

ASSEMBLY 39th SESSION

Montréal, 27 September – 6 October 2016

PLENARY MEETINGS

Minutes



*Approved by the Assembly
and published by authority of the Secretary General*

INTERNATIONAL CIVIL AVIATION ORGANIZATION

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INTERNATIONAL CIVIL AVIATION ORGANIZATION

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SCHEDULE OF ITEMS DISCUSSED BY THE PLENARY MEETINGS

Item	September			October			
	27 AM	27 PM	28 AM	01 AM	04 PM	05 AM	06 AM
	1, 2, 3, 4, 5	R3, 6, 7, 8	R10, 8	5, R11, R12, R13, R20, R21, 8	5, 8	9	9
1. <i>Opening of the Session by the President of the Council</i>	X						
2. <i>Presentation of the Council President Certificates (CPCs)</i>	X						
3. <i>Approval of the Agenda</i>	X						
4. <i>Establishment of Committees and Commissions</i>	X						
5. <i>Reference of subjects to Committees and Commissions</i>	X			X			
6. <i>Election of Member States to be represented on the Council</i>	X			X	X		
7. <i>Election of the President of the Assembly</i>		X					
8. <i>Election of the four Vice-Presidents of the Assembly and Chairpersons of Commissions</i>		X					
9. <i>Statements by delegations of Member States</i>		X	X	X	X		
10. <i>Reports by Committees and Commissions of the Assembly and action thereon</i> - <i>Credentials Committee</i> - <i>Executive Committee</i> - <i>Technical Commission</i> - <i>Economic Commission</i> - <i>Legal Commission</i> - <i>Administrative Commission</i>		X	X	X		X	X
<i>Delegation of authority to the President of the Assembly for the approval of minutes of the Plenary</i>							X
<i>Signature ceremony of the Protocols of Amendment to the Convention on International Civil Aviation relating to Articles 50 (a) and 56</i>							X

Minutes of the First Meeting

(Tuesday, 27 September 2016 at 1100 hours)

SUBJECTS DISCUSSED

1. Agenda Item 1: Opening of the Session by the President of the Council
 - Address by Mr. Denis Coderre, Mayor of the City of Montréal
 - Address by the Honourable Philippe Couillard, Premier of Quebec
 - Address by the Honourable Marc Garneau, Minister of Transport, representing the Government of Canada
 - Pre-recorded video message from Mr. Ban Ki-moon, Secretary-General of the United Nations (UN)
2. Presentation of the *Council President Certificates* (CPCs)
3. Agenda Item 2: Approval of the Agenda
4. Agenda Item 3: Establishment of Committees and Commissions
 - Establishment of the Credentials, Executive and Coordinating Committees and the Technical, Economic, Legal and Administrative Commissions
5. Agenda Item 4: Reference of subjects to Committees and Commissions
6. Agenda Item 5: Election of Member States to be represented on the Council
 - Deadline for notification of candidatures for the first and second parts of the Council election
 - Maximum number of Member States to be elected in each part of the Council election

SUMMARY OF DISCUSSIONS

Agenda Item 1: Opening of the Session by the President of the Council

1. The President of the Council, Dr. Olumuyiwa Benard Aliu, as Temporary President of the Assembly, declared the 39th Session of the Assembly open and spoke as follows:

“It is my great honour to declare open this landmark 39th Session of the Assembly of the International Civil Aviation Organization.

“On behalf of the Council of ICAO, Secretary General Dr. Fang Liu, and the many Honoured Ministers and Delegates to the Assembly with us today, I wish to first extend a very warm welcome to our three distinguished guests:

- His Excellency Marc Garneau, Minister of Transport of Canada;
- His Excellency Philippe Couillard, Premier of Quebec; and
- His Excellency Denis Coderre, Mayor of the City of Montréal.

“It is also my pleasure to welcome the many representatives of international organizations and other participants from around the world who are with us here, and who are working closely with us to foster the safe, secure, efficient and environmentally sustainable development of international civil aviation.

“This Assembly stands to become an historic milestone, setting new records for its level of participation and the very significant amount of work to be undertaken here by world governments. It is also expected to endorse a resolute step to mitigate greenhouse gas emissions by the international community, and sector-wide action at the global level.

“But before we look ahead, let us also appreciate just how far ICAO has come in the three short years since our 38th Assembly.

“In the first place, we have strengthened our core activities relating to global air transport interoperability through the consensus-driven development of international civil aviation Standards and Recommended Practices.

“Our consultative processes have been made more efficient and we have focused on ensuring that States are better prepared to implement new ICAO provisions. More effective impact assessments are being carried out, and we are making sure that sufficient guidance material on any new measures is made available to our States well in advance.

“Our safety and security audit programmes, under the Continuous Monitoring Approach, are being optimized to ensure timely validation of States’ corrective actions to address identified deficiencies. This helps to ensure robust feedback that further enhances the overall Standard-setting process.

“Ladies and gentlemen, it is now universally acknowledged that air transport is a critical driver of socio-economic development and prosperity for the nations and peoples of the world.

“Article 44 of the Chicago Convention sets out the objective for ICAO to foster the planning and development of international civil aviation so as to ensure its safe and orderly growth throughout the world; meet the needs of the world for safe, regular, efficient and economic air transport; and ensure that every Contracting State has a fair opportunity to participate in international air transport.

“However, effective implementation of ICAO Standards is key to any States’ aspirations to take full advantage of the benefits that international air transport can realize for citizens and businesses.

“And our citizens deserve safe, secure, efficient and reliable air travel from anywhere to everywhere in the world.

“In recognition of these facts, significant efforts have been focused by ICAO over the past three years on enhancing the level of effective implementation (EI) of our Standards worldwide. Our *No Country Left Behind* initiative has been guiding this transformative and organization-wide change.

“Our Regional Offices have become very active partners in this process, requiring adjustments to their work programmes and resourcing to better monitor and address local needs.

“This has led to the realization of more targeted national and regional plans of action, with clear targets, timelines, and accountabilities, and to more dedicated support from ICAO Headquarters.

“Our technical cooperation and assistance activities have been reinvigorated as well, mainly through the development of new tools. We have also established the new ICAO Programme for Aviation Volunteers, in order to take advantage of the knowledge, experience and the passion of our aviation professionals whom I kindly invite to participate in this effort to assist States in need.

“In the area of Global Aviation Training and related human resources development capacity building, ICAO has made great strides in the past three years.

“We have also formalized our Next Generation of Aviation Professionals’ efforts as an official ICAO programme, and we are encouraging the best and brightest through the Young Aviation Professionals Programme, which we run cooperatively with IATA and ACI.

“The new ICAO Museum that we inaugurated in 2014 is also helping to inspire future generations of aviators. I invite all of you to visit the Museum to rediscover the remarkable history of our industry and ICAO.

“Consistent with our *No Country Left Behind* initiative, ICAO has been targeting outreach efforts to highest level decision makers in States, encouraging their commitments and recognizing their accomplishments.

“Later this morning for example, it will be my great honour to present the inaugural *Council President Certificates of Recognition* to 14 States, for their achievements in improving their levels of effective implementation of ICAO’s Safety Standards.

“Ladies and gentlemen, ours is a very dynamic sector, and public confidence is of critical importance to the sustainability of our industry. I therefore believe that ICAO must be prepared to respond comprehensively and effectively to all emerging issues, consistent with our mission.

“This past triennium has proven instrumental in this regard, as ICAO rose to the occasion in coordinating our community’s response to the challenges posed by Malaysia Airlines flight MH370 and aircraft tracking, conflict zone risk mitigation measures, the pandemic response to the Ebola virus, and emergency support to Ecuador following its major earthquake.

“These priorities speak to why you will be asked to endorse new ICAO emergency response strategies, which will help us to act with even greater urgency and effectiveness in the years ahead.

“We have also been much more proactive than in the past at anticipating new requirements, whether for remotely piloted aircraft systems, commercial suborbital flights, new cybersecurity threats, and other emerging challenges.

“It is essential that we continue to strengthen and deepen ICAO’s role as a nexus of coordination for States and industry, as we jointly ensure global civil aviation development while addressing the challenges of sectoral growth.

“The ICAO Council has played a key leadership role in this process, initiating annual off-site strategy meetings, conducting information gathering missions in ICAO Regions, and with the assistance of regular and comprehensive industry briefings.

“The Council has also worked closely with the Secretariat to enhance the efficiency and effectiveness of the Organization through performance management and evaluation, including the development of a performance assurance and risk management framework, as well as robust ethics and internal audit regimes.

“Furthermore, the Organization has been working tirelessly to promote the importance of civil aviation to socio-economic development, as well as its prioritization in national and regional investment and development planning.

“One very important aspect of this work has been our efforts to coordinate and optimize global partnerships for aviation development, including among non-aviation stakeholders such as sister UN agencies, financial and economic development institutions, industry bodies, and donors.

“The realization of the importance of these partnerships is at the heart of our new ICAO World Aviation Forums, and we were greatly encouraged to see so many of you in attendance at our second of these events yesterday.

“Ladies and gentlemen, as is clearly evident, our Organization has undergone a number of transformational changes and embarked upon many new programmes these last few years. And it is noteworthy that all of these efforts have been undertaken without prejudice to the need to deliver on all of the instructions and expectations of States which were detailed at our last Assembly in 2013.

“With respect to these expectations, the Commissions and Executive Committee for this year’s meeting will be considering several working papers reviewing our accomplishments under all Strategic Objectives of the Organization, as well as on proposals for future development.

“The ICAO Global Plans for Aviation Safety and Air Navigation are now guiding State activities and sector-wide investments to an unprecedented level. You will be asked during this meeting to adopt several new revisions to make them even more effective, especially in addressing our safety management and aviation system block upgrade strategies.

“And the success of these documents has been such that we are now considering similar global strategic plans for Aviation Security and Facilitation and for Air Transport Economic Development, which you will also be asked to endorse.

“We will be reporting on our efforts to promote risk-based, outcome-focussed and sustainable responses to security threats and to balancing effective control measures with system wide connectivity and efficiency.

“We will also be reporting on developments relating to our work with travel documents and identity management under the ICAO TRIP programme, international air transport liberalization and consumer protection.

“In order to implement all of the anticipated activities, a results-based budget for the coming triennium has been submitted for your endorsement. In it, we have outlined the efforts being made to mobilize and leverage additional resources through new synergies and partnerships.

“The last item I would highlight for you is the very extensive environmental work that we engaged in, particularly on all of the basket of measures to reduce aviation emissions. These include technological innovations, operational improvements, the use of sustainable alternative fuels, and of course market-based measures.

“I am very pleased that the first ever CO₂ emissions Standard for aircraft has been recommended by the Committee on Aviation Environmental Protection for adoption by the ICAO Council.

“And perhaps most importantly, following a lengthy and detailed consultative process, the Council is submitting to this Assembly a Draft Resolution on a global market-based measure (GMBM) to mitigate international flight emissions.

“Of course the adoption of the Resolution is just the beginning. A lot will need to be undertaken between now and the 40th Assembly, by both ICAO and your governments and in concert with industry, to make the proposed Carbon Offsetting and Reduction Scheme for International Aviation fully and meaningfully operational from 2020.

“We will need to complete our work in developing and establishing the Registry framework; Monitoring, Reporting and Verification process; and Emissions Unit Criteria, but I must say that I am greatly encouraged that States representing more than 80 per cent of international traffic have now volunteered to participate as of the pilot phase in 2021.

“Ladies and gentlemen, the world air transport network today conveys some ten million passengers on about 100 000 commercial flights daily. For 2015, that totalled 3.5 billion passengers on more than 34 million flights; and by 2030 these figures are anticipated to double to over 6 billion passengers and 60 million flights annually.

“Air transport is by far the safest mode of transport and our safety records improve steadily, with 2015 again recording the lowest accident rate ever.

“Aircraft today are 70 per cent quieter, and 80 per cent more fuel efficient than decades ago. And we are currently exceeding our two per cent annual fuel efficiency improvement goal.

“These remarkable achievements are the result of the efforts of our Member States, airlines, airports, air navigation service providers, manufacturers and other stakeholders, and of course the dedication and professionalism of the hard working civil aviation community, worldwide.

“Your Organization, ICAO, has been endowed with a unique leadership role to set the global policies, programmes, and standards, and to provide the coordinating platform for governments and industry to collaborate and achieve results.

“This Assembly will be one for bold decisions, and a time to refine our vision for how air transport can be of even greater service to States and regions, businesses and travellers, in the exciting years ahead.

“The eyes of the world are now focused squarely on ICAO for concrete action to make our industry even greener and more efficient, to the benefit of future generations.

“I kindly urge you all to again demonstrate our historic strengths of cooperation, compromise and consensus.

“I am confident that we will rise to the expectations of the global community.

“Excellencies, Honourable Ministers, Delegates, dear colleagues, I am deeply honoured for the unique opportunity to lead our great Organization at this time. And I am very grateful for your support and for all that we have been able to accomplish, working together.

“Let us progress our work in the spirit of the preamble to the Chicago Convention, in order that international civil aviation can continue to help create and preserve friendship and understanding among the nations and peoples of the world, and to promote global security, peace and prosperity.

“I very much look forward to this journey, and I wish us all a very productive and successful 39th Session of the ICAO Assembly.”

Address by Mr. Denis Coderre, Mayor of the City of Montréal

2. “Dear Friends,

“My first words are addressed to the Secretary General of ICAO and to its President of the Council. Your presence is an honour for us, as is that of the many Canadian and foreign ministers and dignitaries here today.

“I am very pleased to be at this forum to address a few words at the opening of the 39th triennial session of the ICAO Assembly.

“The work you will accomplish here is fundamental to the future of air transport. Since its inception, ICAO has established more than 10 000 Standards and provisions in order to improve the safety, efficiency and security of air navigation, while fostering, of course, the economic development of air transport and environmental protection. Montréal is privileged to hear first-hand about the accomplishments of your Organization.

“Dr. Aliu, I would like to thank you very much for that inspiring speech. I think that we can all work together. The fact that all levels of government are here from Canada with you show the importance of that relationship between ICAO and Canada.

“The decision to establish ICAO’s permanent Headquarters here in 1947 created a domino effect that prompted other important international organizations to establish themselves in our city, which went a long way towards making Montréal an international civil aviation capital. These organizations included: the International Air Transport Association (IATA); the Airports Council International World (ACI), which has already held a major convention this week; and the International Federation of Air Line Pilots’ Associations (IFALPA), to name just a few.

“With its 500 employees, its international stature and power of attraction over organizations in the aviation field, ICAO is certainly the largest and most influential of the 60 or so international organizations established in Montréal.

“Our city is a cosmopolitan one. It is a city of diversity, a UN city which hosts not only ICAO’s Headquarters, but also other prestigious organizations related to the UN, such as the Secretariat of the Convention on Biodiversity, the Multilateral Fund for the Implementation of the Montréal Protocol, as well as the UNESCO Institute for Statistics. Montréal is a city that innovates and plays a leadership role on the international scene – in areas such as coexistence, counter-radicalism and sustainable development. Expertise recognized by no other than the Secretary General of the UN, Mr. Ban Ki-moon, who visited us twice this year and who welcomed a number of our initiatives, particularly our Centre for the prevention of radicalism leading to violence.

“Montréal is undoubtedly an international, dynamic city, which is open to the world. A not-to-be-missed gateway to North America, a trade hub between Europe and the American continent, an extraordinary bridgehead, both for Asia and Africa, as well as Oceania. This is why transport – and in addition, air transport – is an economic component essential to the vitality of our metropolis.

“This is also why Montréal advocates in favour of an increase in the number of direct air connections from our airport towards the major cities of the entire world. As recently as last Friday, I was with the Prime Minister of the People’s Republic of China, to announce a new direct air connection between Montréal and Shanghai. This new daily flight represents an added value to the economic relations between our two cities.

“Access to an ever-increasing number of direct air connections not only reflects our diversity and status as an international city, but it also holds tangible economic advantages for the city and its companies, including: savings in time and money for travelers, of course; an internationalization incentive for Montréal- and Quebec-based companies; easier access to new markets; and an asset that can be used to draw companies with international activities and their head offices to Montréal.

“Each new direct connection thus represents an opportunity for Montréal to attract leading foreign companies and increase our economic development potential. But it’s more than that. Montréal is a formidable hub: as a UN city, it brings the world together so that we can all reflect the necessity, from nation to nation, to build up for a better future and enhance quality of life overall.

“This entire momentum related to aviation, this ecosystem, in order to use a buzzword, is also reflected in the Montréal aviation industry which has developed at an accelerated pace and the know-how of which is recognized worldwide. The Montréal aviation industry is one of the only ones in the world which covers all the phases of an aeroplane’s life cycle: from design to maintenance and after-sales service, going through manufacturing and final assembly.

“Thanks to leaders like Bombardier, Pratt & Whitney, CAE, Mecachrome or Heroux Devtek, Montréal is, together with Seattle and Toulouse, one of the world’s three leading aviation centres. But we cannot stand gazing at this beautiful picture. The industry is evolving and must face the new challenges of the 21st century, such as, essentially, sustainable development.

“In fact, I welcome ICAO’s willingness to address the environmental protection issue during this 39th Session of its Assembly, particularly regarding aircraft engine emissions and noise management. Just like ICAO, Montréal shares these major environmental concerns. Let me recall these wise words from Ban Ki-moon, “There is no plan B for our planet.”

“As the Mayor of Montréal and President of the Montréal Metropolitan Community, I am working with my colleagues to reduce the environmental footprint from transport within the greater metropolitan area. As spokesperson and Chairperson of *Metropolis* during the COP21 in Paris last fall, I had the opportunity to emphasize Montréal’s position and to speak about the actions put forward in the fight against climate change, particularly regarding transport electrification. For instance, within four years, a wonderful modern, entirely electric and automated lightweight train will serve our airport. I would like to thank and welcome the leadership of the Government of Quebec, with Mr. Couillard, as well as this wonderful partnership in terms of infrastructure with the Canadian Transport Minister, Mr. Garneau.

“We all have a role to play in order to protect our planet and I am proud to see that the aviation industry is taking this role seriously. In fact, the aviation field is destined for major changes. Let us just consider the recent achievement made by Bertrand Piccard. His 16-month trip around the world on board the solar aeroplane, *Solar Impulse*, clearly demonstrates the importance of expanding our horizons and investing in alternative energy research and development.

“Mr. Piccard’s presentation will certainly be a very popular event during the Montréal 2016 *International Civil Aviation Week*, which we officially launched yesterday morning. Moreover, I would like to thank the organizers and partners of this *International Civil Aviation Week*, for the quality of the programming offered to the Delegates of the ICAO Assembly and to the general public of Montréal.

“In closing, let me invite you to pay us a visit next year since Montréal will be marking its 375th Anniversary. The celebrations will also coincide with the 70th Anniversary of the opening of the ICAO Headquarters in Montréal and Canada’s 150th birthday. Three good reasons to celebrate!

“In the meantime, I wish you a successful Assembly and a good *International Civil Aviation Week*. Long life to ICAO!

“We are saying, more and more, that we define the world not through countries and continents anymore and that we need an urban strategy. While I used to say ‘Alone, you go faster’, I now think that when we have great vision and leadership together, like the vision of the Members here and the leadership of ICAO, we go further.”

3. On behalf of the Assembly’s Delegates and participants, the President of the Council thanked the Mayor of Montréal most sincerely for the hospitality which his city had shown to all since their arrival. He also took this opportunity to express how much ICAO valued the ongoing support of the Mayor’s administration and the local community in making many Representatives on the Council and to ICAO feel at home during their stay in Montréal.

Address by the Honourable Philippe Couillard, Premier of Quebec

4. “It is certainly an honour and a pleasure to take part in the opening of the 39th Session of this Assembly – the only global forum able to bring together all civil aviation stakeholders: the industry, the governments, and of course, the experts, who contribute, as we have just heard, to making international air transport safer, more orderly, more efficient; and yes, now, also more respectful of the environment and of the principles of sustainable development.

