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**Doc 10082, A39-EX**

**ASSEMBLY  
THIRTY-NINTH SESSION**

Montréal, 27 September – 6 October 2016

**EXECUTIVE  
COMMITTEE**

**REPORT AND MINUTES**

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





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**EXECUTIVE COMMITTEE**  
**REPORT AND MINUTES**  
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**SCHEDULE OF ITEMS DISCUSSED BY THE EXECUTIVE COMMITTEE**

DATE AND NUMBER OF MEETINGS												
		SEPTEMBER						OCTOBER				
ITEM		28 AM 1	28 PM 2	29 AM 3	29 PM 4	30 AM 5	30 PM 6	1 PM 7	3 AM 8	4 AM 9	5 PM 10	6 AM 11
10.	Contributions in arrears	X										
11.	Annual Reports of the Council to the Assembly for 2013, 2014 and 2015		X				X					
12.	Proposal to amend Article 50 (a) of the Chicago Convention so as to increase the membership of the Council		X				X					
13.	Proposal to amend Article 56 of the Chicago Convention so as to increase the membership of the Air Navigation Commission		X				X					
14.	Technical Assistance Programme							X		X		
15.	Technical Cooperation – Policy and activities on technical cooperation						X			X		
16.	Aviation Security – Policy				X	X				X		
17.	Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA)					X				X		
18.	Implementation Support and Development – Security (ISD-SEC)					X	X			X		
19.	Facilitation and the ICAO Traveller Identification Programme (ICAO TRIP) Strategy						X			X		
20.	Environmental Protection – Aircraft Noise – Policy, Standardization and Implementation Support		X				X					
21.	Environmental Protection – Aircraft Engine Emissions affecting Local Air Quality – Policy, Standardization and Implementation Support		X				X					
22.	Environmental Protection – International Aviation and Climate Change – Policy, Standardization and Implementation Support		X	X	X						X	X
23.	ICAO Civil Aviation Training Policy and Capacity Building in Aviation							X		X		
24.	Human Resources Management								X	X		
25.	Status of ICAO Workforce								X	X		
26.	Multilingualism at ICAO								X	X		
27.	Increasing the efficiency and effectiveness of ICAO								X	X		
28.	No Country Left Behind Initiative						X	X		X		
29.	United Nations 2030 Agenda – Sustainable Developments Goals (SDGs)							X		X		
30.	Resource Mobilization							X		X		
31.	Other high-level policy issues to be considered by the Executive Committee							X	X	X		







**PART I**  
**REPORT OF**  
**THE EXECUTIVE COMMITTEE**

## **REPORT OF THE EXECUTIVE COMMITTEE TO THE ASSEMBLY**

### ***General***

1. The Executive Committee of the 39th Session of the Assembly held 11 meetings from 27 September to 6 October 2016. The meetings were convened under the chairmanship of the President of the Assembly, Mr. Azharuddin Abdul Rahman (Malaysia).

### ***States and Observer Delegations Represented***

2. The following 184 Member States were represented at all or some of the meetings of the Committee:

Afghanistan	Canada	Germany
Albania	Central African Republic	Ghana
Algeria	Chad	Greece
Andorra	Chile	Grenada
Angola	China	Guatemala
Antigua and Barbuda	Colombia	Guinea
Argentina	Congo	Guinea-Bissau
Armenia	Cook Islands	Guyana
Australia	Costa Rica	Haiti
Austria	Côte d'Ivoire	Honduras
Azerbaijan	Croatia	Hungary
Bahamas	Cuba	Iceland
Bahrain	Cyprus	India
Bangladesh	Czechia	Indonesia
Barbados	Democratic Republic of the Congo	Iran (Islamic Republic of)
Belarus	Denmark	Iraq
Belgium	Djibouti	Ireland
Belize	Dominican Republic	Israel
Benin	Ecuador	Italy
Bhutan	Egypt	Jamaica
Bolivia (Plurinational State of)	El Salvador	Japan
Bosnia and Herzegovina	Equatorial Guinea	Jordan
Botswana	Eritrea	Kazakhstan
Brazil	Estonia	Kenya
Brunei Darussalam	Ethiopia	Kiribati
Bulgaria	Fiji	Kuwait
Burkina Faso	Finland	Kyrgyzstan
Burundi	France	Lao People's Democratic Republic
Cabo Verde	Gabon	Latvia
Cambodia	Gambia	Lebanon
Cameroon	Georgia	Lesotho

Liberia  
Libya  
Lithuania  
Luxembourg  
Madagascar  
Malaysia  
Maldives  
Mali  
Malta  
Marshall Islands  
Mauritania  
Mauritius  
Mexico  
Micronesia (Federated  
States of)  
Monaco  
Mongolia  
Montenegro  
Morocco  
Mozambique  
Myanmar  
Namibia  
Nauru  
Nepal  
Netherlands  
New Zealand  
Nicaragua  
Niger  
Nigeria  
Norway  
Oman  
Pakistan  
Palau

Panama  
Papua New Guinea  
Paraguay  
Peru  
Philippines  
Poland  
Portugal  
Qatar  
Republic of Korea  
Republic of Moldova  
Romania  
Russian Federation  
Rwanda  
Saint Kitts and Nevis  
Saint Lucia  
Saint Vincent and the  
Grenadines  
Samoa  
San Marino  
Saudi Arabia  
Senegal  
Serbia  
Seychelles  
Sierra Leone  
Singapore  
Slovakia  
Slovenia  
Solomon Islands  
Somalia  
South Africa  
South Sudan  
Spain  
Sri Lanka

Sudan  
Suriname  
Swaziland  
Sweden  
Switzerland  
Thailand  
The former Yugoslav  
Republic of Macedonia  
Timor-Leste  
Togo  
Tonga  
Trinidad and Tobago  
Tunisia  
Turkey  
Turkmenistan  
Uganda  
Ukraine  
United Arab Emirates  
United Kingdom  
United Republic of Tanzania  
United States  
Uruguay  
Uzbekistan  
Vanuatu  
Venezuela (Bolivarian  
Republic of)  
Viet Nam  
Zambia  
Zimbabwe

3. In addition, the non-Member State of Tuvalu was represented by an observer at all or some of the Committee's meetings.

4. Observers from the following 56 international organizations were also represented at one or more meetings:

African Civil Aviation Commission (AFCAC)  
Agence de Supervision de la Sécurité Aérienne en Afrique Centrale (ASSA-AC)  
Agency for Air Navigation Safety in Africa and Madagascar (ASECNA)  
Air Crash Victims' Families' Federation International (ACVFFI)  
Air Transport Research Society (ATRS)  
Airports Council International (ACI)  
Arab Air Carriers' Organization (AACO)  
Arab Civil Aviation Commission (ACAC)  
Autorités Africaines et Malgaches de l'Aviation Civile (AAMAC)  
Aviation Working Group (AWG)  
Banjul Accord Group Aviation Safety Oversight Organization (BAGASOO)  
Caribbean Aviation Safety and Security Oversight System (CASSOS)  
Central American Corporation for Air Navigation Services (COCESNA)  
Civil Air Navigation Services Organisation (CANSO)  
East African Community Civil Aviation Safety and Security Oversight Agency  
(EAC CASSOA)  
Economic Community of West African States (ECOWAS)  
European Civil Aviation Conference (ECAC)  
European Organisation for Civil Aviation Equipment (EUROCAE)  
European Organisation for the Safety of Air Navigation (EUROCONTROL)  
European Union (EU)  
Flight Safety Foundation (FSF)  
Global Express Association (GEA)  
International Academy of Aviation and Space Medicine (IAASM)  
International Air Transport Association (IATA)  
International Business Aviation Council (IBAC)  
International Coalition for Sustainable Aviation (ICSA)  
International Coordinating Council of Aerospace Industries Associations (ICCAIA)  
International Cospas-Sarsat Programme (ICSP)  
International Council of Aircraft Owner and Pilot Associations (IAOPA)  
International Federation of Aeronautical Information Management Associations (IFAIMA)  
International Federation of Air Line Pilots' Associations (IFALPA)  
International Federation of Air Traffic Controllers' Associations (IFATCA)  
International Federation of Air Traffic Safety Electronics Associations (IFATSEA)  
International Federation of Airline Dispatchers' Associations (IFALDA)  
International Federation of Freight Forwarders Associations (FIATA)  
International Law Association (ILA)  
International Mobile Satellite Organization (IMSO)  
International Petroleum Industry Environmental Conservation Association (IPIECA)  
International Transport Forum (ITF)  
International Transport Workers' Federation (ITF)  
Interstate Aviation Committee (IAC)  
Latin American and Caribbean Air Transport Association (ALTA)  
Latin American Association of Air and Space Law (ALADA)

Latin American Civil Aviation Commission (LACAC)  
RTCA, Inc. (RTCA)  
Society of Automotive Engineers (SAE) International  
Southern African Development Community (SADC)  
The International Air Cargo Association (TIACA)  
United Nations (UN)  
United Nations Environment Programme (UNEP)  
United Nations Framework Convention on Climate Change (UNFCCC)  
West African Economic and Monetary Union (UEMOA)  
World Bank Group  
World Tourism Organization (UNWTO)  
World Travel and Tourism Council (WTTC)  
Worldwide Airport Coordinators Group (WWACG)

5. The President of the Council, Dr. O.B. Aliu, and the Secretary General, Dr. Fang Liu, took part in all meetings of the Committee. Mr. J. Augustin, Director of the Legal Affairs and External Relations Bureau, was Secretary of the Committee. Mr. B. Verhaegen was the Deputy Secretary. Mr. M. Belayneh, Mrs. L. Comeau-Stuart, Mr. S.P. Creamer, Mr. A. Detchou, Mr. B. Djibo, Mr. I. Galán, Mr. H. Gourджи, Mr. T. Hasegawa, Mrs. J. Hupe, Mr. A. Larcos, Mr. R. Macfarlane, Mr. A. Quiroz, Mr. C. Radu, Mr. V. Smith and Mr. J. Wan were Assistant Secretaries. The Précis-writers were: Ms. M. Barry, Ms. S. Black, Mrs. D.J. Cooper, Ms. A. Tyo and Ms. L. Wirtanen.

6. The Minutes of the Meetings are being published as A39-Min. EX/1-11.

### *Agenda*

7. The following items were referred by the Plenary to the Executive Committee for its consideration:

Agenda Item 10: Contributions in arrears

Agenda Item 11: Annual Reports of the Council to the Assembly for 2013, 2014 and 2015

Agenda Item 12: Proposal to amend Article 50 (a) of the Chicago Convention so as to increase the membership of the Council

Agenda Item 13: Proposal to amend Article 56 of the Chicago Convention so as to increase the membership of the Air Navigation Commission

Agenda Item 14: Technical Assistance Programme

Agenda Item 15: Technical Cooperation – Policy and activities on technical cooperation

Agenda Item 16: Aviation Security – Policy

Agenda Item 17: Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA)

Agenda Item 18: Implementation Support and Development – Security (ISD-SEC)

Agenda Item 19: Facilitation and the ICAO Traveller Identification Programme (ICAO TRIP) Strategy

- Agenda Item 20: Environmental Protection – Aircraft Noise – Policy, Standardization and Implementation Support
- Agenda Item 21: Environmental Protection – Aircraft Engine Emissions affecting Local Air Quality – Policy, Standardization and Implementation Support
- Agenda Item 22: Environmental Protection – International Aviation and Climate Change – Policy, Standardization and Implementation Support
- Agenda Item 23: ICAO Civil Aviation Training Policy and Capacity Building in Aviation
- Agenda Item 24: Human Resources Management
- Agenda Item 25: Status of ICAO Workforce
- Agenda Item 26: Multilingualism at ICAO
- Agenda Item 27: Increasing the efficiency and effectiveness of ICAO
- Agenda Item 28: *No Country Left Behind* Initiative
- Agenda Item 29: United Nations 2030 Agenda – Sustainable Development Goals (SDGs)
- Agenda Item 30: Resource Mobilization
- Agenda Item 31: Other high-level policy issues to be considered by the Executive Committee

8. All documents and working papers considered by the Committee are listed by Agenda Item on the ICAO Assembly website [www.icao.int/Meetings/a39](http://www.icao.int/Meetings/a39) .

#### **Agenda Item 11: Annual Reports of the Council to the Assembly for 2013, 2014 and 2015**

11.1 At the second meeting of the Executive Committee, the President of the Council presented an overview of the Annual Reports of the Council for 2013, 2014, and 2015, as well as a supplementary report for the first six months of 2016. It was noted that the full text of these reports, which had previously been distributed to all Member States, could also be accessed on the ICAO public website.

11.2 In the course of the overview given by the President of the Council, the Executive Committee was informed that the Council had been particularly active during this period in consolidating transformational changes and the achievements of the Organization during the past triennium as well as in positioning ICAO to positively respond to emerging challenges in the next triennium.

11.3 Finally, it was noted by the Executive Committee that each Commission that had been established during this thirty-ninth Assembly session would be reviewing parts of the Annual Reports falling within the relevant field of competence of each of the subsidiary bodies.

**Agenda Item 12: Proposal to amend Article 50 (a) of the Chicago Convention so as to increase the membership of the Council**

**Agenda Item 13: Proposal to amend Article 56 of the Chicago Convention so as to increase the membership of the Air Navigation Commission**

12.1 At its second meeting, the Executive Committee considered these constitutional issues concurrently. The Committee had before it the documentation submitted by the Council in A39-WP/18 and A39-WP/13, and by Indonesia in A39-WP179.

12.2 The Secretary General introduced A39-WP/18 and A39-WP/13 which set out recommendations by the Council to the Assembly to approve amendments to Articles 50 a) and 56 of the Chicago Convention to increase the membership of the Council and the Air Navigation Commission. The Secretary General recalled that at its 206th Session the Council considered a proposal by Portugal and Saudi Arabia to increase the size of the Council. The Council agreed, in principle, that the size of the Council should be increased in view of the increased membership of ICAO, the expansion and increasing importance of international air transport for the national economies of many countries, and the need to ensure adequate representation of ICAO Member States thereon. The Council decided by consensus at its 207th Session to recommend an increase of the Council from 36 to 40 members.

12.3 The Secretary General recalled that also at the 206th Session the Council considered a proposal by a group of co-sponsoring States to increase the size of the Air Navigation Commission. The Council agreed, in principle, that the size of the Air Navigation Commission should be increased in view of the increased membership of ICAO, and the need to draw on the expertise and experience from diverse operational skills and knowledge. The Council decided by consensus at its 207th Session to recommend an increase of the Air Navigation Commission from 19 to 21 members.

12.4 The Executive Committee was informed that two draft Assembly Resolutions approving amendments to Article 50 a) and Article 56, as well as two draft Assembly Resolutions encouraging States to ratify the Protocols of Amendment most urgently, were contained in Appendices E and F of each Working Paper.

