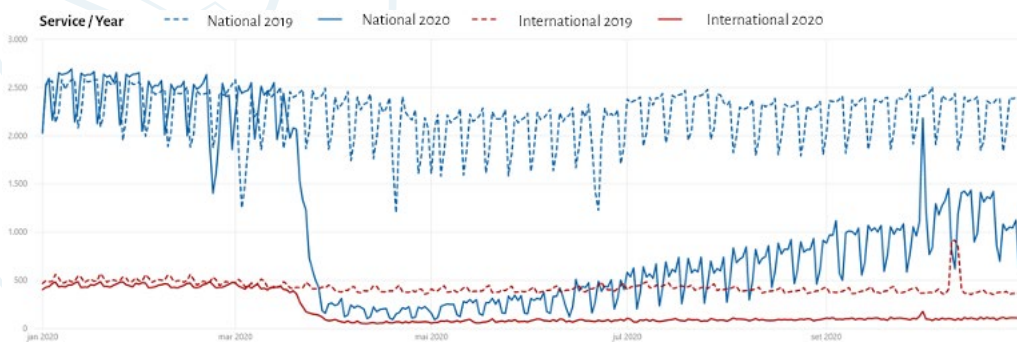


Figure 1 - Monitoring of the domestic and international air network in 2019 and 2020. Source: Siros ANAC.

The actions of the Aviation and Health sectors in a coordinated manner enabled a rapid response to the crisis. The National Health Surveillance Agency (ANVISA), which monitored the development of the disease in the domestic and international scenario, held discussions with the Civil Aviation sector, in January 2020, with a focus on preventing the spread of the disease in Brazil.

Within the scope of the National Civil Aviation Agency (ANAC), in March 2020, the Crisis Management Center was activated, comprising the main officials of the Agency. The Center aimed to provide updates and discussions on the outcomes of the spread of the virus within the air transport sector and actions required to ensure the sector functions properly.

With the progress of the meetings of the Crisis Management Center, the ANAC Board of Directors identified the need to create a Working Group titled Resumption of Civil Aviation post COVID-19 (Resumption WG), which was established by ANAC Ordinance N° 1126, of April 23/04/2020. The primary purpose of the WG was to “monitor the resumption of domestic and international air operations at Brazilian airports, after the impact of

the COVID-19 pandemic, and propose strategies and actions addressing the safety, development, and sustainability of civil aviation”.

The working group is comprised by technical areas of ANAC and members of several institutions that make up the aviation and public health sector, who jointly collaborate in the discussion and harmonization of health protocols applicable in times of pandemic COVID-19:

- National Health Surveillance Agency (ANVISA)
- National Civil Aviation Secretariat of the Ministry of Infrastructure
- Air Operators
- Airport operators
- Associations:
 - Airports
 - Air companies
 - Ground handling services providers

Public Entities



Airline Companies



Airport Operators



Associations



International Organization



ACTION PLAN

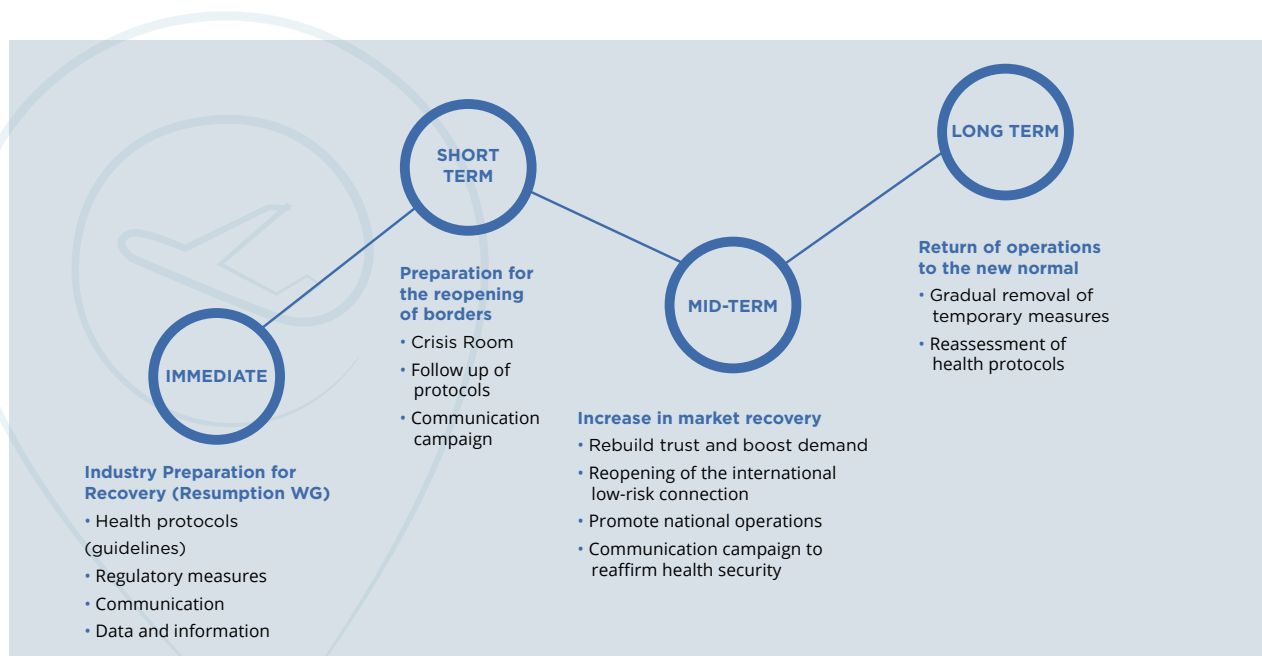
ANAC's actions plan was based on 4 structuring lines of action:

- Maintenance of a minimum air network as a way to preserve connectivity in the national air network, thus allowing the sustainability of the economic activity of the sector and ensuring the transport of important inputs to the local economies and to combat the disease itself;
- Adaptation to the new scenario through a more flexible regulation and surveillance, as a way to minimize the potential negative impacts of COVID and maintain the safety of the system;
- Setting of health protocols for establishing rules for sector suitability for the future resumption;

- Financial support measures for airlines and airports in order to reduce the negative impact of the pandemic on cash flows.

Notwithstanding the definition of the structuring actions needed to deal with the present scenario, it is necessary to establish, through coordinated actions, the time at which these will be implemented.

It was the responsibility of the ANAC Board of Directors, within the scope of the Crisis Management Center, to coordinate the actions taken inside and outside the subgroups in order to achieve the common objective of resuming the activities in the civil aviation sector. In this forum, the actions to be implemented and their appropriate timing were considered, according to a previously discussed action plan that, in general, brings the immediate actions in the short, medium, and long term, necessary for the rewarming of the sector.



Immediate actions are in line with the topics of the sub-groups that make up the Resumption WG. As the sector shows signs of resumption, short-term measures, such as monitoring compliance with health protocols and communication of health safety standards are important for rebuilding passengers' confidence.

Medium and long-term actions are needed to re-establish passenger confidence, as well as actions to promote demand, such as monitoring and communicating the reopening of borders. Over the long term, a reassessment of the existing measures will be necessary, with discussions about a gradual removal of restrictive measures where appropriate.

In order to organize the planning and execution of necessary activities within the Resumption WG, it was established the creation of four distinct subgroups. Each had its own goal and scope of work, which, in a complementary and harmonious way, contribute to the achievement of the concerned task, in alignment with the guidelines of the ANAC Board of Directors through deliberations in the Crisis Management Center.

“IN ORDER TO ORGANIZE THE PLANNING AND EXECUTION OF NECESSARY ACTIVITIES WITHIN THE RESUMPTION WG, IT WAS ESTABLISHED THE CREATION OF FOUR DISTINCT SUBGROUPS. EACH HAD ITS OWN GOAL AND SCOPE OF WORK”

THEMATIC SUBGROUPS OF THE RESUMPTION WG

Subgroup 1: Health Protocols



The activities of Subgroup 1 focused on following the guidelines of ANVISA and the Ministry of Health to ensure the health safety of operations during the COVID-19 pandemic. In addition, Subgroup 1 is responsible for the analysis of discussions of the impacts of health security measures on Civil Aviation and for the feasibility of its implementation, using regulatory measures, and the dissemination of best practices and guiding material.

After an intense phase of discussions, on May 20, 2020, it was published the first version of the Health Protocols Booklet, a document that gathers the minimum requirements for safe operations at airports, in addition to recommendations and guidelines for actions during the pandemic period. The document was one of the first benchmarks of its kind in the world, preceding the reference document of the European Union Aviation Safety Agency (EASA), launched at the end of May.

The Booklet is a living document and will periodically undergo updates that may gradually reduce the level of alert and consequently reduce recommendations to the aviation sector, as after September 11, when the booklet underwent revision to incorporate recent ANVISA demands.

Subgroup 2: Regulatory Measures

Faced with the scenario of closing borders, decreasing flight offer, risk of contamination of staff members and users of the aviation system, several difficulties in complying with the regulations were identified by Subgroup 1 or by other requestors. In addition, some regulatory easing measures have proved necessary to mini-

mize the economic impact and foster the civil aviation sector.

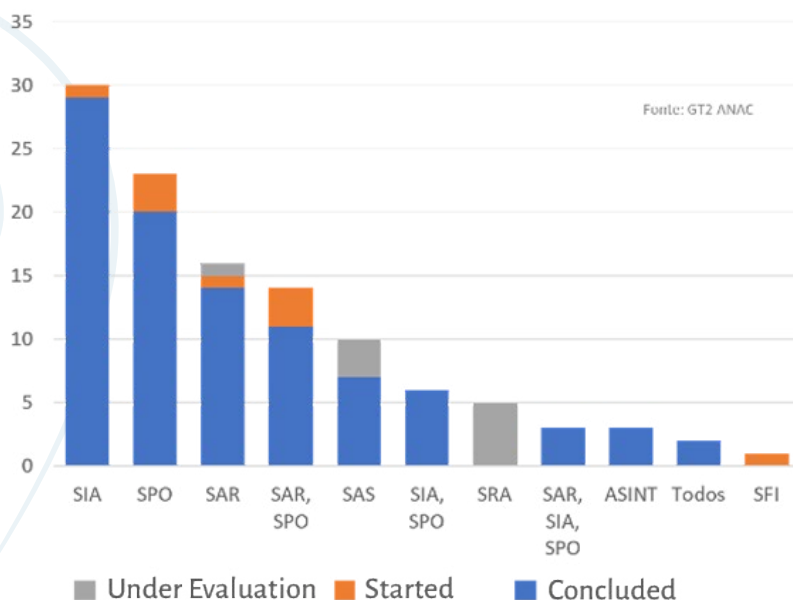
These measures were addressed by Subgroup 2 via the granting of exemptions by ANAC or the amendment of regulations in order to internalize and ensure legal/regulatory certainty to the actions necessary for the resumption of the operations in the sector.

Overall, the subgroup coordinated the mapping of more than 113 measures, which were discussed with the industry and resulted in the implementation of 98 measures in several areas within ANAC. For instance, the extension of licenses and certificates for civil aviation professionals, the flexibility of the use of slots rules at coordinated airports and the authorization for passenger aircraft and air taxi companies to transport cargo.