“It is also a great source of pride to be the host in Quebec, in Montréal, of this major UN agency.

“Aviation is an industry that is essential to a multitude of economic sectors, a source of tens of millions of jobs throughout the world. Our airports are genuine cities that contribute to metropolitan economic development.

“But civil aviation today is certainly in a different world altogether than when ICAO was first established in 1944. It is an industry that is greatly affected by the industrial revolution of the 21st century. In order to keep pace with the changes brought on by this revolution and to continue to grow, it must ensure: the development of its workforce; a shift towards Industry 4.0; on-going innovations for developing new products; consideration of environmental issues, and particularly, the fight against climate change.

“In Quebec, we have understood these issues and our government has acted quickly and firmly to support our businesses in this major transition, since:

- Montréal, as it was just mentioned and should be repeated, is the third world capital of the aerospace industry;
- \$15.5 billion in sales;
- 80 per cent are exported;
- 70 per cent of Canadian investments in aerospace Research and Development are here;
- almost 200 businesses – from leading contractors to equipment manufacturers, to integrators and to suppliers;
- 40 000 jobs in the greater Montréal area;
- Ten aerospace research centres, such as the McGill Institute of Air and Aerospace Law. An intellectual community within international organizations, universities, research centres and businesses, which represents a unique expertise in aviation. A strong capacity for research and pooling of programmes that makes Montréal an innovative place by its very nature. I always like to remind our visitors that Montréal, after Boston, has the second highest number of university students in North America. Such incredible wealth, such accumulation of talent, which all the industries can certainly use.

“We therefore have, among other things, launched a new 2016-2026 Quebec strategy for the aerospace industry, which involves several areas, including: strengthening and diversifying the industry’s structure; ensuring this industry’s growth: supporting projects and continuing to invest in the workforce; assisting small and medium businesses in their development, and of course, capitalizing on innovation.

“In this vein, we have always supported the SA2GE project for environmentally-friendly aeroplanes, as partners in phase 1: with \$150 million in private-public investment; then in phase 2: with \$80 million, again both from the government and the private sector.

“We have recently invested USD 1 billion in the C Series, a 21st century aeroplane for a 21st century low-carbon economy. A quiet aeroplane, already flying with passengers from Swiss Air Lines. And recently, it was reported that Bombardier is the first aviation company in the world to publish an environmental product declaration (EPD) for this aeroplane from the C Series.

“As you can see, the aviation sector is as important to us as it is to you.

“Both our industry and our government are mobilized to make the Quebec aerospace sector more competitive, more innovative, and yes, with a reduced carbon footprint.

“This is why I repeat – we are proud that since the Chicago Convention, the 70th Anniversary of which we marked in the National Assembly of Quebec in 2014 – the Standards, programmes and regulations which govern, improve and adapt civil aviation have been designed, discussed and enacted right here.

“ICAO will have supported, out of Montréal, the exponential growth of this industry, but will also have attracted here organizations that manage any of the numerous commercial, technical and legal facets of aviation.

“As you will have noted in my address, this strong presence already coincides with an important Quebec aerospace industry, which clearly is in the DNA of Quebecers.

“And we are all the more aware of our responsibilities in optimizing the framework in which ICAO staff members operate and that of the permanent representations.

“Additionally, I would like to assure its senior managers of my government’s commitment to provide whatever support it takes to ensure that the ICAO community works towards the growth of international civil aviation in an environment that will remain among the most favourable. Furthermore, we wish to continue to build on this partnership that has been uniting us for decades.

“As you are aware, we are currently working on the text of a new agreement aimed at modernising that of 1994. I would like to mention to you that the conversations are going very well and I am fully hopeful that we will have completed these conversations this fall.

“We would also like to explore – this is an appeal I have already made to the Secretary General – a potential partnership with ICAO related to the establishment of a research chair in aviation and the environment. This chair would be perfectly in line with ICAO’s clear willingness to contribute to the implementation of the Paris Agreement concerning the fight against climate change. Your industry has already set sustainable development targets and shows substantial achievements.

“You will always find in Montréal all the inspiration, the intellectual environment and the logistical support that you will need. Especially since ICAO is now an intrinsic part of our metropolis. This is why we wanted to include it in our toponymy by giving even its name to an important metro station a few steps away from here in order to finalize the adoption in our city and send out a strong and clear message: you are essential to this city, essential to Quebec, you belong here and we are proud of it.

“I would like to thank you and wish you a very good 39th Session of the Assembly.”

5. The President of the Council extended to the Government and the people of Quebec ICAO's most sincere appreciation for the financial and administrative support that they had provided to the Organization over the years, most notably in making available precious office space for its Technical Cooperation Programme. He offered assurances that that tangible expression of support, coupled with the cordial relations that ICAO continued to enjoy with officials from the Government of Quebec, enhanced the Organization's ability to better serve the international aviation community.

***Address by the Honourable Marc Garneau, Minister of Transport,
representing the Government of Canada***

6. "I am delighted to be here with you today for the opening of the 39th Session of the ICAO Assembly.

"As my honourable colleagues have already done, I would like to welcome you all to Canada and to Montréal, this wonderful city that I call home. This Session of the Assembly is opening during one of the most beautiful seasons of the year, when our forests are adorned with changing colours. I hope you can find some time during your stay to take in those beautiful landscapes, as well as the many attractions this great city has to offer.

"Together with the Province of Quebec and the City of Montréal, Canada is proud to host ICAO and its community of diplomats and experts, and is committed to fully supporting this Organization so that it can continue to thrive.

"Historically, Canada has always valued cooperation among States, especially under the aegis of the UN, and this meeting is no exception. During our Assembly, our collective mission will be to work together to advance the ambitious standards that will make our world a better place for future generations. The work carried out by ICAO as a Specialized Agency is directly in keeping with that objective.

"Important work awaits us in the coming days. We will establish the Organization's work plan for the next three years, which addresses a number of issues of the utmost importance.

"Some of you may know that I had the privilege to fly to space in my previous career. This gave rise to some humour here in Canada when I became Canada's Minister of Transport, suggesting Canada was taking transportation concerns to a whole new level. I think of it the other way around: my experience gave me a unique, very privileged perspective on what we do here on Earth. From space, it is Earth's extraordinary beauty and unity that you see. There are no borders, the geopolitical lines that divide us so often have all disappeared. All you see is our beautiful blue planet.

"All of us here today, from all our diverse nations, we all understand the fragility of this beautiful planet. Our nations, individually and collectively, have said that we need a new way forward, one that will see science and technology advance all of our economies without jeopardizing the fragile planet that we inhabit. And that is our challenge and opportunity here in the next few days: to do our part to ensure the health of our planet for generations to come.

"The world and the aviation industry are watching us. We will be adopting various measures to make air transport safer, more secure, economically stronger and resilient, and more responsible with regard to environmental protection.

“The task is certainly not always an easy one. Our governments need to be watchful for new challenges and threats, new technologies, and economic turbulence that our nations and our businesses may face.

“At the *International Aviation Conference* in Chicago in 1944, our predecessors wished to create an organization that would establish common standards for the safe operation of civil aviation and regulate the economic or commercial side of aviation. The Chairman of the Conference at that time qualified this as an *ambitious dream*.

“An extraordinary amount of work has been achieved over the past 70 years, including many things that could not be foreseen at the time. Since then, commercial air transport has grown from a marginal activity of an elite few, to an extraordinary 3.3 billion passengers per year, while constantly maintaining the highest possible levels of safety and security. And this is very much thanks to ICAO.

“But even with all this accomplished, more needs to be done, and the next two weeks will give us, once again, the opportunity. It remains for us to define and shape how the international aviation sector can be even better and more responsible tomorrow in the interests of all humanity.

“This year is certainly critical for ICAO’s environmental agenda, as our international community strives to maintain the momentum created by the historic Paris Agreement in 2015. The international aviation sector is making significant efforts to reduce its carbon footprint and now we are setting an aspirational goal of carbon neutral growth (CNG) from 2020. We have before us an opportunity to support the aviation sector in meeting this ambition. Indeed, the success of this 39th Session of the Assembly, even ICAO’s role in the future of the multilateral system, will depend, in part, on whether the international aviation community is able to come together and agree on the implementation of a global market-based measure (MBM) scheme to reduce greenhouse gas emissions in our sector.

“Canada, along with a number of other States, has communicated its intention to participate in the proposed global MBM scheme from the outset. I encourage all ICAO Member States to join us in supporting a robust measure and in committing to participate in this measure as early as possible.

“And that is but one of the many essential issues that we will be examining, as we strive to ensure that air transport continues to contribute to a better future, through the tireless pursuit of excellence in terms of safety, security, efficiency and environmental protection. The next two weeks provide us all with the opportunity to further advance the visionary work of this great organization.

“I am thrilled to be here with you, as Canadian Minister of Transport, as we embark on this important Assembly. May we be bold and visionary in our deliberations and in the decisions that we take.

“I thank you all in advance for your contributions to this meeting, and I wish you a productive and enjoyable stay here in Montréal.”

7. Recalling that for close to 73 years Canada had been a most gracious host to ICAO, the President of the Council underscored that that was unique in the history of the UN system and had made Canada the envy of many other countries around the world. He assured the Minister of Transport that Canada’s unfailing commitment to ICAO and to its mandate for the safe and orderly development of international civil aviation was very much appreciated.

Pre-recorded video message from Mr. Ban Ki-moon, Secretary-General of the UN

8. The President of the Council noted that although he and the Secretary General had invited the Secretary-General of the UN, Mr. Ban Ki-moon, to participate in the opening of the Assembly, he had been unable to do so due to other commitments. Mr. Ban Ki-moon had, however, provided the following pre-recorded video message:

“It is a pleasure to greet this important meeting.

“Safe, secure and efficient civil aviation operations are a fundamental enabler of global connectivity and prosperity. This makes air transport development and investment a priority as we seek to attain the 17 UN Sustainable Development Goals (SDGs). In order to help States meet their objectives, aviation operations must, of themselves, be sustainable. ICAO has been making progress towards this through its basket of measures, but aviation’s emissions are also growing rapidly, with flights expected to double by 2030. This underscores the importance of the Resolution before you on a new global MBM scheme to be mitigate greenhouse gas emissions from international flights. These emissions were not covered under the Paris Agreement in recognition of the work underway at ICAO.

“The world will be closely following your deliberations. We are long past the point for half measures. I urge States to show leadership at this meeting and volunteer for early participation in the global MBM scheme.

“ICAO has a special place in the international family. Your Standards and rules enable us to travel freely with confidence and convenience. You have a strong track record on helping developing countries to build their capacity, notably under your successful *No Country Left Behind* (NCLB) strategy, and you are forging new development partnerships through your World Aviation Forums (IWAFFs). Your mission is more important than ever. I look to this Assembly to build on ICAO’s achievements in ensuring a safe, secure, economically-viable and environmentally-sound global aviation system and a more sustainable future forum.”

Presentation of the Council President Certificates (CPCs)

9. The President of the Council recalled that the ICAO Council had established the *Council President Certificates (CPCs)* in support of the *No Country Left Behind* (NCLB) initiative, with the aim of more publicly acknowledging global activities and commitments geared towards the effective implementation of ICAO Standards and Recommended Practices (SARPs). The CPCs, which would be issued annually, recognized States from each ICAO region which had made significant progress in resolving their safety oversight deficiencies and improving the effective implementation of ICAO SARPs. The eligibility criteria for such recognition were objective and transparent and were based on the results of the ICAO Universal Safety Oversight Audit Programme (USOAP) continuous monitoring activities.

10. The President of the Council had the pleasure to present the inaugural CPCs to the following fourteen selected States, with at least one from every region, based on their achievements in 2015 (in alphabetical order): Austria, Botswana, Cameroon, Ecuador, El Salvador, Israel, Italy, Lao People’s Democratic Republic, Latvia, Madagascar, Mali, Niger, San Marino and the United Arab Emirates.

11. In congratulating all of the recipient States, the President of the Council expressed the hope that the CPCs would inspire other States to demonstrate their commitment to the implementation of ICAO SARPs. He noted that next year there would be another opportunity to recognize the efforts of those that had demonstrated their commitment during 2016.

Agenda Item 2: Approval of the Agenda

12. In accordance with Rule 12 of the *Standing Rules of Procedure of the Assembly of the International Civil Aviation Organization* (Doc 7600), the Plenary approved the Agenda reproduced in WP/1.

13. The Delegate of India observed that while the Assembly had many important issues scheduled for discussion, one issue that stood out in significance was the global MBM scheme proposed by the ICAO Council. As that issue had important consequences for the aviation sector, particularly in developing States, it needed to be carefully deliberated upon and discussed by Member States. It was his understanding that several States from across the globe had been unable to participate in earlier discussions thereon in ICAO and elsewhere and would thus like to use this Assembly to discuss the proposed global MBM scheme bilaterally and multilaterally in order to understand its importance and formulate their views. That would require time, however. While fortunately the Assembly was almost two weeks in duration, the scheduling for the Executive Committee's consideration of Agenda Items 20, 21 and 22 relating to climate change and the global MBM scheme as initially set forth in the tentative timetable (WP/10) had been changed, with the date having been advanced from the morning of Thursday, 29 September 2016 to the afternoon of Wednesday, 28 September 2016 (cf. WP/10 Revised). Similarly, the scheduling for the Executive Committee's review of its draft Report to the Plenary on those Agenda Items had been advanced from the morning of Wednesday, 5 October 2016 to the afternoon of Friday, 30 September 2016. Underscoring that Delegates from all across the world had planned their visit to Montréal based on the original tentative timetable (WP/10) posted on ICAO's A39 website, the Delegate of India expressed concern that the scheduling for the Executive Committee's consideration of Agenda Items 20, 21 and 22 had been changed without any prior information and requested that the original scheduling be retained.

14. In seconding this request, the Delegate of the Russian Federation emphasized that his Delegation had planned its work based on the original tentative timetable contained in WP/10.

15. The President of the Council, as Temporary President of the Assembly, noted that, as he had indicated in the informal meeting of Heads of Delegations that had preceded the present Plenary meeting, the said tentative timetable was for planning purposes only, to facilitate discussion of the various Agenda Items by the Plenary, the Executive Committee and the Commissions. Subject to the process moving forward, slight adjustments could be made thereto. The change in scheduling referred to by the Delegate of India had been made to enable the Executive Committee to commence its consideration of Agenda Items 20, 21 and 22 earlier, for the purpose of more efficient time management. Nevertheless, full note had been taken of the comments made and they would be taken into account, as appropriate, when the Executive Committee started its deliberations.

Agenda Item 3: Establishment of Committees and Commissions

16. In accordance with Rules 6 b), 14 and 18 of its Standing Rules of Procedure (Doc 7600), the Assembly agreed to the establishment of the Credentials, Executive and Coordinating Committees, as well as the Technical, Economic, Legal and Administrative Commissions. The Credentials Committee would meet immediately following the First Plenary Meeting.

Agenda Item 4: Reference of subjects to Committees and Commissions

17. The Plenary referred the various items in the Agenda as presented in WP/1 to the Executive Committee and the Commissions as follows: Items 10 to 31 to the Executive Committee; Items 32 to 37 to the Technical Commission; Items 38 to 43 to the Economic Commission; Items 44 to 47 to the Legal Commission; and Items 48 to 58 to the Administrative Commission.

Agenda Item 5: Election of Member States to be represented on the Council***Deadline for notification of candidatures for the first and second parts of the Council election***

18. The President of the Council, as Temporary President of the Assembly, announced that election to the Council in the first and second parts would be held on Saturday, 1 October 2016, at 0900 hours. The deadline for notification of candidatures, which were to be submitted in writing to the Secretary General, was set for 1215 hours on Thursday, 29 September 2016. Notifications of candidatures for election to the Council in the third part, which would be receivable only after completion of the election in the first and second parts, were to be submitted to the Secretary General during the forty-eight hour period beginning at the close of the meeting on Saturday, 1 October 2016, and ending at that time on Monday, 3 October 2016. The election to the Council in the third part would take place on Tuesday, 4 October 2016, at 1400 hours.

Maximum number of Member States to be elected in each part of the Council election

19. As recommended by the Council in WP/2, the Assembly established the maximum number of Member States to be represented on the Council as follows: Part One – 11 Member States; Part Two – 12 Member States; and Part Three – 13 Member States.

20. The meeting adjourned at 1215 hours.

Minutes of the Second Meeting

(Tuesday, 27 September 2016 at 1500 hours)

SUBJECTS DISCUSSED

1. Agenda Item 9: Reports by Committees and Commissions of the Assembly and action thereon
— Oral interim report of the Credentials Committee
2. Agenda Item 6: Election of the President of the Assembly
3. Agenda Item 7: Election of the four Vice-Presidents of the Assembly and Chairpersons of Commissions
4. Agenda Item 8: Statements by delegations of Member States

SUMMARY OF DISCUSSIONS

Agenda Item 9: Reports by Committees and Commissions of the Assembly and action thereon

Oral interim report of the Credentials Committee

1. The Chairperson of the Credentials Committee, Mr. Souleiman Eid (Lebanon), presented the oral interim report of the Committee, which was composed of members from the Bahamas, Bangladesh, Congo and Luxembourg in addition to Lebanon. He indicated that, at the time of the Committee's first meeting, original credentials in the proper form had been received from 170 Member States, 164 of which had delegates registered. Furthermore, original credentials in the proper form had been received from 43 observer delegations, 39 of which were registered.
2. The Credentials Committee urged all States and organizations that had not yet presented proper credentials to do so as soon as possible. For the time being, in view of Rule 7 of the Standing Rules of Procedure of the Assembly (Doc 9600), it recommended that the Assembly permit them to participate in its deliberations.
3. In the absence of comments, the Plenary noted the oral interim report of the Credentials Committee. The Temporary President of the Assembly, Dr. Olumuyiwa Benard Aliu, the President of the Council, requested all delegates who had not yet presented proper credentials to take the necessary action to do so. He encouraged those who were confronting difficulties to consult the Secretary of the Credentials Committee, Mr. Benoit Verhaegen, of the Legal Affairs and External Relations Bureau (LEB).

Agenda Item 6: Election of the President of the Assembly

4. The Delegate of Mexico, supported by the Delegates of Portugal, Nigeria, Colombia, Egypt and Sudan, nominated Mr. Azharuddin Abdul Rahman (Malaysia) as President of the 39th Session of the Assembly.

5. The nomination was approved by acclamation. In declaring Mr. Rahman elected, the Temporary President of the Assembly congratulated him on behalf of all present and invited him to take the chair in the capacity of President.

6. Indicating that he was deeply honoured by the trust and confidence thus placed in him, the President expressed gratitude for his nomination. While considering his role as President to be that of facilitator, conciliator, consensus-builder and leader, he stressed that without Delegates' support his efforts would ultimately fail. Noting that it might be necessary for the Assembly to take hard, and at times, unpleasant decisions, the President underscored that such decisions necessitated a spirit of dialogue and cooperation on the part of all Delegates. In affirming that he would make every effort to chair the Assembly in an effective manner, he emphasized that he had no illusions about quick solutions. The President observed, in this regard, that it was often the small, practical matters that counted and that ultimately led to solutions.

7. Noting that it was his fervent hope that all Delegates would work together during the Assembly, the President stressed that they should not be afraid of any difficulties or uncertainties that might lie ahead. He encouraged the Assembly to move forward through cooperation, mutual understanding and trust.