12.5 A39-WP/179, presented by Indonesia, supported the recommendation to increase the membership of the Council from 36 to 40 members and the adoption of the two Resolutions related thereto.

12.6 In the following discussion, all delegations that spoke supported the proposals to amend Articles 50 a) and 56 of the Convention so as to increase the membership of the Council and the Air Navigation Commission.

12.7 One delegation mentioned that, for reasons of equal geographical representation, the Asia-Pacific region deserves consideration for additional seats.

12.8 Some other delegations noted that neither Article 50 a) or 56 mentioned the concept of equal geographical representation and that the Assembly was being requested to consider the number of seats and not to allocate seats. It was also mentioned that membership of the Air Navigation Commission should be based on expertise; members did not represent a particular State or region.

12.9 The Chairman of the Committee noted that there was general support for the proposed amendments and asked for a show of hands on the two draft Resolutions approving and setting out an amendment to Article 50 a) of the Convention to increase the increase the size of the Council from 36 to 40 members, and an amendment of Article 56 of the Convention to increase the Air Navigation Commission from



19 to 21 members, as well as the two Resolutions encouraging States to ratify the Protocols of Amendment most urgently. The Executive Committee proceeded to a show of hands which indicated unanimous support for the four draft Resolutions.

12.10 By a second show of hands the Executive Committee then unanimously agreed to recommend to the Plenary for adoption the following four draft Resolutions 12/1, 12/2, 13/1 and 13/2, and recommended that the Plenary adopt the said Resolutions by consensus.

**Resolution 12/1: Amendment to Article 50 (a) of the Convention on International Civil Aviation**

*Having met* in its thirty-ninth session, at Montréal on [ ] October 2016;

*Having noted* that it is the general desire of Contracting States to enlarge the membership of the Council;

*Having considered* it proper to provide for four additional seats in the Council and, accordingly, to increase the membership from thirty-six to forty; and

*Having considered* it necessary to amend, for the purpose aforesaid, the Convention on International Civil Aviation done at Chicago on the seventh day of December 1944;

*The Assembly:*

1. *Approves*, in accordance with the provisions of Article 94(a) of the Convention aforesaid, the following proposed amendment to the said Convention:

In Article 50 (a) of the Convention the second sentence shall be amended by replacing “thirty-six” by “forty”;

2. *Specifies*, pursuant to the provisions of the said Article 94(a) of the said Convention, one-hundred and twenty-eight as the number of Contracting States upon whose ratification the proposed amendment aforesaid shall come into force; and

3. *Resolves* that the Secretary General of the International Civil Aviation Organization draw up a Protocol, in the Arabic, Chinese, English, French, Russian and Spanish languages, each of which shall be of equal authenticity, embodying the proposed amendment above-mentioned and the matter hereinafter appearing:

- a) the Protocol shall be signed by the President of the Assembly and its Secretary General;
- b) the Protocol shall be open to ratification by any state which has ratified or adhered to the said Convention on International Civil Aviation;
- c) the instruments of ratification shall be deposited with the International Civil Aviation Organization;
- d) the Protocol shall come into force in respect of the States which have ratified it on the date on which the one-hundred and twenty-eighth instrument of ratification is so deposited;
- e) the Secretary General shall immediately notify all Contracting States to the said Convention of the date of deposit of each ratification of the Protocol;
- f) the Secretary General shall immediately notify all Contracting States to the said Convention of the date on which the Protocol comes into force; and

- g) with respect to any Contracting state ratifying the Protocol after the date aforesaid, the Protocol shall come into force upon deposit of its instrument of ratification with the International Civil Aviation Organization.

**Resolution 12/2: Ratification of the Protocol amending Article 50 (a) of the Convention on International Civil Aviation**

*Whereas* the Assembly has decided to amend Article 50 (a) of the Convention to provide for an increase in the size of the Council; and

*Whereas* the Assembly is of the opinion that it is highly desirable that the aforesaid amendment should come into force as soon as possible;

*The Assembly:*

1. *Recommends* to all Contracting States that they ratify most urgently the amendment to Article 50 (a) of the Convention; and
2. *Directs* the Secretary General to bring this resolution to the attention of Contracting States as soon as possible.

13.1 **Resolutions under Agenda Item 13**

**Resolution 13/1: Amendment to Article 56 of the Convention on International Civil Aviation**

*Having met* in its thirty-ninth session, at Montréal on [ ] October 2016;

*Having noted* that it is the general desire of Contracting States to enlarge the membership of the Air Navigation Commission;

*Having considered* it proper to increase the membership of that body from nineteen to twenty-one; and

*Having considered* it necessary to amend, for the purpose aforesaid, the Convention on International Civil Aviation done at Chicago on the seventh day of December 1944;

*The Assembly:*

1. *Approves*, in accordance with the provisions of Article 94 (a) of the Convention aforesaid, the following proposed amendment to the said Convention:

“In Article 56 of the Convention the expression ‘nineteen members’ shall be replaced by ‘twenty-one members’”;

2. *Specifies*, pursuant to the provisions of the said Article 94 (a) of the said Convention, one-hundred and twenty-eight as the number of Contracting States upon whose ratification the aforesaid amendment shall come into force; and

3. *Resolves* that the Secretary General of the International Civil Aviation Organization shall draw up a protocol, in the Arabic, Chinese, English, French, Russian and Spanish languages, each of which shall be of equal authenticity, embodying the amendment above-mentioned and the matters hereinafter appearing:

- a) the Protocol shall be signed by the President of the Assembly and its Secretary General;
- b) the Protocol shall be open to ratification by any State which has ratified or adhered to the said Convention on International Civil Aviation;
- c) the instruments of ratification shall be deposited with the International Civil Aviation Organization;
- d) the Protocol shall come into force in respect of the States that have ratified it on the date on which the one-hundred and twenty-eighth instrument of ratification is deposited;
- e) the Secretary General shall immediately notify all Contracting States to the said Convention of the date of deposit of each ratification of the Protocol;
- f) the Secretary General shall immediately notify all Contracting States to the said Convention of the date on which the Protocol comes into force; and
- g) with respect to any Contracting State ratifying the Protocol after the date aforesaid, the Protocol shall come into force upon deposit of its instrument of ratification with the International Civil Aviation Organization.

**Resolution 13/2: Ratification of the Protocol amending Article 56 of the Convention on International Civil Aviation**

*Whereas* the Assembly has decided to amend Article 56 of the Convention on International Civil Aviation to provide for an increase in the size of the ANC; and

*Whereas* the Assembly is of the opinion that it is highly desirable that the aforesaid amendment should come into force as soon as possible;

*The Assembly:*

1. *Recommends* to all Contracting States that they ratify most urgently the amendment to Article 56 of the Convention on International Civil Aviation; and
2. *Directs* the Secretary General to bring this resolution to the attention of Contracting States as soon as possible.

**Agenda Item 14: Technical Assistance Programme**

14.1 The Committee noted that A39-WP/28, presented by the Council and which reported on activities related to the ICAO Technical Assistance Programme covering all Strategic Objectives of ICAO, had been considered under Agenda Item 20, and that A39-WP/105, presented by Slovakia on behalf of the EU, ECAC and EUROCONTROL, had been considered under Agenda Item 28. The papers were, therefore, not revisited under Agenda Item 14.

14.2 The Committee noted A39-WP/27, presented by the Council, and agreed that to further improve aviation safety in Africa, the Comprehensive Regional Implementation Plan for Aviation Safety in Africa (AFI Plan) should be continued beyond 2016, including its expanded work programmes in the areas of aircraft accident and incident investigation (AIG), aerodromes (AGA) and air navigation services (ANS). The Committee also noted the progress made in the implementation of the AFI Plan and agreed that there was a need for continued assistance to States through the AFI Plan in collaboration with aviation safety partners.

14.3 The Committee noted that A39-WP/21 Revised, presented by the Council, and A39-WP/164 Revision No. 1, presented by AFCAC, had been considered under Agenda Item 18 and, therefore, were not revisited under Agenda Item 14.

14.4 The Committee reviewed A39-WP/171 and A39-WP/215, both presented by the African Civil Aviation Commission (AFCAC), and recognized that complementary to the AFI Plan, the African and Indian Ocean Region – Cooperative Inspectorate Scheme (AFI-CIS) also contributed to the enhanced capacity building of safety oversight systems in AFI States. The Commission encouraged ICAO and partners to continue to support this initiative.

14.5 The Committee reviewed A39-WP/456 Revision No. 1, presented by the Agency for Air Navigation Safety in Africa and Madagascar (ASECNA) on behalf of the African Air Navigation Services Providers Steering Group, providing information related to the African Air Navigation Services Providers (ANSPs) Peer Review Programme, which was launched in February 2015. This initiative was aimed at establishing a regional framework of cooperation and peer review mechanism to improve air navigation operational performance in Africa. The Committee endorsed this initiative being implemented by a project through the AFI Plan work programme.

14.6 The Committee noted overwhelming support from States for the AFI Plan and AFI-CIS and encouraged ICAO's continued support for enhanced safety in the African region.

14.7 The Committee reviewed A39-WP/392, presented by the Council, presenting recommendations from the Global Ministerial Aviation Summit held in Riyadh, Saudi Arabia, from 29 to 31 August 2016, related to the establishment of the Middle East (MID) Implementation Plan (MIDIP) in air navigation and safety. The Committee requested that appropriate action be taken by ICAO to consider the recommendations and encouraged States in the Arab Civil Aviation Commission (ACAC) and ICAO MID Regions, with support from ICAO, to establish and implement the MIDIP.

14.8 The Committee noted that A39-WP/351, presented by the Council, and A39-WP/364, presented by Egypt, had been considered under Agenda Items 18 and 22, respectively, and therefore were not revisited under Agenda Item 14.

14.9 Information papers were presented by Dominican Republic (A39-WP/446), IATA (A39-WP/309), Japan (A39-WP/450), and Slovakia on behalf of the EU, ECAC and EUROCONTROL (A39-WP/415).

#### **Agenda Item 15: Technical Cooperation - Policy and activities on technical cooperation**

15.1 At its sixth meeting, the Executive Committee considered the subject of *Technical Cooperation – Policy and activities on technical cooperation* on the basis of A39 WP/45 and A39-WP/47 presented by the ICAO Council and four Working Papers presented by the Dominican Republic (A39 WP/383), Indonesia (A39 WP/244), Peru (A39-WP/292) and Slovakia (A39-WP/105), as well as two

Information Papers presented by the Interstate Aviation Committee (A39 WP/141) and Slovakia (A39 WP/415).

15.2 In A39-WP/47, the Council provided an update on ICAO's policy and strategy for technical cooperation and technical assistance. The Report underscored that, in the interest of streamlining and strengthening ICAO's technical support programmes, the Organization maintains, on the one hand, a Technical Assistance Programme which supports States with Regular Budget resources and contributions to ICAO Voluntary Funds allocated in accordance with established principles and priority criteria, concentrating mainly on remedying deficiencies identified in ICAO audits. On the other hand, the Technical Cooperation Programme supports States and other entities in the development and implementation of their civil aviation projects funded by governments themselves or donors on a cost recovery basis. Recalling that the Technical Cooperation Programme is a permanent priority activity of the Organization, the Report presented an analysis of the Programme's financial and operational performance results in the 2013 to 2015 triennium, offering a comparison with the two preceding triennia, and provided the Administrative and Operational Services Cost (AOSC) Fund results for the reporting period. This was complemented by a summary of achievements by Strategic Objective in Appendix A. The Report also provided information on significant developments within the Technical Cooperation Bureau in the triennium, including the achievement of ISO 9001:2008 certification, reinforcing ICAO's commitment to continually improve the quality and effectiveness of its technical cooperation services to the benefit of Member States and the wider global aviation community. Appendix B to the working paper proposed an update to Assembly Resolution A36-17 in the form of a Consolidated Statement of ICAO Policies on Technical Cooperation and Technical Assistance for adoption by the Assembly.

15.3 In A39-WP/45, the Council apprised the Assembly of the establishment of the ICAO Programme for Aviation Volunteers (IPAV) under the *No Country Left Behind* (NCLB) initiative and provided a detailed description of its framework. Recalling that many Member States lack the required funds to afford the assistance necessary to consistently develop their civil aviation programmes, human resources and infrastructure, the Report informed that ICAO, through the Programme, will make available to interested States skilled and experienced aviation professionals who are willing to provide short term assistance, as volunteers, in their field of expertise. These experts will work closely with government officials to, *inter alia*, address shortcomings identified during ICAO audits, respond to emergency situations, and develop States' capabilities in the implementation of ICAO Standards and Recommended Practices (SARPs), complementing other initiatives. The Report underlined that participation in the IPAV is open to all aviation professionals from States, the aviation industry and the private sector, subject to the review of credentials by the Organization, and noted the creation of a Voluntary Fund by the Council for the receipt of contributions towards the implementation of the Programme. In the Appendix to the working paper, the Council proposed a draft resolution for adoption by the Assembly.

15.4 A39-WP/383, presented by the Dominican Republic, proposed the establishment of a consultation system which would allow Member States to verify the profile and contractual performance history of suppliers engaged by ICAO in technical cooperation projects. In particular, the Dominican Republic recommended to the Assembly that vendors which do not fulfil their contractual obligations and/or are involved in legal action detrimental to States i) be removed from the ICAO Supplier List; ii) be excluded from active participation in activities sponsored by ICAO; and that iii) their identity be made public.

15.5 A39 WP/244 Revised, presented by Indonesia, highlighted the importance of environmental programmes in aviation, particularly in developing economies, and called attention to the need for resource mobilization with a view to facilitating financial support for the effective implementation of the ICAO Global Market-Based Measures (GMBM). It described, as an example, the success of international cooperation in Indonesia within the framework of, *inter alia*, an ICAO technical cooperation project related to environmental measures in civil aviation. Indonesia therefore suggested that such technical cooperation be extended to

support States with limited resources through voluntary contributions from Member States, stakeholders, international organizations and other United Nations bodies to the ICAO Environmental Fund. A39-WP/244 also proposed that a Technical Cooperation Environmental Programme be established in close coordination between the ICAO Environment Branch and the Technical Cooperation Bureau.