113
Identified
Measures

95
Implemented
Measures

Regulatory Measures



Subgroup 3: Data and Information

Once the necessary health security measures have been identified (Subgroup 1) and the legal/regulatory framework necessary for their implementation has been ensured (Subgroup 2), it is important to assess over time the appropriate moment for its application and the bottlenecks for its implementation/regulation. To deal with the temporality planning of the Resumption WG actions, the following activities were assigned to Subgroup 3:

- Assess civil aviation market movements;
- Evaluate internal border opening signaling (lockdown of cities and/or states) and external;
- Outline possible scenarios for the resumption based on benchmarks and prospecting for resumption of operations.

Subgroup 4: Communication

The appropriate communication of the contents discussed and the products generated by the other subgroups was the responsibility of Subgroup 4. Communication actions reflected all activities of the Subgroups, being of great importance to guarantee the effectiveness of the actions contained in regulations or recommendations.

In this sense, the activities of Subgroup 4 were directed to the following main objectives:

- Communicate Sanitary Protocols to promote health safety in operations;
- Communicate regulatory measures to promote and encourage their compliance and maintain safety;
- Re-establish passenger confidence in the civil aviation system; and
- Promote/foster demand.

In light of the above, it is possible to note that the work performed by the Resumption WG, in conjunction with the other entities of the sector, provided a quick response to the difficulties generated by the COVID-19 pandemic, by establishing health protocols and regulatory flexibility, supported by the important work of evaluation and monitoring of the air network, as well as by communication actions.

At the moment, the air sector goes through a transition from immediate actions to short-term actions. The performance of the Resumption WG will be key to ensure the continuity of the actions under way, besides continuing with the implementation of the action plan until the sector re-establishes itself in the new normal scenario.

1 *Siros-ANAC.*

2 <https://www.anac.gov.br/coronavirus/veja-tambem/cartilha-para-empresas-aereas-e-aeroportos-sobre-as-medidas-sanitarias>

*text completed in December 2020

CONCESSIONS AND PANDEMIC: CONTINUITY OF SERVICES AND LEGAL CERTAINTY FOR INVESTORS*



Tiago Sousa Pereira
Director (ANAC)

José Barreto de Andrade Neto
Economic Regulation Manager (ANAC)

Viviane Franco Moser
Manager of Economic Analysis (ANAC)

The COVID-19 pandemic presented a major challenge for the entire civil aviation sector, including airlines, airport operators, auxiliary air transport service companies and all other stakeholders in the sector. The drop in passenger traffic in Brazil was more than 90% at the beginning of the pandemic, reaching almost 99% for passengers on international flights.

The airlines had to immediately change their respective air networks in order to adapt to the new reality of the market and cut costs to the maximum to deal with the lack of cash due to a sharp fall in revenue. Airports have also had to reduce costs but have less flexibility. Airports have greater fixed costs in relation to variable

costs and, above all, they need to maintain a minimum infrastructure necessary to ensure the full operation of the logistical corridors in Brazil and the viability of the essential air service (transportation of air cargo and of key professionals to deal with the pandemic).

All these impacts demanded the creation of a cooperative environment in the Brazilian civil aviation sector, so that all links in the chain could keep the air sector running and providing users with a minimum level of service, with safety and quality.

The Brazilian airport market has a unique diversity of public and private operators. About 99% of passengers in Brazil are

processed in: airports operated by Infraero (32%), a state-owned company; and by private operators (67%), under concession. Currently, there are thirteen concession¹ contracts, ten of which refer to individual airport concessions and three airport block concessions. All these contracts were auc-

tioned via the greatest grant amount model, which, depending on the concession round, must be paid by the concessionaire, since the beginning of the concession, in annual, fixed or variable installments (as a percentage of the concessionaire's gross revenue).

Round/ Year	Concessionaire (Operator - Country)	Airports	Thousands Pax 2019 (Market Share)*	
1ª / 2010	Inframérica (Corporación América - Argentina)	São Gonçalo do Amarante - RN	2.711 (1,12%)	
2ª / 2011	GRU Airport (ACSA - South Africa)	Guarulhos - SP	48.075 (19,79%)	
		Inframérica (Corporación América - Argentina)	Brasília - DF	19.289 (7,94%)
		Aeroportos Brasil Viracopos (Eggis - France)	Campinas - SP	11.254 (4,63%)
3ª / 2013	Rio Galeão (Changi - Singapore)	Rio de Janeiro - RJ	15.964 (6,57%)	
		BH Airport (Zurich Switzerland and CCRBrazil)	Confins - MG	11.910 (4,90%)
4ª / 2017	Fraport Brasil (Fraport - Germany)	Porto Alegre - RS	9.176 (3,78%)	
		Fortaleza - CE	7.789 (3,21%)	
		Floripa Airport (Zurich - Switzerland)	Florianópolis - SC	4.292 (1,77%)
5ª / 2019	Aena Brasil (Aena - Spain)	Vinci (France)	Salvador - BA	8.672 (3,57%)
		Recife - PE	9.826 (4,04%)	
		João Pessoa - PB	1.591 (0,66%)	
		Maceió - AL	2.468 (1,02%)	
		Aracaju - SE	1.334 (0,55%)	
		Juazeiro do Norte - CE	612 (0,25%)	
		Campina Grande - PB	162 (0,07%)	
		Aeroportos Sudeste Brasil (Zurich - Switzerland)	Vitória - ES	3.597 (1,48%)
		Macaé - RJ	6,2 (0,00%)	
		Centro-Oeste Airports (Socicam - Brazil)	Cuiabá - MT	3.349 (1,38%)
Alta Floresta - MT	69,7 (0,03%)			
Rondonópolis - MT	53,2 (0,02%)			
Sinop - MT	158,1 (0,07%)			
Total of concessions		22	162.350,2 (67%)	
Infraero's Airports		44	77.540,4 (32%)	

*Passengers embarked, disembarked, and connecting. Source: ANAC (Statistical Data).

1. In all, since 2010 there have been five rounds of airport concessions, of which only in the last one, in 2019, airports were auctioned in blocks.)

In order to foster the previously mentioned cooperative environment that filled the Brazilian air sector in the fight against the pandemic, the Federal Government acted promptly within the airport sector, right from the beginning when impacts of the pandemic were noticed in Brazil. The GOB published Provisional Presidential Decree nº 925, dated 18 March 2020, which made it possible to postpone payments due from the concessionaires until the end of the year. Additionally, to ensure the effects of this Decree, the National Civil Aviation Agency (ANAC) issued amendments to all concession contracts, in agreement with the concessionaires. Subsequently, this Decree was converted into Law 14,034, dated 5 August 2020. Moreover, ANAC also granted a series of temporary waivers to the contractual obligations (satisfaction surveys, investment projects, airport management plans, among others) so that operators could focus their efforts and resources on securing operations.

Given the public purpose of the airport infrastructure operation - which aims to provide quality and continuity of services -, the airport concession agreements have a risk matrix. Each risk is allocated to the part most capable of managing it - the Grantor (ANAC) or the concessionaire. The risks assigned to the Grantor are fully listed in the contracts, while the risk ratio allocated to the Concessionaires is illustrated and not fully listed in the contracts.

Once a risk has been assigned to the Grantor and it has been realized that it effectively causes losses to the concession, thus affecting the economic and financial balance of the contract, ANAC has the competence to restore the contractual stability through: rebate of the grants due, increases of fees, investment reviews, or other changes to the contractual obligations deemed possible. In general, the most appropriate mechanism is the concession rebate - be it for its greater simplicity or for the least impact on air transport users.

In all concession contracts currently in force, the risk of events that are characterized by fortuitous events and force majeure, not covered by the insurance market, is assigned to the Grantor. It is true that the Covid-19 pandemic represents an event of this nature, of which the impacts on the airport sector, as already discussed, are unquestionable.

In this respect, in order to provide legal certainty to investors who opted for the Brazilian airport market, and in addition to once again contributing to the said collaborative environment that guided the Government's action in the Brazilian aviation sector, in April, ANAC promptly began negotiations with the concessionaires on the processes of economic-financial rebalancing. In order to give greater agility to the process and to allow the grantor to be paid by the concessionaires by the end of the year (thus reducing the serious liquidity problem

**“IN ORDER TO PROVIDE
LEGAL CERTAINTY TO
INVESTORS WHO OPTED FOR
THE BRAZILIAN AIRPORT
MARKET, ANAC PROMPTLY
BEGAN NEGOTIATIONS WITH
THE CONCESSIONAIRES
ON THE PROCESSES OF
ECONOMIC-FINANCIAL
REBALANCING, IN APRIL”**

affecting the sector)², the concessionaires separated their claims in two phases: short and long term.

The short-term rebalancing is intended to restore the effects of the pandemic only in 2020. The extension of these effects had as a starting point the demand and cash generation forecasts (operating revenues minus operating expenses) of the concessionaires. These results were approved within the respective internal governance structures in 2019, therefore, with no indication that the current fortuitous case and force majeure could occur. To get a sense of the magnitude of the pandemic impacts estimated by operators, the total number of short-term rebalancing claims of the ten concessionaires that integrate the first four rounds³ exceed the amount of R\$ 2 billion (US\$ 365 million⁴), which is about 39% of the total revenues in 2019.

Considering the previously mentioned precedence between airport operator budgets and the start of the pandemic, ANAC officials carried out some tests of the planning premises to evaluate their reasonableness. This is done based on the level of adherence

to both the operation carried out before the pandemic (January and February) and the growth forecasts of the air networks registered at ANAC's systems by the airlines before the pandemic. After these consistency tests, the Agency's technical department, in a first analysis, accepted between 80% to 85% of the total amounts of claims already analyzed, which depend on the rebalancing criteria to be approved.

In addition to the technical analysis of these requests, claims must undergo a legal assessment and be approved by the Agency's Board of Directors. Then, proceeded to the Ministry of Infrastructure to authorize the rebate. It is relevant to note that this flow is scheduled to be completed by December 18, 2020, in order to allow the reduction of the grants currently postponed by law.

The discussions regarding the long-term rebalancing are still very elementary due to the need for speedy analysis of short-term litigation. Beforehand, it can be emphasized that the main point of discussion is related to the time horizon during which the impacts of the pandemic will last. For the purpose of calculating the contractual rebalancing, we must consider the methodology and legal aspects.



2. *Moreover, the legal and methodological aspects of long-term rebalancing need to be discussed and analyzed more carefully, which could also hinder the timely recomposition of the effects of 2020.*

3. *The level of urgency of rebalancing the concessionaires of the fifth round is lower, because they still do not have an obligation to pay grant in the first five years. Thus, it is likely that these rebalancing will be recomposed through revision or postponement of the initial investments.*

4. *Dollar quotation at 01/01/2020.*

From a methodological point of view, criteria for estimating the scenario without a pandemic should certainly be adopted differently from those adopted when calculating short-term rebalances, as a possible continuation of the use of this methodology tends to encourage operators to present overestimated forecasts of demand, if there was no pandemic.

From a legal perspective, it is worth noting that the demand risk is contractually assigned to the concessionaires. Thus, raising a discussion about the moment in which the lowest demand is no longer connected to the pandemic and, therefore, comes under the management of the concessionaire itself. This discussion becomes more evident once the pandemic is considered controlled by the competent health authorities and restrictions on the movement of people is over.