Agenda Item 7: Election of the four Vice-Presidents of the Assembly and Chairpersons of Commissions

8. The President invited nominations for the posts of Vice-President and the Delegate of Singapore, seconded by the Delegate of the Russian Federation, proposed the following:

First Vice-President	Ms. Ingrid Cherfils (Sweden)
Second Vice-President	Mr. Habib Mekki (Tunisia)
Third Vice-President	Mr. Carlos Velasquez (Guatemala)
Fourth Vice-President	Ms. Sara Wiebe (Canada)

9. These nominations were accepted by acclamation.

10. In addition, as proposed by the Delegate of the United Arab Emirates, and seconded by the Delegate of the Dominican Republic, the Assembly approved by acclamation the following nominations for Chairpersons of Commissions:

Technical Commission	Mr. Graeme Harris (New Zealand)
Economic Commission	Mr. Geoffrey Puseletso Moshabesha (Botswana)
Legal Commission	Mr. Alessio Quaranta (Italy)
Administrative Commission	Mr. Jorge Félix Castillo de la Paz (Cuba)

11. In offering his warmest congratulations to the newly-elected Vice-Presidents and Chairpersons of Commissions, the President assured all present that no efforts would be spared to ensure that the 39th Session of the Assembly would be geared towards meeting the demands of the aviation fraternity.

Agenda Item 8: Statements by delegations of Member States

12. The remainder of the meeting was devoted to Agenda Item 8 and general statements delivered by the Delegations of: the United States, China, Slovakia (on behalf of European States), Malaysia, Mexico, the Russian Federation, Saudi Arabia, South Africa, Finland, India, Kenya, Egypt, Spain, Nigeria, Argentina, Niger and Ecuador. A statement was also made by the observer from the European Union (EU).

13. The meeting adjourned at 1745 hours.

Minutes of the Third Meeting

(Wednesday, 28 September 2016 at 0920 hours)

SUBJECTS DISCUSSED

1. Agenda Item 9: Reports by Committees and Commissions of the Assembly and action thereon
— Approval of oral report of the Executive Committee on Agenda Item 10
2. Agenda Item 8: Statements by delegations of Member States

SUMMARY OF DISCUSSIONS

Agenda Item 9: Reports by Committees and Commissions of the Assembly and action thereon

Approval of oral report of the Executive Committee on Agenda Item 10

1. The President, in his capacity as Chairperson of the Executive Committee, presented the Committee's oral report on its examination of WP/61 Revision No. 1 (with Addendum No. 1), which dealt with the financial aspects of the question of contributions in arrears. Addendum No. 1 contained an updated Appendix C to the paper regarding Member States that had their voting rights deemed suspended as at 26 September 2016.
2. The Executive Committee had noted, without comments, the information provided in the paper relating to: the status of contributions in arrears and of Member States that had their voting rights deemed suspended; the impact of delays in receipt of contributions; measures in dealing with contributions in arrears; and the Incentive Scheme for the Settlement of Long-outstanding Arrears.
3. The Executive Committee had also reviewed and endorsed draft Resolution 10/1 (Discharge by Member States of financial obligations to the Organization and action to be taken in case of their failure to do so) contained in Appendix D to the paper, which proposed the following changes to Assembly Resolution A38-24:
 - an amendment to Preambular Clause 2, whereby the reference made to Article 6.5 of the *ICAO Financial Regulations* would be revised to read "Article 6.5 a)" and a reference to Article 6.5 b) would be inserted at the end, through the introduction of the phrase "and Article 6.5 b) which stipulates that as of 1 January of the following financial year, any unpaid balance due shall be considered to be one year in arrears";
 - an amendment to the chapeau of the Resolving Clauses, whereby the phrase "with effect from 1 January 2017" would be inserted at the end;

- an amendment to Resolving Clause 6, whereby the phrase “and amounts due under agreements” would be inserted at the end;
- an amendment to Resolving Clause 10 c) [“Nationals or Representatives lose eligibility for nomination to elected offices”] so as to read “Nominees or Representatives lose eligibility to be voted into any office”;
- and an amendment to Resolving Clause 12, whereby the phrase “, as well as any non-eligibility for election to the Council, Committees and bodies under Clause 11” would be inserted after the phrase “under Clauses 6 and 7”.

4. In the absence of comments, the Plenary approved the oral report of the Executive Committee and, as recommended by the latter, took the action proposed in the executive summary of WP/61 Revision No. 1 and:

- a) noted the progress made in the collection of long-outstanding arrears; and
- b) adopted draft Resolution 10/1 (Discharge by Member States of financial obligations to the Organization and action to be taken in case of their failure to do so) as set forth in Appendix D to the said paper.

Agenda Item 8: Statements by delegations of Member States

5. The remainder of the meeting was devoted to general statements under Agenda Item 8 delivered by the Delegations of: Nepal, the Netherlands, Japan, Congo, Thailand, Indonesia, Cabo Verde, Senegal, Sweden, Portugal, Algeria, Colombia, Brunei Darussalam, Cuba, South Sudan, Zimbabwe, Samoa, the United Republic of Tanzania, Israel, Ukraine and the United Arab Emirates.

6. The meeting adjourned at 1235 hours.

Minutes of the Fourth Meeting

(Saturday, 1 October 2016 at 0900 hours)

SUBJECTS DISCUSSED

1. Agenda Item 5: Election of Member States to be represented on the Council
 - Parts One and Two of the election
 - Deadline for presentation of candidatures for Part Three of the election
2. Agenda Item 9: Reports by Committees and Commissions of the Assembly and action thereon
 - Approval of Reports from the Executive Committee on Agenda Items 11, 12, 13, 20 and 21
3. Agenda Item 8: Statements by delegations of Member States

SUMMARY OF DISCUSSIONS

Agenda Item 5: Election of Member States to be represented on the Council

Parts One and Two of the election

1. The President announced that the meeting had been called for the purpose of holding the first two parts of the Council election. Drawing attention to WP/2, which provided detailed background information regarding the election, he observed that Appendix B thereto contained Rules 54 through 61 of the Assembly's Standing Rules of Procedure (Doc 7600) describing the procedure under which the election would take place. The President highlighted that, at its First Plenary Meeting on 27 September 2016, the Assembly had endorsed the Council's recommendation regarding the maximum number of seats to be elected in the three parts of the election as set forth in the executive summary of the paper, in particular, that 11 Member States be elected under Part One and 12 Member States, under Part Two.

2. The President recalled that, at the 37th Session of the Assembly, Rules 59 and 60 of the said Rules of Procedure had been amended in order to allow for the use of an electronic voting system for the Council elections, with the understanding that manual votes would remain in place as a fall-back option. He underscored that the preparation of the PIN code envelopes that would be required by Delegates to vote had been prepared in the presence of a representative of the Evaluation and Internal Audit Office (EAO) in order to provide added assurance to the Assembly regarding the confidentiality and anonymity of the electoral process.

3. The President noted that the names of the Member States which had submitted their candidatures under the first two parts of the Council election were set forth in the Secretary General's memorandum dated 29 September 2016, a copy of which had been placed by the desk of each Delegation, together with an Aide-mémoire on the said electronic voting system. He further indicated that several information papers concerning candidatures had been submitted: WPs/291 presented by Singapore; /360 presented by the Arab Civil Aviation Commission (ACAC); /147 Revised presented by the African Civil Aviation Commission (AFCAC) on behalf of the 54 African States; and /230 Revised presented by Guatemala, representing the Member States of the Latin American Civil Aviation Commission (LACAC).

4. After a short video presentation by the Secretariat of the electronic voting system, the following 170 Member States that were eligible to vote in Parts One and Two were provided with the materials necessary to participate in the electronic vote:

Afghanistan	Democratic	Liberia	San Marino
Albania	Republic	Libya	Saudi Arabia
Algeria	of the Congo	Lithuania	Senegal
Andorra	Denmark	Luxembourg	Serbia
Angola	Djibouti	Madagascar	Seychelles
Argentina	Dominican	Malaysia	Sierra Leone
Armenia	Republic	Maldives	Singapore
Australia	Ecuador	Mali	Slovakia
Austria	Egypt	Malta	Slovenia
Azerbaijan	El Salvador	Marshall Islands	Solomon Islands
Bahamas	Equatorial Guinea	Mauritania	Somalia
Bahrain	Estonia	Mauritius	South Africa
Bangladesh	Ethiopia	Mexico	South Sudan
Barbados	Fiji	Monaco	Spain
Belgium	Finland	Mongolia	Sri Lanka
Belize	France	Montenegro	Sudan
Benin	Gabon	Morocco	Swaziland
Bhutan	Georgia	Mozambique	Sweden
Bolivia	Germany	Myanmar	Switzerland
(Plurinational	Ghana	Namibia	Thailand
State of)	Greece	Nepal	The former
Bosnia and	Guatemala	Netherlands	Yugoslav
Herzegovina	Guinea	New Zealand	Republic of
Botswana	Guinea-Bissau	Nicaragua	Macedonia
Brazil	Guyana	Niger	Timor-Leste
Brunei Darussalam	Haiti	Nigeria	Togo
Bulgaria	Honduras	Norway	Tonga
Burkina Faso	Hungary	Oman	Trinidad and
Burundi	Iceland	Pakistan	Tobago
Cabo Verde	India	Panama	Tunisia
Cambodia	Indonesia	Paraguay	Turkey
Cameroon	Iraq	Peru	Uganda
Canada	Ireland	Philippines	Ukraine
Central African	Israel	Poland	United Arab
Republic	Italy	Portugal	Emirates
Chad	Jamaica	Qatar	United Kingdom
Chile	Japan	Republic of Korea	United Republic
China	Jordan	Republic of	of Tanzania
Colombia	Kazakhstan	Moldova	United States
Congo	Kenya	Romania	Uruguay
Cook Islands	Kiribati	Russian Federation	Uzbekistan
Costa Rica	Kuwait	Rwanda	Vanuatu
Côte d'Ivoire	Lao People's	Saint Kitts and	Venezuela
Croatia	Democratic	Nevis	(Bolivarian
Cuba	Republic	Saint Lucia	Republic of)
Cyprus	Latvia	Saint Vincent and	Viet Nam
Czechia	Lebanon	the Grenadines	Zimbabwe
	Lesotho	Samoa	

5. At the close of the voting session for Part One, 170 Member States had cast votes electronically. In accordance with Rule 60 of the Assembly's Standing Rules of Procedure (Doc 7600), the minimum number of votes required for election was therefore at least 86. The President announced the results of the electronic vote as follows:

Australia	149 votes
Brazil	167 votes
Canada	142 votes
China	154 votes
France	152 votes
Germany	162 votes
Italy	166 votes
Japan	155 votes
Russian Federation	145 votes
United Kingdom	156 votes
United States	151 votes

and declared elected all 11 Member States.

6. The Assembly then proceeded to Part Two of the election. At the close of the voting session, 170 Member States had cast votes electronically. The minimum number of votes required for election was thus at least 86.

7. The result of the ballot, announced by the President, was:

Argentina	156 votes
Colombia	154 votes
Egypt	153 votes
India	151 votes
Ireland	153 votes
Mexico	160 votes
Nigeria	152 votes
Saudi Arabia	151 votes
Singapore	164 votes
South Africa	157 votes
Spain	160 votes
Sweden	154 votes

8. The President declared elected the above 12 Member States.

9. On behalf of the Assembly, the President congratulated the newly-elected Member States, expressing confidence that they would work in the best interest of both ICAO and the global aviation sector. In addition, he voiced appreciation for the Secretariat's assistance in, and facilitation of, the conduct of the elections.

10. It was noted that the audit reports generated by the electronic voting system for the above-mentioned first two parts of the Council election would be sent directly to the Auditors.

***Deadline for presentation of candidatures
for Part Three of the Council election***

11. The President announced that Part Three of the election to the Council would be held at the Fifth Plenary Meeting on Tuesday, 4 October 2016, at 1400 hours. In accordance with Rule 58 of the Assembly's Standing Rules of Procedure (Doc 7600), candidatures for Part Three were to be submitted in writing to the Secretary General by 1030 hours on Monday, 3 October 2016.

Agenda Item 9: Reports by Committees and Commissions of the Assembly and action thereon

***Approval of Reports from the Executive Committee
on Agenda Items 11, 12, 13, 20 and 21***

12. The President, in his capacity as Chairperson of the Executive Committee, presented several Reports for approval by the Plenary.

13. In the absence of comments, the President declared the following Reports of the Executive Committee approved and Resolutions as indicated adopted:

- | | |
|--------|--|
| WP/489 | — Agenda Item 11: <i>Annual Reports of the Council to the Assembly for 2013, 2014 and 2015</i> |
| WP/490 | — Agenda Item 12: <i>Proposal to amend Article 50 (a) of the Chicago Convention so as to increase the membership of the Council</i>
(Resolutions 12/1 and 12/2) |
| | — Agenda Item 13: <i>Proposal to amend Article 56 of the Chicago Convention so as to increase the membership of the Air Navigation Commission</i>
(Resolutions 13/1 and 13/2) |
| WP/488 | — Agenda Item 20: <i>Environmental protection – Aircraft noise – Policy, standardization and implementation support</i>
(Resolution 20/1) |
| | — Agenda Item 21: <i>Environmental protection – Aircraft engine emissions affecting local air quality – Policy, standardization and implementation support</i> |

Agenda Item 8: Statements by delegations of Member States

14. The remainder of the meeting was devoted to general statements delivered by the Delegations of: the Republic of Korea, Turkey, Nicaragua, Morocco, Sri Lanka, Uganda, Lebanon and Cameroon.

15. The meeting adjourned at 1210 hours.

Minutes of the Fifth Meeting

(Tuesday, 4 October 2016 at 1400 hours)

SUBJECTS DISCUSSED

1. Agenda Item 5: Election of Member States to be represented on the Council
— Part Three of the election
2. Agenda Item 8: Statements by delegations of Member States

SUMMARY OF DISCUSSIONS

Agenda Item 5: Election of Member States to be represented on the Council

Part Three of the election

1. The President announced that the meeting had been called for the purpose of holding the third part of the Council election. He highlighted WP/2, which provided detailed background information regarding the election, as well as the following information papers concerning candidatures: WPs/284 presented by Indonesia; /382 presented by Malaysia; /112 presented by Azerbaijan, Georgia, Turkey and Ukraine; /360 presented by the Arab Civil Aviation Commission (ACAC); /147 Revised presented by the African Civil Aviation Commission (AFCAC) on behalf of the 54 African States; and /230 Revised presented by Guatemala, representing the Member States of the Latin American Civil Aviation Commission (LACAC). The President recalled that, at its First Plenary Meeting on 27 September 2016, the Assembly had endorsed the Council's recommendation that 13 Member States be elected under Part Three. Noting, however, from the Secretary General's memorandum dated 3 October 2016 that there were 14 Member States which had submitted their candidatures, he emphasized that Delegates could vote for any number of candidates up to, but not exceeding, the number of vacancies to be filled, namely 13.

2. A short video presentation of the electronic voting system was then given by the Secretariat, with it being reiterated that the PIN code envelopes had been prepared in the presence of a representative of the Evaluation and Internal Audit Office (EAO) in order to provide added assurance to the Assembly regarding the confidentiality and anonymity of the electoral process.

3. Thereafter, the following 172 Member States that were eligible to vote in Part Three were provided with the materials necessary to participate in the electronic vote:

Afghanistan	Dominican Republic	Maldives	Somalia
Albania	Ecuador	Mali	South Africa
Algeria	Egypt	Malta	South Sudan
Andorra	El Salvador	Marshall Islands	Spain
Angola	Equatorial Guinea	Mauritania	Sri Lanka
Argentina	Eritrea	Mauritius	Sudan
Armenia	Estonia	Mexico	Swaziland
Australia	Ethiopia	Monaco	Sweden
Austria	Fiji	Mongolia	Switzerland
Azerbaijan	Finland	Montenegro	Thailand
Bahamas	France	Morocco	The former Yugoslav Republic of Macedonia
Bahrain	Gabon	Mozambique	Timor-Leste
Bangladesh	Georgia	Myanmar	Togo
Barbados	Germany	Namibia	Tonga
Belgium	Ghana	Nepal	Trinidad and Tobago
Belize	Greece	Netherlands	Tunisia
Benin	Guatemala	New Zealand	Turkey
Bhutan	Guinea	Nicaragua	Uganda
Bolivia (Plurinational State of)	Guinea-Bissau	Niger	Ukraine
Bosnia and Herzegovina	Guyana	Nigeria	United Arab Emirates
Botswana	Haiti	Norway	United Kingdom
Brazil	Honduras	Oman	United Republic of Tanzania
Brunei Darussalam	Hungary	Pakistan	United States
Bulgaria	Iceland	Panama	Uruguay
Burkina Faso	India	Papua New Guinea	Uzbekistan
Burundi	Indonesia	Paraguay	Vanuatu
Cabo Verde	Iran (Islamic Republic of)	Peru	Venezuela (Bolivarian Republic of)
Cambodia	Iraq	Philippines	Viet Nam
Cameroon	Ireland	Poland	Zimbabwe
Canada	Israel	Portugal	
Central African Republic	Italy	Qatar	
Chad	Jamaica	Republic of Korea	
Chile	Japan	Republic of Moldova	
China	Jordan	Romania	
Colombia	Kazakhstan	Russian Federation	
Congo	Kenya	Rwanda	
Cook Islands	Kiribati	Saint Kitts and Nevis	
Costa Rica	Kuwait	Saint Vincent and the Grenadines	
Côte d'Ivoire	Lao People's Democratic Republic	Samoa	
Croatia	Latvia	San Marino	
Cuba	Lebanon	Saudi Arabia	
Cyprus	Lesotho	Senegal	
Czechia	Liberia	Serbia	
Democratic Republic of the Congo	Libya	Seychelles	
Denmark	Lithuania	Sierra Leone	
Djibouti	Luxembourg	Singapore	
	Madagascar	Slovakia	
	Malaysia	Slovenia	
		Solomon Islands	

4. At the close of the voting session for Part Three, 172 Member States had cast votes electronically. In accordance with Rule 60 of the Assembly's Standing Rules of Procedure (Doc 7600), the minimum number of votes required for election was therefore at least 87. The President announced the results of the electronic vote as follows:

Algeria	151 votes
Cabo Verde	136 votes
Congo	136 votes
Cuba	160 votes
Ecuador	133 votes
Indonesia	96 votes
Kenya	159 votes
Malaysia	129 votes
Panama	130 votes
Republic of Korea	146 votes
Turkey	156 votes
United Arab Emirates	156 votes
United Republic of Tanzania	150 votes
Uruguay	133 votes

and declared elected the following 13 Member States: Algeria, Cabo Verde, Congo, Cuba, Ecuador, Kenya, Malaysia, Panama, the Republic of Korea, Turkey, the United Arab Emirates, the United Republic of Tanzania and Uruguay.

5. The President, on behalf of the Assembly, congratulated the Member States on their election and voiced confidence that they would work in the best interest of both ICAO and the global aviation sector. He also thanked the Secretariat for the support provided during the electoral process.

6. Note was taken that the audit reports generated by the electronic voting system for Part Three of the Council election would be sent directly to the Auditors.

Agenda Item 8: Statements by delegations of Member States

7. The remainder of the meeting was devoted to general statements delivered by the Delegations of: Qatar, Burkina Faso, Oman, the Republic of Moldova, Sierra Leone, the Philippines, Uruguay, Liberia, Pakistan, Saint Kitts and Nevis and El Salvador.