15.6 A39-WP/292, presented by Peru with the support of Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Guyana, Panama, Paraguay, Suriname, Uruguay and Venezuela, provided information on three ICAO technical cooperation projects implemented in the South American region with the support of the ICAO South American (SAM) Regional Office, namely, RLA/99/901 (Regional Safety Oversight System), RLA/03/901 (Management of the South American Digital Network (REDDIG) and Administration of the Satellite Segment) and RLA/06/901 (Assistance in the Implementation of a regional Air Traffic Management system). These projects, which are aimed at the implementation of the Regional Air Navigation Plan, represent sustainable solutions for participating States through collaborative partnerships, involving the sharing of available resources and expertise, and capacity building. The paper highlighted the projects' various achievements ranging from the implementation of communications, navigation and surveillance (CNS) technologies to the development of harmonized civil aviation safety regulations and training of national civil aviation experts, resulting in the significant improvement of Effective Implementation (EI) scores of States in the region. On the basis of this positive experience, Peru invited the Assembly to encourage ICAO Member States to work collaboratively towards the achievement of common regional goals through the implementation of technical cooperation projects.

15.7 A39-WP/105, presented by Slovakia on behalf of the European Union (EU) and its Member States, the other Member States of the European Civil Aviation Conference (ECAC) and EUROCONTROL, emphasized the importance of capacity-building activities organized by ICAO, individual States, regional organizations or the industry in supporting States to achieve effective and sustainable compliance with ICAO Standards and Recommended Practices (SARPs). It highlighted, in this regard, the significant contributions by European States and regional organizations, such as the European Commission (EC), European Aviation Safety Agency (EASA), ECAC and EUROCONTROL to beneficiary States in the areas of safety, air traffic management, security and facilitation, economic development and environmental protection. The Committee noted that this paper would be considered under Agenda Item 28: *No Country Left Behind*.

15.8 A39-WP/141, presented by the Interstate Aviation Committee (IAC), provided information on the technical cooperation project "Cooperative Development of Operational Safety and Continuing Airworthiness in the Commonwealth of Independent States" (COSCAP-CIS). It highlighted the results achieved since the project's inception in 2001 in the training field, in cooperation with Airbus, the Boeing Company and the United States' Federal Aviation Administration (FAA) in over 100 seminars, conferences and training courses for a total of around 9000 aviation experts from the region. Training delivered under the project related to flight safety inspection, de-icing and specific aircraft types.

15.9 A39-WP/415, presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC and EUROCONTROL, informed the Assembly of Europe's contribution and renewed support to the objectives of the NCLB initiative. The Appendix to this Information Paper provided a non-exhaustive list of technical assistance and capacity building activities in various civil aviation areas carried out by the EU, ECAC and EUROCONTROL in support of beneficiary States in various regions. This is in addition to other initiatives undertaken, bilaterally or multilaterally, by individual European States, which were not covered by the paper.

15.10 The Executive Committee noted that the ICAO Technical Cooperation Programme's performance in the current triennium had enjoyed the continued interest of States, donors and private entities, with a total Programme delivery of USD 389.7 million and implementation of an average of 110 projects per year in 150 States across all regions. The Committee was also informed that financial results of operations for

the first six months of 2016 demonstrated a positive outlook for the coming triennium. On the operational side, the Secretary General reiterated that given rapid technological advancements in civil aviation, the Technical Cooperation Programme will continue to play an important role in providing support to ICAO Member States. Of particular relevance, the Committee remarked that this period also saw the consolidation of the Technical Cooperation Bureau (TCB)'s Quality Management System with the achievement of ISO 9001:2008 compliance certification by all TCB Sections as of October 2014.

15.11 The Committee approved of the establishment of the IPAV and the related Voluntary Fund under the No Country Left Behind initiative in order to address shortcomings identified during ICAO audits, respond to emergency situations, as well as foster self-reliance and growth. ICAO Member States, financing institutions, the aviation industry and other stakeholders were invited to participate in the Programme by providing sustained financial and human resources.

15.12 Support was expressed for strengthening ICAO's oversight over its procurement services by means of enhancing transparency and exchange of information over vendors' performance. In particular, it was recommended to solicit feedback from States on vendors and the quality of the services rendered, consistent with ICAO's obligations towards customer satisfaction and its shared responsibility for projects implemented through its Technical Cooperation Bureau. A recommendation was made that the legal issues arising from the proposal put forward by the Dominican Republic in A39 WP/383 be examined by the Legal Bureau. The Committee acknowledged that, following a United Nations Joint Inspection Unit recommendation, as part of an Organization-wide effort to ensure integrity in its procurement activities, ICAO is already in the process of developing a Vendor Sanction Policy based on the United Nations Model Policy Framework on Vendor Sanction, for the Council's review and approval during its next Session in 2017.

15.13 It was agreed that there is a need to facilitate financial support for the establishment of environmental programmes in developing countries, including the effective implementation of the ICAO Global Market-Based Measures (GMBM). In acknowledging the role of international cooperation in the mobilization of resources and the potential avenues of bilateral assistance, the Committee also recognized the benefits offered by the existing ICAO assistance mechanism and Voluntary Funds.

15.14 The Executive Committee recognized the importance of regional cooperation for the enhancement of civil aviation systems and related infrastructure and human resources, in accordance with the Regional Air Navigation Plans, through the sharing of expertise, harmonization of regulations and capacity building efforts, particularly in view of the tangible achievements by South American States, which resulted in the significant improvement of Effective Implementation (EI) scores in the region. The Committee therefore recommended that the Assembly encourage ICAO Member States to work collaboratively towards the achievement of common goals through the implementation of regional and sub-regional technical cooperation projects.

15.15 In light of its deliberations, the Executive Committee invites the Assembly to:

- a) encourage Member States, financing institutions, the aviation industry and other stakeholders to participate in the ICAO Programme for Aviation Volunteers by providing sustained financial and human resources;
- b) request the Secretary General to refer the legal issues arising from the proposal put forward by the Dominican Republic in A39 WP/383 to the Legal Bureau for review;
- c) request the Secretary General to explore the feasibility of establishing an ICAO Technical Assistance Environmental Programme, taking into account existing or new partnerships to leverage resources; and

- d) encourage Member States to work collaboratively towards the achievement of common goals through the implementation of regional and sub-regional technical cooperation projects.

15.16 The Committee also agreed to submit, for adoption by the Plenary the following Resolutions as presented by the Council in A39-WP/47 – *Consolidated Statement of ICAO Policies on Technical Cooperation and Technical Assistance* and in A39-WP/45 – *ICAO Programme for Aviation Volunteers*:

**Resolution 15/1: Consolidated statement of ICAO policies on technical cooperation and technical assistance**

*Whereas* new policies have been approved by the Council for technical support, in the form of technical assistance and technical cooperation and endorsed by the 38<sup>th</sup> Session of the Assembly;

*Whereas* “Technical Cooperation” is any project requested and funded by States and/or Organizations and implemented through the Technical Cooperation Bureau on a cost-recovery basis, where all the direct and indirect costs related to the project are recovered;

*Whereas* “Technical Assistance” is any assistance provided by ICAO to States, which is funded by the Regular Budget and/or Voluntary Funds, and implemented through any Bureau/Office depending on the nature and duration of the project;

*The Assembly:*

1. *Resolves* that the Appendices attached to this resolution constitute the consolidated statement of ICAO policies on technical cooperation and technical assistance, as these policies exist at the close of the 39<sup>th</sup> Session of the Assembly;
2. *Declares that* this resolution supersedes A36-17.

## **APPENDIX A**

### **The ICAO Technical Cooperation and Technical Assistance Programmes**

*Whereas* the growth and improvement of civil aviation can make an important contribution to the economic development of States;

*Whereas* civil aviation is important to the technological, economic, social and cultural advancement of all countries and especially of developing countries and their subregional, regional and global cooperation;

*Whereas* ICAO can assist States in advancing their civil aviation and at the same time promote the realization of its Strategic Objectives;

*Whereas* Resolution 222 (IX)A of 15 August 1949 of the United Nations Economic and Social Council, approved by the General Assembly in its Resolution of 16 November 1949 and endorsed by the ICAO Assembly in its Resolution A4-20, entrusted all Organizations of the United Nations system to participate fully in the Expanded Programme of Technical Assistance for Economic Development, and that ICAO, as the United Nations specialized agency for civil aviation, began the execution of technical cooperation and



technical assistance projects in 1951 with funding from the United Nations Special Account for Technical Assistance, established pursuant to the above Resolution;

*Whereas* the large deficits experienced from 1983 to 1995 required the definition of a new policy on technical cooperation and technical assistance and a new organizational structure for the Technical Cooperation Bureau;

*Whereas* the implementation of the New Policy on technical cooperation and technical assistance, endorsed by the 31st Session of the Assembly, based on the progressive implementation of the core staff concept, the integration of the Technical Cooperation Bureau into the Organization's structure, and the establishment of the ICAO Objectives Implementation Funding Mechanism, as well as the new organizational structure for the Technical Cooperation Bureau implemented in the 1990s, significantly reduced costs and substantially improved the financial situation of the Technical Cooperation and Technical Assistance Programmes;

*Whereas* the objectives of the New Policy emphasized the importance of the Technical Cooperation and Technical Assistance Programmes in the global implementation of ICAO Standards and Recommended Practices (SARPs) and Air Navigation Plans (ANPs) as well as the development of the civil aviation infrastructure and human resources of developing States in need of technical cooperation or technical assistance from ICAO;

*Whereas* standardization and monitoring of SARPs implementation remain important functions of the Organization and emphasis has been placed on ICAO's role towards implementation and support to Contracting States;

*Whereas* A35-21 encouraged the Council and the Secretary General to adopt a structure and mechanism that would use commercially oriented practices to allow fruitful partnerships with funding partners and recipient States;

*Whereas* the Council agreed that greater operational flexibility should be accorded to the Technical Cooperation Bureau with the appropriate oversight and control over technical cooperation and technical assistance activities;

*Whereas* all technical cooperation activities of the Organization continue to be based on the principle of cost recovery and measures should be taken to minimize administrative and operational costs to the extent possible;

*Whereas* the Technical Cooperation and Technical Assistance Programmes and related Administrative and Operational Services Cost (AOSC) Fund income for the triennium and beyond cannot be estimated with precision and can vary substantially based on various factors outside ICAO's control;

*Whereas* the Council adopted a policy on cost recovery concerning the apportionment of costs between the Regular Budget and the AOSC Fund for services provided by the Regular Programme to the Technical Cooperation Bureau and for services provided by the Technical Cooperation Bureau to the Regular Programme.

*The Assembly:*

*Technical Cooperation and Technical Assistance Programmes*

1. *Recognizes* the importance of the Technical Cooperation and Technical Assistance Programmes for promoting the achievement of the Strategic Objectives of the Organization;

2. *Reaffirms* that the Technical Cooperation and Technical Assistance Programmes, implemented within the rules, regulations and procedures of ICAO, is a permanent priority activity of ICAO that complements the role of the Regular Programme in providing support to States in the effective implementation of SARPs and ANPs as well as in the development of their civil aviation administration infrastructure and human resources;
3. *Reaffirms* that, within the existing financial means, the ICAO Technical Cooperation and Assistance Programmes should be strengthened, at Regional Office and field level, in order to allow the Technical Cooperation Bureau to play its role more efficiently and effectively with the understanding that no increase in project costs will be incurred;
4. *Reaffirms* that the Technical Cooperation Bureau is one of the main instruments of ICAO to assist States in remedying their deficiencies in the field of civil aviation for the benefit of the international civil aviation community as a whole;
5. *Affirms* that improved coordination of ICAO's technical cooperation and technical assistance activities should be achieved through clear delineation of each Bureau's mandate and activities, and enhanced cooperation, as well as closer coordination of the Technical Cooperation and Technical Assistance Programmes for the avoidance of duplication and redundancy;
6. *Reaffirms* that, in the event that the AOSC operation for any given financial year ends in a financial deficit, such deficit should first be met from the accumulated surplus of the AOSC Fund and a call for support from the Regular Programme Budget would be the last resort;
7. *Requests* the Secretary General to implement greater efficiency measures leading to a gradual reduction of administrative support costs charged to technical cooperation and technical assistance projects;
8. *Reaffirms* that that costs recovered by the Organization for support services provided to the Technical Cooperation Bureau must be directly and exclusively related to project operations in order to keep administrative support costs to a minimum;

*ICAO as the recognized agency for civil aviation*

9. *Recommends* to donor States, financing institutions and other development partners, including the aviation industry and the private sector, wherever appropriate, to give preference to ICAO for the identification, formulation, analysis, implementation and evaluation of civil aviation projects in the field of technical cooperation and technical assistance, and *requests* the Secretary General to continue communication with such entities and with potential recipient States, with a view to allocating funds for the development of civil aviation, using ICAO as executing agency;
10. *Recommends* to States receiving bilateral or other government-sponsored aid to consider the value of using the ICAO Technical Cooperation and Technical Assistance Programmes in helping to support implement their programmes related to civil aviation;

*Expansion of ICAO Technical Cooperation and Technical Assistance Activities*

11. *Reaffirms* that in adopting commercially oriented practices for the Technical Cooperation Bureau, there is a need to ensure that the good reputation of ICAO is maintained;
12. *Reaffirms* the need to expand the provision of technical cooperation and technical assistance by ICAO to the non-State entities (public or private) directly involved in civil aviation, in furtherance of ICAO Strategic Objectives, such cooperation and assistance to encompass, inter alia, those activities that were traditionally

provided by national civil aviation administrations and are being privatized to some degree, where the State shall, nonetheless, continue to be responsible under the Chicago Convention for the quality of the services provided and their compliance with ICAO SARPs, and *requests* the Secretary General to inform the civil aviation authority concerned of the technical aspects of the project immediately upon the start of negotiations with non-State entities;

13. *Reaffirms* that ICAO should expand the provision of technical cooperation and technical assistance services, upon request, to non-State entities (public and private) that are implementing projects in Contracting States in the field of civil aviation which aim at enhancing the safety, security and efficiency of international air transport, and *directs* the Secretary General to consider, on a case-by-case basis, the requests of such entities for ICAO cooperation and assistance in the traditional technical cooperation and technical assistance areas, with particular regard to project compliance with ICAO SARPs and, as applicable, to relevant national policies and regulations promulgated by the recipient State;

#### *Technical Cooperation and Technical Assistance Agreements*

14. *Reaffirms* that ICAO, within the framework of its Technical Cooperation and Technical Assistance Programmes, uses Trust Fund (TF) Agreements, Management Services Agreements (MSA), the Civil Aviation Purchasing Service (CAPS) and other framework agreements and funding arrangements as may be necessary to provide maximum cooperation and assistance to stakeholders implementing civil aviation projects; and

15. *Views with satisfaction* the initiative of States to make greater use of these arrangements to obtain technical cooperation and technical assistance in the field of civil aviation.