From the brief explanations found in the previously mentioned paragraphs, one can see the great effort that all stakeholders - public and private - engaged in the Brazilian airport concessions have made to deal with the drastic effects of the pandemic on the sector. We all sought to

achieve the most important objective: the maintenance of an essential public service during the pandemic, allowing the complete utilization of the country's logistical corridors. Thanks to the collaboration of all those involved, we have succeeded in achieving this goal in the airport sector.

Moreover, it is public knowledge that the Brazilian Government will auction other airports that are currently operated by Infraero by 2022. Brazil has been one of the only countries that did not stop its airport concession process due to the pandemic. It has been recognized that the airport concession model in Brazil has been improving with each round. In this context, this proactive and collaborative attitude of ANAC signals to investors that, despite the current difficult times for the air transport sector, the regulatory environment of the Brazilian airport sector, in addition to containing increasingly rational rules, in fact values the principles of legal certainty and compliance with contracts. By the way, there is no lack of demonstrations of this feeling in the meetings we have held with investors from other countries, including those that do not yet operate in Brazil.

“TO GET A SENSE OF THE MAGNITUDE OF THE PANDEMIC IMPACTS ESTIMATED BY OPERATORS, THE TOTAL NUMBER OF SHORT-TERM REBALANCING CLAIMS OF THE TEN CONCESSIONAIRES THAT INTEGRATE THE FIRST FOUR ROUNDS EXCEED THE AMOUNT OF R\$ 2 BILLION, WHICH IS ABOUT 39% OF THE TOTAL REVENUES IN 2019”

**text completed in December 2020*

CHINA OPERATION: CHALLENGES OF BRINGING MASKS TO BRAZIL IN TIMES OF COVID-19*

Ronei Saggiaro Glanzmann

National Civil Aviation Secretary of the Ministry of Infrastructure

Carlos Eduardo Resende Prado

Chief of Staff at the National Civil Aviation Secretariat of the Ministry of Infrastructure



Imagine lining up protective masks next to each other so that they wrap around the Earth. Transporting this quantity of masks from China to Brazil was the challenge faced by the Brazilian Ministry of Infrastructure.

Given the escalation of COVID-19 cases since April 2020, there was a shortage of basic supplies to combat the virus, such as alcohol gel, mechanical ventilators, rapid tests, and disposable

surgical masks, demanding an immediate reaction from the Federal Government. Addressing the shortage of personal protective equipment was crucial, especially for front-line caregivers.

Among measures adopted, the Ministry of Health purchased 240 million face masks from a Chinese company. Of that total, 200 million were triple-layer surgical masks and 40 million were N95 masks. The goal was to distribute these masks to

health professionals working in the Brazilian universal health care system (SUS).

Due to the large number of masks that were acquired and the urgency for their shipment to Brazil, the Brazilian government took on the responsibility for the shipping procurement. In this sense, in order to collaborate with the Ministry of Health, which was already leading the fight against the pandemic outbreak on multiple fronts, the Ministry of Infrastructure offered the support of the National Civil Aviation Secretariat - (SAC), to contract a company to transport the cargo. Given the urgent need to receive the masks, air transport was chosen as the most suitable option.

At that time several corporations offered assistance to the government, such as the donation and transportation of supplies to support the fight against COVID-19. Therefore, the SAC primarily sought partnerships with the private sector. In that context, “Lojas Americanas” and its subsidiary, “B2W”, donated two flights transporting a total of 9,048,000 masks. This support was crucial because the donation was quickly accomplished, thus allowing the arrival of the first shipment of masks while the Ministry was completing the procurement contract for the transportation of more than 230 million remaining masks.

The public contracting for the transport of the masks was carried out through a bidding waiver, based on Law No. 13,979, of February 6, 2020, the specific legislation for measures to combat the COVID-19 pandemic. Nonetheless, it was decided to conduct a wide market survey process, with the participation of 42 private sector companies.

The best proposal was offered by LATAM Brazil, with which the transport contract was signed with an estimated initial need for 42 flights operated by a combination of Boeing 787-900 and 777 aircraft.

The operation faced big challenges. The SAC had no experience in signing and managing this kind of contract, so we adopted a more cautious approach than usual. The Distribution Center of the Ministry of Health, which would receive the masks and then distribute them, had never dealt with such a large amount of the same kind of cargo. Unfamiliarity was also an issue for LATAM's operation in China, particularly the bureaucratic aspects.





“LATAM, MAKING USE OF A REGULATORY CHANGE ESTABLISHED BY THE NATIONAL CIVIL AVIATION AGENCY (ANAC), WAS ABLE TO LOAD THE CARGO ON THE SEATS OF ITS PASSENGER AIRPLANES. THUS, IT WAS POSSIBLE TO TRANSPORT 240 MILLION FACE MASKS ON 39 FLIGHTS”

Given the high demand for supplies to combat the virus at that moment, even the route to be flown by the aircraft had to be carefully considered, since there was fear that the cargo could be retained in some countries, as reports of this happening had appeared in the media.

Just to give an idea of the difficulties faced, on the very first flight, a bureaucratic problem with the clearance to enter Chinese airspace forced the airplane to fly in a holding pattern over Kazakhstan for almost an hour, until the problem was solved and the clearance was granted.

An interesting technical aspect is that LATAM, making use of a regulatory change established by the National Civil Aviation Agency (ANAC), was able to load the cargo on the seats of its passenger airplanes. Thus, it was possible to transport

the masks in the airplane belly and the passenger cabin simultaneously, without changing the aircraft configuration, greatly optimizing the transport of the cargo.

The entire quantity of masks was transported between May 3 and July 19. LATAM decided to operate almost all flights with the Boeing 777. As this aircraft is larger than the Boeing 787-900, the 240 million face masks were shipped to Brazil on 39 flights, three fewer than the original 42 flights that were planned for.

The operation as a whole was very successful and resulted from the cooperation between the civil society and a determined and responsible governmental work, which was able to quickly address the necessity of healthcare teams at the most critical moment of the COVID-19 outbreak in the country.

**text completed in December 2020*



HOW ANAC'S ACTIVE PRESENCE IN INTERNATIONAL EVENTS HELPED BRAZIL IN THE COVID-19 CRISIS*

Nelson Eisaku Nagamine

Manager of Product Engineering (ANAC)

Daniel Dias da Silva

Coordinator of Aircraft Structures and Interiors Engineering (ANAC)

The Covid-19 pandemic brought one of the worst crises in the history of health and the global economy. By the end of the first quarter of 2020, the extraordinary situation urged aviation recovery since there would have been no way to urgently transport medicine, vaccines, doctors, nurses, mechanical ventilators and supplies to locations where human lives needed to be saved without air operators. Among several actions, one measure was the authorization for commercial air operators to carry cargo in the passenger cabin.

In this sudden and unprecedented circumstance, more and more operators were forced to carry cargo exclusively using aircraft configured for passenger transport. However, passenger cabins had not originally been certified as cargo compartments and therefore do not have their design features, such as automatic fire detection and fire extinguishing and cargo retention systems, among others.

Thus, according to the rule, aircraft could only fly with the cargo compartment occupied and with the passenger cabin practically empty, except for the use of the space below the seats and the carry-on compartments. The extensive use of passenger cabin seats or floor area to carry cargo was not allowed for in the regulations, nor did the aircraft itself contain the features or devices necessary for this. Although initially manufacturers were committed to proposing solutions for carrying cargo in the passenger cabin, there was no time for developing means of meeting traditional safety requirements.

There was then a global movement to allow, temporarily and in this extraordi-

nary circumstance, the carriage of cargo in the passenger cabin, even though it did not meet all the certification requirements of a cargo compartment. Technical issues related to design differences between an approved cargo compartment and a passenger cabin had to be assessed by ANAC. The integration of ANAC, by participating in several activities together with the members of the Certification Management Team (CMT) facilitated the rapid collective construction of criteria. This group is formed by the four main aeronautical product

certification authorities, including the Brazilian ANAC, the U.S. FAA, the European EASA and the Canadian TCCA.

Facing the same dilemmas, subject matter experts within these authorities engaged in an intense technical exchange, with the purpose of harmonizing technical criteria in the best possible manner. This allowed each authority to issue its directive for the carriage of cargo in the passenger cabin technically harmonized with the others, with the

concerns addressed in a synergistic and comprehensive manner. With the contribution of this work, Decision 71 of 2020 was established in Brazil, with guidelines issued by ANAC for the carriage of cargo in the passenger cabin.

Through their guidelines, ANAC, FAA, EASA and TCCA, in joint action with Embraer, Boeing, Airbus and Bombardier, defined conditions and limitations to be followed by operators for the carriage of cargo in the passenger cabin to adequately compensate for the fact that they are not designed for exclusive cargo transport. Such conditions and limitations included

“THROUGH THEIR GUIDELINES, ANAC, FAA, EASA AND TCCA, IN JOINT ACTION WITH EMBRAER, BOEING, AIRBUS AND BOMBARDIER, DEFINED CONDITIONS AND LIMITATIONS TO BE FOLLOWED BY OPERATORS FOR THE CARRIAGE OF CARGO IN THE PASSENGER CABIN”

the permitted types of load, the maximum weights of each load unit, the shape of the load, the retention of the load, the cabin reconfiguration needs, the establishment of trained personnel and procedures for monitoring cargo in all phases of flight and in the appropriate quantity, provisions for detection and effective fire fighting, among other measures.

It is worth mentioning that studies from the 1990s on fire in cargo compartments conducted by the “FAA Technical Center” were fundamental for this work, since they covered the quantities and types of extinguishers for this operation, including carrying loads on seats, or secured directly to the floor, the maximum volume of each cargo area carried on the floor, as well as the space required for visual and physical access to each cargo transport area.

Thus, the weight carried on a seat was limited to 22.5 kg per seat and the ways of attaching each load to the seat were established. The types of extinguishers had also been debated, as Halon gas and water have different advantages and disadvantages. Also, under consideration was the deactivation of the entertainment systems (which can generate heat) and deactivation of the dropped oxygen masks (since oxygen increases the likelihood of an eventual fire).

The qualifications of the crew members were another important point, as these professionals became responsible for the periodic monitoring of the load, replacing the role of fire detection sensors used in the cargo compartment and fighting the fire if necessary.

Referring to a text published in the EASA’s September 2020 “Design & Certification Newsletter” magazine, the experience of working alongside EASA, the FAA and TCCA was a rich and victorious teamwork experience, combining different disciplines and experts from different nations, all in a virtual way, in a short period of time and with truly practical and valuable results, all for the sake of a single noble goal.

ACCEPTABLE LEVEL OF SAFETY



Like any machine, an aircraft is subject to numerous natural phenomena, or even human errors. The aircraft may “collide” with a bird or be struck by lightning. It can pass through a strong gust of wind in flight or be forced to land with side wind. Moisture from the fuel can freeze, turn to ice, and cause a blockage. Occasionally, navigation may be compromised if there is an error in the GPS signal. The pilot may not understand the alert indication and may not perform an emergency procedure at the appropriate time. The passenger may be confused by the emergency door opening instructions. Cell phones may be on and this may cause interference in the control of the aircraft. A fire may break out in the cargo compartment. The runway may be wet or snowy at the time of landing. The maintenance mechanic may misunderstand

an inspection instruction. Product certification confronts the aircraft with these diverse phenomena, which are captured through certification requirements (RBAC 23, 25, 27, 29, 33 and 35). There are thousands of scenarios based on lessons learned throughout this century of aviation.