8. The meeting adjourned at 1615 hours.

Minutes of the Sixth Meeting

(Wednesday, 5 October 2016 at 0900 hours)

SUBJECTS DISCUSSED

1. Agenda Item 9: Reports by Committees and Commissions of the Assembly and action thereon
 - Approval of Report from the Administrative Commission on the General Section and Agenda Items 48 to 58
 - Approval of Report from the Legal Commission on the General Section and Agenda Items 44 to 47
 - Approval of Reports from the Economic Commission on the General Section and Agenda Items 38 to 43
 - Approval of Reports from the Executive Committee on the General Section and Agenda Items 14, 16 to 19, 23 to 27, and 29 to 31
 - Approval of Reports from the Technical Commission on the General Section and Agenda Items 32 to 37
 - Approval of the Final Report of the Credentials Committee

SUMMARY OF DISCUSSIONS

Agenda Item 9: Reports by Committees and Commissions of the Assembly and action thereon

Approval of Report from the Administrative Commission on the General Section and Agenda Items 48 to 58

1. The Chairperson of the Administrative Commission, Mr. Jorge Félix Castillo de la Paz (Cuba), presented the Commission's Report (WP/506) for approval by the Plenary. He noted that the Administrative Commission had completed its work in two meetings and presented a single report to the Plenary on its proceedings, which reflected the considerable amount of preparatory work carried out by the Council and the Secretariat prior to the Assembly. The Chairperson placed on record his appreciation for the cooperation extended to him by all Members of the Administrative Commission and the Secretariat in conducting their business in an efficient and effective manner.

2. Under Agenda Item 48, the Administrative Commission had noted the content and presentation of the section entitled "Financial Overview" of the Annual Reports of the Council to the Assembly for 2013, 2014 and 2015 and the supplementary report for the first six months of 2016 and recommended their approval by the Plenary.

3. With regard to Agenda Item 50: *Confirmation of Council action in assessing the contributions to the General Fund and determining advances to the Working Capital Fund of States which have adhered to the Convention*, the Administrative Commission had noted from the oral status report that subsequent to the 38th Session of the Assembly, no new State had adhered to the Chicago Convention and become a Member State and that consequently the Agenda Item did not require the submission of an Assembly working paper for its consideration. It had further noted that in future it would not be necessary to table Agenda Item 50 for consideration when there was no new Member State.
4. Under Agenda Item 51: *Contributions in arrears*, the Administrative Commission had considered WP/61 Revision No. 1 and Addenda Nos. 1 and 2 regarding the financial aspects of contributions in arrears, including States with voting rights deemed suspended, and WP/68 regarding the application of funds from the Incentive Scheme for the settlement of long-outstanding arrears. The Chairperson of the Administrative Commission recalled that Resolution 10/1: *Discharge by Member States of financial obligations to the Organization and action to be taken in case of their failure to do so* had been adopted previously by the Plenary at its Third Meeting on 28 September 2016.
5. With respect to the Report on Agenda Item 52: *Assessments to the General Fund for 2017, 2018 and 2019*, the Administrative Commission, in recommending the adoption of related Resolution 52/1, informed the Plenary that no change in the methodology of assessment had been proposed and that the assessment principles for the current triennium would be maintained in the next triennium.
6. Under Agenda Item 53: *Report on the Working Capital Fund*, the Administrative Commission informed the Plenary that the level of the Working Capital Fund (WCF) had been maintained at USD 8.0 million and recommended the adoption of related Resolution 53/1.
7. With reference to Agenda Item 54: *Disposition of cash surplus/deficit*, the Administrative Commission had noted the financial results and had confirmed that there was no need for Member States to finance the deficit at the present time.
8. Under Agenda Item 55: *Amendment of the Financial Regulations*, the Administrative Commission had reviewed the proposed amendments to Financial Regulations 5.9, 7.3 and 11.4 and recommended for adoption related Resolution 55/1.
9. Regarding Agenda Item 56: *Review of expenditures, approval of accounts and examination of Audit Reports for the financial years 2013, 2014 and 2015*, the Administrative Commission had noted the unqualified audit opinion for 2013 given by the then External Auditor of ICAO, the First President of the Cour des Comptes of France, Mr. Didier Migaud, and the unqualified audit opinion for 2014 and 2015 given by current External Auditor of ICAO, the President of Corte dei Conti of Italy, Mr. Raffaele Squitieri, and recommended the adoption of related Resolution 56/1. The Chairperson noted that the Administrative Commission had extended a sincere thanks to the Cour des Comptes for its past work as ICAO's External Auditor.
10. In relation to Agenda Item 57: *Appointment of External Auditor*, the Administrative Commission recommended that the Plenary confirm the reappointment of Mr. Squitieri, the President of the Corte dei Conti, as ICAO's External Auditor for the financial years 2017, 2018 and 2019 by adopting Resolution 57/1.
11. With reference to Agenda Item 49: *Budgets for 2017, 2018 and 2019*, the Administrative Commission supported the draft Budget and recommended for adoption Resolution 49/1 related to the

indicative budget estimates for the Administrative and Operational Services Costs (AOSC) of the Technical Cooperation Programme and the Budget for the Regular Programme of the Organization for the financial years 2017, 2018 and 2019.

12. Endorsing the report (WP/506), the Delegate of the United Kingdom commended the Chairperson and the Secretariat for the efficient manner in which they had conducted of the work of the Administrative Commission.

13. In the absence of further comments, the President of the Assembly declared the following Report of the Administrative Commission approved and Resolutions as indicated adopted:

- WP/506 — General Section
- Agenda Item 48: *Annual Reports of the Council to the Assembly for 2013, 2014 and 2015*
 - Agenda Item 50: *Confirmation of Council action in assessing the contributions to the General Fund and determining advances to the Working Capital Fund of States which have adhered to the Convention*
 - Agenda Item 51: *Contributions in arrears*
(Resolution 10/1 having been adopted previously at the Third Plenary Meeting)
 - Agenda Item 52: *Assessments to the General Fund for 2017, 2018 and 2019*
(Resolution 52/1)
 - Agenda Item 53: *Report on the Working Capital Fund*
(Resolution 53/1)
 - Agenda Item 54: *Disposition of cash surplus/deficit*
 - Agenda Item 55: *Amendment of the Financial Regulations*
(Resolution 55/1)
 - Agenda Item 56: *Review of expenditures, approval of accounts and examination of Audit Reports for the financial years 2013, 2014 and 2015*
(Resolution 56/1)
 - Agenda Item 57: *Appointment of External Auditor*
(Resolution 57/1)
 - Agenda Item 58: *Other issues to be considered by the Administrative Commission*
 - Agenda Item 49: *Budgets for 2017, 2018 and 2019*
(Resolution 49/1)

Approval of Report from the Legal Commission on the General Section and Agenda Items 44 to 47

14. In presenting the Legal Commission's Report (WP/507) for approval by the Plenary, the Chairperson, Mr. Alessio Quaranta (Italy), noted that the Commission had held three meetings and had, at its First Meeting, elected Mr. Abdulrahman Hassan Shiekh (Saudi Arabia) and Mr. Chukwuma Dubem (Nigeria) as its First and Second Vice-Chairpersons, respectively.

15. Under Agenda Item 44, the Legal Commission had noted the chapters of the *Annual Reports of the Council to the Assembly for 2013, 2014 and 2015*, as well as the supplementary report for the first six months of 2016, which had been referred to it by the Plenary.

16. In relation to Agenda Item 45, the Legal Commission had reviewed the Work Programme of the Organization in the legal field and recommended for adoption by the Plenary three Assembly Resolutions: a) Resolution 45/1: *Conflicts of interest in civil aviation*, which promoted awareness of potential conflicts of interest in civil aviation, as well as of the need to take measures to avoid or mitigate the risk of conflicts of interest while taking into account the level of development and resources available for regulatory and oversight functions; b) Resolution 45/2: *Promotion of the Montréal Convention of 1999*, related to air carrier liability, which urged all Member States that had not yet done so to become Parties to the widely-accepted Montréal Convention of 1999 as soon as possible; and c) Resolution 45/3: *Promotion of the Beijing Convention and the Beijing Protocol of 2010*, which urged all Member States to sign and ratify the Beijing Convention and the Beijing Protocol of 2010 as soon as possible.

17. With reference to Agenda Item 46:, the Legal Commission recommended the adoption of Resolution 46/1: *Consolidated statement of continuing ICAO policies in the legal field*, which reflected updates to Assembly Resolution A37-22 to reflect the adoption of the Montréal Protocol of 2014, as well as the proposed amendments to Articles 50 (a) and 56 of the Chicago Convention to increase the size of the Council and the Air Navigation Commission (ANC), respectively.

18. Under Agenda Item 47: *Other issues to be considered by the Legal Commission*, the Legal Commission had, inter alia, agreed to include a new item entitled "Implementation of Article 21 of the Chicago Convention" in the General Work Programme of the Legal Committee. It had also taken note of the intent of WP/229 (Remotely piloted aircraft systems legal definition) (with Corrigendum No. 1 – English only), which could enrich the discussions currently ongoing under the first item on the said General Work Programme, "Study of legal issues relating to remotely piloted aircraft", which comprised all legal definitional issues.

19. Concluding his presentation, the Chairperson of the Legal Commission expressed his appreciation for the support and assistance provided by the Secretariat.

20. In the absence of comments, the President of the Assembly declared the following Report of the Legal Commission approved and Resolutions as indicated adopted:

- | | |
|--------|---|
| WP/507 | <ul style="list-style-type: none"> — General Section — Agenda Item 44: <i>Annual Reports of the Council to the Assembly for 2013, 2014 and 2015</i> — Agenda Item 45: <i>Work programme of the Organization in the legal field</i>
(Resolutions 45/1, 45/2 and 45/3) |
|--------|---|

- Agenda Item 46: *Consolidated statement of continuing ICAO policies in the legal field* (Resolution 46/1)
- Agenda Item 47: *Other issues to be considered by the Legal Commission*

Approval of Reports from the Economic Commission on the General Section and Agenda Items 38 to 43

21. The Chairperson of the Economic Commission, Mr. Geoffrey Puseletso Moshabesha (Botswana), presented six Reports by the Commission (WP/517 to /522) for approval by the Plenary. He thanked the Members for their cooperation throughout the Commission's three meetings and expressed gratitude for the support provided by the Secretariat.
22. WP/517 set forth the General Section of the Report, as well as the Report on Agenda Item 38: *Annual Reports of the Council to the Assembly for 2013, 2014 and 2015*, which also covered the supplementary report for the first six months of 2016.
23. Under Agenda Item 39: *Economic Regulation of International Air Transport — Policy* (WP/518), the Economic Commission had deliberated on, inter alia, the implementation of recommendations of the Sixth Worldwide Air Transport Conference (ATConf/6) relating to a long-term vision for liberalization, core principles on consumer protection, progress on the development of international agreements on the liberalization of market access, air cargo and air carrier ownership and control, as well as slot allocation. It had also endorsed the future work programme of the Organization in the field of air transport policy and regulation as proposed by the Council.
24. With regard to Agenda Item 40 (WP/519), the Economic Commission had endorsed the Organization's plan of work for the next triennium in the field of the economics of airports and air navigation services, which would assist States in addressing infrastructure financing, facilitate public and private financing and access to funding for long-term needs, and advance ICAO's *No Country Left Behind* (NCLB) initiative.
25. In relation to the Report on Agenda Item 41: *Aviation Data — Monitoring and Analysis* (WP/520), the Economic Commission had reviewed work related to the re-engineering of the ICAO Statistics Programme, the development of a single set of harmonized long-term traffic forecasts pursuant to Assembly Resolution A38-14, and aviation data and analysis activities undertaken jointly with the United Nations (UN), its agencies and other international and regional organizations, to address problematic issues of mutual interest. It had endorsed the Organization's work plan for the next triennium in the field of aviation data, including statistics, forecasting and economic analysis.
26. Under Agenda Item 42: *Economic Development of Air Transport* (WP/521), the Economic Commission had noted ICAO's future work on the development of a Global Air Transport Plan. It had also recommended for adoption by the Plenary Resolution 42/1: *Consolidated statement of continuing ICAO policies in the air transport field*, as amended during the Commission's review thereof.
27. In concluding his presentation, the Chairperson remarked that the Report on Agenda 43 (WP/522) reflected the discussions of other issues considered by the Economic Commission.
28. In the absence of comments, the President of the Assembly declared the following Reports of the Economic Commission approved and Resolution as indicated adopted:

- WP/517 — General Section
- Agenda Item 38: *Annual Reports of the Council to the Assembly for 2013, 2014 and 2015*
- WP/518 — Agenda Item 39: *Economic Regulation of International Air Transport — Policy*
- WP/519 — Agenda Item 40: *Economics of Airports and Air Navigation Services — Policy*
- WP/520 — Agenda Item 41: *Aviation Data — Monitoring and Analysis*
- WP/521 — Agenda Item 42: *Economic Development of Air Transport (Resolution 42/1)*
- WP/522 — Agenda Item 43: *Other issues to be considered by the Economic Commission*

Approval of Reports from the Executive Committee on the General Section and Agenda Items 14, 16 to 19, 23 to 27, and 29 to 31

29. The President of the Assembly, in his capacity as the Chairperson of the Executive Committee, introduced a series of fourteen Reports (WPs/493, /497 to /499, /502 to /504 and /524 to /528) for approval by the Plenary.

30. In the absence of comments, the President of the Assembly declared the following Reports of the Executive Committee approved and Resolutions as indicated adopted:

- WP/527 — General Section
- WP/502 — Agenda Item 14: *Technical Assistance Programme*
- WP/493 — Agenda Item 16: *Aviation Security — Policy (Resolution 16/1)*
- WP/497 — Agenda Item 17: *Universal Security Audit Programme — Continuous Monitoring Approach (USAP-CMA)*
- WP/498 — Agenda Item 18: *Implementation Support and Development — Security (ISD-SEC)*
- WP/499 — Agenda Item 19: *Facilitation and the ICAO Traveller Identification Programme (ICAO TRIP) Strategy (Resolution 19/1)*
- WP/503 — Agenda Item 23: *ICAO Civil Aviation Training Policy and Capacity Building in Aviation*

- WP/525 — Agenda Item 24: *Human Resources Management*
- Agenda Item 25: *Status of ICAO Workforce*
- WP/524 — Agenda Item 26: *Multilingualism at ICAO*
- WP/526 — Agenda Item 27: *Increasing the efficiency and effectiveness of ICAO*
(Resolutions 27/1 and 27/2)
- WP/504 — Agenda Item 29: *United Nations 2030 Agenda — Sustainable
Development Goals (SDGs)*
(Resolution 29/1)
- Agenda Item 30: *Resource Mobilization*
(Resolution 30/1)
- WP/528 — Agenda Item 31: *Other high-level policy issues to be considered by the
Executive Committee*
(Resolutions 31/1, 31/2, 31/3 and 31/4)

31. It was understood that the Executive Committee's Reports on Agenda Item 15: *Technical Cooperation — Policy and activities on technical cooperation* (WP/500) and Agenda Item 28: *No Country Left Behind Initiative* (WP/501) would be submitted for approval at the Plenary's next meeting.

32. Following the close of the Assembly on 6 October 2016, it was noticed that although the Executive Committee, at its Sixth Meeting on 30 September 2016, had agreed to recommend to the Plenary for adoption draft Resolution 18/1: *Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa* as proposed by the Council in WP/21 Revised, the text of that Resolution had been inadvertently omitted from the Executive Committee's above-mentioned Report on Agenda Item 18: *Implementation Support and Development — Security (ISD-SEC)* (WP/498). Although that Report made reference, in paragraph 18.9, to the Executive Committee's endorsement of all of the actions of WP/21 Revised, including the said Resolution 18/1 on the AFI SECFAL Plan, it did not contain the actual text of that Resolution. However, in light of the Executive Committee's endorsement thereof, and the absence of any comments during the Plenary's consideration, during the present Meeting, of the said fourteen Executive Committee Reports, the President of the Assembly deemed Resolution 18/1 to have been adopted by the Assembly.

***Approval of Reports from the Technical Commission on the
General Section and Agenda Items 32 to 37***

33. The Chairperson of the Technical Commission, Mr. Graeme Harris (New Zealand), presented five Reports (WPs/512 to /516) for approval by the Plenary. He emphasized that it had been possible to address a very heavy workload by working together as a team with the First Vice-Chairperson, Mr. P. Henttu (Finland), and the Second Vice-Chairperson, Ms. P. Assoumou Koki (Cameroon).

34. The Chairperson thanked the Members of the Technical Commission, whose spirit of cooperation and friendship had enabled the completion of their work. He noted that six meetings had been held, with Representatives from some 180 Member States and 50 Observer Delegations having attended one or more meetings. In total, the Commission had addressed 201 working papers and 7 draft Reports.

35. The Chairperson congratulated the President of the Assembly for his excellent stewardship of the 39th Session of the Assembly, as well as the President of the Council for the work of the Council in preparing the Assembly documentation and putting forward the Organization's Budget for the next triennium. He also thanked the Secretary General and the Secretariat for their outstanding support and organization of the Assembly.

36. Under Agenda Item 32 (WP/512), the Technical Commission had reviewed those parts of the Annual Reports of the Council to the Assembly for 2013, 2014 and 2015 and the supplementary report for the first six months of 2016 falling within its field of competence and had noted, without comment, the work accomplished in the air navigation field as indicated under the Safety and Air Navigation Capacity and Efficiency Strategic Objectives.

37. In relation to Agenda Item 33: *Aviation safety and air navigation monitoring and analysis* (WP/512), the Technical Commission had noted the current status of the objectives, priorities and enablers of the 2014-2016 edition of the *Global Aviation Safety Plan* (GASP) (Doc 10004), the priorities of the *Global Air Navigation Plan* (GANP) (Doc 9750) and the status and results of the Universal Safety Oversight Audit Programme Continuous Monitoring Approach (USOAP CMA). States were encouraged to: take action on achieving the GASP objectives, aligning with the priorities of the GANP and supporting the Regional Aviation Safety Groups (RASGs) and Planning and Implementation Regional Groups (PIRGs) in the implementation of regional priorities; provide data on their progress and status of implementation; and provide timely reports on their progress in implementing USOAP CMA corrective action plans and performing self-assessments on the online framework (OLF). The Commission had also reviewed progress made on the outcomes of the second High-level Safety Conference (HLSC 2015) and had provided updates regarding some additional emerging issues. In recognizing the benefit of holding divisional-type meetings as a formal means to recommend inputs for additional technical work to be undertaken by ICAO so that the meetings' outcomes could be considered in the context of all other demands as part of the Budget approval process for the next triennium, it had agreed that the Council should consider instituting that practice.

38. On the issue of aircraft tracking, the Technical Commission had noted the progress to date, had agreed that ICAO should promote the development of efficient search and rescue (SAR) capabilities in the Africa-Indian Ocean (AFI) Region, and had supported initiatives already underway. States were encouraged to support ICAO's position on the Global Aeronautical Distress and Safety System (GADSS) at the next International Telecommunication Union (ITU) meeting.

39. The Technical Commission had deliberated at length on remotely piloted aircraft systems (RPAS) and unmanned aircraft systems (UAS) and had noted that much progress had been made on these issues worldwide. Noting the wide support for ICAO's work on RPAS, it had agreed that development of a global baseline of provisions and guidance material for the proper harmonization of UAS regulations that remained outside the international instrument flight rules (IFR) framework was justified. In order to facilitate that expansion of ICAO's work programme, the Commission had agreed that an innovative and flexible approach should be adopted, taking into account ongoing developments at national, regional and international levels.

40. In relation to the issue of conflict zones, the Technical Commission had reviewed proposals: to complete the work programme recommended by the Task Force on Risks to Civil Aviation arising from Conflict Zones (TF RCZ); to complement the existing work programme on conflict zones through the review of all relevant Annex provisions; and, upon completion of the work programme on conflict zones, to have the Council reconsider the inclusion of conflict zones in the work programme of the Legal Committee. The Commission had agreed that the Council should afford priority to the actions

proposed in WP/108 Revision No. 1 and WP/200, in light of the 2017-2019 Budget and the availability of extra-budgetary resources. Furthermore, it had highlighted the importance of information-sharing and the need for States to engage in those efforts.

41. The Technical Commission had next noted, and commented favourably on, the development and progress achieved in safety management, both by ICAO and many States.