## **APPENDIX B**

### **Funding of the Technical Cooperation and Technical Assistance Programmes**

*Whereas* funds available for technical cooperation and technical assistance in the field of civil aviation are insufficient to meet the needs of civil aviation, especially in the developing countries;

*Whereas* the Technical Cooperation Programme, with few exceptions, is funded by developing countries providing funds for its own projects;

*Whereas* the Technical Assistance Programme is funded through ICAO Voluntary Funds and through the Regular Budget of the Organization;

*Whereas* civil aviation administrations of Least Developed Countries are, in particular, those needing the most support while, at the same time, relying mostly on financial institutions and sector industry to fund their technical cooperation projects;

*Whereas* UNDP funding is directed mainly to development sectors other than civil aviation, and its financial contribution to civil aviation activities has considerably decreased to a level where it represents less than one per cent of the ICAO Technical Cooperation and Technical Assistance Programmes, but UNDP continues to provide administrative support to ICAO at the country level;

*Whereas* rapid technical development in civil aviation requires from developing States substantial expenditures in aviation ground facilities to match that development, and continues to increase requirements for training of national aeronautical personnel that are beyond their financial resources and training facilities;

*Whereas* the Assembly introduced the ICAO Objectives Implementation Funding Mechanism with a view to mobilizing additional resources for technical cooperation and technical assistance projects identified as required to support the implementation of SARPs and the facilities and services listed in the ANPs, as well as the implementation of ICAO audit-related recommendations and the rectification of identified deficiencies;

*Whereas* funding institutions expect from those implementing the projects they finance, expedient and effective project execution as well as detailed and real-time information on project activities and finances;

*The Assembly:*

1. *Requests* financing institutions, donor States and other development partners, including the industry and the private sector, to give higher priority to the development of the air transport sub-sector in developing countries and *requests* the President of the Council, the Secretary General and the Secretariat to intensify their contacts with the United Nations, including UNDP, to increase their contribution to ICAO's technical cooperation and technical assistance projects;

2. *Draws the attention* of financing institutions, donor States and other development partners to the fact that ICAO is the Specialized Agency of the United Nations concerned with civil aviation and, as such, is accepted by the United Nations as the expert authority in carrying out technical cooperation and technical assistance for developing countries in civil aviation projects;

3. *Urges* Contracting States that are associated with funding sources to draw the attention of their representatives to these organizations towards the value of providing cooperation and assistance to civil aviation projects, particularly where these are necessary for the provision of the vital air transport infrastructure and/or the economic development of a country;

4. *Urges* Contracting States to give high priority to civil aviation development and, when seeking external cooperation and assistance for this purpose, to stipulate to financing institutions through an appropriate level of government that they wish ICAO to be associated as executing agency with civil aviation projects which may be funded;

5. *Encourages* the actions of developing countries in seeking funds for the development of their civil aviation from all appropriate sources to complement funds available from national budgets, financial institutions, donor States and other development partners so that such development may progress at the maximum feasible rate;

6. *Recognizes* that extra-budgetary contributions from donors will allow the Technical Cooperation and Technical Assistance Programmes to expand its services to States in relation to safety, air navigation security, environmental protection and efficiency in civil aviation, thus further contributing to the achievement of the Strategic Objectives, in particular to the implementation of SARPs and the rectification of deficiencies identified by audits;

7. *Authorizes* the Secretary General to receive, on behalf of the ICAO Technical Cooperation and Technical Assistance Programmes, financial and in-kind contributions to technical cooperation and technical assistance projects, including voluntary contributions in the form of scholarships, fellowships, training equipment and funds for training, from States, financing institutions and other public and private sources and to act as an intermediary between States regarding the granting of scholarships, fellowships and provision of training equipment;

8. *Urges* those States which are in a position to do so to provide additional funds to the ICAO Technical Cooperation and Technical Assistance Programmes through the ICAO Voluntary Funds for the implementation of civil aviation projects;

9. *Encourages* States and other development partners, including the industry and the private sector, to contribute to the ICAO Objectives Implementation Funding Mechanism which allows them to participate in the implementation of ICAO's civil aviation projects; and

10. *Requests* the Council to advise and assist developing countries to secure the support of financing institutions, donor States and other development partners in implementing ICAO regional and subregional safety and security programmes, such as the Cooperative Operational Safety and Continuing Airworthiness Programme (COSCAP) and Cooperative Aviation Security Programme (CASP).

## APPENDIX C

### **Implementation of the Technical Cooperation and Technical Assistance Programmes**

*Whereas* the aim of ICAO is to ensure the safe and orderly growth of international civil aviation throughout the world;

*Whereas* the implementation of technical cooperation and technical assistance projects complements the Regular Programme efforts towards the achievements of ICAO's Strategic Objectives;

*Whereas* Contracting States increasingly call upon ICAO to provide advice, technical cooperation and technical assistance to implement SARPs and develop their civil aviation through the strengthening of their administration, the modernization of their infrastructure and the development of their human resources;

*Whereas*, on an urgent basis, there is a need for effective follow-up and remedial action as a result of the ICAO Universal Safety Oversight Audit Programme/Continuous Monitoring Approach (USOAP CMA) and Universal Security Audit Programme (USAP) audits in order to provide support to States in addressing the identified deficiencies, including Significant Safety and Security Concerns;

*Whereas* extra-budgetary funding provided to the Technical Cooperation and Technical Assistance Programmes allows ICAO, through its Technical Cooperation Bureau, to provide initial support to States to address the deficiencies identified through the USOAP CMA, ICAO Coordinated Validation Missions (ICVMs) and USAP audits;

*Whereas* implementation of projects in compliance with ICAO SARPs by the Technical Cooperation Bureau or any other third party outside ICAO results in substantially enhanced safety, security and efficiency of civil aviation worldwide;

*Whereas* ex-post evaluations could constitute a valuable tool for establishing the impact of projects on aviation and for the planning of future projects;

*Whereas* non-State entities (public and private) implementing projects for Contracting States in the field of civil aviation increasingly call upon ICAO, through the Technical Cooperation Bureau, to provide advice, technical cooperation and technical assistance in the traditional technical cooperation and technical assistance fields and ensure project compliance with ICAO SARPs;

*The Assembly:*

1. *Draws the attention* of Contracting States requesting technical cooperation and technical assistance to the advantages to be derived from well-defined projects based on civil aviation master plans;
2. *Draws the attention* of Contracting States to the cooperation and assistance provided through subregional and regional projects executed by ICAO, such as COSCAPs and CASPs and *urges* the Council to continue to give high priority to management and implementation of such projects through the Technical Cooperation and Technical Assistance Programmes in view of the great benefit such projects represent;
3. *Urges* States to give high priority to the training of their national civil aviation technical, operational and management personnel through the development of a comprehensive training programme and *reminds* States of the importance of making adequate provision for such training and of the need to provide suitable incentives to retain the services, in their respective fields, of such personnel after they have completed their training;
4. *Encourages* States to concentrate their efforts upon the further development of existing training centres and to support Regional Training Centres which are located in their area for the advanced training of their national civil aviation personnel where such training is not available nationally, so as to promote a self-reliant capability within that region;
5. *Urges* States receiving technical cooperation and technical assistance through ICAO to avoid project implementation delays by ensuring timely decisions regarding experts, training and procurement components in accordance with the terms of the project agreements;
6. *Draws the attention* of Contracting States to the Civil Aviation Purchasing Service (CAPS), which is a facility provided by ICAO to developing countries to purchase high value items of civil aviation equipment and to contract for technical services;
7. *Requests* that Contracting States, in particular, developing countries, encourage fully qualified technical experts to apply for inclusion in ICAO's Technical Cooperation and Technical Assistance Programmes' roster of experts;
8. *Encourages* States to make use of the quality assurance services offered by the Technical Cooperation Bureau, on a cost-recovery basis, for the supervision of projects implemented by third parties outside the Technical Cooperation and Technical Assistance Programmes of ICAO, including the review of their compliance with ICAO SARPs; and
9. *Encourages* States and donors to include, and provide funding for, ex-post evaluations of their civil aviation projects as an integral part of project planning and implementation.

**Resolution 15/2: ICAO Programme for Aviation Volunteers**

*Whereas* in accordance with Article 37 of the Convention on International Civil Aviation each Member State undertakes to collaborate in securing the highest practicable degree of uniformity in regulation, standards, procedures and organization in relation to aircraft, personnel, airports, airways and auxiliary services in all matters in which uniformity will facilitate and improve air navigation;

*Whereas* many States have difficulties meeting their obligations under the Convention and discrepancies in the level of implementation of ICAO Standards and Recommended Practices (SARPs) still exist;

*Whereas* a number of States are confronted with insufficient financial and human resources capacity and cannot adequately address the deficiencies in their civil aviation systems;

*Whereas* ICAO plays a leadership role in facilitating the implementation of SARPs and the rectification of civil aviation related deficiencies by coordinating assistance and harnessing resources among aviation partners;

*Whereas* assistance to States in addressing the shortcomings identified during ICAO safety and security audits, in developing capabilities in the implementation of ICAO SARPs, in responding to emergencies affecting States' aviation systems and in fostering self-reliance and growth is required and desirable;

*Recalling* the United Nations General Assembly Resolution 70/129 - Integrating volunteering into peace and development: the plan of action for the next decade and beyond;

*Recognizing* that volunteerism, in its diversity, universality and values, can be a powerful development tool and asset for Governments and partners worldwide, which potential as a complementary resource for technical support, should be fully exploited; and

*Whereas* skilled and experienced aviation professionals from ICAO, the aviation industry, States and the private sector are an invaluable source of knowledge that could contribute to the sustainable development of Civil Aviation.

*The Assembly:*

1. *Advances* volunteerism as a significant and meaningful instrument for qualified experts to positively engage in the sustainable development of civil aviation worldwide;
2. *Endorses* the decisions taken by the Council on the establishment and promotion of the ICAO Programme for Aviation Volunteers (IPAV);
3. *Encourages* the meaningful participation and integration, as Volunteers, of skilled and experienced aviation professionals from ICAO, States, the aviation industry and the private sector into ICAO programmes and projects of technical assistance/cooperation through the IPAV;
4. *Invites* Contracting States to consider the IPAV for technical assistance/cooperation, where appropriate;
5. *Emphasizes* that the provision of adequate means for Volunteer action is essential to leverage the full potential of volunteerism and the IPAV;
6. *Encourages* Contracting States and other stakeholders in a position to do so, in coordination with the international civil aviation community, to participate in the IPAV by providing financial and human resources to support developing and least developed States in their efforts to meet their obligations under the Convention on International Civil Aviation;
7. *Invites* donor States, financing institutions and other development partners to provide sustained funding in support of the administration, monitoring and implementation of the IPAV through the IPAV Voluntary Fund; and
8. *Calls upon* the Council to continue to support and assist in the promotion of the IPAV.

**Agenda Item 16: Aviation Security - Policy**

16.1 At its fifth meeting, the Executive Committee considered the subject of aviation security policy on the basis of a Council report on the ICAO Comprehensive Aviation Security Strategy (WP/14) and a Council report on the Establishment of a Global Aviation Security Plan (WP/15). Based on this information, the Committee also considered the Council's proposal for updating the Consolidated statement of continuing ICAO policies related to aviation security (WP/16), and a proposal for a new Resolution on Addressing cybersecurity in civil aviation (WP/17). In addition, there were 23 papers submitted by States and Observers: WPs/98, 99, 131, 132, 136, 145, 175, 177, 180, 184, 187, 198, 219, 238, 254, 310, 311, 312, 315, 327, 330, 361 and 373.

16.2 With a view to setting the context for discussions on the above-mentioned papers, the Committee considered an update provided by France, New Zealand and the United Kingdom on Resolution 2309 (2016) on aviation security, which was adopted by the special meeting of the United Nations (UN) Security Council on 22 September 2016, followed by a Secretary General report on her briefing to the UN Security Council.

16.3 The ICAO Secretary General further reported that Resolution 2309 (2016) recognizes the terrorist threat to global civil aviation as a threat to international peace and security, calls upon all States to implement effective measures to mitigate the threat, and urges States to work with ICAO to support the effective implementation of ICAO's security related Standards and Recommended Practices (SARPs).

16.4 Efforts by the UN Security Council to enhance international cooperation and collaboration to address the threat posed by terrorist targeting of civil aviation received wide support by the Committee, which recognized that a UN resolution on terrorism and aviation security would help raise awareness of the threat to civil aviation, reinforce the existing international framework of aviation security standards and encourage the implementation of effective measures to address the threat. Delegates also recognized that the Resolution would serve as a key tool for ICAO and its Member States when aligning and adjusting aviation security priorities. Several Member States referenced Resolution 2309 when asserting the need to expedite development of the Global Aviation Security Plan (GASeP).

16.5 Particularly with regard to UN-ICAO cooperation in aviation security, delegates supported the UN Security Council's calls for continued cooperation between ICAO and the relevant UN bodies, such as the UN Counter-Terrorism Executive Directorate on identifying gaps and vulnerabilities relevant to aviation security, the UN Counter-Terrorism Implementation Task Force to facilitate the delivery of technical assistance and capacity building in the field of aviation security, and the UN Counter-Terrorism Committee.

16.6 The Council, in WP/14, reported on key accomplishments of the ICAO Comprehensive Aviation Security Strategy (ICASS) during the 2014-2016 triennium, highlighting the continued progress in implementing the strategy, and lessons learned. The Council also proposed that, pending the approval of the GASeP, implementation of the ICASS should be extended into the 2017-2019 triennium.

16.7 In light of the outcomes and achievements from ICASS implementation during the 2014-2016 triennium, in WP/15 the Council presented a proposal for the development of the GASeP. This document addresses the needs of States and regions to assist in guiding all States' aviation security enhancement efforts, as well as those of other stakeholders, through a set of internationally agreed goals and targets.

16.8 As requested by the 38th Assembly, and in view of developments in the field of aviation security since the 38th Session of the Assembly as well as the future focus of ICAO in this field, in WP/16 the



Council presented proposals for revising Assembly Resolution A38-15: Consolidated statement of continuing ICAO policies related to aviation security.

16.9 In an effort to further promote a consistent and coherent approach in managing cyber threats and risks, the Council, in WP/17, proposed a draft Resolution on how to better address cybersecurity in civil aviation. The Resolution aims to address cybersecurity through a horizontal, cross-cutting and functional approach, reaffirming the importance and urgency of protecting civil aviation's critical infrastructure systems and data against cyber threats. It also seeks to obtain global commitment to action by ICAO, its Member States and industry stakeholders, with a view to collaboratively and systematically addressing cybersecurity in civil aviation and mitigating the associated threats and risks.

16.10 In WP/98, Slovakia on behalf of the European Union and its Member States, and the other Member States of the European Civil Aviation Conference, presented proposals for priorities in aviation security. The proposals are based on the lessons learned from the implementation of Assembly Resolution A38-15 and the ICAO work programme for 2014-16, and are to be reflected in amendments to Assembly Resolution A38-15, and taken into account when defining the Organization's work priorities in aviation security for the 2017-2019 triennium.