Against all these thousands of scenarios, the applicant produces thousands of evidences. Much of the proof is obtained in simulated situations because it is not always safe to test the aircraft under real conditions. In turn, ANAC conducts a consistency and gap-finding assessment exercises, guided by rules and a risk methodology, and selects a portion of this evidence for a more judicious examination, consider-

ring the expertise of the applicant and the presence of technological, methodological or regulatory innovations.

Now you might wonder, what would happen if the aircraft faced more than one scenario like this at the same time, like being struck by lightning and that lightning cause a GPS signal reading error precisely in a low visibility landing. Although this is an exaggerated example, debates about composite scenarios are part of daily product certification. This illustrates the importance of reasonableness, even in engineering, which leads, for example, to the existence of risk-proportional criteria, depending on the size and use of the aircraft. This is what we call an acceptable level of safety.

“THE EXPERIENCE OF WORKING ALONGSIDE EASA, THE FAA AND TCCA WAS A RICH AND VICTORIOUS TEAMWORK EXPERIENCE, COMBINING DIFFERENT DISCIPLINES AND EXPERTS FROM DIFFERENT NATIONS, ALL IN A VIRTUAL WAY, IN A SHORT PERIOD OF TIME AND WITH TRULY PRACTICAL AND VALUABLE RESULTS”



**text completed in December 2020*



TRANSPORT OF MEDICAL PRODUCTS AND BIOLOGICAL SUBSTANCES BY AIR TAXI*

Leonardo Macedo Rodrigues Cascardo
Manager of Dangerous Goods (ANAC)

Air taxi operators are governed by Brazilian Civil Aviation Regulation (RBAC) N° 135 and they undergo an ANAC certification process when they choose to transport cargo. The certification complies with the requirements described in RBAC N° 119.

During the novel coronavirus pandemic, the Department of Flight Standards (SPO) published Ordinance 880/SPO dated March 27, 2020. As a result, authorization has been granted on an extraordinary basis during the pandemic for air operators certified to conduct public air trans-

port operations according to RBAC N° 135 to carry out cargo transport pursuant to RBAC N° 135, Section 135.87. This operation can only occur when the air carrier observes certain mitigation measures that have been described in the referred Ordinance. For example, if the cargo is carried atop passenger seats, then there shall be no passengers or other persons not required to conduct the operation sitting in the passenger cabin.

The measure aims to facilitate the flow of medical products, such as vaccines, masks, respirators, and tests for coronavi-

rus detection. SPO published the measure considering that there was a considerable decrease in the frequencies of scheduled flights being offered and considering the large network of transport offered by air taxi operators.

Another issue dealt with by the same Ordinance was the transport of dangerous goods. Authorization was granted temporarily during the pandemic for operators typically not certified to carry dangerous goods to do so. Thus, as in cargo transportation, some mitigation measures were required. In addition, temporary authorization was limited to the dangerous good classified under the United Nations (UN) 3373 (Biological substance, Category B). It is worth noting that coronavirus detection tests are classified by the UN in this category.

On this subject, it is important to note that some types of biological materials are classified by the UN as dangerous goods. Dangerous goods are objects or substances capable of posing a risk to health, operational safety, property or the environment and which are present on the International Civil Aviation Organization (ICAO) List of Dangerous Goods, Doc 9284. In Brazil, IS (Normative Instruction) 175-004 regulates this subject. According to the document, biological material can be divided into several types:

“THE PUBLICATION OF PORTARIA (ORDINANCE) 880/2020 AIMS TO FACILITATE THE FLOW OF MEDICAL PRODUCTS, SUCH AS VACCINES, MASKS, RESPIRATORS, AND TESTS FOR CORONAVIRUS DETECTION”

- **Category A:** when the substance is capable of causing a permanent disability, endangering life or constituting a fatal disease in humans or in healthy animals;
- **Category B:** when the substance does not meet the criteria for inclusion in Category A;
- **Materials with minimum risk to Human/Animals:** composed of patient samples for which there is minimum probability of presence of pathogens;
- **Exempted biological material:** not classified as a dangerous item. Examples: environmental samples that are not capable of posing a significant risk of infection, organs intended for use in transplant, among others; and
- **Medical waste:** may be classified as Dangerous Goods similar to those in Category A or B. Example: used syringes.

IS 175-004 is currently fully harmonised with international regulations on this subject, including ICAO Doc 9284 - Technical Instructions for the Safe Transport of Dangerous Good by Air and the UN Model Regulations - UN Recommendations on the Transport of Dangerous Goods. Brazilian participation in UN or ICAO international meetings contributed to this normative alignment with international regulations.

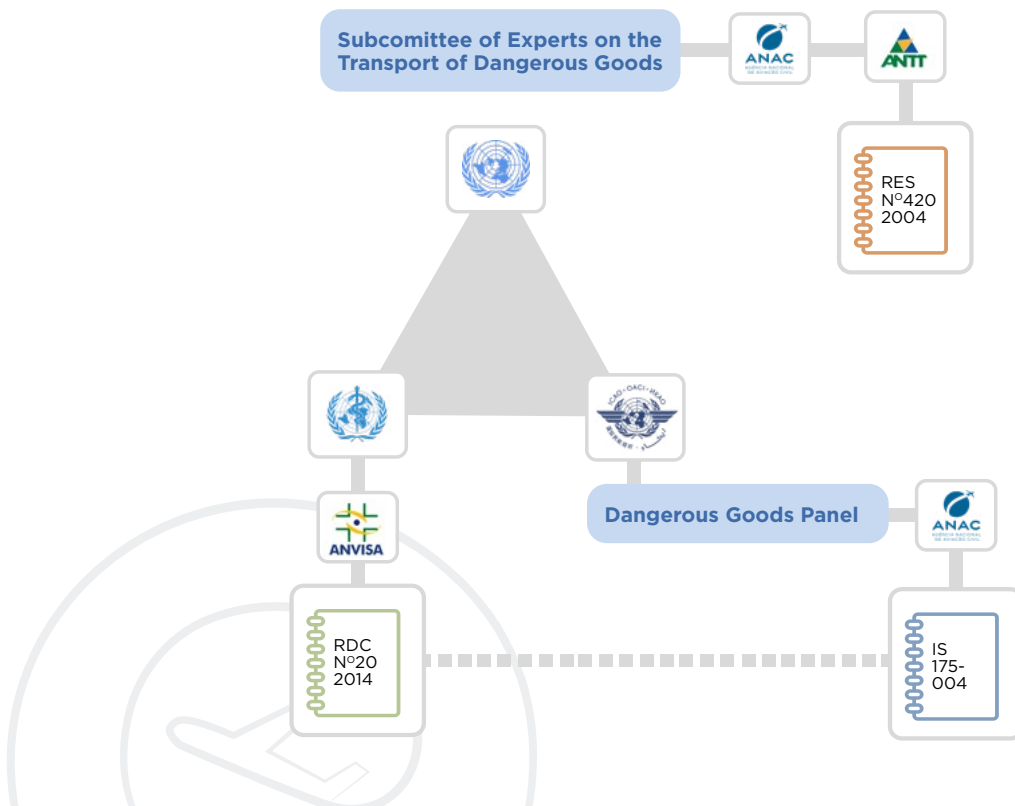
Brazil is a member State in the meetings of the Subcommittee of Experts on the Transport of Dangerous Goods (TDG). This meeting discusses the transport of dangerous goods in various modes of transport, including air transport. ANAC and National Land Transport Agency (ANTT) send Brazilian representatives. The World Health Organization (WHO) also participates in TDG meetings. The general aspects for the transport of biological material are included in the discussion agenda of this meeting.

After defining the general aspects, the matter is referred to the ICAO Dangerous Goods Panel (DGP), which adopts the measures indicated by the UN. In some situations, the DGP includes some specific aspect of air transport in the proposed regulation.

WHO regulations, known as Guidance on Regulations for the Transport of Infectious Substances, are published every two years in line with TDG and DGP re-

gulations. This document is used to guide shippers, mainly clinical analysis laboratories, to properly prepare biological material and infectious substances for shipment.

The following figure illustrates Brazilian participation, including that of ANAC, in the international events that discuss the theme and shows how the regulations developed by the different agencies relate to these events.



Therefore, ANAC, through its solid participation of institutional representation, has been able to act in the global construction of the requirements for the transport of biological material. Based on international discussions, ANAC, together with National Health Surveillance Agency (ANVISA), publishes the rules for the

transport of these types of substances. These rules are applicable to all types of operations, including those performed by air taxi operators. Therefore, the rules published by ANAC have been quite important to allow for the safe transport of medical use products and, more recently, to combat the novel coronavirus pandemic.

*text completed in December 2020

CRISIS AND OPPORTUNITY: ANAC MEASURES AND LAUNCH OF THE VOO SIMPLES PROGRAM IN THE CONTEXT OF THE PANDEMIC*

Juliano Alcântara Noman
Director-President (ANAC)



The COVID-19 pandemic has produced unprecedented social, economic and cultural effects worldwide and, for sure, civil aviation was one of the most affected sectors. In this context, the action taken by countries in relation to their respective air sectors varied considerably. Some countries have ordered the total suspension of their international and domestic commercial aviation operations, while others have made substantial financial contributions to the sector, such as the United States and

some European countries. In Brazil, in a context of fiscal restrictions, the Government issued possible financial measures with the approval of Provisional Presidential Decree No. 925/2020, later converted into Law No. 14,034 / 2020.

“CONSIDERED THE LARGEST PROGRAM EVER LAUNCHED FOR BRAZILIAN GENERAL AVIATION (GA), THE VOO SIMPLES WAS CREATED IN COLLABORATION WITH THE GA COMMUNITY”

At the same time, ANAC took the lead on the coordination of working groups to discuss measures that could mitigate the effects of the pandemic and provide support to the air sector. Efforts were directed to review current rules and quickly provide a regulatory environ-

ment appropriate to the circumstances, all while maintaining safety of the entire civil aviation system.

The experience gained from this mobilization made clear the urgent need to modernize procedures, processes, and regulations, which revision was being considered, but not yet implemented. In this challenging context, the Voo Simples (Simple Flights in English) Program was born.

Considered the largest program ever launched for Brazilian general aviation

(GA), the Voo Simples was created in collaboration with the GA community. Although engulfed in the largest global aviation crisis, we stopped to listen to the community regulated by ANAC looking at the practical application of our regulations.

In this exercise, we were also faced with legal restriction that hamper the development of the industry and ANAC's performance, which is often limited by old-fashioned and redundant law provisions that no longer meet the current reality.

BRAZIL'S RAPID REACTION TO THIS NEW REALITY

In Brazil, during March 2020, ANAC convened the Crisis Management Room, the Agency's institutional instrument to be mobilized in events like this. Subsequently, we established the "Working Group for the Resumption of Civil Aviation after COVID-19", gathering government institutions, regulated entities, and industry associations.¹

The first ANAC regulatory measure with a financial impact at the beginning of the pandemic was a slot waiver for certain airports, which went into force after the publication of the previously mentioned Provisional Presidential Decree No. 925 by the Federal Government, on March 18, 2020. This Decree also aimed to alleviate the companies' short-term cash flow and guarantee the rights of passengers who would be impacted by border closures and flight cancellations. This measure included an extended deadline for the payment of fixed and variable grants established in the airport concession contracts and also increased the period for the reimbursement of purchased airline tickets. In the same manner, ANAC made

some provisions more flexible through Resolution No. 400, which provided for the rights and duties of passengers, among other specific flexibilities.