42. With reference to monitoring and analysis, the Technical Commission had noted that the Secretariat would continue to make enhancements to the OLF and would consider and prioritize that proposed functionality among all other planned design improvements. It had agreed that ICAO should continue to inform States about the benefit of using the OLF Protocol Questions self-assessment as part of the State Safety Programme (SSP) and to promote the value of the information contained therein. Furthermore, the Commission had agreed to recommend that ICAO consider amending the minimum number of flight hours experience for flight operations inspectors. It had also agreed that ICAO should, using available resources, perform a structured review to identify adjustments to the USOAP CMA with a view to the further evolution and strengthening of the programme, taking into consideration ICAO's evolving safety strategy and States' progress in implementing Annex 19 – *Safety Management*, in particular, SSP requirements. Furthermore, the Commission had agreed that to ensure sufficient independence and to avoid a possible transition to a permanent oversight function, the review should be conducted by a temporary group, composed of selected experts, including from States and the Secretariat, under the guidance of the ANC, with results being reported to the Council.

43. With respect to harmonization issues, the Technical Commission had reviewed the need to reduce the regulatory and oversight burden regarding approved maintenance organizations (AMOs) and approved training organizations (ATOs). It had noted and supported the ongoing work by ICAO to facilitate a globally-harmonized approach for the approval and recognition or reciprocal acceptance of AMOs, and had further recommended that States be urged to harmonize their regulations related to AMOs and ATOs. The Commission had also recognized the benefits of using the Maintenance Organization Review Certificate (MORC) scheme.

44. On other issues, the Technical Commission had noted a case study on the implementation of performance-based navigation specifications and had recommended that ICAO be requested to continue work on the development of visual guided approaches which could be used to facilitate airport access. It had also reviewed a progress report on the attainment of safety and air navigation goals for 2016 set forth in the Declaration of Bogota. Mindful of the needs of the Latin American States, the Commission had recommended that the Council consider the development of a system for the validation of data and classification of accidents and incidents on a State or regional basis.

45. In concluding his presentation of WP/512, the Chairperson remarked that that Report on Agenda Item 33 reflected the wide-ranging and thorough nature of the Technical Commission's deliberations. He proposed that the Reports on Agenda Items 34 to 37 (WPs/513 to 516) be approved by the Plenary as tabled.

46. In the absence of comments, the President of the Assembly declared the following Reports of the Technical Commission approved and Resolutions as indicated adopted:

- WP/512 — General Section
- Agenda Item 32: *Annual Reports of the Council to the Assembly for 2013, 2014 and 2015*

- Agenda Item 33: *Aviation safety and air navigation monitoring and analysis*
- WP/513 — Agenda Item 34: *Aviation safety and air navigation policy*
(Resolution 34/1)
- WP/514 — Agenda Item 35: *Aviation safety and air navigation standardization*
(Resolution 35/1)
- WP/515 — Agenda Item 36: *Aviation safety and air navigation implementation support*
(Resolution 36/1)
- WP/516 — Agenda Item 37: *Other issues to be considered by the Technical Commission*

***Approval of the Final Report
of the Credentials Committee***

47. In presenting the final report of the Credentials Committee (WP/463), the Chairperson, Mr. Souleiman Eid (Lebanon), recalled that at the First Plenary Meeting held on 27 September 2016, the Assembly had agreed to the establishment of the Credentials Committee and that the Delegations of the Bahamas, Bangladesh, Congo, Lebanon and Luxembourg had been invited to nominate Members.

48. The Credentials Committee, composed of Ms. Julia Brathwaite-Rolle (Bahamas), Mr. S.M. Lutful Kabir (Bangladesh), Mr. Roméo Boris Makaya Batchi (Congo), Mr. Souleiman Eid (Lebanon) and Ms. Linda Mazzola (Luxembourg), had held its First Meeting later that same day, and had unanimously elected Mr. Eid as Chairperson. At the Second Plenary Meeting, the Chairperson had presented an oral interim report and had informed the Assembly that, as of 1500 hours on 27 September 2016, 164 Member States and 39 Observer Delegations had registered. Credentials in due and proper form had been received from 170 Member States and 43 Observers. The Assembly had agreed, on the recommendation of the Credentials Committee, to urge all States and organizations that had not yet presented due and proper credentials to do so as soon as possible and meanwhile, in view of Rule 7 of the Standing Rules of Procedure of the Assembly (Doc 7600), to permit them to participate in the deliberations.

49. At its Fifth Meeting on 4 October 2016, the Credentials Committee had found that credentials submitted by 184 Member States and 57 Observers had been presented in due and proper form.

50. The Chairperson of the Credentials Committee thanked all of the Members for the spirit of collaboration which prevailed throughout the Committee's meetings. He then expressed his appreciation to the Secretariat, whose diligent work had ensured that the credentials presented by States and Observers were in proper form. In concluding, the Chairperson thanked the Assembly for the trust placed in the Credentials Committee and noted that the high number of States participating in the Assembly's deliberations was indicative of ICAO's leadership role.

51. In the absence of comments, the Plenary approved the final report of the Credentials Committee set forth in WP/463.

52. The meeting adjourned at 0945 hours.

Minutes of the Seventh Meeting

(Thursday, 6 October 2016 at 1100 hours)

SUBJECTS DISCUSSED

1. Agenda Item 9: Reports by Committees and Commissions of the Assembly and action thereon
 - Approval of Reports from the Executive Committee on Agenda Item 15, Agenda Item 16 (Resolution 16/2 on addressing cybersecurity in civil aviation), Agenda Item 28 and Agenda Item 22
2. Delegation of authority to the President of the Assembly for the approval of minutes of the Plenary
3. Signature ceremony of the Protocols of Amendment to the *Convention on International Civil Aviation* relating to Articles 50 (a) and 56
4. Vote of Thanks

SUMMARY OF DISCUSSIONS

Agenda Item 9: Reports by Committees and Commissions of the Assembly and action thereon

Approval of Reports from the Executive Committee on Agenda Items 15, 16 and 28

1. The President of the Assembly, as Chairperson of Executive Committee, presented several Reports (WPs/500, /493 Revision No. 1, /501 Revision No. 1, /461 and /462) for approval by the Plenary. It was noted that although the Executive Committee, at its Sixth Meeting on 30 September 2016 (EX/6), had unanimously supported the new Resolution 16/2 on addressing cybersecurity in civil aviation proposed by the Council in WP/17, the text of that Resolution had been inadvertently omitted from its Report (WP/493), which the Plenary had approved at its Sixth Meeting on 5 October 2016 (P/6). Resolution 16/2 was thus now being presented for the Plenary's adoption in WP/493 Revision No. 1.
2. Referring to the Report on Agenda Item 28: *No Country Left Behind Initiative* (WP/501 Revision No. 1) the Delegate of the United Kingdom suggested, and it was agreed, that the second sentence of paragraph 28.5 be amended by inserting the word "partially" after the word "WP/23" so as to read "It was noted that the Assembly Resolution proposed in WP/23 partially covers the actions proposed in WP/105.".
3. Subject to this amendment, the President declared the following Reports of the Executive Committee approved and Resolutions as indicated adopted:

- WP/500 — Agenda Item 15: *Technical Cooperation – Policy and activities on technical cooperation*
(Resolutions 15/1 and 15/2)
- WP/493 — Agenda Item 16: *Aviation security – Policy*
Revision No. 1 [only Resolution 16/2; remainder of Report previously approved
(P/6)]
- WP/501 — Agenda Item 28: *No Country Left Behind Initiative*
Revision No. 1 (Resolutions 28/1 and 28/2)

***Approval of Report from the Executive Committee
on Agenda Item 22***

WP/461 relating to climate change

4. Attention then turned to WP/461 setting forth the Report of the Executive Committee on Agenda Item 22: *Environmental protection – International aviation and climate change – Policy, standardization and implementation support* [Section on climate change without the subject of a global market-based measure (MBM) scheme]. The President recalled that the Executive Committee, at its Eleventh Meeting (EX/11), which had taken place immediately before the present Meeting, had agreed that paragraph 22.2.34 thereof be amended so as to read “A few States reiterated their concern regarding the ICAO’s global aspirational goal of carbon neutral growth from 2020, as in their views it was not a realistic goal.”. In addition, it had agreed to recommend to the Plenary for adoption Resolution 22/1: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change*.

5. In providing information on the procedure for notifying a reservation to an Assembly Resolution, the Secretary of the Executive Committee indicated, on the basis of past practice, that a reservation should first be expressed in the Plenary, with it being indicated whether it applied to the Resolution as a whole or to certain provisions which were duly specified. Thereafter, the reservation must subsequently be confirmed in writing to the Secretary General within one month of the conclusion of the Assembly. In the present case, written confirmation of any reservation, whether to Resolution 22/1, Resolution 22/2 or any other Resolution, was expected to be received by the Secretary General by 7 November 2016.

6. In the absence of any objections, the President of the Assembly declared the Report of the Executive Committee contained in WP/461, as amended pursuant to paragraph 4 above, approved and Resolution 22/1: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change* adopted, subject to the reservations expressed by (in alphabetical order) the Delegates of Argentina, China, India, the Russian Federation, Saudi Arabia, the United States and Venezuela (Bolivarian Republic of) as reflected in paragraphs 7 to 13 below. Many of these reservations were later confirmed in writing as requested by the President of the Assembly. The texts of the reservations are also posted on the website for the 39th Session of the Assembly under *Documentation, Resolutions*.

Reservations expressed regarding Resolution 22/1 on climate change

7. The Delegate of Argentina expressed his State's reservation regarding Operative Paragraph 6 of Resolution 22/1 on the global aspirational goal of carbon neutral growth from 2020 (CNG2020), which Argentina had previously given as its position of principle at the 38th Session of the Assembly with regard to Operative Paragraph 7 of Assembly Resolution A38-18: *Consolidated statement of continuing ICAO policies and practices related to environment protection – Climate change*.

8. The Delegate of China also expressed his State's reservation with respect to Operative Paragraph 6 of Resolution 22/1 on CNG2020. He noted that global aviation was still growing rapidly, and that in the future, global aviation growth would mainly come from developing countries. CNG2020 was neither evidence-based, fair nor reasonable. Without clearly recognizing in the Resolution that developed countries were taking the lead in reducing international aviation emissions significantly or providing technical assistance to developing countries, China found the goal of CNG2020 to be impractical. As a global aspirational goal, it should be linked to the requirements for emissions reduction by ICAO Member States. In view thereof, China wished to make a reservation regarding Operative Paragraph 6 of Resolution 22/1. The following Declaration of Reservations was later conveyed in writing to the Secretary General regarding both Resolutions 22/1 and 22/2:

“China welcomes the efforts made by ICAO towards limiting and reducing emissions from international aviation and is willing to make its due contributions for that purpose in line with its national circumstances and capabilities. With regard to the *Consolidated statement of continuing ICAO policies and practices related to environmental protection - Climate change* and the *Consolidated statement of continuing ICAO policies and practices related to environmental protection - Global market-based measure scheme*, adopted at the 39th Assembly, the Delegation of China wishes to make the following statement:

“The objective of neutral carbon growth by 2020 is short of scientific justification, fairness and feasibility. Given the fact that the developed countries have reached the peak of emissions from their international aviation on the whole or have limited room for further growth in international aviation, whereas the developing countries have not fully developed their international air transport, the objective, which was set based on incremental emissions from international aviation, fails to explicitly require the developed countries to take the lead in significant emission reduction and to leave adequate space for development and emission by the developing countries, thus constituting de facto prejudices against developing countries in their growth of international air transport in the future.

“While its purposes and objectives are about developing the principles and techniques of international air navigation and fostering the planning and development of international air transport, ICAO is not mandated to develop compulsory standards/principles for emissions units. Moreover, the practice of artificially restricting the range of emissions units available for international aviation is most likely to push up the cost of emissions reduction and provoke unfair competition in international aviation industry. In addition, the Council has yet to finalize the process of elaboration and approval of the emissions unit criteria. It is, therefore, irrational and unfeasible to require States to commit their compliance before they have reviewed the criteria finally approved.

“In view of the above, the Chinese Delegation wishes to make formal reservations with regard to Operative Paragraph 6 of the *Consolidated statement of continuing ICAO policies and practices related to environmental protection - Climate change*, as contained in A39-WP/529, insisting that any ICAO emission reduction policies and measures formulated on the basis of this paragraph should not have binding force. Likewise, the Chinese Delegation also wishes to make official reservations on the provision in Operative Paragraph 23 of the *Consolidated statement of continuing ICAO policies and practices related to environmental protection - Global market-based measure (MBM) scheme*, as contained in A39-WP/530, i.e., ‘decides that CORSIA will use emissions units that meet the Emissions Unit Criteria (EUC) ...’. At the same time, the Chinese Delegation requests to record the above statement of reservations in the report of the 39th Assembly.”.

9. The Delegate of India indicated that his State would make a specific reservation regarding Operative Paragraph 6 of Resolution 22/1 on CNG2020 due to its concerns that the latter was inconsistent with the Paris Agreement and had the potential of inhibiting the growth of developing countries. He called that India had previously expressed a reservation to Operative Paragraph 7 of Assembly Resolution A38-18 relating to CNG2020. The following Declaration of Reservations was later conveyed in writing to the Secretary General:

“The Republic of India is committed to addressing the issue of climate change, and, as a responsible member of the global community, it appreciates, and is willing to play its part to support, ICAO policies and practices related to environmental protection.

“The principles set by the Paris Agreement achieved under UNFCCC during COP21 in 2015, clearly recognize that the developing countries have not yet reached their peak emission and it will take longer for developing countries to do so. COP21 does not mandate carbon neutral growth specific to any particular sector, and certainly not by 2020. Therefore CNG2020 would be impractical and would hurt the aviation sector, particularly in the developing countries, where aviation sector has not yet matured and is growing at a fast pace.

“Therefore, the Republic of India expresses its concern on the aspirational goal of carbon neutral growth from 2020 and declares its reservation in respect of the Preamble and paragraph 6 of the Assembly Resolution A39-22/1.”.

10. The Delegate of the Russian Federation indicated that while his State supported Resolution 22/1, it wished to express a reservation regarding the global aspirational goal of CNG2020 referred to in Preambular Paragraph 10 and Operative Paragraph 6 thereof. The detailed text of that reservation was later conveyed in writing to the Secretary General, as follows:

“Among other matters, the Russian Federation Delegation hereby reiterates and confirms our reservation with respect to the ‘global aspirational goal of keeping the global net carbon emissions from international aviation from 2020 at the same level’ (CNG 2020), mentioned in Paragraph 10 of the Preamble and in Operative Paragraph 6 of Resolution 22/1: *Consolidated statement of continuing ICAO policies and practices related to environmental protection - Climate change*.”.

11. The Delegate of Saudi Arabia expressed his State's reservation with respect to Operative Paragraph 6 of Resolution 22/1, the detailed text of which was later conveyed and confirmed in writing to the Secretary General, as follows:

“I would like to refer to the ICAO Assembly Resolution (A39-2) ‘*Consolidated statement of continuing ICAO policies and practices related to environmental protection - Climate change*’. In this regard, I wish to confirm in writing the reservation made by the Government of Saudi Arabia in respect of Operative Paragraph 6 of the Resolution concerning the global aspirational goal of keeping the global net carbon emissions from international aviation from 2020 at the same level. This reservation was verbally expressed in the closing of the Plenary meetings.

“In its Assembly Resolution (A37-19) in 2010, ICAO has adopted the above-mentioned aspirational goal without assessing its attainability and impacts; a concern which was expressed by many States in the form of reservations. Consequently, Paragraphs (9) and (10) of the Assembly Resolution (A38-18) requested the Council to review the above-mentioned aspirational goal as well as its feasibility and practicability, and also to conduct detailed studies assessing the attainability and impacts of any goals proposed, including the impact on growth as well as the economic impact in all countries, especially developing countries, for the progress of the work to be presented to the 39th Session of the ICAO Assembly.

“The Kingdom of Saudi Arabia regrets the fact that these studies have not been conducted, and rather the above-mentioned paragraphs (9) and (10) have been carried over into paragraphs (8) and (9) of the A39-2. Therefore, Saudi Arabia reiterates that paragraph 6 of A39-2 does not stipulate the aspirational goal based on scientific and practical studies, nor does it assess its feasibility and practicability. Moreover, it does not consider the right of the developing countries to growth and market maturity.

“In light of the above, I would like to kindly request that this reservation is formally recorded.”

12. The Delegate of the United States repeated the reservation expressed by his State in 2013 to guiding principle p) [“MBMs should take into account the principle of common but differentiated responsibilities and respective capabilities, the special circumstances and respective capabilities, and the principle of non-discrimination and equal and fair opportunities.”] contained in the Annex to Assembly Resolution A38-18: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change*. The following Statement of Reservation was later conveyed in writing to the Secretary General:

“The United States is committed to fostering the sustainable growth of the aviation sector, including by addressing the climate and environment impacts of civil aviation. We support ICAO's approach to achieving carbon neutral growth from 2020 through a ‘basket of measures’ comprising technical, operational, and infrastructure enhancements; sustainable alternative fuels; an aircraft CO₂ Standard; and the implementation of the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) as a gap-filler.

“While we continue to make significant investments and advancements on the entire basket of measures, as it did in 2013, the United States reserves on guiding principle p) in the Annex to the Resolution. The United States objects to the inclusion of p), because it

does not consider that the principles of the international climate change regime apply to ICAO, which is governed by its own legal regime. It also notes that, in any event, the Paris Agreement reflects the referenced principle as ‘common but differentiated responsibilities and respective capabilities, in the light of different national circumstances’.”

13. The Delegate of Venezuela (Bolivarian Republic of) expressed his State’s reservation regarding the global aspirational goal of CNG2020 set forth in Operative Paragraph 6 of Resolution 22/1, the detailed text of which was later conveyed and confirmed in writing to the Secretary General, as follows:

“I have the honour to submit a formal reservation with regard to Operative Paragraph 6 of Resolution 22/1, *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change*, and to Operative Paragraphs 3, 4, and 5 of Resolution 22/2, *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) scheme*. Both resolutions were adopted at the 39th Session of the Assembly of the International Civil Aviation Organization (ICAO), which took place in Montréal, Canada, from 26 (27) September to 7 (6) October of the current year, and in which the National Institute of Civil Aviation (INAC) of the Bolivarian Republic of Venezuela participated. Said reservation is detailed below.

“The Bolivarian Republic of Venezuela, through its ecosocialist economic production model, is committed to protecting the environment and is part of the global fight against the threat of climate change, developing actions and programmes which are contained in the Plan for the Country, Second Socialist Plan for the Economic and Social Development of the Nation 2013-2019, and which are based on the environmental rights enshrined in the Constitution of the Bolivarian Republic of Venezuela. The Constitution establishes that ‘it is the right and duty of each generation to protect and preserve the environment for its own benefit and for the benefit of the future.’

“The measures being implemented include the development of the National Mitigation Plan and the National Adaptation Plan, which deal with the effects of climate change and which aim, in part, to reduce CO₂ emissions by at least 20 per cent by the year 2030. The actions developed include the following: the establishment and maintenance of compensatory forests within the agroforestral system; the use of natural gas; the establishment of recycling companies; energy efficiency and rational use of energy; reduction of the need for raw-materials extraction; reduction of emissions associated with industrial processes; educational policies; community participation; and socio-environmental training on how to address the threat of climate change.

“That said, we wish to present the position of the State of Venezuela regarding Agenda Item 22, *Environmental Protection – International Aviation and Climate Change*, putting forward the reservations formulated in respect of the aforementioned instruments, beginning with Resolution 22/1, contained in working paper A39-WP/461 (Executive Committee [EX]), *Draft Text for the Report on Agenda Item 22* (Section on Climate Change without Global Market-based Measure Scheme). Our position is detailed below.