16.11 In WP/99 Revision No. 1, the United States and the European Union and its Member States, the other Member States of the European Civil Aviation Conference and EUROCONTROL promoted a coordinated approach to mitigate the threat posed by cyber-attacks. The paper endorsed a joint aviation risk management approach that would define common principles and methods to identify, assess and mitigate the risks association with cyber-attacks in order to achieve global and coherent cyber resilience. Furthermore, the paper highlighted the critical need for sharing of information on cyber incidents and threats to help achieve global cyber resilience and cope with the evolving nature of cyber-attacks.

16.12 The African Civil Aviation Commission (AFCAC) stressed in WP/145 the importance of keeping up with new and emerging threats and proactively developing measures and guidance material aimed at mitigating the risks associated with such threats. In particular, the paper highlighted the increase of landside attacks and the threats posed by persons other than passengers, such as airport staff. Recognizing the progress made by ICAO regarding the security of landside areas of airports, as evidenced by the recent elevation of related Annex 17 provisions from Recommended Practices to Standards, the paper called for the development of additional guidance material and capacity-building activities to assist Member States in addressing the insider threat.

16.13 In WP/175, Singapore, on behalf of 23 Member States, stressed the critical importance of addressing challenges posed by cyber threats. Drawing from the key issues discussed at the Civil Aviation Cybersecurity Conference, held in Singapore in July 2015, the paper proposed a number of possible actions to be undertaken by regulators and stakeholders within a framework and under the leadership of ICAO. In particular, it called for the sharing of information and best practices amongst agencies on civil aviation cybersecurity to help States and stakeholders jointly and collectively detect trends, identify threats and develop effective counter measures.

16.14 Experience in conducting self-assessments in aviation security is highlighted by the United States in WP/177. It is proposed that a high aviation security priority during the next triennium should be to focus on refining and building upon the tools available to States for implementation of Standards and Recommended Practices (SARPs) and assessments of security systems. Such tools can include information and best practices on how to improve self-assessments as part of National Quality Control Programmes for aviation security. Root cause analysis of compliance data may indicate that issues with implementation are systemic and require attention at a foundational level.

16.15 While ICAO and its Member States have traditionally focused on identifying external threats to the civil aviation environment, the United States in WP/180 notes that aviation systems remain vulnerable to the risks posed by insiders, which exist in nearly every industry, including civil aviation. The paper urges continued efforts by civil aviation organizations and other authorities to recognize, understand, and implement appropriate actions to address insider risks and strengthen security in direct support of ICAO Annex 17 – Security, Chapter 4, taking into account the United States’ experience in dealing with and managing insider risk.

16.16 The need to reach better recognition of equivalent security measures related to the application of security controls to liquids, aerosols and gels (LAGs) and security tamper-evident bags (STEBs) was highlighted by South Africa in WP/184. While acknowledging the fundamental right of Member States to restrict the carriage of LAGs transiting through their territories, the paper encouraged the mutual recognition of equivalent measures and greater collaboration among States in that regard.

16.17 The Civil Air Navigation Services Organisation (CANSO), in WP/187, underlined the importance of the protection of all digital information and systems within aviation networks, and called for greater coordination among the many aviation communities using Information and Communications Technology (ICT) systems. The paper also recognized that the protection of relevant assets against cyber attacks may be carried out differently across the aviation system, in accordance with stakeholders’ priorities. In that regard, the paper supported a common approach to addressing cybersecurity issues that should be abided by in order to fully integrate cybersecurity within national, regional and international security programmes.

16.18 In WP/198, the Airports Council International (ACI) supported the actions being taken by ICAO with regard to landside security, and identified a number of key actions deemed critical in securing the landside areas of airports, including a mechanism to better share threat information among relevant entities such as local law enforcement, intelligence agencies and airports. The paper strongly cautioned against possible misinterpretation of what constitutes landside areas among airports, agencies, authorities and States. It also questioned the implementation of screening checkpoints at the entrance of airport terminals, which may engender new vulnerabilities and targets in the form of congregations of people.

16.19 Drawing from experience with a recently conducted Universal Security Audit Programme – Continuous Monitoring Approach (USAP – CMA) audit, India in WP/219 noted that the basis of some of the Protocol Questions (PQs) in terms of Annex 17 SARPs were not clear. The paper attempted to bridge the gap between the PQs and the regulations by recommending introduction of some new SARPs and deletion of some PQs.

16.20 The issues related to the implementation of screening of liquids, aerosols and gels (LAGs) globally were stressed by Nigeria in WP/254, which identified the lack of policy harmonization and information sharing on screening technology as the key challenge to the lifting of restrictions on the carriage of LAGs.

16.21 In WP/310, the Russian Federation supported the approval by the ICAO Council of Amendment 15 to Annex 17 — Security, which introduced new and updated Standards to mitigate the threat posed by landside areas of airport. The paper further proposed that a new Standard be introduced to request that States place at the entrance to the landside areas X-ray equipment, stationary and hand-held metal detectors, as well as explosives detectors for the preliminary screening of all persons entering the terminal facilities, and for additional guidance material to be developed.

16.22 The use of a video surveillance system on board passenger aircraft and at aircraft stands, intended as a means to ensure objective monitoring for the prevention and investigation of acts of unlawful

interference, was proposed by the Russian Federation in WP/311. It listed the merits of equipping aircraft and aircraft stands with such surveillance systems and requested that the Council of ICAO consider the need to develop requirements in this regard.

16.23 In WP/312, the Russian Federation provided an overview of their aviation security regulatory framework that takes into account the inherent vulnerabilities of its civil aviation infrastructures and determines appropriate security measures according to an established categorization of such infrastructures. The paper called on States to further the exchange of information in order to strengthen aviation security, its stakeholders and infrastructures.

16.24 Colombia provided in WP/315 an overview of the work carried out by the ICAO/LACAC Aviation Security and Facilitation Regional Group in the field of aviation security management systems (SeMS). The paper highlighted the Group's commitment to developing a SeMS under a National Programme for the Implementation of Aviation Security Management, in an effort to strengthen aviation security in the region and beyond. To that end, the Group invited support from Member States in the form of technical expertise.

16.25 Venezuela in WP/327 noted with concern the lack of new information on LAGs observed in recent years, and, in particular, the lack of related Standards in Annex 17 — Security. The introduction of such Standards would help ensure the adoption of a single international approach to the implementation of LAGs-related measures and controls.

16.26 In WP/330, Panama presented experience with regional efforts to establish a one-stop security (OSS) system based on existing ICAO guidance, and sought Assembly endorsement on these efforts for the NACC/SAM Regions.

16.27 In an information paper (WP/361), China highlighted efforts to undertake security risk assessments on: the overseas branches of China's air carriers; overseas destination airports; and foreign carriers operating flights to China.

16.28 In an information paper (WP/136), India described its efforts to have biometric based access control systems in all its airports, with a view to making the security architecture at Indian airports more robust.

16.29 In an information paper (WP/238), Indonesia reported progress on aviation security policy framework and the implementation of aviation security strategies in the State, drawing attention to aviation security initiatives designed to prevent acts of unlawful interference.

16.30 In an information paper (WP/131), Spain provided information regarding aviation security at Spanish airports and air navigation facilities, and the security measures associated with each threat level.

16.31 In an information paper (WP/132), Spain drew attention to its legislative initiatives regarding remotely piloted aircraft systems (RPAS) and described the operational conditions for the different types and activities of RPAS, and specific requirements for RPAS operators.

16.32 In an information paper (WP/373), the World Customs Organization (WCO) described progress made since the last Assembly in joint ICAO-WCO projects with regard to air cargo security and facilitation.

## **Discussion**

### *Global framework*

16.33 The Committee noted with satisfaction the implementation of the ICASS during the 2014-2016 triennium, and supported the proposed short-term continuation of the ICASS for the 2017-2019 triennium on the basis of WP/14, until it is replaced by the GAsEP.

16.34 As the current threat and risk environment demands that aviation security remain a high priority for States, and in line with comments by several Member States citing Resolution 2309 as a key tool to aid in driving aviation security priorities, the Committee supported the accelerated development of the GAsEP based on the concepts outlined in WP/15. The Committee also acknowledged support and contributions by States and industry to ensure the timely development of the Plan, including calling together experts to aid in drafting. The delegates supported proposals for a draft Plan to be available for review by the twenty eighth meeting of the Aviation Security Panel scheduled in 2017.

16.35 Recognizing the importance of consultations with States and stakeholders, the Committee urged ICAO to ensure the close involvement of the Aviation Security Panel in developing the GAsEP, and to also consider utilizing other forms of State support e.g. through the provision of subject matter expertise.

### *Strategic priorities for the next triennium*

16.36 There was wide agreement within the Committee that given the rapidly evolving threat and risk environment and anticipated traffic growth, the priorities for the next triennium should focus on the following:

- a) strengthening efforts by States, industry and other stakeholders to ensure effective and sustainable implementation of Annex 17 – Security and security-related SARPs of Annex 9 – Facilitation;
- b) continuing to take appropriate actions to address and mitigate the risk posed by insiders, and encouraging greater information-sharing, and the exchange of successful tools and other guidelines on this subject within the aviation community;
- c) building knowledge, capacity and a culture of security in developing and utilizing: analytical tools and techniques necessary to conduct self-assessments for the effective implementation of security-related SARPs; additional guidance; training; and other tools to support the enhanced implementation of effective security measures and quality control systems;
- d) enhancing international cooperation in increased threat situations to ensure the effective deployment of additional measures;
- e) refining the Universal Security Audit Programme (USAP) methodology to ensure it continues to provide a reliable picture of the standards of security measures on the ground; and
- f) continuing to improve the effectiveness in capacity-building activities thereby ensuring enhanced capacity of States in rectifying deficiencies.

### *Cybersecurity*

16.37 Acknowledging the urgency and importance of protecting civil aviation's critical infrastructure, data and information and communication technology systems against cyber threats, the

Committee agreed that a coordinated approach was necessary to achieve an acceptable and commensurate resilience capability on a global scale. In this regard, the Committee welcomed the actions proposed in WP/175 and in particular the establishment of a global framework for civil aviation stakeholders to address cybersecurity through a cross-cutting and horizontal approach. The Committee further encouraged States and industry stakeholders to develop and participate in government/industry partnerships and mechanisms, nationally and internationally, for the systematic sharing of information on cyber threats, incidents, trends and mitigation efforts.

16.38 In light of the above, the Committee considered the draft Resolution on Addressing Cybersecurity in Civil Aviation, proposed by the Council as a means of demonstrating the will of ICAO and industry to address cyber threats through a collaborative, harmonized and global approach. Recognizing the need to promote a consistent and coherent strategy in managing cyber threats and risk, the Committee expressed unanimous support for the draft Resolution.

#### *Landside security*

16.39 In discussing the threat posed to the landside areas of airports, the Committee noted with satisfaction the proposed new and revised Annex 17 — Security Standards aimed at risk assessment and effective coordination and mobilization of resources among relevant entities to address landside issues rather than prescribing particular approaches or responses. To that end, many States and the Airports Council International (ACI), cautioned against the displacement or creation of vulnerabilities when implementing landside security measures. The Committee agreed that those measures should be supported by risk assessments carried out by relevant authorities. The Committee was therefore of the view that the identification of landside areas and the development of guidance and training materials in that regard should be consistent with the approaches and principles contained in ICAO SARPs, taking into consideration existing practice.

#### *Measures to mitigate insider threat*

16.40 Acknowledging that civil aviation remains vulnerable to the threats posed by insiders, the Committee agreed that States should make use of and share existing guidance and best practices designed to mitigate this growing threat. The Committee further agreed that ICAO and its Member States should play a critical role in ensuring that the aviation community is better equipped to understand and manage the scope of insider-facilitated attacks against the aviation system. The Committee then recalled that guidance material on the matter was available in the ICAO Aviation Security Manual (Doc 8973 – Restricted) and recommended that it be updated, as appropriate, to account for the evolution of this threat.

#### *Liquids, aerosols and gels*

16.41 The Committee recognized that the use of liquid explosives remains a significant aviation security concern and noted the issues raised by South Africa and Nigeria in WP/184 and WP/254, respectively, regarding policy harmonization, information sharing and the expedited development of guidance and training materials on the security control measures for liquids, aerosols and gels (LAGs). While acknowledging the fundamental right of Member States to restrict the carriage of LAGs transiting through their territories, the Committee further encouraged the mutual recognition of equivalent measures through greater collaboration among States. A number of Member States expressed support for these initiatives and the Committee referred these issues to the Aviation Security Panel to continue its work.

16.42 The Committee considered the proposal by Venezuela in WP/327 for the introduction of a new Standard in Annex 17— Security regarding the security controls, which may include screening, to be applied to LAGs upon entry to Security Restricted Areas (SRAs) of airports. It was agreed that proposals for the introduction of additional Standards be referred to the Aviation Security Panel for discussion and deliberation.

*Annex 17 and related guidance material*

16.43 The Committee took note of proposals for additional SARPs in the areas of training, quality control, in-flight security officers, catering security and behaviour detection, in an effort to bridge the gap between security-related SARPs and the USAP protocol questions. The Committee considered that technical discussions on proposed revisions to SARPs and related guidance material would be best discussed in the Aviation Security Panel.

16.44 A proposal for inclusion of video surveillance recording systems in aircraft and at aircraft stands in Annex 17— Security was noted by the Committee, while recognizing that this issue is currently being considered by the Aviation Security Panel (AVSECP) and remains relevant for other ICAO Panels.

*Other policy issues*

16.45 The Committee commended efforts made to implement a one-stop security system for the North American, Central American and Caribbean (NACC) Region and the South American (SAM) Region, and the actions taken towards achieving that goal. Delegates recognized the importance of achieving appropriate balance between the effectiveness of security measures and facilitation, the role played by ICAO in promoting one-stop security arrangements, which should be based on an agreed comprehensive and continuous validation process and effective exchange of information regarding their respective aviation security systems resources and other principles as elaborated in the ICAO Aviation Security Manual (Doc 8973 – Restricted)

16.46 Support was expressed for encouraging States to introduce a security management system (SeMS) approach within the framework of a National Civil Aviation Security Programme (NCASP), as practicable.

16.47 Completing its work on this agenda item, the Committee agreed to submit for adoption by the Plenary, Resolution 16/1 containing a revised Consolidated statement of continuing ICAO policies related to aviation security, taking into account the Committee's proposed amendments, and Resolution 16/2 on Addressing Cybersecurity in Civil Aviation.