At the end of March, our main concern was to maintain air connectivity and logistics corridors. Aviation could not stop due to the need to deliver medical supplies, transportation of health professionals, and the return of people to their homes. Thus, on March 27, 2020, we announced the minimum airline network for commercial flights within Brazil, effective in April. The "Essential Air Network" was the result of dialogue and joint effort established among the airlines, the Administrative Council for Economic Defense (CADE), the Ministry of Economy, the Ministry of Infrastructure, and ANAC.

With this voluntary effort of so many entities, we were able to ensure that all Brazilian states had flights and air transportation was made possible even at the time of the lockdown. With the definition of the first minimum air network, Brazil kept all its capitals connected as well as 18 other cities. This action was especially

1. *Details on the performance and importance of this group can be found in the article "Aviation Resumption Working Group (Resumption WG)" in this Special Edition..*

strategic for Brazilian civil aviation, given that a joint understanding was agreed upon without any interference in terms of frequencies and routes.

Following all these air sector challenges was a complex mission and required ANAC’s internal organization. Thus, ANAC divided the monitoring into 4 technical subgroups: health protocols; regulatory measures; market and communication data, and information. The information generated by these subgroups contributed to the review of procedures, processes, and standards so that the system could adapt itself to this new reality, besides bringing relevant information to regulated and air transport users.

Through this monitoring of regulatory measures, ANAC published more than 60 flexibilities to minimize the potential negative impacts of the pandemic, considering the risks of safety, security and biosafety. Many of these changes have generated new business environments, as is the case of the sale of seats by air taxi companies. Other examples were: cargo transportation in the aircraft passenger cabin; possibility of extending the validity of licenses, certificates, authorizations and accreditations; replacement of mandatory face-to-face with online courses and exams; and adjustment of security measures that could cause overcrowding.

LAUNCH OF THE VOO SIMPLES PROGRAM



With all this reflection, agility, and joint effort, we understood the need for a thorough review of Brazilian regulations in order to make the regulatory environment more efficient, flexible, and modern.

In October 2020, we launched the Voo Simples Program, a series of initiatives resulting from the partnership between ANAC and the Federal Government. At

first, we presented more than 50 actions that sought to simplify, reduce bureaucracy, and align our rules to generate safety without further burdening the market with unnecessary requirements. By the end of 2020, we had already fulfilled 26 of these actions, revoking bureaucratic procedures that did not add value to our services, but increased costs and created barriers for regulated companies.

Although we have seen good results within the regulatory scope, there is still a long way to go in terms of legal changes, especially in the Brazilian Aeronautical Code - CBA (Law 7.565 / 1986) and in the Law that created ANAC (Law 11.182 / 2005). The Agency consolidated some urgent and relevant demands with a normative proposal that is being analyzed by the Ministry of Infrastructure and Casa Civil to be submitted to the President of the Republic. A good example is the proposal to simplify the Brazilian Aeronautical Registry (RAB), by excluding procedural provisions from legal regulations.

Another structural change in the sector is the proposal to adopt a new scale of fees for the Civil Aviation Inspection Fee (TFAC), with a complete change in taxable events, considering only the activities related to products delivered by the Agency. With this proposal, we intend to streamline the way fees are collected, dividing into groups of complexity and adjusting the payment to the type of the regulated that requests the service, and simplifying and updating procedures during this process. With this new base, we will generate a great advance to the market by providing the development of new business models, in addition to furthering a better environment for stakeholders who already use the Agency's services.

The receptiveness of dialogue will be permanent and seeks to develop a culture of responsive regulation within ANAC, in which cooperation between the regulator and the regulated encourages

voluntary compliance with the rules, while maintaining the provision of penalties when an intentional or repeated non-compliance occurs.

We understand that outdated, bureaucratic and disproportionate legislation can keep the regulated from complying with the rules, often leading to concealment. Thus, by bringing responsive regulation to our actions and decisions, we seek more adherence to standards by those regulated, and, consequently, a systemic increase in civil aviation safety in Brazil

Aligned with the culture of responsive regulation, we continue to pursue a normative model that strengthens the use of regulation instead of the law in the country. It is well known that this is the best way to define technical requirements and procedures related to civil aviation mainly because of the dynamic and the innovative characteristics of the sector. Aviation is a modal that is designed worldwide, resulting from constant discussions, so cannot have rigid rules as are the laws.

We have many challenges ahead and we are eager to do more and do better. We started this journey knowing that it is essential to expand the freedom to regulate the sector, to modernize what we demand today and to listen to those who work in everyday aviation, so we will better understand how, in fact, our regulation can contribute to the development of a safer, more sustainable and accessible air transport to all Brazilians.

“WE UNDERSTAND THAT OUTDATED, BUREAUCRATIC AND DISPROPORTIONATE LEGISLATION CAN KEEP THE REGULATED FROM COMPLYING WITH THE RULES, OFTEN LEADING TO CONCEALMENT”

**text completed in January 2021*



Direct from *Montreal*

Marcelo de Souza Carneiro Lima

Air Transport Advisor in the Permanent Delegation of Brazil to ICAO



ICAO COUNCIL ELECTS NEW SECRETARY GENERAL

The Council of the International Civil Aviation Organization (ICAO) elected Juan Carlos Salazar (Colombia) to succeed Dr. Fang Liu (China) to the position of Secretary General of that Organization. The mandate begins on August 1, 2021 and ends on July 31, 2024. Salazar is the

current Director General of the Civil Aviation Authority of Colombia (Aerocivil). The following candidates also applied for the position: Brigadier Ary Rodrigues Bertolino (Brazil), Gilberto Lopes (Mexico), Melvin Cintron (Dominican Republic) and Habib Mekki (Tunisia).

ANAC CAREER EMPLOYEE AND CURRENT DIRECTOR OF THE ICAO-LIMA OFFICE, FÁBIO RABANNI, IS NOMINATED BY BRAZIL FOR THE WALTER BINAGHI AWARD

Fabio Faizi Rahnemay Rabbani was nominated by the ANAC Board of Directors for the 9th Walter Binagui Air Navigation Commission Laurel Award. His leadership in promoting prompt response to COVID's aviation impacts in the SAM Region resulted in a series of urgent

actions of support, collaboration, and communication among the main aviation stakeholders to mitigate health risks and preserve the sustainability of the civil aviation system. The nomination by the ANAC Board of Directors was endorsed by the Brazilian Ministry of Foreign Affairs.

ANAC CAREER EMPLOYEE IS ELECTED VICE-CHAIR OF CAEP

The discussions on environmental issues have been the most intense with ICAO. The discussions on noise, emissions, and climate change involve several aspects, including environmental performance of aircraft and its operations, the sustainability of alternative fuels and the carbon market with economical aspects included in such discussions. Brazil has actively participated in the discussions through constant dialogue among ANAC, the Airspace Con-

trol Department (DECEA), the Ministry of Foreign Affairs and the National Civil Aviation Secretariat (SAC).

In October, an election was held for the position of Vice-Chair of the CAEP and the ANAC career employee, Ricardo Dupont, was selected for a mandate of one year. He has been coordinating environmental activities at ANAC's Office for International Affairs and Environmental.

ICAO ESTABLISHES A NEW PANEL: PERSONNEL TRAINING AND LICENSING PANEL (PTLP)

The Air Navigation Commission (ANC) approved the creation of the Personnel Licensing and Training Panel, which will address issues related to personnel training, licenses, studies, new training technologies, and the implementation of automation. The creation of the panel coincides with the creation of the ANAC Department of Civil Aviation Personnel

(SPL), which will be technically responsible for this panel at ANAC. It should be noted that the topic is of interest to ANAC and DECEA (which conducts training and issues licenses of air traffic controllers and represents the Brazilian delegation at the ANC). ANAC will be a member of the Panel and DECEA will play the role of advisor to the Panel.

4 ANAC PUBLIC SERVANTS TAKE PART AS PANELISTS IN THE ICAO GLOBAL SYMPOSIUM OF INNOVATION



ANAC took part in the ICAO Global Symposium on the Implementation of Innovation in Aviation. The virtual event was held December 8-11, 2020. The ANAC public servants Gustavo Sanches and Edvaldo Oliveira respectively presented the following topics: “Use of blockchain technology as a regulatory tool” and “Safe Flight Application” on the [Digitalization Panel](#). (Click on the link to access). The ANAC Head of Flight Standards, João Garcia, conducted a presentation on “Re-

gulatory Strategies to foster innovation” while the ANAC Head of Airworthiness, Roberto Honorato, conducted a presentation on “Drone Regulation Innovation” during the [Innovation Panel](#). (Click on the link to access). The event covered worldwide innovative initiatives in aviation and presented several scenarios and trends in the sector. It should be noted that the theme of innovation has been a constant subject in ICAO discussions and should guide the institution’s work agenda.

ASINT INTERVIEWS HEADS OF TECHNICAL DEPARTMENTS AND DIRECTORS TO DRAFT THE ADVISOR’S WORK PLAN

The ANAC International Affairs and Environmental Office (ASINT) conducted the first round of interviews with ANAC’s heads of Technical Departments and Directors to understand what the work of the ICAO Air Transport Advisor should be from a client perspective. Former advisors Alex Romera, André Rebouças, Roberto Rosa, and Dário Taufner were also interviewed to

provide a better understanding of their visions, challenges, recommendation, and lessons learned of the work that has been done. The next round of interviews will be with the Agency’s ICAO panelists. The work plan is linked to the Sectoral Project for Restructuring the Governance of the International Representation of ANAC, coordinated by ASINT.

ANC DEBATED PASSENGER CABIN CARGO TRANSPORTATION/ ANAC HAS PROMINENT POSITION

During the last session of the year, the ANC held discussions on cargo transport in passenger aircraft. The topic gained importance due to the pandemic, which impacted cargo transport in the air modal. With the urgent need to transport materials to combat the COVID-19 pandemic, studies have been made on the best way to transport

cargo inside the passenger cabin and on emergency exemptions that would allow this type of transport. ANAC, a member of the 4 major certification authorities (along with TCCA, FAA and EASA), played a prominent role in the studies, which was materialized in Decision 71/2020, which established stricter safety protocols for the subject matter.





International Affairs and Environmental Office (ASINT)

LATIN AMERICAN COUNTRIES SIGN AGREEMENT FOR TEMPORARY LIBERALIZATION OF 7TH FREEDOM FOR CARGO TRANSPORTATION



Proposed by Brazil and Chile, the main objective of this agreement is to facilitate the transportation of material to combat COVID-19, especially vaccines and supplies, through the temporary liberalization of the 7th freedom of the air for air cargo services. [Learn more about Freedoms of the Air](#).(Click on the link to access).

The proposal and the text of the Memorandum of Understanding (MoU) were

presented in May 2020. In December, LA-CAC called an Extraordinary Assembly to celebrate the entry into force by 10 of the 22 Member States of the Commission.

The signatories are: Brazil, Chile, Ecuador, Guatemala, Panama, Paraguay, Peru, Dominican Republic, Venezuela, and Uruguay. The document allows the admission of other LACAC Member States. [See the approved text](#).(Click on the link to access).