“6. *Also resolves* that, without any attribution of specific obligations to individual States, ICAO and its Member States with relevant organizations will work together to strive to achieve a collective medium term global aspirational goal of keeping the global net

carbon emissions from international aviation from 2020 at the same level, taking into account: the special circumstances and respective capabilities of States, in particular developing countries; the maturity of aviation markets; the sustainable growth of the international aviation industry; and that emissions may increase due to the expected growth in international air traffic until lower emitting technologies and fuels and other mitigating measures are developed and deployed.”

“The Bolivarian Republic of Venezuela, as indicated previously, is characterized by its diversified environmental protection management and policy and shares the world’s determination to achieve strategies for civil aviation growth without increasing carbon emissions. However, it feels that the time frame established, namely, four years, is insufficient for the establishment of sustainable policies and the implementation of suitable plans and strategies aimed at successfully mitigating CO₂ emissions, with a view to reaching the goal of maintaining the same level of global net carbon emissions in the international aviation industry.

“That said, the State of Venezuela reiterates its adherence to the principles of the Climate Change Convention, the specific mandate regarding emissions reduction, and recognition of the existence of a differentiation between the responsibilities of developed countries and those of developing countries, with a differentiation of obligations as regards the limiting and reducing of emissions. It is important to consider the potential implications of market-based measures (MBMs) for developing countries and their trade. The global goal for emissions reduction or maintenance of levels from 2020 does not imply disregard for the principle of common but differentiated responsibilities. For these reasons, the Bolivarian Republic of Venezuela submits its reservation on the matter.

“Our reservation regarding Resolution 22/2, *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) scheme*, contained in working paper A39-WP/462 (Executive Committee [EX]), *Draft Text for the Report on Agenda Item 22* (Section on Global Market-based Measure Scheme), relates to the following:

“3. *Also acknowledges* that, despite this progress, the environmental benefits from aircraft technologies, operational improvements and sustainable alternative fuels may not deliver sufficient CO₂ emissions reductions to address the growth of international air traffic, in time to achieve the global aspirational goal of keeping the global net CO₂ emissions from international aviation from 2020 at the same level;

“4. *Emphasizes* the role of a GMBM scheme to complement a broader package of measures to achieve the global aspirational goal, without imposing inappropriate economic burden on international aviation;

“5. *Decides* to implement a GMBM scheme in the form of the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) to address any annual increase in total CO₂ emissions from international civil aviation (i.e. civil aviation flights that depart in one country and arrive in a different country) above the 2020 levels, taking into account special circumstances and respective capabilities.”

“Market-based measures (MBMs) refer to complementary mechanisms designed to achieve a set reduction of emissions and, therefore, their implementation in the international aviation sector is optional for States. These measures do not guarantee the

sustainability of international civil aviation; they only affect the creation of measures subject to the volatility of international finances. We do not feel that the implementation of MBMs, though their original focus is on limiting emissions, will reduce States' emissions; rather, such implementation would legitimize the purchase of the right to pollute the atmosphere by permitting international CO₂ market schemes based on States' economic capacity, directly affecting the planet.

“For the above reasons, we reject the application of these measures, which are established in the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA), since this market-based approach counteracts the objective and intention of preventing the atmospheric release of greenhouse gases (GHGs) produced by international aviation, thereby running counter to the commitment and policies undertaken by the State of Venezuela and set out, as previously explained, in the Plan for the Country, Second Socialist Plan for the Economic and Social Development of the Nation 2013-2019, which focuses on the preservation of our planet. Pollution threatens irreparable worldwide damage which needs to be appropriately and responsibly addressed by all the States signatory to the Paris Agreement under the United Nations Framework Convention on Climate Change, for which reason we urge the development of alternative measures, expressing the overwhelming need for mitigating pollution on a global scale.

“In light of the foregoing, the Bolivarian Republic of Venezuela, acknowledging its commitment and responsibility as regards the preservation of the planet for future generations, supports the adoption of strategies which make possible the aspirational goals of reducing emissions in the international aviation sector, and which are based on technological measures, improvements in fuel, improvements in air traffic, infrastructure, and complementary fuels which improve fuel quality. It supports such strategies in order to achieve a real reduction in the volume of GHG emissions, preventing in the near future the irreparable consequences of climate change.”

WP/462 relating to a global MBM scheme

14. Consideration was then given to WP/462 setting forth the Report of the Executive Committee on Agenda Item 22: *Environmental protection – International aviation and climate change – Policy, standardization and implementation support* [Section on a global MBM scheme]. The President of the Assembly recalled that at its last meeting (EX/11) the Executive Committee had agreed that paragraph 22.3.31 be amended to include a third sub-paragraph reading as follows:

“ – A new paragraph 17bis. for the draft Assembly Resolution text to be added: ‘*Decides* that emissions units generated from mechanisms established under the UNFCCC and the Paris Agreement are eligible for use in CORSIA, provided that they align with decisions by the Council, with the technical contribution of CAEP, including on avoiding double counting and on eligible vintage and timeframe;’.”

15. The Executive Committee had also agreed that as a consequence paragraph 22.3.33 be deleted [“The Committee noted that, regarding emissions units generated from mechanisms established under the UNFCCC and the Paris Agreement, the Council will consider their eligibility for use in the CORSIA, provided that they align with decisions by the Council, with the technical contribution of CAEP, on eligible vintage and timeframe.”].

16. In addition, the Executive Committee had agreed to recommend proposed Resolution 22/2 to the Plenary for adoption, subject to: an editorial amendment to Preambular

paragraph 14, whereby the term “new market mechanisms” is to be replaced with the term “new market mechanism”; the insertion of a new Operative Paragraph 21 reading as follows:

“21. *Decides* that emissions units generated from mechanisms established under the UNFCCC and the Paris Agreement are eligible for use in CORSIA, provided that they align with decisions by the Council, with the technical contribution of CAEP, including on avoiding double counting and on eligible vintage and timeframe;”

and the consequent renumbering of existing Operative Paragraphs 21 to 24.

17. The Delegate of Venezuela (Bolivarian Republic of) began her intervention by thanking the President for leading this illustrious Assembly, and the President of the Council, States and the Secretariat for their work in progressing this matter, which was very sensitive and weighty. She recognized their efforts and their commitment.

18. The Delegate of Venezuela (Bolivarian Republic of) had listened to the intense debates, the points of convergence and disagreement, as well as the concerns and proposals for consideration. The points made were valid and reasonable, and having listened to more than 100 interventions, she wished to express the following thoughts.

19. Venezuela (Bolivarian Republic of) had an unwavering commitment to taking measures that would have a decisive and meaningful impact on climate change. During the previous day’s Eleventh Meeting of the Executive Committee (EX/11), Delegates had heard from many States that were already suffering the effects of climate change and needed timely and robust responses.

20. Venezuela (Bolivarian Republic of) considered that that issue was a challenge that all must face. Proof of that was that environmental protection was one of the objectives of its national strategic plan.

21. Indeed, during the twenty-first session of the Conference of the Parties of the UNFCCC (COP21) Venezuela (Bolivarian Republic of) had submitted an environmental plan of action and signed the Paris Agreement.

22. Venezuela (Bolivarian Republic of) had also submitted its action plan for reducing aviation CO₂ emissions to ICAO as part of the basket of measures approved by the 37th Session of the Assembly, and had adopted a raft of measures, such as: 1) fleet improvement; 2) air traffic management (ATM) improvements; and 3) jet fuel improvements. This demonstrated its commitment to the environment and its contribution toward a shared goal in accordance with its circumstances, responsibilities and capabilities.

23. Venezuela (Bolivarian Republic of) had concerns regarding Resolution 22/2 and considered that the pilot phase of the global MBM scheme could shed more light on the real and tangible benefits to be derived from the latter.

24. Moreover, Venezuela (Bolivarian Republic of) wished to highlight ICAO’s Strategic Objectives, i.e. safety, security, air transport, air navigation and the environment. Its concern was that the environment took up a large part of the Organization’s activities, especially the global MBM scheme. During the last three years, there had been, inter alia: meetings of the Council Environment Advisory Group (EAG); two rounds of Global Aviation Dialogues (GLADs) on MBMs; more than three special

Council meetings; informal briefings; a High-level Meeting on a Global MBM Scheme (HLM-GMBM); and a meeting of the informal “Friends of the President” group.

25. In this connection, it must be emphasized that ICAO was created to uphold the tenets of the Chicago Convention, which was why it seemed to Venezuela (Bolivarian Republic of) that certain air transport matters were being given short shrift. Working paper WP/149 presented by the 54 Member States of the African Civil Aviation Commission (AFCAC) specifically referred to the need to achieve a balance among all of ICAO’s Strategic Objectives.

26. For that reason, and to conclude, the Delegate of Venezuela (Bolivarian Republic of) wished to echo the words of the *Lifetime Goodwill Ambassador of ICAO*, the former President of the Council Mr. Roberto Kobeh González, who said that in future Assemblies the necessary time should be devoted to the issues that required the attention of ICAO because of their direct bearing on aviation, most particularly activities related to air transport that would enable the achievement of the United Nations Sustainable Development Goals (SDGs) for 2030, specifically for the developing States which desperately needed to strengthen their air transport systems and make them a tool for development.

27. In underscoring that the United States strongly supported Resolution 22/2 which put in place a global MBM scheme to address the carbon emissions of international aviation, the Delegate of the United States noted that her State wanted to sincerely thank all of its partners who had tirelessly worked over the past several months, indeed the past many years, to reach agreement on that historic deal. It had seen a remarkable willingness to come together and compromise in the interest of finding a truly global solution in the unique global sector of aviation and thus wanted to give a special thanks to the stakeholders who put as much heart and soul into Resolution 22/2 as anyone. The Delegate of the United States noted that she was honoured to have with her today Administrator Michael Huerta of the United States’ Federal Aviation Administration (FAA), who was particularly impressed that the industry had come together for the sake of the climate, to ask to be regulated.

28. The United States also wanted to thank: the President of the Assembly for his great work at this 39th Session; the ICAO Secretary General and the Secretariat, whose dedication and enthusiasm for reaching a successful agreement on a global MBM scheme had never wavered; and, of course, the President of the Council, without whose leadership the Assembly would not have reached this point. The President of the Council had been the epitome of a strong leader, with a clear vision for success and a commitment to inclusivity and transparency. The United States also wanted to recognize the 65 States that had already volunteered to participate in the initial phases of the global MBM scheme before it had even been adopted. To put it mildly, the United States was overwhelmed by their leadership. Their early commitments sent a powerful signal to the world that States were ready to step-up to ensure the sustainable development of this critical aviation sector; to step up for a global solution to international aviation emissions; and to step up to address one of the greatest global challenges of their time. The United States expected to see more States volunteer in the coming weeks and months, and would work tirelessly with States after today to ensure that they had the capacity and the technical support to implement the global MBM scheme.

29. In emphasizing that this was a very proud moment for ICAO, the Delegate of the United States noted that the Organization had consistently demonstrated its ability to solve difficult problems by setting its objectives high and taking a long-term perspective. When the Assembly adopted Resolution 22/2, ICAO would show, yet again, that it was truly a model for international cooperation and leadership. She thus urged Delegates to adopt it.

30. In the absence of any objections, the President declared the Report of the Executive Committee contained in WP/462, as amended pursuant to paragraphs 14 to 16 above, approved and Resolution 22/2: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global market-based measure (MBM) scheme adopted*, subject to the reservations expressed by (in alphabetical order) the Delegates of Argentina, India, the Russian Federation and Venezuela (Bolivarian Republic of). Many of these reservations were later confirmed in writing as requested by the President of the Assembly. In addition, a reservation by China regarding Operative Paragraph 23 of Resolution 22/2 was communicated to the Secretary General by a letter dated 21 October 2016, and a reservation by Brazil regarding Operative Paragraphs 21 and 23 of Resolution 22/2 was communicated to the Secretariat by a Note verbale dated 4 November 2016. The texts of the various reservations are given below and are also posted on the website for the 39th Session of the Assembly under *Documentation, Resolutions*.

31. It was noted that the revised texts of the approved Reports of the Executive Committee on Agenda Item 22 containing Resolutions 22/1 and 22/2 would be issued as WPs/529 and /530.

32. The Secretary of the Executive Committee invited those States which had already indicated to ICAO their intention to voluntarily participate in the CORSIA to confirm their participation as soon as possible with the Secretariat, following which they would receive a confirmation document. Those States which had not yet indicated an intention to voluntarily participate but wished to do so were invited to inform the Secretariat accordingly, as soon as possible, in order to obtain a confirmation document.

Reservations expressed regarding Resolution 22/2 on a global MBM scheme

33. While reaffirming that his State was firmly committed to the implementation of Resolution 22/2, the Delegate of Argentina expressed its reservation regarding Operative Paragraphs 3, 4 and 5 thereof on the global aspirational goal of carbon neutral growth from 2020 (CNG2020), which his State had previously given as its position of principle at the 38th Session of the Assembly with regard to Operative Paragraph 7 of Assembly Resolution A38-18: *Consolidated statement of continuing ICAO policies and practices related to environment protection – Climate change*.

34. Brazil, which had expressed its reservation regarding the eligibility of emissions units for use in CORSIA in its A39-WP/233 and during its introduction of that paper to the Executive Committee (EX/3), and which restated its position in the Plenary, communicated the text of its reservation regarding Operative Paragraphs 21 and 23 of Resolution 22/2 to the Secretariat by a Note verbale dated 4 November 2016, as follows:

With regard to Operative Paragraph 21, “The Government of Brazil declares its understanding that emissions units generated through multilaterally-agreed mechanisms established under the United Nations Framework Convention on Climate Change, namely the Clean Development Mechanism of the Kyoto Protocol and the mechanism established by Article 6, paragraph 4 of the Paris Agreement, are already eligible for CORSIA”.

With regard to Operative Paragraph 23, “In view of the need to ensure the highest levels of environmental integrity of CORSIA, the Government of Brazil expresses its reservation towards the use in CORSIA of emissions units generated from mechanisms, instruments or arrangements outside the UNFCCC. The Government of Brazil also declares that any transfer of units resulting from mitigation outcomes achieved in the

Brazilian territory will be subject to prior and formal consent by the Federal Government”.

35. China, which had expressed concerns regarding the application of the technical components of the proposed global MBM scheme during the Executive Committee’s extensive discussion thereof, later informed the Secretary General, by a letter dated 21 October 2016, of its reservation regarding Operative Paragraph 23 of Resolution 22/2 as set forth in the following Declaration of Reservations, which also relates to Resolution 22/1:

“China welcomes the efforts made by ICAO towards limiting and reducing emissions from international aviation and is willing to make its due contributions for that purpose in line with its national circumstances and capabilities. With regard to the *Consolidated statement of continuing ICAO policies and practices related to environmental protection - Climate change* and the *Consolidated statement of continuing ICAO policies and practices related to environmental protection - Global market-based measure scheme*, adopted at the 39th Assembly, the Delegation of China wishes to make the following statement:

“The objective of neutral carbon growth by 2020 is short of scientific justification, fairness and feasibility. Given the fact that the developed countries have reached the peak of emissions from their international aviation on the whole or have limited room for further growth in international aviation, whereas the developing countries have not fully developed their international air transport, the objective, which was set based on incremental emissions from international aviation, fails to explicitly require the developed countries to take the lead in significant emission reduction and to leave adequate space for development and emission by the developing countries, thus constituting de facto prejudices against developing countries in their growth of international air transport in the future.

“While its purposes and objectives are about developing the principles and techniques of international air navigation and fostering the planning and development of international air transport, ICAO is not mandated to develop compulsory standards/principles for emissions units. Moreover, the practice of artificially restricting the range of emissions units available for international aviation is most likely to push up the cost of emissions reduction and provoke unfair competition in international aviation industry. In addition, the Council has yet to finalize the process of elaboration and approval of the emission unit criteria. It is, therefore, irrational and unfeasible to require States to commit their compliance before they have reviewed the criteria finally approved.

“In view of the above, the Chinese Delegation wishes to make formal reservations with regard to Operative Paragraph 6 of the *Consolidated statement of continuing ICAO policies and practices related to environmental protection - Climate change*, as contained in A39-WP/529, insisting that any ICAO emission reduction policies and measures formulated on the basis of this paragraph should not have binding force. Likewise, the Chinese Delegation also wishes to make official reservations on the provision in Operative Paragraph 23 of the *Consolidated statement of continuing ICAO policies and practices related to environmental protection - Global market-based measure (MBM) scheme*, as contained in A39-WP/530, i.e., ‘decides that CORSIA will use emissions units that meet the Emissions Unit Criteria (EUC) ...’. At the same time, the Chinese

Delegation requests to record the above statement of reservations in the report of the 39th Assembly.”.

36. The Delegate of India indicated that his State would make a specific reservation regarding Operative Paragraphs 4, 7, 9, 16 and 17 of Resolution 22/2. The following Declaration of Reservations was later conveyed in writing to the Secretary General:

“The Republic of India is committed to addressing the issue of climate change, and, as a responsible member of the global community, it appreciates, and is willing to play its part to support, ICAO policies and practices related to environmental protection, including GMBM. We understand, this would not only help the global community in addressing some of the climate change issues arising out of international aviation activities, but, would also prevent a patchwork of solutions by individual States or regions, which has the potential to hamper the growth of international aviation.

“However, we are concerned that the Assembly Resolution A39-22/2 does not allow fast growers, like India, which are still developing, to achieve maturity of market, before being subjected to carbon offsetting requirements.

“The Republic of India, therefore, registers its reservations on paragraphs 5 and 11 of the Assembly Resolution A39-22/2, for the reasons recorded as under:

“1. Para 5

“ The scheme needs to be critically evaluated after the pilot and 1st (voluntary) phases, and scope should be left open for other possible options to address annual increase in carbon emissions from international aviation.

“2. Para 11

“ The design elements of the 2nd (mandatory) phase of the scheme, as contained in this resolution, need to be reviewed. We believe that the environmental and economic impact of the implementation of the scheme, particularly on developing countries, should be critically evaluated after the implementation of the pilot and 1st (voluntary) phases, before deciding on the design elements of the scheme in the mandatory phase, while adhering to the guiding principles set out in the Annex to the resolution A39-22/1.

“The Republic of India would keenly monitor the operation of the GMBM scheme (CORSIA), as it is further developed and implemented, and observe the results of the critical evaluation of the pilot and 1st (voluntary) phase, including its environmental and economic impact, particularly in developing countries, and would be open to adjust its reservations at a later stage.”.

37. The Delegate of the Russian Federation expressed his State’s reservation regarding Preambular Paragraph 14 and Operative Paragraphs 5, 9 g), 11, 18, 20 and 21 of Resolution 22/2. He also informed the Assembly that the Russian Federation was not yet in a position to announce its participation in the pilot phase of the global MBM scheme. That did not, however, mean that it would not take part therein in the future. It was necessary for the Russian Federation to first determine how it could introduce the said scheme in practice. The detailed text of the Russian Federation’s reservation was later conveyed in writing to the Secretary General, as follows:

“The Russian Federation Delegation would like to take this opportunity to assure you and all participants of the 39th Session of the ICAO Assembly that the Delegation of the Russian Federation has been paying steadfast attention to issues of climate change. Under our Kyoto Protocol obligations, the Russian Federation has exceeded our plans to decrease CO₂ emissions at the national level. At the same time, we are determined that the international civil aviation community, in response to the global challenge of climate change, must focus its efforts on actions that are targeted at actually decreasing CO₂ emissions by advancing the industry technologically, while maintaining as the utmost priority the goal of improving flight safety at the global level.

“To our sincere and profound regret, we must state that, despite consultations and expected changes to the draft text of the Resolution, our concerns remain with respect to the consequences of implementing the GMBM based on CORSIA. Specifically, we think that the proposed way of implementing the GMBM based on CORSIA will increase the absolute rates of CO₂ emission globally. Meanwhile, the adoption of CORSIA would contribute to less flight safety, in particular, in developing countries, because money flowing out of the industry will slow technological development.