**Resolution 16/1: Consolidated statement of continuing ICAO policies related to aviation security**

*Whereas* it is considered desirable to consolidate Assembly resolutions on the policies related to the safeguarding of international civil aviation against acts of unlawful interference in order to facilitate their implementation and practical application by making their texts more readily available, understandable and logically organized;

*Whereas* in Resolution A38-15 the Assembly resolved to adopt at each session a consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference; and

*Whereas* the Assembly has reviewed proposals by the Council for the amendment of the consolidated statement of continuing ICAO policies in Resolution A38-15, Appendices A to I inclusive, and has amended the statement to reflect the decisions taken during the 39th Session;

*The Assembly:*

1. *Resolves* that the Appendices attached to this resolution constitute the consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference, as these policies exist at the close of the 39th Session of the Assembly;
2. *Resolves* to request that the Council submit for review at each ordinary session a consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference; and
3. *Declares* that this resolution supersedes Resolution A38-15.

## **APPENDIX A**

### **General policy**

*Whereas* the development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, yet its abuse can become a threat to general security;

*Whereas* acts of unlawful interference against civil aviation have become the main threat to its safe and orderly development;

*Whereas* the threat of terrorist acts, including those posed by the use of aircraft as a weapon of destruction, by the targeting of aircraft by man-portable air defence systems (MANPADS), other surface-to-air missiles systems, light weapons and rocket-propelled grenades, by carrying on board liquids, gels and aerosols as component parts of an improvised explosive device, by sabotage or attempted sabotage using an improvised explosive device, by the unlawful seizure of aircraft, or by attack on aviation facilities, including in landside areas, and other acts of unlawful interference against civil aviation, has a serious adverse effect on the safety, efficiency and regularity of international civil aviation, endangering the lives of persons on board and on the ground and undermining the confidence of the peoples of the world in the safety of international civil aviation;

*Whereas* all acts of unlawful interference against international civil aviation constitute a grave offence in violation of international law;

*Recalling* that Resolutions A27-12 and A29-16 remain in force;

*Recognizing* the exploitation of the aviation sector by a variety of criminal activities, including the illicit transport of narcotics and psychotropic substances by air;

*Recalling* Assembly Resolutions A33-1 and A36-19 and the recommendations of the High-level, Ministerial Conference on Aviation Security held in February 2002;

*Recalling* the Declaration on Aviation Security that was adopted by the 37th Session of the Assembly;

*Recalling* the Joint Statements adopted at ICAO Regional Conferences on Aviation Security held in 2011 and 2012;

*Recalling* the Joint Communiqués issued by the ICAO-WCO Joint Conferences on Enhancing Air Cargo Security and Facilitation, held in Singapore in July 2012, in Manama, Bahrain in April 2014, and in Kuala Lumpur, Malaysia in July 2016;

*Recalling* the Communiqué of the High-level Conference on Aviation Security held in Montréal in September 2012, and the conference conclusions and recommendations;

*Noting with satisfaction* the actions taken to implement the ICAO Comprehensive Aviation Security Strategy (ICASS) and its seven strategic focus areas, as adopted by the Council on 17 February 2010, which provides the framework for ICAO's aviation security activities for the 2011-2016 triennia;

*Mindful* of the valuable lessons learned in the implementation of the ICASS, which has provided the basis and solid foundation for addressing current and future aviation security challenges, and should be used in developing the Global Aviation Security Plan (GASeP) as the future global framework for progressive aviation security enhancement;

*Mindful* of United Nations Security Council Resolution 2309 (2016) – Threats to international peace and security caused by terrorist acts: Aviation security;

*Recognizing* the importance of global consultations and outreach efforts with Member States to elaborate and refine the elements of the GASeP; and

*Recognizing* that it is necessary for the Organization to continue to implement the ICASS, until the GASeP has been fully developed and approved for implementation.

*The Assembly:*

1. Strongly condemns all acts of unlawful interference against civil aviation wherever and by whomsoever and for whatever reason they are perpetrated;
2. *Notes with abhorrence* all acts and attempted acts of unlawful interference aimed at the destruction in flight of civil aircraft including any misuse of civil aircraft as a weapon of destruction and the death of persons on board and on the ground;
3. *Reaffirms* that aviation security must continue to be treated as a matter of highest priority and appropriate resources should be made available by ICAO and its Member States;
4. *Calls upon* all Member States to confirm their resolute support for the established policy of ICAO by applying the most effective security measures, individually and in cooperation with one another, to prevent acts of unlawful interference and to punish the perpetrators, planners, sponsors, and financiers of conspirators in any such acts;
5. *Reaffirms* ICAO's responsibility to facilitate the consistent and uniform resolution of questions which may arise between Member States in matters affecting the safe and orderly operation of international civil aviation throughout the world;
6. *Directs* the Council to continue, as an urgent priority, its work relating to measures for prevention of acts of unlawful interference, on the basis of the strategic direction provided under the ICASS, and ensure that this work is carried out with the highest efficiency and responsiveness;
7. *Expresses appreciation* to Member States for the voluntary contributions in the form of human and financial resources to the ICASS during the 2014-2016 triennium;



8. *Urges* all Member States to continue to financially support the Organization's aviation security activities beyond those budgeted for under the regular programme through the ICASS;
9. *Directs* the Council to consider the lessons learned from ICASS in establishing the GAsEP based on clear and collective aviation security goals and targets, and supported by concrete and measurable indicators to guide ICAO, States and stakeholders in ensuring continuous improvement in aviation security;
10. *Directs* the Council to task the Aviation Security Panel to expeditiously develop the GAsEP and present the Plan to the Council for approval and consultation with Member States and key stakeholders by the second half of 2017;
11. *Urges* all Member States to take active participation in global and regional consultations in order for the GAsEP to be truly global and also reflect aspirations, needs and priorities at the national and regional levels.

## **APPENDIX B**

### **International legal instruments, enactment of national legislation and conclusion of appropriate agreements for the suppression of acts of unlawful interference with civil aviation**

a) *International air law instruments*

*Whereas* the protection of civil aviation from acts of unlawful interference has been enhanced by the *Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Tokyo, 1963), by the *Convention for the Suppression of Unlawful Seizure of Aircraft* (The Hague, 1970), by the *Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation* (Montréal, 1971), by the *Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation* (Montréal, 1988), by the *Convention on the Marking of Plastic Explosives for the Purpose of Detection* (Montréal, 1991), by the *Convention for the Suppression of Unlawful Acts Relating to International Civil Aviation* (Beijing, 2010), by the *Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft* (Beijing, 2010), by the *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Montréal, 2014) and by bilateral agreements for the suppression of such acts;

*The Assembly:*

1. *Urges* Member States which have not yet done so to become parties to the *Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Tokyo, 1963), to the *Convention for the Suppression of Unlawful Seizure of Aircraft* (The Hague, 1970), to the *Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation* (Montréal, 1971) and the 1988 *Supplementary Protocol to the Montréal Convention*, to the *Convention on the Marking of Plastic Explosives for the Purpose of Detection* (Montréal, 1991), to the *Convention for the Suppression of Unlawful Acts Relating to International Civil Aviation* (Beijing, 2010), to the *Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft* (Beijing, 2010), and to the *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Montréal, 2014). Lists of States Parties to aviation security legal instruments can be found on [www.icao.int](http://www.icao.int) under the ICAO Treaty Collection;

2. *Calls upon* States not yet parties to the *above-mentioned air law instruments* to give effect, even before ratification, acceptance, approval or accession, to the principles of those instruments and calls upon States which manufacture plastic explosives to implement the marking of such explosives as soon as possible; and

3. *Requests* the Council to direct the Secretary General to continue to remind States of the importance of becoming parties to the Tokyo, The Hague, Montréal and Beijing Conventions, to the 1988 *Supplementary Protocol to the Montréal Convention*, to the 2010 *Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft*, to the 2014 *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft* and to the *Convention on the Marking of Plastic Explosives for the Purpose of Detection* and to provide assistance requested by States encountering any difficulties in becoming parties to these instruments.

b) *Enactment of national legislation and conclusion of appropriate agreements*

*Whereas* deterrence of acts of unlawful interference with civil aviation can be greatly facilitated through the enactment by Member States of national criminal laws providing severe penalties for such acts;

*The Assembly:*

1. *Calls upon* Member States to give special attention to the adoption of adequate measures against persons committing, planning, sponsoring, financing or facilitating acts of unlawful seizure of aircraft, acts of sabotage or attempted sabotage or other acts or attempted acts of unlawful interference against civil aviation, and in particular to include in their legislation rules for the severe punishment of such persons; and

2. *Calls upon* Member States to take adequate measures relating to the extradition or prosecution of persons committing acts of unlawful seizure of aircraft, acts of sabotage or attempted sabotage or other acts or attempted acts of unlawful interference against civil aviation by adopting appropriate provisions in law or treaty for that purpose or by strengthening existing arrangements and by concluding appropriate agreements for the suppression of such acts which would provide for the extradition of persons committing criminal attacks on international civil aviation.

## APPENDIX C

### Implementation of technical security measures

*Whereas* protection of civil aviation against acts of unlawful interference requires continued vigilance and development and implementation of positive safeguarding action by the Organization and its Member States;

*Whereas* a clear need exists for the strengthening of security to be applied to all phases and processes associated with the carriage of persons, their cabin and hold baggage, cargo, mail, courier and express parcels, and in protecting civil aviation against cyber-attacks, and threats to the landside areas of airports, as well as attacks carried out or facilitated by insiders;

*Whereas* Machine Readable Travel Documents strengthen security by improving the integrity of documents which verify the identity of travellers and air crew;

*Whereas* such Machine Readable Travel Documents also enable high-level cooperation among States to strengthen resistance to passport fraud, including the forgery or counterfeiting of passports, the use of valid passports by impostors, the use of expired or revoked passports, and the use of fraudulently obtained passports;

*Whereas* the use of Machine Readable Travel Documents and other passenger information tools can also be employed for security purposes, adding an important layer to the international civil aviation system, in order to detect terrorists and prevent acts of unlawful interference well before the aircraft boarding process;

*Whereas* threats to the air cargo and mail systems as a whole require a global approach in the development and implementation of security requirements and best practices, including cooperation with relevant international organizations such as the World Customs Organization (WCO), Universal Postal Union (UPU), and International Maritime Organization (IMO);

*Whereas* the responsibility for ensuring that security measures are applied by government agencies, airport authorities and aircraft operators rests with the Member States;

*Whereas* the implementation of the security measures advocated by ICAO is an effective means of preventing acts of unlawful interference with civil aviation;

*Whereas* a broad set of risk management strategies and tools must be employed to align security measures with security risk in order to ensure the effectiveness and sustainability of aviation security measures;

*Whereas* countermeasures for protection of civil aviation can only be effective through employment of highly trained security personnel, in addition to background checks, certification and quality control; and

*Whereas* technology and process innovations are required to achieve effective and efficient aviation security and facilitation measures, and in defining the future of security screening regimes;

*The Assembly:*

1. *Urges* the Council to continue to attach the highest priority to the adoption of effective measures for the prevention of acts of unlawful interference commensurate with the current threat to the security of international civil aviation, to take into account the innovative and evolving nature of that threat, and to keep up to date the provisions of Annex 17 to the Chicago Convention from a threat and risk perspective;

2. *Requests* that the Council complete, in addition to the International Explosives Technical Commission (IETC) mandate as prescribed by the *Convention on the Marking of Plastic Explosives for the Purpose of Detection*, studies into methods of detecting explosives or explosive materials, especially into the marking of those explosives of concern, other than plastic explosives, with a view to the evolution, if needed, of an appropriate comprehensive legal regime;

3. *Urges* all States on an individual basis and in cooperation with other States to take all possible measures for the prevention of acts of unlawful interference, in particular, those required or recommended in Annex 17 as well as those recommended by the Council;

*3bis. Reiterates* the responsibility of all States for the implementation of effective aviation security measures within their territory, taking into account the evolving threat;

4. *Urges* Member States to fully and sustainably implement Annex 17 — *Security* and security-related provisions of Annex 9 — *Facilitation* to intensify their efforts for the implementation of existing Standards and Recommended Practices (SARPs), and procedures relating to aviation security, to monitor such implementation, to rectify any gaps or deficiencies as a matter of urgency, to take all necessary steps to prevent acts of unlawful interference against international civil aviation and to give appropriate attention to the guidance material contained in the *ICAO Aviation Security Manual* (Doc 8973 – Restricted) and other security-related guidance material available on the ICAO restricted website;

5. *Encourages* Member States to promote aviation security as a fundamental component of national, social and economic priorities, planning and operations;

6. *Encourages* Member States to work in partnership with industry to develop, conduct operational trials of, and implement effective security measures;

7. *Encourages* Member States, pursuant to their domestic laws, regulations and aviation security programmes, and in accordance with applicable SARPs and the capacity of each State, to promote the implementation of aviation security measures in a practical manner to:

- a) broaden existing cooperation mechanisms amongst States and industry, as appropriate, for information exchange and the early detection of security threats to civil aviation operations;
- b) share expertise, best practices and information relating to preventive security measures, including screening and inspection techniques, the detection of explosives, airport security behavioural detection, screening and credentialing of airport staff, human resource development and the research and development of relevant technologies;
- c) utilize modern technologies to detect prohibited materials and to prevent the carriage of such materials on board aircraft while respecting the privacy and safety of individuals;
- d) define aviation security measures that are risk-based, appropriate and proportionate to the threat, effective, efficient, operationally viable, economically and operationally sustainable, and take into account the impact on passengers and on legitimate trade;
- e) address the continued threat posed by liquids, aerosols and gels (LAGs) explosives, including the implementation of technological solutions needed to gradually lift restrictions on the carriage of LAGs in cabin baggage;
- f) treat flights arriving from States where LAGs screening is applied in the same way as flights from States where LAGs restrictions are applied;
- g) intensify efforts in securing the air cargo and mail security system by:
  - i. developing a strong, sustainable and resilient air cargo security framework;
  - ii. implementing robust security standards effectively;
  - iii. adopting a total supply chain approach to air cargo and mail security;
  - iv. establishing and strengthening oversight and quality control of air cargo and mail security;
  - v. engaging in bilateral and multilateral cooperative efforts to coordinate actions to harmonize and enhance air cargo and mail security and secure the global air cargo supply chain;
  - vi. sharing best practices and lessons learned with other States to enhance the overall level of air cargo and mail security; and
  - vii. strengthening initiatives to intensify capacity-building in air cargo and mail security;
- h) give consideration to the potential security vulnerability of remotely piloted aircraft systems in order to prevent unlawful interference;
- i) ensure that civil aviation threat and risk assessments in airspace are performed, and that States provide information to relevant stakeholders in a timely manner on all possible risks to civil aviation;