LACAC WILL REQUEST ICAO TO DISCUSS THE POSSIBILITY OF A GLOBAL 7TH FREEDOM AGREEMENT FOR CARGO TRANSPORTATION

During the same Extraordinary Assembly, Member States approved a Working Paper presented by Brazil and Chile that proposes LACAC to request ICAO to discuss the possibility of a global agreement based on the regional model. LACAC will take the proposal for consideration to the ICAO Council.

This regional agreement has already

had an impact on ICAO. The Secretary General of the Organization, Dr. Fang Liu, noted the importance of the agreement for efficiency in the distribution of the vaccine in the short-term and its potential to foster e-commerce in the long term. In addition, Dr. Fang Liu strongly encouraged other countries and regions to take similar actions. [See the ICAO release.](#) (Click on the link to access).

LACAC APPROVES RESOLUTION ON MEASURES TO SUPPORT CONSUMERS AND THE FINANCIAL SUSTAINABILITY OF COMPANIES

Based on a proposal from Brazil and Colombia, the Resolution provides for possibilities and terms of reimbursement or credits to the consumer in case of flight cancellation or canceled plans by the passenger. The objective of the measure is to provide options and guarantees to passengers and to propose measures

to relieve the short-term cash flow of airlines.

The text used as a normative model was Brazilian Law No. 14,034, of August 5, 2020, which was converted from Provisional Presidential Decree No. 925, of March 18, 2020. [See the approved Resolution.](#) (Click on the link to access).

SRVSOP MOVES FORWARD IN THE NOTIFICATION PROCESS OF HARMONIZING OR ADOPTING ITS NATIONAL REGULATIONS WITH THE LARS

The Regional Safety Oversight Cooperation System (SRVSOP) has made a commitment to complete notification of harmonization or adoption of its national regulations in alignment with the Latin American Aeronautical Regulations (LAR) by March 31, 2021. This harmonization could also contribute to regional recovery to combat the negative effects of the pandemic.

One of the SRVSOP's objectives is to es-

tablish regional regulatory harmonization that complies with ICAO Standards and Recommended Practices (SARPs).

This contributes to the regional standardization of processes, such as certifications and inspections carried out by the Member States.

This harmonization could also contribute to regional recovery to combat the negative effects of the pandemic.

CIVIL AVIATION RESTART, RECOVERY AND RESILIENCE: NO COUNTRY LEFT BEHIND*

In COVID-19 times, civil aviation continues to play an essential role in responding to the crisis and in the socio-economic development of the peoples of the world. Collaboration among States, industry, society and decision-makers has been a key tool for aviation to maintain this role. But is it enough?

Fabio Faizi Rahnemay Rabbani
Regional Director - SAM Office (ICAO)

We are in the midst of a pandemic. We are also amid an “infodemic”¹ related to misinformation and distortion of the truth. One of the symptoms of the pandemic added to the “infodemic” is the uncertainty of what will come next and what measures institutions, society and individuals should adopt. Changes in habits, new rules of social conduct and specific measures of biosafety of various economic sectors became commonplace and the air transport sector, immensely impacted, was no exception.

The first months of the crisis generated by COVID-19 already give us a dimension of the social and economic impacts that are yet to come. In the midst of all this, we seek answers to questions such as: is using air transport still safe? Is aviation a primary vector for the spread of COVID-19?

ICAO has been working with its sister entities in the United Nations and with other stakeholders from the sector to

adopt measures and ensure that responses to these questions demonstrate to society that using air transport will not be a threat to public health, even while the sector needs to remain sustainable.

The first global guidelines for the sector came from the work of the ICAO Council Aviation Recovery Taskforce (CART) which, assuming responsibility for issuing timely guidance, decided to work together with the Secretariat and Industry to develop a series of recommendations and protocols on health, safety and economic support aspects². One of the main technical forums on the subject, the Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA), took the lead in technical discussions to support the CART, with the participation of health entities, migration authorities, tourism bodies, and associations of the civil aviation industry. The guidelines were



1. World Health Organization. Let's Flatten the infodemic curve. Available at <https://www.who.int/news-room/spotlight/let-s-flatten-the-infodemic-curve>
2. Information on ICAO global actions is available at <https://www.icao.int/covid/Pages/default.aspx?CIVILATION/COVID-19/Pages/default.aspx>

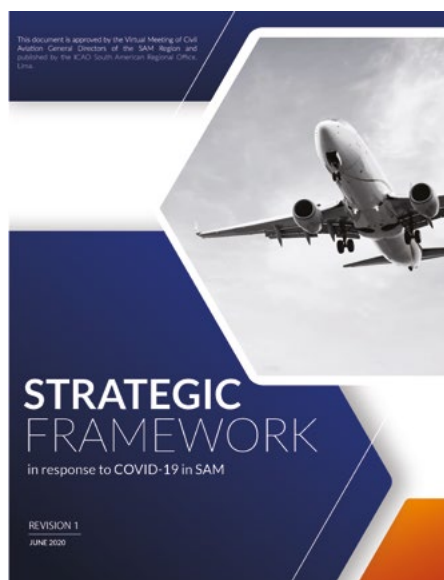
accompanied by guidance materials, training, and online tools to monitor and disseminate the status of implementation of global recommendations.

In the South American region, the ICAO office in Lima, which is responsible for supporting all countries in the region, including Panama (commonly called the SAM region), acted in a coordinated and rapid manner³. Based on the experience gained in supporting the implementation of international standards and global civil aviation plans, it was already considered that the measures in response to COVID-19 at the global or regional level would pass through the stages of awareness, knowledge generation, engagement and direct involvement of high-level leadership. Moreover, once engaged, States needed to adapt the models of implementation of the measures to their reality, in which, sometimes, the experimentation and generation of lessons learned took time. Aware that time and appropriate involvement of the parties could not hinder the adoption of timely measures by the stakeholders of the system, the strategy adopted was to anticipate regional discussions based on the information and data existing at that time.

Accordingly, during the first meeting of Directors General of Civil Aviation of the SAM region, held in April 2020, it was agreed to create a SAM strategic framework to respond to COVID-19 in the civil aviation sector⁴, with the coordination of a group of representatives of the States, Industry and other stakeholders in the sector. In the same decision, two actions were promptly ordered: the elaboration of reference sanitary protocols

and guidance materials to ensure operational safety in times when the usual training procedures, certification and surveillance could not be performed in the same manner or frequency.

In addition, operational measures were immediately adopted to ensure the clear communication of the decisions that were being already taken by the States in the initial response to COVID-19. With several countries closing their borders and/or entirely or partially restricting air operations, aeronautical publications were made available with all sorts of information that sought to reflect decisions based on non-aeronautical issues. The coordination carried out by ICAO, implemented through its regional offices, not only sought to standardize information for transparency, but also sought to avoid misinterpretation by countries, which in turn could have potentially disrupted humanitarian flights.



3. Information on ICAO SAM regional actions is available at <https://www.icao.int/SAM/SECURITY-FA>
 4. Strategic Framework of the SAM region approved in June 2020, available at <https://www.icao.int/SAM/SECURITY-FACILITATION/COVID-19/Pages/COVID19-StrategicFramework.aspx>

Since more than 60% of international air cargo in the SAM region had traditionally been transported in the cargo holds of passenger aircraft, the logistics of various companies and manufacturers and the transport of air cargo was greatly hampered by the lack of available commercial passenger flights. With the intention to utilize passenger aircraft for all-cargo transport, guidance on sanitary procedures for crews and specific guidelines were developed to guide States in risk assessment and authorization of such operations. As a result of these operations, between June and September there was an average increase of more than 13% in international exclusive cargo operations in the region, compared to the same period of the previous year⁵.

Regional health protocols have been developed within the Regional Safety Oversight Cooperation System (SRVSOP) panel of aeronautical medical experts and became the first reference drafted collaboratively in the region to identify what would be the measures that today we regularly see in our air transport journeys. The first version was published in June 2020 and the strategy of producing a document even before we had the global guidelines proved to be correct. This first version contributed to generate awareness, aggregate knowledge and stimulate high level engagement, what advanced the steps we would have to take in the subsequent months with the establishment of national rules.

Since the origin of the information and data used in both the CART and the protocols developed in the SAM region were the same, only minimal adjustments to the SAM plan were required when the

CART recommendations were published in July 2020. Currently, 12 out of 13 countries in the SAM region have health protocols for air transport operations, largely aligned with the model discussed regionally and presented by CART.

The SRVSOP also played a key role in creating a series of guidance materials⁶ that served as a basis for supporting States' decisions to assess the risk of extending the validity of licenses and certificates and to ensure that there would be no interruption of air services. Since May 2020, there have been more than 25 brochures and advisory circulars published, that addressed airworthiness, operations, licenses, air navigation services and aerodromes. These materials incorporated concepts of hazard assessment, risk management and change management. And more was achieved in terms of safety, for instance, with the publication of guidelines and adjustments in the inspector's manual on how to perform surveillance activities remotely, given the limited deployment of inspectors. Another topic that was also addressed and resulted in new guidance relates to the mental health of air sector professionals, who today undergo various and demanding personal pressures and those associated to their work environment.

Security screening is one of the first areas in a passenger's journey on a commercial flight in which the measures of social distancing is difficult to implement. Considering this fact, representatives from the AVSEC/FAL group for the Americas, coordinated by the ICAO offices in Lima and Mexico, agreed on procedures on how to best

5. Available at <https://data.icao.int/COVID-19/>

6. Information regarding measures adopted by SRVSOP are available at <https://www.srvsop.aero/covid-19/>

preserve the health of the passengers and staff during security screening. Among the group's activities, was the drafting of a matrix that contained Member States' COVID-19 health protocols, which was used as a tool for information sharing. The group also promoted the use of technology to make health measures more effective and at the same time offer a better experience to passengers.

The example above was only one of the activities carried out in close collaboration between the ICAO regional offices for the Americas. The NACC office (Mexico) also drew up its COVID-19 response plan in full alignment with the SAM's strategic framework, allowing information and lessons learned to be shared. With this coordination, a virtual meeting was held for the first time that included the Directors General of Civil Aviation of all the countries in the Americas. This offered opportunities for coordination and mutual support of new initiatives.

In addition to harmonization, a major challenge for coordination among several stakeholders is proper communication. A Communications Plan was another product of the region's strategic framework, which was drawn up for the region to combat the "infodemic." The Communications Plan's purpose was created to allow the Member States' decisions and guidance to be shared in an organized and accessible way, at the same time that best practices in crisis management could be made available to all stakeholders.

Today, the majority of South American countries have already restarted domestic and international operations. The SAM region has also been the most responsive in reporting and monitoring system regarding the adoption of CART measures around the world. However, up to mid-October 2020, flight demand and supply in the SAM region is below what was observed in the world average. Naturally, one of the reasons identified that explains the situation is related to the time lag of the COVID-19 contagion curves in relation to other parts of the world.

“THE SAM REGION HAS ALSO BEEN THE MOST RESPONSIVE IN REPORTING AND MONITORING SYSTEM REGARDING THE ADOPTION OF CART MEASURES AROUND THE WORLD”

Despite all efforts, a number of challenges remain unsolved and require further coordinated action by all stakeholders. The harmonization of measures adopted by countries has been part of the recurring challenge. But what does it mean to harmonize in an environment where the sovereignty of countries is respected, and the

socio-economic impacts of COVID-19 are different? The answer lies on a topic very familiar to the air transport sector: that is adequate risk management, based on common criteria and methodologies, and considering a package of risk mitigation measures, allowing the outcome of States' assessments to be predictable according to their circumstances. Another important topic will be the logistics for vaccine distribution, which will depend on the origin of the supplies, the manufacturing countries, the purchase and sale agreements, the production capacities, and the availability of infrastructure for distribution.