“We would also like to once again emphasize our concern regarding the global aspirational goal of carbon-neutral growth from 2020 because of its unrealistic nature, given the lack of any scientific justification for the need to reach that aspirational goal, which was indirectly acknowledged in Operative Paragraph 3 of the Resolution.

“In this connection, the Russian Federation Delegation would like to inform the Assembly that we are not in agreement with the wording of Paragraph 14 of the Preamble, as well as with the wording of Operative Paragraphs 5, 9 g), 11, 18, 20 and 21 of the Resolution. As a consequence, the Russian Federation does not see a way to announce its participation in the proposed version of GMBM implementation. In particular, we provide our reservations with regard to the following provisions:

“1. Preamble (Paragraph 14)

“Recognizing that the Resolution welcomes ‘the adoption of the Paris Agreement under the UNFCCC’, we think that the text of Paragraph 14 should read as follows:

~~‘Whereas Recognizing that the UNFCCC and the Paris Agreement provide for mechanisms, such as the Clean Development Mechanism (CDM) and a new market mechanism under mechanism to contribute to the mitigation of GHG emissions to achieve intended nationally determined contributions (NDCs) of the Paris Agreement, to contribute to the mitigation of GHG emissions to support while simultaneously stimulating sustainable development, which benefit developing States in particular, as in Article 6 of the Paris Agreement;’.~~

“2. Operative Paragraph 5

“Since CORSIA implementation isn't having the predicted results, both in terms of achieving environmental goals, as well as the level of its negative impact on ensuring sustainable development of the industry and on the level of flight safety, particularly in developing countries, we think that the pilot and first phases of CORSIA implementation should allow for the possibility of a conceptual reconsideration of the approach to

GMBM implementation at any stage of its implementation. In this connection, as we believe, Operative Paragraph 5 should be written as follows:

‘5. *Decides to begin a pilot and first phase of implementing a GMBM scheme in the form of the Carbon Offsetting and Reduction Scheme for International Aviation (CORSA) as one of the possible options to address any annual increase in total CO₂ emissions from international civil aviation (i.e. civil aviation flights that depart in one country and arrive in a different country) above the 2020 levels, taking into account special circumstances and respective capabilities;*’.

Based on the above, we think it appropriate to add the following paragraph to the text of the Resolution:

‘5bis. *Requests that the Council continue studying other options for implementing the GMBM that would to the maximum possible degree match the *Guiding principles for the design and implementation of market-based measures (MBMs) for international aviation* set forth in the Annex to Resolution 22/1, and conduct a comparative analysis of their advantages and disadvantages for CORSA and bring to the 40th Session of the ICAO Assembly a report on the results of the comparative analysis to take possible corrective actions for the GMBM implementation scenario.*’.

“3. Operative Paragraph 9 g)

“It is clear that a periodic analysis of CORSA implementation should, inter alia, include as assessment of the compliance with the *Guiding principles for the design and implementation of market-based measures (MBMs) for international aviation*, set forth in the Annex to Resolution 22/1. In this connection, Operative Paragraph 9 g) should read as follows:

‘g) Starting in 2022, the Council will conduct a review of the implementation of the CORSA every three years to check for its compliance with the *Guiding principles for the design and implementation of market-based measures (MBMs) for international aviation*, including its impact on the growth of international aviation, which should serves as an important basis for the Council to consider whether it is necessary to make adjustments to the next phase or compliance cycle and, as appropriate, to recommend such adjustments to the Assembly for its decision;’.

“4. Operative Paragraph 11

“In accordance with the Paris Agreement Chapter 6 provisions, the offset obligations of States are based on nationally determined contributions. In this connection, in our opinion, Operative Paragraph 11 should read as follows:

‘11. *Decides that the amount of CO₂ emissions required expected to be offset by an aircraft operator voluntarily in a given year from 2021 during the pilot and first phases of implementing CORSA is calculated every year on the basis of each participating State’s individual nationally determined contribution, or is calculated as follows:*’.

“5. Operative Paragraph 18

“As was mentioned earlier, the analysis of CORSIA ‘to avoid an inappropriate economic burden on international aviation’ should, inter alia, include an assessment of the compliance with the *Guiding principles for the design and implementation of market-based measures (MBMs) for international aviation*, set forth in the Annex to Resolution 22/1. In this connection, in our opinion, Operative Paragraph 18 should read as follows:

‘18. *Decides* that a periodic review of the CORSIA is undertaken by the Council, for consideration by the Assembly, every three years from 2022 for the purpose referred to in paragraph 9 g) above and to ~~contribute~~ prevent unjustified risks of causing significant harm to the sustainable development of the international aviation sector and the environmental effectiveness of the scheme, including aspects of flight safety and aviation security and unscrupulous competition, as well as an assessment of CORSIA’s environmental effectiveness so that the ICAO Assembly can subsequently consider the issue of the feasibility of its applicability. This will involve, inter alia.’

“6. Operative Paragraph 20

“According to Article 37 of Chapter VI of the *Convention on International Civil Aviation*, issues of MRV, emissions units and emissions registries do not relate to ‘aircraft, personnel, airways and auxiliary services’ and therefore are not captured by international Standards and Recommended Practices. Therefore, the Convention does not confer on ICAO the authority to develop SARPS with respect to MRV, emissions units and emissions registries. In this connection, the action to the Council to ‘develop SARPS’ for the implementation of the MRV system under CORSIA, including simplified MRV procedures, is not correct and any mention of SARPS in Operative Paragraph 20 should be deleted.

“7. Operative Paragraph 21

“We must note that the ICAO Council has never discussed or taken any decisions with regard to ‘eligible vintage and timeframe’ with respect to emissions units formed within the mechanisms created under the UNFCCC and Paris Agreement. Moreover, the term ‘vintage’ is not mentioned and not considered directly or indirectly in a single one of those UN documents. For this reason, the words ‘eligible vintage and timeframe’ must be deleted from Operative Paragraph 21 of the Resolution.”

38. The Delegate of Venezuela (Bolivarian Republic of) voiced his State’s reservation with respect to Operative Paragraphs 3, 4 and 5 of Resolution 22/2 on the global aspirational goal of CNG2020, which was consistent with the reservations it had expressed previously. The detailed text of the reservation by Venezuela (Bolivarian Republic of) was later conveyed in writing to the Secretary General, as follows:

“I have the honour to submit a formal reservation with regard to Operative Paragraph 6 of Resolution 22/1, *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change*, and to Operative Paragraphs 3, 4, and 5 of Resolution 22/2, *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) scheme*. Both resolutions were adopted at the 39th Session of the Assembly of the International Civil Aviation Organization (ICAO), which took place in Montreal, Canada,

from 26 (27) September to 7 (6) October of the current year, and in which the National Institute of Civil Aviation (INAC) of the Bolivarian Republic of Venezuela participated. Said reservation is detailed below.

“The Bolivarian Republic of Venezuela, through its ecosocialist economic production model, is committed to protecting the environment and is part of the global fight against the threat of climate change, developing actions and programmes which are contained in the Plan for the Country, Second Socialist Plan for the Economic and Social Development of the Nation 2013-2019, and which are based on the environmental rights enshrined in the Constitution of the Bolivarian Republic of Venezuela. The Constitution establishes that ‘it is the right and duty of each generation to protect and preserve the environment for its own benefit and for the benefit of the future.’

“The measures being implemented include the development of the National Mitigation Plan and the National Adaptation Plan, which deal with the effects of climate change and which aim, in part, to reduce CO₂ emissions by at least 20 per cent by the year 2030. The actions developed include the following: the establishment and maintenance of compensatory forests within the agroforestral system; the use of natural gas; the establishment of recycling companies; energy efficiency and rational use of energy; reduction of the need for raw-materials extraction; reduction of emissions associated with industrial processes; educational policies; community participation; and socio-environmental training on how to address the threat of climate change.

“That said, we wish to present the position of the State of Venezuela regarding Agenda Item 22, *Environmental Protection – International Aviation and Climate Change*, putting forward the reservations formulated in respect of the aforementioned instruments, beginning with Resolution 22/1, contained in working paper A39-WP/461 (Executive Committee [EX]), *Draft Text for the Report on Agenda Item 22* (Section on Climate Change without Global Market-based Measure Scheme). Our position is detailed below.

“6. *Also resolves* that, without any attribution of specific obligations to individual States, ICAO and its Member States with relevant organizations will work together to strive to achieve a collective medium term global aspirational goal of keeping the global net carbon emissions from international aviation from 2020 at the same level, taking into account: the special circumstances and respective capabilities of States, in particular developing countries; the maturity of aviation markets; the sustainable growth of the international aviation industry; and that emissions may increase due to the expected growth in international air traffic until lower emitting technologies and fuels and other mitigating measures are developed and deployed.”

“The Bolivarian Republic of Venezuela, as indicated previously, is characterized by its diversified environmental protection management and policy and shares the world’s determination to achieve strategies for civil aviation growth without increasing carbon emissions. However, it feels that the time frame established, namely, four years, is insufficient for the establishment of sustainable policies and the implementation of suitable plans and strategies aimed at successfully mitigating CO₂ emissions, with a view to reaching the goal of maintaining the same level of global net carbon emissions in the international aviation industry.

“That said, the State of Venezuela reiterates its adherence to the principles of the Climate Change Convention, the specific mandate regarding emissions reduction, and recognition

of the existence of a differentiation between the responsibilities of developed countries and those of developing countries, with a differentiation of obligations as regards the limiting and reducing of emissions. It is important to consider the potential implications of market-based measures (MBMs) for developing countries and their trade. The global goal for emissions reduction or maintenance of levels from 2020 does not imply disregard for the principle of common but differentiated responsibilities. For these reasons, the Bolivarian Republic of Venezuela submits its reservation on the matter.

“Our reservation regarding Resolution 22/2, *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) scheme*, contained in working paper A39-WP/462 (Executive Committee [EX]), *Draft Text for the Report on Agenda Item 22* (Section on Global Market-based Measure Scheme), relates to the following:

“3. *Also acknowledges* that, despite this progress, the environmental benefits from aircraft technologies, operational improvements and sustainable alternative fuels may not deliver sufficient CO₂ emissions reductions to address the growth of international air traffic, in time to achieve the global aspirational goal of keeping the global net CO₂ emissions from international aviation from 2020 at the same level;

“4. *Emphasizes* the role of a GMBM scheme to complement a broader package of measures to achieve the global aspirational goal, without imposing inappropriate economic burden on international aviation;

“5. *Decides* to implement a GMBM scheme in the form of the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) to address any annual increase in total CO₂ emissions from international civil aviation (i.e. civil aviation flights that depart in one country and arrive in a different country) above the 2020 levels, taking into account special circumstances and respective capabilities.”

“Market-based measures (MBMs) refer to complementary mechanisms designed to achieve a set reduction of emissions and, therefore, their implementation in the international aviation sector is optional for States. These measures do not guarantee the sustainability of international civil aviation; they only affect the creation of measures subject to the volatility of international finances. We do not feel that the implementation of MBMs, though their original focus is on limiting emissions, will reduce States’ emissions; rather, such implementation would legitimize the purchase of the right to pollute the atmosphere by permitting international CO₂ market schemes based on States’ economic capacity, directly affecting the planet.

“For the above reasons, we reject the application of these measures, which are established in the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA), since this market-based approach counteracts the objective and intention of preventing the atmospheric release of greenhouse gases (GHGs) produced by international aviation, thereby running counter to the commitment and policies undertaken by the State of Venezuela and set out, as previously explained, in the Plan for the Country, Second Socialist Plan for the Economic and Social Development of the Nation 2013-2019, which focuses on the preservation of our planet. Pollution threatens irreparable worldwide damage which needs to be appropriately and responsibly addressed by all the States signatory to the Paris Agreement under the United Nations Framework Convention on

Climate Change, for which reason we urge the development of alternative measures, expressing the overwhelming need for mitigating pollution on a global scale.

“In light of the foregoing, the Bolivarian Republic of Venezuela, acknowledging its commitment and responsibility as regards the preservation of the planet for future generations, supports the adoption of strategies which make possible the aspirational goals of reducing emissions in the international aviation sector, and which are based on technological measures, improvements in fuel, improvements in air traffic, infrastructure, and complementary fuels which improve fuel quality. It supports such strategies in order to achieve a real reduction in the volume of GHG emissions, preventing in the near future the irreparable consequences of climate change.”

Congratulatory remarks

39. Affirming that this was an historic moment in ICAO’s history as the adoption of Resolution 22/2 on a global MBM scheme would have a major impact on the aviation sector and world economies, the Delegate of Spain underscored that this action by the Plenary represented a quantum leap forward for ICAO as compared to other Assemblies. He therefore expressed thanks, first of all, to the Council and its President and to the President of the Assembly. The Delegate of Spain then thanked all Delegations for the constructive attitude and spirit of compromise that they had evinced over the past days and months. He also expressed appreciation for the invaluable collaboration of industry and non-governmental organizations (NGOs) during the process.

40. Noting that his State was very proud of the work that had been done to establish a global MBM scheme and of the collaboration which it had offered to all Delegations in that regard, the Delegate of Spain emphasized that while everyone had worked hard over the past eight years, they were well aware that there remained much work to do to implement the CORSIA over the coming eight years or more. In highlighting the important way that lay ahead of the Organization following the adoption of Resolution 22/2, he quoted the following lines from a poem by the 20th century Spanish poet Antonio Machado: “Caminante, no hay camino, se hace camino al andar.” (translated as “Wayfarer, the only way is your footprints and no other.”).

41. The Delegate of Brazil highlighted that since the beginning of the negotiations in ICAO, her State had made a point of contributing constructively to all the discussions on the implementation of a global MBM scheme to compensate for, and curb, international civil aviation emissions. Brazil was a Member of the Committee on Aviation Environmental Protection (CAEP) and had also participated actively in the meetings of the Council Environment Advisory Group (EAG) that had addressed the emissions issue over the last two years. In addition, Brazil had participated in both rounds of the ICAO Global Aviation Dialogues (GLADs) on MBMs. When the negotiations seemed to have stalled, Brazil had proposed the main principles of a route-based approach, which was one of the pillars of the approved global MBM scheme.

42. The Delegate of Brazil noted that, from day one, her State had wanted to see the subject move forward and it had engaged and worked towards that objective. From the outset, Brazil had not simply tried to push a position that would favour developing States and only developing States. Of course, it firmly believed that the concerns of those States should be, and needed to be, a part of the deal. However, it had never lost sight of the need to have an agreement that would contemplate the interests of all States. As all were aware, international civil aviation was an inter-dependent system in which the success of all relied heavily on the strength of each single actor. Brazil believed that it was essential that the mechanism for the purchase of emissions units under the global MBM scheme take into account

developments in the UNFCCC and Article 6 of the Paris Agreement, which would soon enter into force. In that regard, Brazil welcomed the decision to contemplate the issue of emissions units generated from mechanisms established under the UNFCCC, such as the Clean Development Mechanism (CDM) and the sustainable development mechanism, which should be automatically eligible for use in the global MBM scheme (CORSA) (cf. Operative Paragraph 21 of Assembly Resolution 22/2).

43. Referring to paragraph 2.9 of WP/233 presented by her State, the Delegate of Brazil re-emphasized that “any transfer of [emissions] units from mitigation results achieved in Brazil shall be subject to prior and informed consent of the Federal Government [of Brazil]”. The 100 per cent sectoral participation was one of the pillars of Brazil’s original proposal for the route-based approach. It had been presented as a means to address differentiation without falling into the discrimination trap. Some States had advocated the need for the scheme to move to bigger individual participation in its later stages. Brazil still had concerns over the issue but was prepared to compromise and live with what had been agreed. It strongly believed that the clause relating to the periodic review of the CORSA (Operative Paragraph 18 of Assembly Resolution 22/2) should be effectively used as a tool to address eventual distortions that might happen in the future, especially with regard to the impact of the distribution of offsetting obligations on faster growing markets. Brazil also believed that climate change was a very important issue which needed to be properly addressed and that the best way to do it was through a single global regime. Finally, believing that ICAO and its Council would be capable and sensitive to deal with every States’ concerns on the future work, Brazil was prepared to support, and fully supported, the global MBM scheme.

44. Noting that the President of the Assembly and the President of the Council had shown true leadership in this process, the Delegate of Brazil offered them her congratulations and her thanks. ICAO was taking a giant step forward this day by establishing the global MBM scheme (CORSA) to address carbon emissions and international civil aviation. Brazil congratulated the Organization on the work done and was ready to contribute to the challenging work that lay ahead.

45. Speaking on behalf of civil society, the Observer from the International Coalition for Sustainable Aviation (ICSA) recognized the momentous occasion just witnessed and congratulated ICAO and its Member States for all of their efforts to achieve a global MBM scheme, as well as for the spirit of compromise and passion that many had demonstrated in standing up for the need to tackle climate change and to deliver the wider goals of the Paris Agreement. While aware that there was still much work that needed to be done in the scheme’s implementation phase over the decades ahead in order to bring the aviation sector in line with the Paris Agreement’s goals, civil society acknowledged that this was the start of an important process and that ICAO and its Member States had seized that opportunity. It looked forward to working with ICAO over the coming years in actually implementing the global MBM scheme.

46. On behalf of the world’s airlines, the Observer from the International Air Transport Association (IATA) applauded the Assembly’s historic decision today to implement a global MBM scheme for international aviation (CORSA) and congratulated, and respected, the courage and leadership shown by ICAO Member States at the 39th Session of the Assembly. He emphasized that they had given the industry the final tool in the common basket of measures to help combat climate change: a global MBM scheme to add to the industry’s efforts to develop and improve technology; deploy sustainable alternative fuels; make operations more efficient; and have access to adequate and efficient infrastructure capacity. The Observer from IATA underscored that in reaching this momentous agreement, ICAO Member States had clearly demonstrated to the world that civil aviation was an industry at the forefront of change, one that could continue to provide safe and secure air transport around the globe while at the same time ensuring that it did so in a sustainable way so that it had a license to grow into the future. They had shown leadership to the world in that, for the first time, a whole industry sector had made a firm

commitment to tackle climate change. Having long sought such an agreement, the industry applauded ICAO Member States' leadership today.

47. The Observer from IATA remarked that, in moving beyond the Assembly, there remained much work to be done to: agree and implement the modalities for the monitoring, reporting and verification (MRV) of emissions data in a fair and transparent manner, recognizing the many efforts of airlines that had already taken firm steps to improve their fuel efficiency; and agree on firm criteria for the eligibility of emissions units for use by the CORSIA while ensuring that a sufficient market existed to satisfy aircraft operators' future needs for offset credits at affordable prices. He underscored that while there were no easy tasks, the industry was committed to working side-by-side with ICAO, its Member States and civil society to ensure an effective implementation of CORSIA and to provide support and capacity building, as necessary, to assist ICAO in its laudable efforts to ensure that no country was left behind in that process.

48. In concluding, the Observer from IATA expressed sincere thanks to the President of the Council, Dr. Olumuyiwa Benard Aliu, and to his predecessor, Mr. Roberto Kobeh González, for their untiring leadership and resolve in bringing everyone to this historic point. Participants were leaving Montréal at the end of this very memorable 39th Session of the Assembly with a massive sense of achievement and with a clear plan to enable the industry to continue to contribute to the development, prosperity and well-being of the planet through the future growth in air transport in a truly sustainable way. He thanked the President of the Assembly for his very careful stewardship of the Assembly, and Member States for having made such an historic moment a reality.