- j) address the risk of attacks in landside areas, including terminal buildings, by working with all stakeholders to:
- i. maintain a practical balance between the needs of effective and sustainable security measures and passenger facilitation;
  - ii. implement a set of risk-based measures that are flexible and practical, with clearly defined responsibilities among relevant actors;
  - iii. avoid the creation of any areas of mass gathering either inside or proximate to the terminal; and
  - iv. sustain a culture of constant vigilance, deterrence, prevention, response and resilience in a coordinated manner in the face of evolving threats; and
- k) ensure the protection of civil aviation against cyber-attacks and cyber threats.
8. *Calls upon* Member States to enhance their use of information exchange mechanisms, particularly Advance Passenger Information (API) provided by air carriers, to strengthen aviation security and reduce the risk to passengers, while ensuring the protection of privacy and civil liberties;
9. *Calls upon* Member States, while respecting their sovereignty, to minimize disruption to air travel resulting from confusion or inconsistent interpretation of standards by cooperating and coordinating actions in order to implement SARPs and guidance consistently, efficiently and effectively and by providing clear, well-timed and readily available information to the travelling public;
10. *Calls upon* Member States, when requesting another State to apply security measures to protect aircraft flying into its territory, to take fully into account the security measures already in place in the requested State and, where appropriate, to recognize those measures as equivalent;
11. Requests the Council to direct the Secretary General to:
- a. ensure that the provisions of Annex 17 and Annex 9 — Facilitation are compatible with and complementary to each other, provided that the effectiveness of security measures is not compromised;
  - b. where relevant, include items dealing with aviation security on the agenda of ICAO meetings;
  - c. continue to promote the development of effective and innovative security processes and concepts, through awareness-raising regional and subregional aviation security events at the request of States concerned, including in cooperation with industry stakeholders and equipment manufacturers to develop the next generation of passenger and cargo screening processes;
  - d. continue to work with the Aviation Security Panel to address new and existing threats to civil aviation, and to develop appropriate preventive measures, including the screening and security control of persons other than passengers with access to secured airport facilities, enhanced screening of passengers and baggage, appropriate security controls for cargo, the supply chain and service providers, as well as the selection and training of persons executing and implementing security measures;
  - e. promote the development of mutual recognition processes with the goal of assisting States in achieving mutually beneficial arrangements, including one-stop security arrangements, which recognize the equivalence of their aviation security measures where these achieve the same outcomes, and which are based on an agreed comprehensive and continuous validation process and effective exchange of information regarding their respective aviation security systems; and

- f. continue to address other threats and risks, including cyber threats to aviation security, risks to landside areas of airports and air traffic management security, in consultation with the Aviation Security Panel;
12. *Directs* the Council to require the Secretary General to update and amend at appropriate intervals the Aviation Security Manual and develop new guidance material, including detailed guidance material on liquids, aerosols and gels, and human factors, as required, designed to assist Member States in responding to new and existing threats to aviation and implementing the specifications and procedures related to civil aviation security;
13. *Directs* the Council to instruct the Secretary General and the Aviation Security Panel to ensure the periodic review and updating of the *ICAO Global Risk Context Statement*, which provides a risk assessment methodology for aviation security which may be considered by Member States for use in further developing their own national risk assessments and to include risk-based assessments with any recommendations for the adoption of new or amended aviation security measures in Annex 17 or in any other ICAO document;
14. *Directs* the Council to instruct the Secretary General and the Aviation Security Panel to ensure that appropriate fields of expertise are engaged in the assessment of aviation security risks and the development of SARPs, specifications, guidance material, and other mean to address issues of aviation security, including coordination with other panels; and
15. *Directs* the Council to instruct the Aviation Security Panel to continually assess its terms of reference and governing procedures to ensure there are no constraints on the Panel's ability to consider the full scope of aviation security issues.

## **APPENDIX D**

### **Action of States concerned with an act of unlawful interference**

a) *Acts of unlawful interference*

*Whereas* acts of unlawful interference continue seriously to compromise the safety, regularity and efficiency of international civil aviation;

*Whereas* the safety of flights of aircraft subjected to acts of unlawful seizure may be further jeopardized by the denial of navigation aids and air traffic services, the blocking of runways and taxiways and the closure of airports; and

*Whereas* the safety of passengers and crew of an aircraft subjected to an act of unlawful seizure may also be further jeopardized if the aircraft is permitted to take off while still under seizure;

*The Assembly:*

1. *Expresses concern* about the challenges posed to security of civil aviation by new and existing threats and the changing modus operandi used in perpetrating acts of unlawful interference;
2. *Recalls* in this regard the relevant provisions of the Chicago, Tokyo, The Hague, Montréal and Beijing Conventions, the 1988 Supplementary Protocol to the Montréal Convention and the 2010 *Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft*, and the 2014 *Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft*;

3. *Recommends* that States take into account the above considerations in the development of their policies and contingency plans for dealing with acts of unlawful interference;
4. *Urges* Member States to provide assistance to an aircraft subjected to an act of unlawful seizure, including the provision of navigation aids, air traffic services and permission to land;
5. *Urges* Member States to ensure that an aircraft subjected to an act of unlawful seizure which has landed in its territory is detained on the ground unless its departure is necessitated by the overriding duty to protect human life;
6. *Recognizes* the importance of consultations between the State where an aircraft subjected to an act of unlawful seizure has landed and the State of the operator of that aircraft as well as notification by the State where the aircraft has landed to the States of assumed or stated destination;
7. *Urges* Member States to cooperate for the purpose of providing a joint response in connection with an act of unlawful interference, as well as utilizing, if necessary, the experience and capabilities of the State of the operator, the State of manufacture and the State of registration of an aircraft which has been subjected to an act of unlawful interference, while taking measures in their territory to free the passengers and crew members of that aircraft;
8. *Condemns* any failure by a Member State to fulfil its obligations to return without delay an aircraft which is being illegally detained and to submit to competent authorities or extradite without delay the case of any person accused of an act of unlawful interference with civil aviation;
9. *Condemns* the reporting of false threats to civil aviation and *calls upon* Member States to prosecute the perpetrators of such acts in order to prevent the disruption of civil aviation operations; and
10. *Calls upon* Member States to continue to assist in the investigation of such acts and in the apprehension and prosecution of those responsible.

b) *Reporting on acts of unlawful interference*

*Whereas* official reports provided to ICAO in a timely manner by States concerned with acts of unlawful interference should contain comprehensive and credible information and constitute the basis for evaluation and analysis of acts; and

*Whereas* the ICAO online database of acts of unlawful interference is an effective tool for the prompt dissemination of information related to aviation security incidents, and is readily accessible by Member States through the ICAO Secure Portal (<https://portal.icao.int>);

*The Assembly:*

1. *Notes with concern* that many States experiencing acts of unlawful interference often do not provide the Council with the official reports on such acts;
2. *Urges* States to fulfil their obligations under Article 11 of The Hague Convention and Article 13 of the Montréal Convention as well as under Annex 17, following occurrences of unlawful interference, to forward to the Council, as soon as possible, all relevant information required by those Articles and SARPs in order to enable the Secretariat to retain accurate and complete information and to analyse trends and new threats to civil aviation;

3. *Directs* the Council to direct the Secretary General, within a reasonable time from the date of a specific occurrence of unlawful interference, to request that concerned States forward to the Council in accordance with their national law all relevant information concerning such an occurrence, including, particularly, information relating to extradition or other legal proceedings; and

4. *Requests* that the Council direct the Secretary General, in conjunction with the Aviation Security Panel, to monitor, collate, verify and analyse reported acts of unlawful interference, inform States of trends and potential and new threats, and develop appropriate guidance to deter new and existing threats.

## **APPENDIX E**

### **The ICAO Universal Security Audit Programme**

*Whereas* the ICAO Universal Security Audit Programme (USAP) has been successful in meeting the mandate of Resolution A38-15, Appendix E;

*Whereas* one of the primary objectives of the Organization continues to be ensuring the security of international civil aviation worldwide;

*Whereas* Member States are committed to compliance with Annex 17 and the security-related provisions of Annex 9;

*Whereas* the establishment of an effective security oversight system by States supports the implementation of international aviation security Standards and Recommended Practices (SARPs) and contributes to this objective;

*Recalling* that the ultimate responsibility to ensure the security of civil aviation rests with Member States;

*Considering* that the USAP has proven to be instrumental in the identification of aviation security concerns and in providing recommendations for their resolution, and that the programme continues to enjoy the support of States, serving as a catalyst for their continued efforts to meet their international obligations in the field of aviation security;

*Recognizing* that the effective implementation of State corrective action plans to address deficiencies identified through USAP audits is an integral and crucial part of the monitoring process in order to achieve the overall objective of enhancing global aviation security;

*Recognizing* the importance of a limited level of disclosure with respect to ICAO aviation security audit results, balancing the need for States to be aware of unresolved security concerns with the need to keep sensitive security information out of the public realm;

*Considering* the approval by the Council of a mechanism to address significant security concerns (SSeCs) in a timely manner;

*Recognizing* the importance of a coordinated strategy for facilitating assistance to States through the high-level Secretariat Monitoring and Assistance Review Board;



*Recognizing* that the continuation of the USAP is essential to create mutual confidence in the level of aviation security between Member States and to encourage the adequate implementation of security-related Standards;

*Considering* the approval by the Council of the application of a Continuous Monitoring Approach (CMA) to the USAP following the completion of the second cycle of audits in 2013; and

*Considering* that full implementation of the USAP-CMA began on 1 January 2015;

*Recalling* that the 38th Session of the Assembly requested the Council to report on the overall implementation of the USAP-CMA;

*The Assembly:*

1. *Notes with satisfaction* that the USAP has proven to be instrumental in the identification of aviation security concerns and in providing recommendations for their resolution;
2. *Expresses its appreciation* to Member States for their cooperation in the audit process and for making available security experts to be certified as USAP auditors to serve as short-term experts in the conduct of audits, as well as long-term experts to act as USAP audit team leaders;
3. *Requests* the Council to ensure the continuation of the USAP and to oversee the activities of the USAP-CMA as it monitors States' levels of effective implementation of the critical elements of an aviation security oversight system, compliance with the ICAO security-related SARPs, and implementation of State corrective action plans;
4. *Requests* the Council to direct the ICAO Secretariat to review the scope and methodology of the Universal Security Audit Programme, in consultation with Member States, to ensure that it provides reliable information to Member States regarding the effective implementation of aviation security measures on the ground, and that the methodology takes into consideration a risk-based approach for the implementation of aviation security measures;
5. *Endorses* the policy of a limited level of disclosure of security audit results for the USAP-CMA, particularly relating to the prompt notification of the existence of significant security concerns;
6. *Urges* all Member States to give full support to ICAO by:
  - a) accepting USAP-CMA missions as scheduled by the Organization, in coordination with relevant States;
  - b) facilitating the work of USAP-CMA teams;
  - c) preparing and submitting to ICAO all required documentation; and
  - d) preparing and submitting an appropriate corrective action plan to address deficiencies identified during USAP-CMA activities;
7. *Urges* all Member States to share upon request, if appropriate and consistent with their sovereignty, the results of audits and other USAP-CMA activities carried out by ICAO and the corrective actions taken by the audited State; and
8. *Requests* that the Council report to the next ordinary session of the Assembly on the overall implementation of the USAP-CMA.

## APPENDIX F

### The ICAO Implementation Support and Development – Security Programme (ISD-SEC)

*Whereas* the implementation of technical measures for prevention of acts of unlawful interference with international civil aviation requires financial resources and training of personnel; and

*Whereas* notwithstanding assistance given, some countries, in particular developing countries, lack aviation security oversight capacity and still face difficulties in fully implementing preventive measures due to insufficient financial, technical and material resources;

*The Assembly:*

1. *Directs* the Council to request the Secretary General to facilitate and coordinate technical assistance and support for States that need to improve their aviation security oversight, through the development of a coordinated, targeted and effective international aviation security capacity-building framework;
2. *Urges* Member States to voluntarily contribute financial and in-kind resources to increase the reach and impact of ICAO aviation security enhancement activities;
3. *Urges* States able to do so to assist in the delivery of effective and targeted capacity development, training and other necessary resources, technical assistance, technology transfers and programmes, where it is needed to enable all States to achieve an enhanced and effective aviation security regime;
4. *Invites* Member States to take advantage of ICAO's capacity to provide, facilitate or coordinate short-term remedial assistance and long-term assistance to remedy deficiencies in their implementation of Annex 17 SARPs, and ICAO's capacity to make best use of USAP audit results for defining and targeting aviation security capacity-building activities for the benefit of Member States in need;
5. *Invites* Member States to also consider requesting assistance from other international organizations to meet their technical assistance requirements arising from the need to protect international civil aviation;
6. *Urges* ICAO, Member States and organizations to share with ICAO information on their assistance programmes and activities in order to promote the efficient and effective use of resources;
7. *Directs* the Council to request the Secretary General to facilitate the coordination of assistance programmes and activities by collecting information on such initiatives;
8. *Directs* the Council to request the Secretary General to assess the quality and effectiveness of ICAO assistance projects;
9. *Urges* Member States and relevant stakeholders to partner for the organization and delivery of capacity-building activities, documenting the commitments made by each party ;
10. *Requests* the Council to direct the Secretary General to enhance the ICAO Training Programme for Aviation Security, Aviation Security Training Packages (ASTPs) and Aviation Security Workshops, and promote other methods of aviation security training such as e-learning and blended learning;
11. *Urges* Member States to contribute training documentation to aid in the future development and updates of the ICAO Training Programme for Aviation Security including, *inter alia*, ASTPs and Aviation Security Workshops;

12. *Requests* the Council to direct the Secretary General to oversee, develop, promote, and regularly re-evaluate the Aviation Security Training Centres (ASTCs) network to ensure that training standards are maintained and sound levels of cooperation are achieved;

13. *Urges* Member States to utilize ICAO ASTCs for security training; and

14. *Urges* the international community to consider increasing assistance to States and enhancing cooperation amongst them, in order to be able to benefit from the achievement of the aims and objectives of the *Convention on the Marking of Plastic Explosives for the Purpose of Detection*, in particular through the International Explosives Technical Commission (IETC).