Part of the September to November discussions for the second phase of CART is the adoption of measures based on adequate risk management by States. In addition, temporal measures to ensure safety and the formal deployment of public health corridors between two or more States are objectives of the new CART document developed by the ICAO Council.

The impact on society due to this crisis has been enormous and the demand for air transport will naturally be impacted for some time into the future. The answers to the questions made at the beginning of this article can be partially answered by the actions that are being adopted. However, in order to ensure the resilience of the sector, the principles of a healthy regulatory environment remain valid to stimulate efficiency and increase the attractiveness of markets: transparency, predictability, rationality of regulatory measures and adoption of cost reduction measures and economic stimuli are fundamental for aviation to withstand the worst of the crisis.

As established by the Air Transport Action Group (ATAG)⁷, “after the shock caused by the COVID-19 pandemic (...), it is expected that the aviation industry will grow significantly again in the next two decades, although there is a smaller growth trend than in previous projections.” ATAG further confirms that “the months when air transport was limited or completely stopped in the world during the COVID-19 crisis made us even more aware of the importance of aviation to markets and logistics chains, the delivery of goods in a globalized world and the role that aviation has at the social and personal level thanks to the connectivity it provides.”

“IN ORDER TO ENSURE THE RESILIENCE OF THE SECTOR, THE PRINCIPLES OF A HEALTHY REGULATORY ENVIRONMENT REMAIN VALID TO STIMULATE EFFICIENCY AND INCREASE THE ATTRACTIVENESS OF MARKETS: TRANSPARENCY, PREDICTABILITY, RATIONALITY OF REGULATORY MEASURES AND ADOPTION OF COST REDUCTION MEASURES AND ECONOMIC STIMULI ARE FUNDAMENTAL FOR AVIATION TO WITHSTAND THE WORST OF THE CRISIS”

The declaration “to promote connectivity through the development and sustainability of air transportation⁸” made during the 2018 ICAO World Aviation Forum (IWAF), in Fortaleza, continues to guide regional actions. It reaffirms that air transport is an essential means for the socio-economic development of our countries, and that it depends on strong institutions, promotion of safety and respect for the environment. The current challenges cannot change the direction mapped out for the growth of aviation in South America.

7. *Aviation Benefits Beyond Borders, September 2020, available at https://aviationbenefits.org/media/167143/abbb20_full.pdf.*

8. Available at <https://www.icao.int/Meetings/iwaf2018/Pages/Declaration-for-the-Pan-American-Region.aspx>

**text completed in December 2020*



A FUTURE VISION FOR REGIONAL INTEGRATION*

Ricardo Bisinotto Catanant

Director (ANAC)

Marcela Braga Anselmi

Head of International Affairs and Environmental Office (ANAC)

The COVID-19 pandemic triggered the worst recent economic crisis for the international airline industry. The sanitary measures to combat the novel coronavirus hit the heart of aviation: the free movement of goods and people. From one day to the next, health barriers among States were put up, imposing new controls on national borders. In a retrospective analysis, there is no doubt that State authorities have to put in place necessary protocols for the control of the disease and the protection of human life.

However, the economic impacts of such measures are still being felt and international civil aviation will still need a few years to recover to pre-crisis growth rates. According to data from the International Civil Aviation Organization (ICAO), the projection is that the number of seats offered in our region will have suffered by a reduction of 60% in 2020 compared to 2019, which means about 87 million fewer passengers being carried in 2020. In terms of gross revenue, the drop will be around USD 17 billion in Latin America alone, compared to more

than USD 260 billion in lost revenue by the sector worldwide.¹

Faced with this context, the recovery will more likely to be slow, gradual, and directly dependent on the increase in passenger confidence toward the correct adoption of health protocols by airlines and airports. More than that, the resumption of growth will require effective and coordinated actions by State authorities and industry, with a view to promote a favorable environment for the development of the sector, without bureaucratic obstacles or unnecessary regulatory barriers.

The international economy is characterized by a complex chain of production and transportation that is globally interconnected. The airline industry is a fundamental link that allows the flows of products and people to move faster and efficiently. This movement does not seem to cool down in the near future and the post-pandemic world further reinforces the essential need for regular cooperation among States. Therefore, in this scenario of an unprecedented crisis, a unique opportunity arises for our region, and ANAC, as a distinguished international civil aviation authority, has an important role to play.

Without a doubt, civil aviation in Latin America has immense potential, not only for domestic but mainly for international air transport. However, we still have very limited air connectivity with the world's major commercial and financial centers. In addition, the environment for the growth of new business models runs into laws and regulations that are substantially protectionist.

In Brazil, we are struggling to reduce these barriers and modernize our regulatory framework thus allowing the development of the air transport sector based on more competitive and inclusive principles. However, these measures will have a much greater meaning and potential for improvements if applied jointly by the other countries of the region, due to the very

nature of the airline industry, which essentially operates in networks.

To this end, the establishment of a single and integrated regional market - with simplified rules, reduced barriers, and open markets - has the potential for reciprocal benefits for the entire region, in the same proportion that it allows for economies of scale to be achieved in the industry and it encourages competition in the sector.

“IN BRAZIL, WE ARE STRUGGLING TO REDUCE THESE BARRIERS AND MODERNIZE OUR REGULATORY FRAMEWORK. HOWEVER, THESE MEASURES WILL HAVE A MUCH GREATER MEANING AND POTENTIAL FOR IMPROVEMENTS IF APPLIED JOINTLY BY THE OTHER COUNTRIES OF THE REGION, DUE TO THE VERY NATURE OF THE AIRLINE INDUSTRY, WHICH ESSENTIALLY OPERATES IN NETWORKS”

¹ Data available at: https://www.icao.int/sustainability/Documents/COVID-19/ICAO_Coronavirus_Econ_Impact.pdf

In Europe, the Single European Sky policy and the integration of regulatory practices have proved to be quite beneficial, expanding competition in the sector and the supply of air services in the region. 25 years since the creation of the Europe's Internal Market for Aviation, air travel has become cheaper, safer, and more accessible to a greater number of consumers. According to data from the European Commission, in 2015, almost 920 million passengers travelled through the bloc's 450 airports, an increase of three times over the 1992 figures.²

This is a route that can also be travelled by Latin America. Ratification by all Latin American Civil Aviation Commission (LACAC) Member States of the Multilateral Open Skies Agreement is a first step toward increasing intra-regional connectivity and removing restrictions on international operations. But it's not the only measure possible. Extending the freedom of air for cargo and passengers, allowing foreign capital to be invested into airlines and advancing regional guidelines on general transport conditions are key issues for the regulatory modernization in the region. As a consequence, it should attract investment and the establishment of companies with differentiated business models, in particular ultra-low-cost carriers.

Of course, all of this must be done without forgetting the focus on safety, the basic principle of aviation. Therefore, it is important to strengthen the actions of regional fora and groups dealing with the different aviation safety issues, in particular the Regional Safety Oversight Cooperation System (SRVSOP). The Latin American Aeronautical Regulations (LARs) must be updated to reflect

“IT IS THEREFORE CLEAR THAT THE CREATION OF AN INTEGRATED REGIONAL AVIATION MARKET IS NOT DONE OVERNIGHT AND THAT IT REQUIRES A GREAT POLITICAL AND TECHNICAL EFFORT BY THE VARIOUS STAKEHOLDERS INVOLVED”

the most modern practices of regulatory theory, which advocate less prescriptive regulation, focused on risk profile and results-based analysis.

It is therefore clear that the creation of an integrated regional aviation market is not done overnight and that it requires a great political and technical effort by the various stakeholders involved – both State and non-state. As a long-term project, it needs to be led and implemented by countries in the region with the support of LACAC and the ICAO Regional Offices. Brazil, due to the size of its domestic market and its industry, emerges as a fundamental player.

It is therefore essential for civil aviation authorities and the airline industry to work together toward the progressive shaping of an area of integration and cooperation in Latin America that allows for the sustainable development of the sector, increasing the number of passengers with access to a safer and more efficient air transport in our region.

2 Available at: < https://ec.europa.eu/transport/modes/air/25years-eu-aviation_en >.

*text completed in December 2020



MANAGING FOR UNCERTAINTIES*

Marcelo Rezende Bernardes

Head of Institutional Planning Department (ANAC)

Eduardo Borba Chaffin Junior

Head of People Management Department (ANAC)

With the public health emergency decreed by the state of Brazil on February 3, and with community transmission of the novel Coronavirus advancing in almost all of our major cities during the month of March, the National Civil Aviation Agency (ANAC) published an Ordinance enabling large-scale telework in order to preserve the health of its employees.

We experienced a scenario that, overnight, our employees had to perform their activities remotely (97% of employees adhered to telework) and still facing an uncertain and challenging situation for civil aviation.

After almost eight months after the adoption of large-scale telework in the Agency, it has proven that it was possible to maintain the standard of services and other activities necessary for the proper functioning of Brazilian civil aviation, despite the great impact that the pandemic caused in the sector. With the exception of the significantly reduced on-site inspections, other macro-processes remained with the same efficiency or even had productivity gains. In this context, we can say that the pandemic caught the Agency by surprise, but not unprepared.

It is wrong to believe that maintaining efficiency in processes occurred merely by chance overnight.

Coping with the pandemic with innovative solutions and remote teams depends on management maturity, the use of technological tools and the commitment of managers and employees.

Incremental actions adopted by ANAC throughout its history is what prepared us to face this scenario. Below, we will see some of these actions that directly contributed to the maturity of the current management.


The Institutional Strengthening Program (PFI) began in 2012 and sought to provide ANAC with contemporary management tools in order to improve its institutional capacities. Within the scope of the PFI, the Agency updated its Strategic Plan, created its Regulatory Agenda, implemented its projects and processes offices in order to leverage its organizational transformation and open a wide path with conditions for the construction of innovative ideas.

Since its implementation in 2013 until today, the Project Office has accounted

for approximately 60 structuring projects approved by the Board of Directors and, with the new Portfolio to be published in 2020, it will surpass the mark of 100 approved projects.

As a result of a project drawn up in 2013, the Agency has a Crisis Management Plan which seeks, in the face of a crisis, to ensure a satisfactory level of civil aviation safety and security, as well as to act for the return to the proper functioning of the services provided in air transport sector, without neglecting the Agency's credibility with its stakeholders. The Plan lists procedures and protocols that should be adopted by the Agency in the event of a crisis or threat of crisis, including the activation of the Crisis Management Center.

The Crisis Management Center played a crucial role in guiding and organizing the actions taken to deal with the current crisis. It was activated in the pre-crisis period, the employees began working remotely in order to ensure safety and without loss of performance and a series of emergency measures were discussed and implemented with the objective of minimizing the negative impacts of the pandemic on the sector.