49. The Observer from the United Nations Framework Convention on Climate Change (UNFCCC) highlighted that ICAO, in adopting today the two important Resolutions 22/1 and 22/2 on climate change and a global GMBM scheme, had clearly demonstrated a model for international cooperation and leadership and had sent a very strong and clear signal on the ability and willingness of international aviation to act on climate change. Noting that the UNFCCC also had other fantastic news to share with the Assembly, she announced that the conditions for the entry into force of the Paris Agreement had been met the previous day, 5 October 2016. The UNFCCC Secretariat tracker showed that, as of today, the 74 Parties that had ratified, accepted or approved the Agreement now covered over 55 per cent of global greenhouse gas emissions. That percentage included the biggest and smallest emitters, the richest and the most vulnerable nations. Entry into force of the Paris Agreement was only 30 days from now (4 November 2016), in the lead up to the UNFCCC 22nd Session of the Conference of the Parties (COP22) (Marrakech, Morocco, 7-18 November 2016).

50. The Observer from the UNFCCC recalled that the Executive Secretary of the UNFCCC, Ms. Patricia Espinosa, who had attended the ICAO Assembly the previous week, had stated: "This is a truly historic moment for people everywhere. The two key thresholds needed for the Paris Climate Change Agreement to become legal reality have now been met. The speed at which countries have made the Paris Agreement's entry to force possible is unprecedented in recent experience of international agreements and is a powerful confirmation of the importance nations attach to combating climate change and realizing the multitude of opportunities inherent of the Paris Agreement. Above all, entry into force bodes well for the urgent, accelerated implementation of climate action that is now needed to realize a better, more secure world and to support also the realization of the Sustainable Development Goals. It also brings a renewed urgency to the many issues governments are advancing to ensure full implementation of the Agreement. This includes development of a rulebook to operationalize the Agreement and how international cooperation and much bigger flows of finance can speed up and scale up national climate change action plans."

51. The Observer from the UNFCCC noted that the entry into force of the Paris Agreement on 4 November 2016 would trigger a variety of important consequences for the UNFCCC process, including the launch of the Agreement's governing body, known as the Conference of the Parties to the Convention serving as the meeting of the Parties to the Paris Agreement (CMA). Given that the count-down to entry into force had now been formally triggered, the CMA would take place at the upcoming COP22. Its precise dates would be announced in the coming days. The Observer from the UNFCCC highlighted that entry into force of the Paris Agreement underscored the paramount importance of the work that had been done by ICAO thus far on climate change, and also on the way forward, that was charted now by the two truly important Resolutions 22/1 and 22/2 on climate change and a global MBM scheme that the ICAO Assembly had adopted during the present meeting. She was very much looking forward to showing this strong outcome of the ICAO Assembly at COP22 in Marrakech, Morocco.

52. Recalling that in his opening address to the Assembly on Tuesday, 27 September 2016, he had highlighted that this Assembly was one for bold decisions, the President of the Council underscored that in adopting Resolution 22/1: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change* and Resolution 22/2: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global market-based measure (MBM) scheme* the Plenary had made such bold decisions. He reiterated that it was truly an historic moment.

53. The President of the Council took this opportunity to thank all ICAO Member States for having worked so tirelessly, over the past three years, to reach this point. He also thanked the members of the aviation industry and civil society who had been actively involved in the process. In particular, the President of the Council expressed appreciation to the Members of the Council and the Members of the CAEP, as well as to all others who had participated in the process, namely: the Chairperson and Members of the Council Environment Advisory Group (EAG); the Chairperson and Members of the High-level Group on a Global MBM Scheme (HLG-GMBM) Group; the participants in the High-level Meeting on a Global MBM Scheme (HLM-GMBM); the participants in the meeting of the informal "Friends of the President" group; and all those who had attended the two rounds of GLADs on MBMs. In addition, the President of the Council expressed appreciation to all of the Member States that had hosted informal bilateral and/or multilateral consultations regarding the global MBM scheme.

54. The President of the Council also expressed appreciation to the members of the Secretariat who had worked around the clock to make today possible.

55. Finally, the President of the Council expressed appreciation to the President of the Assembly and to all of the elected Officers, namely, the Vice-Presidents of the Assembly and the Chairpersons of the Commissions, as well as to the Presidents and the Secretary Generals of the regional groups who had been involved in all of the negotiations that had taken place over the past week.

56. In concluding, the President of the Council emphasized that ICAO had demonstrated, once again, that international aviation was always up to the task when it was necessary to deliver. That international civil aviation had become the first global sector to adopt such a global MBM scheme spoke volumes to the level of professionalism, as well as to the spirit of consensus and compromise that had been the attribute of ICAO since it was established 72 years ago. Affirming that only international civil aviation and only ICAO could have taken such action, the President of the Council underscored that the glory went to ICAO Member States and thanked them for what the Assembly had been able to accomplish this day.

***Delegation of authority to the President of the Assembly
for the approval of minutes of the Plenary***

57. The Plenary delegated to the President authority to approve, on its behalf, the minutes of the 39th Session of the Assembly.

***Signature ceremony of the Protocols of Amendment to the Convention on
International Civil Aviation relating to Article 50 (a) and Article 56***

58. Pursuant to Resolutions 12/1 and 13/1, adopted by the Plenary at its Fourth Meeting (P/4) on 1 October 2016, the six-language texts of the Protocols for the Amendment of Article 50 (a) and Article 56 of the *Convention on International Civil Aviation* relating to, respectively, the increase in the membership of the Council from 36 to 40 and the increase in the membership of the Air Navigation Commission (ANC) from 19 to 21, were then signed by the President of the Assembly and the Secretary General. It was recalled that in Resolutions 12/2 and 13/2, likewise adopted at the Fourth Meeting (P/4), the Assembly recommended to all Contracting States that they ratify the said two Protocols most urgently so that they could come into force as soon as possible.

Vote of Thanks

Closing remarks by the Secretary General

59. The Secretary General underscored that it had been her great honour to serve as the first female Secretary General for the 39th Session of the Assembly of ICAO. In noting that fully 30 per cent more work had been accomplished than at any previous meeting of this kind, she emphasized that it could only have been accomplished through the commitment and dedication of all Delegations.

60. The Secretary General then extended deep appreciation to the President who had been elected for this 39th Assembly session, Mr. Azharuddin Abdul Rahman (Malaysia), and also to the Vice-Presidents and the Chairpersons of the Committees and the Commissions who had supported the Assembly's work. She also expressed thanks to the ICAO Secretariat, a great many of whom had sacrificed their nights and weekends, not only for the past two weeks, but also in the lead up to this event.

61. The Secretary General noted that, as the President of the Council, Dr. Olumuyiwa Benard Aliu, the United Nations (UN) Secretary-General Ban Kim Moon, and many others had underscored at the outset of this Meeting, the eyes of the world had been upon ICAO these past nine days. The Assembly's endorsement of the aviation global MBM scheme had answered their expectations with an historic first, one which made air transport the very first major industry sector to take action at the global level on international emissions. Those participants who had a clear understanding and appreciation of the critical role of safe and dependable air services in fostering global peace, enhancing economic capacity and driving truly sustainable prosperity for all would recognize the global MBM scheme as a balanced, pragmatic and very positive development. It would serve as an important new tool to complement the emissions reduction progress already being achieved in air transport through the technological innovations, modernized procedures, and ever-expanding use of sustainable alternative fuels under aviation's basket of measures. The Secretary General underscored that world governments had also taken advantage of this Assembly to demonstrate the strength of their climate resolve, and to such an extent that over 85 per cent of international aviation operations would be covered by the global MBM scheme from its earliest stages, in 2021.

62. In highlighting the fact that there were also many other important environment protection priorities addressed at this Assembly, the Secretary General cited the recognition of ICAO's development of the first-ever global CO₂ emissions certification Standard for aircraft, as well as the Organization's just-as-ground-breaking work on a new non-volatile Particulate Matter (nvPM) emissions Standard. She emphasized that under the Assembly's leadership, ICAO would continue its work on a new supersonic noise Standard for future aircraft, while enhancing the progress being achieved on all aspects of aircraft noise through the ICAO Balanced Approach.

63. The Secretary General cited, as another very important development emerging from this Assembly, the endorsement of the development by ICAO of a new Global Aviation Security Plan (GASeP). She emphasized that with the landside, airside, cybersecurity and other threats now constantly evolving, and with the role of closer cooperation among local, national and international agencies more important than ever to how those risks were confronted, it was critical that the Assembly acknowledge ICAO's important responsibility to provide strategic leadership. The Secretary General stressed that it was highly appreciated that the Assembly continued to endorse the ICAO Traveller Identification Programme (TRIP) strategy, including its travel document, Public Key Directory (PKD), and assistance and capacity building priorities. She noted that the Assembly had also supported ICAO's goal to establish regional aviation security and facilitation planning to benefit the Middle East, similar to what it had achieved under the AFI SECFAL Plan.

64. In observing that safety, of course, remained ICAO's and global aviation's most fundamental concern, the Secretary General underscored that some important progress had also been made in that field. She noted that the revision which the Assembly had adopted to the Global Aviation Safety Plan (GASP) included a roadmap which would further enhance ICAO's Safety Management approach, for both government and industry partners. The Secretary General emphasized that the direction was also clear to continue driving more targeted cooperative safety progress under the ICAO AFI Plan, and the Assembly's endorsement of ICAO's new emergency preparedness strategy would help the Organization to be even more responsive when it mattered most.

65. With respect to ICAO's planning and programmes in the air navigation area, the Secretary General underscored that the Assembly's endorsement of the Global Air Navigation Plan (GANP) revisions would permit the Organization to move forward on important adjustments to the Aviation System Block Upgrades (ASBUs). In noting that the Assembly had also directed ICAO to continue making flights greener and more efficient through Performance-based Navigation (PBN), and acknowledged the important need for ICAO to convene a 13th Air Navigation Conference in 2018, she emphasized that all of the said decisions were instrumental to ICAO's on-going challenges to address and efficiently manage significant and sector-wide passenger and traffic growth.

66. The Secretary General highlighted that the Assembly had also reconfirmed its support for ICAO's leadership role in realizing policies and programmes supporting sustainable, economic development. In addition, the need for a new ICAO Global Air Transport Plan had been acknowledged, as had the need for ICAO to finalize international agreements for the liberalization of market access, air cargo, and air carrier ownership and control. Furthermore, the Assembly had endorsed ICAO's action plan to customize and update pertinent forecasts to better support human resources development planning, which would provide critical support for the next generation of aviation professionals. The Assembly had also asked ICAO to become more comprehensive in how it shared data across its partner networks in support of those and other planning goals, while increasing awareness of ICAO's core principles for consumer protection.

67. The Secretary General noted that while the said strong endorsements from its Member States had provided ICAO with a very solid foundation on which to progress its work, it was also necessary to also ask how well prepared ICAO was to ensure that it could do so efficiently and cost-effectively. Fortunately, with the Assembly's confirmation of the Organization's Budget and acknowledgement of the new ICAO Business Plan, the Organization could continue to refocus its resources and become an even more responsive UN agency. She underscored that the ICAO Business Plan would be continuously updated based on the Organization's performance management framework, key performance indicators (KPIs) and risk registry. The Secretary General emphasized that through that risk-based approach, as well as other performance-based transformations to ICAO's corporate culture, ICAO would be better-equipped to advocate ICAO's and aviation's benefits, and to enhance both the coordination and accountability of technical cooperation projects. She noted that those profound transformations had been greatly aided by the commitments and contributions of ICAO's Senior Management Team and would significantly benefit the Organization's ongoing work under the *No Country Left Behind* initiative.

68. The Secretary General stressed that ICAO would also be able to do more with less, on Member States' behalf, by optimizing Global Partnerships for Aviation Development (GPADs), and by expanding its efforts for resource mobilization to implement unfunded programmes and assist Member States by facilitating access to funding. In also emphasizing that the Assembly's decision to increase the number of Member States represented on the ICAO Council and its supporting Air Navigation Commission (ANC) would further guide the Organization in the years ahead, she noted that that would expand not only the number of diplomatic and technical experts contributing to those esteemed bodies, but also the geographic and cultural diversity reflected in their decisions.

69. The Secretary General underscored that ICAO would also be greatly aided by the cooperation formalized in the many new partnerships and Memoranda of Understanding (MOUs) which ICAO had forged on the side-lines of the Assembly, in addition to those realized at the Second ICAO World Aviation Forum (IWAF/2). She indicated that ICAO was truly grateful for the clear testament to the importance of its role, which was represented in those many new partnerships.

70. In closing, the Secretary General lastly acknowledged that the 39th Session of the ICAO Assembly had benefitted from the participation of more than 2 200 Delegates from 185 Member States and 56 observer delegations – the highest number the Organization had ever hosted. The President of the Council, Dr. Olumuyiwa Benard Aliu, and the Secretary General had been very encouraged to see such a high level of interest from Member States and industry in the work of ICAO, recognizing and supporting its leading role in global aviation.

71. Until it was their good fortune to meet again, whether in Montréal or in their respective States and regions, the Secretary General wished all participants safe journeys home and continued success in all of the challenges being addressed in support of the remarkable global aviation network.

72. On behalf of all Delegates present, the Delegate of Canada voiced appreciation for the Secretariat's wonderful work, both in the lead up to, and during, the Assembly. Everyone knew that the Secretariat had worked countless hours and appreciated it very much since all that work had facilitated the successful outcomes of the Assembly, as outlined by the Secretary General. The Delegate of Canada thus expressed sincere thanks to the Secretariat.

73. The Secretary General availed herself of this opportunity to, in turn, thank Canada, the Host State, for providing the requisite support and making the necessary arrangements which had enabled the Assembly to be such a success.

74. In also speaking on behalf of all Delegates, the Delegate of France very warmly and sincerely thanked the President of the Assembly for the masterly way in which he had conducted their work over the past nine days. Everyone appreciated the calm, skilful and methodical way in which he had led the proceedings at a good pace. The President had not hesitated, however, with courtesy and good humour, to push Delegates to accelerate the pace of their work and to keep to the essential points in their interventions. Furthermore, he had, quite appropriately, allowed the time necessary to find compromises. The President had been an admirable time-keeper, enabling the Assembly to finish today, ahead of time, having achieved a magnificent success, as well as very many other achievements in the numerous fields addressed by the Assembly, as recounted by the Secretary General.

75. The Delegate of France noted that during the Assembly session the President had shown the full extent of his diplomatic talents and had made full and productive use of his long experience with ICAO. His teamwork in tandem with the President of the Council had earned him the admiration of all.

76. In thanking the President of the Council for his personal commitment, day and night for the past three years, to progress the negotiations on a global MBM scheme, the Delegate of France emphasized that all Delegates were extremely grateful.

77. The Delegate of France underscored that the history of civil aviation would certainly mark this day when the Assembly adopted the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) and that the names of the President of the Assembly and the President of the Council would be forever associated with that collective success. It was a momentous day for ICAO, and a momentous day for the planet. The aviation sector could legitimately be proud of having been the first to provide itself with such a mechanism to offset the increase in CO₂ emissions. With the upcoming entry into force of the Paris Agreement, the Assembly had made considerable progress this past week on the path towards better protection of the planet in the interest of future generations. The spirit of Paris had most certainly made itself felt here in Montréal over the last nine days.

78. The Delegate of France noted that civil aviation had always been synonymous with progress and optimism, as well as with a spirit of adventure and openness to others. In affirming that the President of the Assembly and the President of the Council fully embodied those values, which were those of this great Organization, he emphasized that they merited the gratitude and applause of all Delegates.

79. In thanking the President of the Assembly, the President of the Council, the Secretary General and the Secretariat for their tremendous efforts, the Delegate of China congratulated them on the successful conclusion of the Assembly. Highlighting the President of the Council's valuable contribution, he cited the substantial amount of time and energy which he had expended to achieve consensus on a global MBM scheme. As Dean of the Council, the Delegate of China took this opportunity to also thank all Council Members, including those who had left the Organization to assume other responsibilities, for their considerable efforts in that regard. He emphasized that under the leadership of the current President, Dr. Olumuyiwa Benard Aliu, and the former President, Mr. Roberto Kobeh González, the Council and the Organization as a whole had made tremendous efforts in reducing aviation emissions, which should be recognized by the Assembly.

Closing remarks by the President of the Assembly

80. In thanking the Delegates of France and China for their kind remarks, the President of the Assembly affirmed that it had been a great honour for him to preside over the 39th Session of the Assembly, and an experience that he would cherish forever. Noting that when he had initially been

approached by the President of the Council and informed that he was one of the candidates for the presidency of the Assembly his reaction had been “What? Me, as President?”, he recalled that as a Delegate of Malaysia attending his first Assembly in 2007 he had seen that the President’s chair was too big for him, both figuratively and literally. However, when he came to Montréal in August 2016 to attend the meetings of the informal “Friends of the President” group and the Council, he had received some words of encouragement, which he had appreciated. While some had wished him good luck, underscoring that it would be a difficult undertaking, others had underscored the need for him to assume the presidency of the Assembly for the aviation industry. He had thus gladly accepted his nomination by the Delegate of Mexico to be President, for the aviation industry. He thanked the Honourable Minister of Transport of Malaysia for having given his consent, as well as the other members of the Delegation of Malaysia for their understanding the need for him to distance himself from them upon assuming the presidency.

81. Observing that the daily routine over the past nine days had not been an easy one, the President of the Assembly noted that he had started his work at 8 o’clock each morning, meeting with the President of the Council and his staff, who had provided him with all of the Assembly papers that he had to go through during each day’s meetings. While the pace had been hectic, the pile of Assembly papers had become increasingly lighter as all Delegates had cooperated with him in completing consideration of the items on each order of business.

82. In expressing appreciation to the Assembly and Council Coordinator, Mr. Andrew Larcos, for his efforts, the President of the Assembly recalled that he had visited ACS and met the staff, whose work in processing the large volume of Assembly papers and report material should be applauded. He likewise voiced appreciation to the translators and interpreters for their work, and all the other members of the Secretariat who had provided support.

83. Additionally, the President of the Assembly thanked the former President of the Council, Mr. Roberto Kobeh González, and the former Secretary General, Mr. Raymond Benjamin, for the encouragement, the spirit, the wisdom and the knowledge they had imparted to him every time they had met over the past two weeks, which had enabled him to fulfil his role.

84. The President of the Assembly also expressed gratitude to the Chairpersons of the Commissions, whose unique ability to steer discussions involving a wide-range of interests and points of view on issues of vital importance to international civil aviation had made it possible to produce well-structured and substantive reports to the Plenary. He was likewise grateful to the President of the Council, the Secretary General and the Secretary of the Executive Committee, for their timely advice and generous support through the Assembly’s proceedings. The President of the Assembly noted, in this regard, that they had never hesitated to share their insights and experience in the meetings of the Executive Committee and the Plenary, as well as in separate meetings, in order to ensure positive outcomes for the Assembly. Highlighting that he had become friends with them, just as he had become friends with the former President of the Council and the former Secretary General, the President of the Assembly affirmed that, as in the adage, “A friend in need is a friend indeed.”

85. The President of the Assembly then thanked the Deputy Director, Environment, Mrs. Jane Hupe, and her staff for all their efforts in developing the global MBM scheme.

86. Observing that all present had played a key role in the effectiveness of the Assembly’s decision-making process, the President of the Assembly noted that the latter exemplified dialogue and consensus-building among Member States. Underscoring that it was not easy, he indicated that while there were differences of opinion and there were issues on which agreement could not be reached, it was enlightening to see that Delegates were able to sit at one table and share their views. Commending the

open and professional way in which they had done so, the President of the Assembly emphasized that that was what a world forum such as ICAO was all about. In then thanked Delegates, in all of the Organization's six official languages, for their enthusiasm, understanding and determination to make the 39th session of the Assembly one of the most productive and historic Assemblies ever.

87. In concluding, the President of the Assembly thanked the Government of Canada, the Province of Quebec and the City of Montréal for their support and hospitality throughout the Assembly and over the years.

88. The President of the Assembly then declared the 39th Session of the Assembly of ICAO closed. The meeting adjourned at 1230 hours.

— END —

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