**“WE EXPERIENCED A SCENARIO THAT, OVERNIGHT,
OUR EMPLOYEES HAD TO PERFORM THEIR ACTIVITIES
REMOTELY AND STILL FACING AN UNCERTAIN AND
CHALLENGING SITUATION FOR CIVIL AVIATION”**

In 2016, the Agency started the project “paperless ANAC - electronic process” which aimed to implement a system for the production and management of electronic administrative processes. The Electronic Information System - SEI! was implemented in August of that year and was important for the reducing costs and physical space used for storage, the increasing control and speed in processing. The result was a positive impact on the performance of public agents and on the speed and quality of the services provided by the Agency.

In addition, in the following years, two modules were implemented in SEI! that allowed further improvements of the experience by regulated entities with the Agency’s services, namely: the electronic petition and the electronic subpoena.

Electronic petitioning allowed regulated entities to file documents electronically in the Agency, without the need to move to a physical unit, in order to allow a faster and safer interaction with ANAC.

Besides, the Electronic Subpoena allowed all subpoenas issued to the regulator to be carried out electronically, that is, currently all communications and procedural acts between the Agency and external users are carried out by digital means.

Recently, SEI! has surpassed the mark of more than 600 thousand processes created and more than 4 million documents attached.

Another point to highlight was the adoption of the Institutional and Individual Performance Management Program - PGDII, in 2019, which is a new system for evaluating and monitoring of the performance of the Agency’s organizational units and employees, based on goals and indicators. The PGDII allows managers and employees to permanently and systematically monitor their performance and that of their unit, encouraging the correction of any distortions and promoting the continuous improvement of their processes, being a tool for communication, transparency, and agreement between managers and employees and alignment between the strategic and the operational.

In the field of information technology and personnel development, in recent years, the Agency has been investing in the modernization of its technological park, in information security, in the creation of learning paths, partnerships with educational institutions and in its own capacity to create and teach courses. ANAC also has a Training Center - certified by the International Civil Aviation Organization (ICAO) as Full Member of the *TRAINAIR Plus Program*.

Internal and external communication has also been the focus of improvements and transformation in recent years. New channels have been opened and new tools and instruments have been incorporated into the Agency, such as unified communication and collaboration platforms between employees, as newsletter, electronic magazines, among other activities.

**“COPING WITH THE
PANDEMIC WITH INNOVATIVE
SOLUTIONS AND REMOTE
TEAMS DEPENDS ON
MANAGEMENT MATURITY,
THE USE OF TECHNOLOGICAL
TOOLS AND THE
COMMITMENT OF MANAGERS
AND EMPLOYEES”**

“THE PANDEMIC CAUSED THE BIGGEST CRISIS IN THE HISTORY OF CIVIL AVIATION AND THE NEED FOR THE AGENCY TO ADAPT TO PROFOUND CHANGES”

All these initiatives carried out over the last few years have formed our foundation and made it possible to face this crisis with rapid and innovative responses and solutions, as well as the continued implementation of processes and service provision and the maintenance of organizational performance.

Finally, the measures adopted by ANAC addressed the sector as a whole, such as airports, cargo and passenger transport, civil aviation professionals, aircraft, oversight and fines, and could be the subject of another article or even a book, as one can have a small sample with the articles that make up this special edition of Conexão Internacional magazine.

The pandemic caused the biggest crisis in the history of civil aviation and the need for the Agency to adapt to profound changes. Now we are faced with the challenge of rebuilding air transport networks and continuing with the Agency's transformations to fit a new reality, in order to continue responding to changes in the external context quickly and satisfactorily. In this way, we are sure to be prepared for an eventual next surprise, whatever it may be.

**text completed in December 2020*





CRISIS COMMUNICATION DURING THE COVID-19: STRATEGY AND LESSONS LEARNED TO INFORM ANAC AUDIENCES*

Karen Bonfim

Head of Communications Office (ANAC)

As soon as the first news about border closures came in March, realized how bad the impact of the COVID-19 pandemic had reached worldwide. We went from being observers to being active in what would be the biggest crisis in the history of civil aviation. The rapid mobilization of the National Civil Aviation Agency (ANAC) facilitated the flow of information - something fundamental for timely communication in the public interest.

Even starting from a dynamic and unpredictable scenario, the mission of the Communications Office (ASCOM) was clear for us: it was necessary to disseminate clear, serious and empathetic information in real-time. People were anxious, some far from home, and several with important trips scheduled in and out of Brazil. At that time, all those who were planning to travel sought for answers, with the expectation for ANAC and other transportation and public health-related authorities to provide those answers.

For firm disclosures in scenarios of crisis, it is necessary to have access to real-time or advance information, where possible. By predicting the first uncertainties and structuring a database of answers, the agency was capable of positioning itself to provide a narrative that conveys conviction. In this area, ANAC already has extensive experience due to its crisis management structure, in which all relevant managers and the Board of Directors meet to review action proposals and their importance/urgency. ASCOM participates in these meetings and thus obtains the quickest first statements of the agency's ongoing facts.

Another important aspect of communication during a crisis is that, since the beginning of the pandemic in Brazil, ANAC has established its position on complex issues, such as the closure of airports. Despite external pressures motivated by uncertainty surrounding the spread of the virus via air transport, the

position of the Agency was contrary to airport closures, which we quickly shared by press release. This position guided the direction of the entire sector and, over time, proved to be the correct decision: airports became essential for the strategy of combatting the virus, since airports enabled the rapid transport of people, health professionals and medical supplies.

Although the COVID-19 pandemic is a public health crisis, aviation has also joined the group of sectors hit hard. During the initial phase, it was necessary to balance the context of worldwide lockdown with the continuity of air services. The mission was not easy and there was no worldwide consensus, so much so that some countries chose to close themselves off completely to domestic and international flights. Once the priorities were defined, it was time to position the Agency to face the crisis, making clear its responsibilities and assuming the instability of the scenario, which had increased day after day.

Even though ANAC is the Brazilian civil aviation authority, in the health field we have another agency responsible for health protocols in the air sector: the National Health Surveillance Agency (ANVISA). In addition, there are governmental guidelines from the Ministry of Infrastructure and from the Presidency of the Republic (Casa Civil). Another important lesson learned on crisis communication: when coordinating a speech with other agency stakeholders, you must maintain a consistent message to those that the speech is delivered to. Moreover, this alignment can include, even, the harmonization of totally opposite positions on the same subject. The important thing is to transmit a comprehensive message, guaranteeing room for each interlocutor to bring his or her

contribution according to the respective area of competence. The strategy may also include the use of information from other actors, cited the source, so that relevant and public utility content reach the interested parties.

An example of this type of strategy was the creation of the *hotsite*¹ [“Coronavirus: key information for the air sector”](#). This repository of information was created as soon as the crisis mobilization started at ANAC - at a time when there were not so many regulatory definitions issued by the Agency. However, it was important to strengthen the existing health protocols within the sector and to demonstrate to the public that the situation was being monitored by the health authorities, which made the page available with references and *links* to content from other public institutions. Until December 2020, the webpage had already been accessed more than 297 thousand times, which included more than 60 measures announced by ANAC.

The role of the Agency to fight COVID-19 was structured in four major areas: people; financial measures; support to combat; and focus on its employees. Given this definition, the communication plan foreseen for the year 2020 was completely modified, which reinforces a quality essential in this period - flexibility. While promptness of responses was valued, it was important to weigh each statement to its context, bringing confidence to the reputation of the Agency and of the sector itself. The Agency had a great responsibility to reassure to people who needed to travel or who needed to return home.

The actions took place concurrently and reached several audiences simultaneously, the reason why we adopted the integrated communication strategy².

¹ *Hotsite is a page or website whose content has a specific focus and a limited duration and may be placed on a Portal or have its own address..*

For more popular topics - such as the essential air network, the repatriation of Brazilians and the rights and duties of users of air transport -, we explored communication on social media, integration with other profiles of the Federal Government and with the air sector itself, in addition to interviews in national, international and specialized media. The launch of the form for repatriation of Brazilians abroad was a great case of this strategy and reached with more than 17 thousand people. This action also serves as an example of strategy to strengthen the Agency as a brand, since ANAC was disclosed by the Federal Government as one of the entities responsible for the return of around 12,500 people to their homes.

Another relevant and public utility disclosure was the essential air network. Des-

pite the context of border closure in some countries, ANAC's decision was to keep air transport running, always safely. In an unprecedented and historical coordination with the participation of an antitrust body and of the Ministry of Infrastructure, a minimum air network was defined with the companies operating in Brazil, in order to ensure that all states had at least one air link. The success of this release was to bring the news closer to the ordinary citizen, bringing the complex organization of flights of companies in a map that showed, in a simple and visual way, which companies were operating flights in each locality. The news was also accompanied by a file detailing the flights for consultation by the press and passengers.



Figure 1 - essential air network map

2 Integrated communication is the branch of communication that includes several channels for the dissemination of the same message, promoting the best possible experience for the public.

*text completed in December 2020

With all this work going on, it was necessary to equate the new rules and publicize the decisions for the whole sector. The “Aviation Resumption Working Group” (Resumption WG) was then created, with the participation of more than 30 entities such as airlines, airports, concessionaires, and air transport associations. Once the strategic position of the communication for this crisis was verified, ASCOM was charged to coordinate a communication subgroup with all these players. Throughout the year, meetings were held where key messages for passengers were discussed and reinforced, as well as an information campaign on all health protocols required to be implemented by airport operators and airlines was implemented.

With the participation of more than 60 airports and of the three main Brazilian airlines, in addition to the support of the associations, the health protocols campaign was an excellent example of the importance of articulation in major topics. Thanks to this alignment, the public was able to access accurate information of public utility from those who are closest to passengers - the service providers themselves.

Another noteworthy point is that all this work was developed with the employees and contractors already teleworking, which increased the challenge of keeping information fluid in the Agency. How to connect people who are away and during such an uncertain situation? The decision was the same as for the external public: transparency and adaptation. Thus, on April 20, 2020, the weekly program ANAC Talks was launched, a one-hour live interacti-

ve session that addressed relevant topics taking place at ANAC and in the sector. The creation of the ANAC Talks reinforced once again the spirit of commitment of the Board of Directors and the ANAC managers who, even amid the biggest crisis in history, joined more than 20 programs broadcasted. The series was a success and, until the beginning of December, already totaled more than 12 thousand views by the internal employees of the Agency, and it should follow the communication strategy in 2021.

“HOW TO CONNECT PEOPLE INTERNALLY WHO ARE AWAY AND DURING SUCH AN UNCERTAIN SITUATION? THE DECISION WAS THE SAME AS FOR THE EXTERNAL PUBLIC: TRANSPARENCY AND ADAPTATION”

There were countless learning opportunities during these ten months of crisis resulting from the COVID-19 pandemic. Certainly, the challenges and actions developed in the management of communication during the crisis will be part of the lessons learned reports and will have consequences within ANAC strategies for the coming years. Much has been assimilated from trial and error - but always with the conviction that the Agency was yet another

front-line institution to tackle the impacts of the pandemic with the seriousness and commitment that the situation required (and still requires).

The COVID-19 crisis highlighted the importance of communication strategically used, developed by an integrated team, and marked out by robust plans, but flexible enough to adapt to unexpected situations. With great pride in the work done by my team, I see us leaving this historical moment even stronger and with the marking that we always seek to strengthen: the one of an Agency that pursues its mission to ensure the safety and excellence of Brazilian civil aviation, ensuring that the public interest always comes first.



CONEÇÃO INTERNACIONAL