## APPENDIX G

### **Action by the Council with respect to multilateral and bilateral cooperation in different regions of the world**

*Whereas* the rights and obligations of States under the international legal instruments on aviation security and under the SARPs adopted by the Council on aviation security could be complemented and reinforced in multilateral and bilateral cooperation between States;

*Whereas* the multilateral and bilateral agreements on air services represent the main legal basis for international commercial carriage by air of passengers, baggage, cargo and mail;

*Whereas* provisions on aviation security should form an integral part of the multilateral and bilateral agreements on air services; and

*Whereas* focussing on security outcomes, recognition of equivalence and one-stop security, and respecting the spirit of cooperation defined in multilateral and/or bilateral air services agreements are policy principles whose implementation can contribute significantly to aviation security sustainability;

*The Assembly:*

1. *Recognizes* that success in eliminating threats to civil aviation can only be achieved through the concerted effort of everyone concerned and a close working relationship between national agencies and aviation security regulators of all Member States;

2. *Urges* all Member States to insert into their multilateral and bilateral agreements on air services a clause on aviation security, taking into account the model clause adopted by the Council on 25 June 1986 and the model agreement adopted by the Council on 30 June 1989;

3. *Urges* all Member States to adopt the following key principles as the basis for international cooperation in aviation security and to ensure effective aviation security cooperation amongst States, ICAO and other relevant international organizations:

- a) respect for the spirit of cooperation defined in bilateral and/or multilateral air services agreements;
- b) recognition of equivalent security measures; and
- c) focus on security outcomes;

4. *Urges* all Member States, who have not yet done so, to participate in the ICAO Aviation Security Point of Contact (PoC) Network, established for the communication of imminent threats to civil air transport operations, with the objective of providing a network of international aviation security contacts within each State, and to intensify their coordination and cooperation to ensure the exchange of best practices through the AVSECPaedia;
5. *Urges* the Council to request the Secretary General to promote initiatives which enable the establishment of technological platforms for the exchange of aviation security information among Member States;
6. *Requests* that the Council continue to:
  - a) gather the results of States' experience in cooperating with each other to prevent acts of unlawful interference with international civil aviation;
  - b) analyse differing circumstances and trends in preventing threats to international civil aviation in different regions of the world; and
  - c) prepare recommendations for strengthening measures to deter and prevent such acts of unlawful interference;
7. *Directs* the Council to act with the requisite urgency and expedition to address new and existing threats to civil aviation, seeking to mitigate unnecessary disruption to air travel as a result of confusion or inconsistent implementation or interpretation of necessary measures, facilitating a common and consistent response by States, and encouraging clear communication by States to the travelling public.

## **APPENDIX H**

### **International and regional cooperation in the field of aviation security**

*Recognizing* that the threat posed to civil aviation requires development of an effective global response by States and concerned international and regional organizations;

*The Assembly:*

1. *Invites* the Civil Air Navigation Services Organization (CANSO), the International Atomic Energy Agency (IAEA), the International Criminal Police Organization (ICPO/INTERPOL), the International Maritime Organization (IMO), the Organization for Security and Cooperation for Europe (OSCE), the United Nations Counter-Terrorism Committee Executive Directorate (UNCTED), the United Nations Counter-Terrorism Implementation Task Force (UNCTITF), the United Nations Office on Drugs and Crime (UNODC), the Universal Postal Union (UPU), the World Customs Organization (WCO), the African Union (AU), the European Union (EU), the Arab Civil Aviation Commission (ACAC), the African Civil Aviation Commission (AFCAC), the European Civil Aviation Conference (ECAC), the Latin American Civil Aviation Commission (LACAC), the International Air Transport Association (IATA), Airports Council International (ACI), the International Federation of Airline Pilots' Associations (IFALPA), the International Business Aviation Council (IBAC), the International Coordinating Council of Aerospace Industries Associations (ICCAIA), the Global Express Association (GEA), the International Federation of Freight Forwarders Associations (FIATA), The International Air Cargo Association (TIACA) and other stakeholders to continue their cooperation with ICAO, to the maximum extent possible, to safeguard international civil aviation against acts of unlawful interference;

2. *Directs* the Council to take into account the G8 Secure and Facilitated International Travel Initiative (SAFTI) and to continue its collaboration with this group and other relevant groups of States such as the Asia-Pacific Economic Cooperation Secure Trade in the Asia and Pacific Region (STAR) initiative in its work relating to development of countermeasures against the threat posed by man-portable air defence systems (MANPADS) and encourage their implementation by all Member States; and

3. *Directs* the Council to continue its cooperation with the United Nations Counter-Terrorism Committee (CTC), in the global effort to combat terrorism.

### **Declaration on Aviation Security**

(as adopted by the 37th Session of the Assembly)

The Assembly, *recognizing* the need to strengthen aviation security worldwide, in light of the continuing threat to civil aviation, including the attempted sabotage of Northwest Airlines flight 253 on 25 December 2009; and *acknowledging* the value of the joint declarations on civil aviation security emanating from regional conferences held with a view to enhancing international cooperation, hereby *urges* Member States to take the following actions to enhance international cooperation to counter threats to civil aviation:

- 1) strengthen and promote the effective application of ICAO Standards and Recommended Practices, with particular focus on Annex 17 — *Security*, and develop strategies to address current and emerging threats;
- 2) strengthen security screening procedures, enhance human factors and utilize modern technologies to detect prohibited articles and support research and development of technology for the detection of explosives, weapons and prohibited articles in order to prevent acts of unlawful interference;
- 3) develop enhanced security measures to protect airport facilities and improve in-flight security, with appropriate enhancements in technology and training;
- 4) develop and implement strengthened and harmonized measures and best practices for air cargo security, taking into account the need to protect the entire air cargo supply chain;
- 5) promote enhanced travel document security and the validation thereof using the ICAO Public Key Directory (PKD) in conjunction with biometric information, and the commitment to report on a regular basis, lost and stolen passports to the INTERPOL Lost and Stolen Travel Documents Database to prevent the use of such travel documents for acts of unlawful interference against civil aviation;
- 6) improve Member States' ability to correct deficiencies identified under the Universal Security Audit Programme (USAP) by ensuring the appropriate availability of audit results among Member States, which would enable better targeting of capacity-building and technical assistance efforts;
- 7) provide technical assistance to States in need, including funding, capacity building and technology transfer to effectively address security threats to civil aviation, in cooperation with other States, international organizations and industry partners;
- 8) promote the increased use of cooperation mechanisms among Member States and with the civil aviation industry, for information exchange on security measures in order to avoid redundancy, where appropriate, and for early detection and dissemination of information on security threats to civil aviation, including through the collection and transmission of advance passenger information (API) and passenger name record (PNR) data, as an aid to security, whilst ensuring the protection of passengers' privacy and civil liberties; and

9) share best practices and information in a range of key areas, such as: screening and inspection techniques, including assessments of advanced screening technology for the detection of weapons and explosives; document security and fraud detection; behaviour detection and threat-based risk analysis; screening of airport employees; the privacy and dignity of persons; and aircraft security.

### **Resolution 16/2: Addressing Cybersecurity in Civil Aviation**

*Whereas* the global aviation system is a highly complex and integrated system that comprises information and communications technology critical for the safety and security of civil aviation operations;

*Noting* that aviation sector is increasingly reliant on the availability of information and communications technology systems, as well as on the integrity and confidentiality of data;

*Mindful* that the threat posed by cyber incidents on civil aviation is rapidly and continuously evolving, that threat actors are focused on malicious intent, disruption of business continuity and theft of information for political, financial or other motivations, and that the threat can easily evolve to affect critical civil aviation systems worldwide;

*Recognizing* that not all cybersecurity issues affecting the safety of civil aviation are unlawful and/or intentional, and should therefore be addressed through the application of safety management systems;

*Reaffirming* the importance and urgency of protecting civil aviation's critical infrastructure systems and data against cyber threats;

*Considering* the need to work collaboratively towards the development of an effective and coordinated global framework for civil aviation stakeholders to address the challenges of cybersecurity, along with short-term actions to increase the resilience of the global aviation system to cyber threats that may jeopardize the safety of civil aviation;

*Acknowledging* the value of relevant initiatives, action plans, publications and other media designed to address cybersecurity issues in a collaborative and comprehensive manner;

*Recalling* initiatives by the principals of Airports Council International (ACI), the Civil Air Navigation Services Organisation (CANSO), the International Air Transport Association (IATA) and the International Coordinating Council of Aerospace Industries Associations (ICCAIA) and ICAO that recognized the need to work together and be guided by a shared vision, strategy and roadmap to strengthen the global aviation system's protection from and resilience to cyber threats; and

*Recognizing* the multi-faceted and multi-disciplinary nature of cybersecurity challenges and solutions;

*The Assembly:*

1. *Calls upon* States and industry stakeholders to take the following actions to counter cyber threats to civil aviation:

- a) Identify the threats and risks from possible cyber incidents on civil aviation operations and critical systems, and the serious consequences that can arise from such incidents;
- b) Define the responsibilities of national agencies and industry stakeholders with regard to cybersecurity in civil aviation;

- c) Encourage the development of a common understanding among Member States of cyber threats and risks, and of common criteria to determine the criticality of the assets and systems that need to be protected;
- d) Encourage government/industry coordination with regard to aviation cybersecurity strategies, policies, and plans, as well as sharing of information to help identify critical vulnerabilities that need to be addressed;
- e) Develop and participate in government/industry partnerships and mechanisms, nationally and internationally, for the systematic sharing of information on cyber threats, incidents, trends and mitigation efforts;
- f) Based on a common understanding of cyber threats and risks, adopt a flexible, risk-based approach to protecting critical aviation systems through the implementation of cybersecurity management systems;
- g) Encourage a robust all-round cybersecurity culture within national agencies and across the aviation sector;
- h) Determine legal consequences for activities that compromise aviation safety by exploiting cyber vulnerabilities;
- i) Promote the development and implementation of international standards, strategies and best practices on the protection of critical information and communications technology systems used for civil aviation purposes from interference that may jeopardize the safety of civil aviation;
- j) Establish policies and allocate resources when needed to ensure that, for critical aviation systems: system architectures are secure by design; systems are resilient; methods for data transfer are secured, ensuring integrity and confidentiality of data; system monitoring, and incident detection and reporting, methods are implemented; and forensic analysis of cyber incidents is carried out; and
- k) Collaborate in the development of ICAO's cybersecurity framework according to a horizontal, cross-cutting and functional approach involving air navigation, communication, surveillance, aircraft operations and airworthiness and other relevant disciplines.

2. *Instructs* the Secretary General to:

- a) Assist and facilitate States and industry in taking these actions; and
- b) Ensure that cybersecurity matters are fully considered and coordinated across all relevant disciplines within ICAO.

**Agenda Item 17: Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA)**

17.1 At its fifth meeting, the Executive Committee considered the Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA). The Council reported on the overall implementation of the Programme since its inception in January 2015 (WP/20 Revision No. 1), and there were four additional papers submitted by States and Observers: WPs 151, 224, 316 and 371.

17.2 The Council, in WP/20 Revision No. 1, reported on the implementation of the USAP-CMA, including the average level of implementation of the critical elements of States' aviation security oversight systems. It proposed continued support to the USAP in seconding short- and long-term experts and participating in the training courses and seminars.

17.3 The African Civil Aviation Commission (AFCAC), in WP/151, reiterated on behalf of its Member States the need to maintain levels of disclosure of USAP audit results in line with Recommended Practice 2.4.5 of Annex 17 – *Security*, taking into consideration the risks and benefits of disclosing such information. It also urged ICAO to continue to provide assistance to States with low levels of compliance with Annex 17 Standards and the security-related provisions of Annex 9 – *Facilitation*.

17.4 The Russian Federation, in WP/316, proposed that the Assembly support the freedom of each State to share audit results on the basis of limited levels of disclosure, while maintaining the principle of confidentiality, and to determine whether their audit results should be shared through the USAP secure website.

17.5 In an information paper (WP/224), Indonesia provided an overview of its experience undergoing a USAP-CMA audit, and concluded with some lessons learned from the audit process.

17.6 In an information paper (WP/371), China provided an explanation of its National Aviation Security Audit Programme, established in 2004. This audit programme covers airports and aircraft operators, and is sustainable, risk-based and integrated with the Security Management Systems (SeMS) certification. The programme has greatly improved security management and overall security in China's civil aviation system.

17.7 The Committee expressed support for the USAP-CMA, recognized its importance in helping to ensure the effectiveness and sustainability of the global aviation security system, and urged States to continue to support the audit programme through the secondment of experts, by signing the Memorandum of Understanding (MoU) on the USAP-CMA, and by participating in training courses and seminars.

17.8 The Committee expressed concern that while the audit programme in its current form focuses mainly on States' aviation security oversight systems, it does not cover in sufficient detail or depth the operational implementation of security measures. Consequently, there was broad consensus that the scope and methods of the USAP-CMA should be reviewed by ICAO, in consultation with Member States, in order to ensure that the audit programme provides stronger assurances about the implementation of security measures on the ground, and that the methodology takes into consideration risk-based approaches to implementing aviation security measures. It was agreed that the existing Secretariat Study Group (SSG) on the USAP-CMA would be a suitable vehicle for carrying out this review. The Membership of the SSG should be reviewed and updated, as appropriate, to ensure adequate representation of all interested parties.

17.9 On the issue of the disclosure of audit results, the Committee members expressed differing points of view regarding how best to achieve the right balance between making information available to all States with a need to know, and protecting the confidentiality of audit results. This confidentiality is important to prevent the disclosure of potentially sensitive information, while respecting the sovereignty of States. It was agreed that the SSG on the USAP-CMA could also serve as an effective forum to continue discussions on this matter. Many members also noted that such information should, in any case, be available to States receiving flights from other States on a bilateral basis, and recalled the conclusions of the Aviation Security Panel in this regard.

17.10 The Committee also called on ICAO to continue to provide targeted assistance to States with low levels of effective implementation of the critical elements of an aviation security oversight system and low effective implementation of ICAO's security-related Standards.



**Agenda Item 18: Implementation Support and Development – Security (ISD-SEC)**

18.1 At its fifth and sixth meetings, the Executive Committee considered the subject of Implementation Support and Development – Security. WP/21 Revised, presented by the Council provides a progress report on the implementation of the Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa (AFI SECFAL Plan) since its inception in May 2015. It concludes by proposing continued support to the AFI SECFAL Plan, urging States to make financial, in-kind and /or other contributions to support its implementation.

18.2 WP/28 was considered under Agenda Item 20, and therefore was not revisited under Agenda Item 18.

18.3 Kazakhstan and the Russian Federation, in WP/258 Revision No. 1, proposed that the ICAO European and North Atlantic Regional Office be strengthened in the area of aviation security and facilitation by including an additional staff position funded by the Regular Programme Budget while preserving the aviation security position funded by voluntary contributions. This latter position would be converted in the subsequent triennium to a position funded by the ICAO Regular Budget.

18.4 The Council, in WP/351, informed the Assembly of the adoption of the Riyadh Declaration on Aviation Security and Facilitation in the Arab Civil Aviation Commission (ACAC) and the ICAO Middle East (MID) Regions, and requested that appropriate action be taken to implement its provisions.

18.5 Singapore, in WP/185 Revised, proposed, on behalf of 28 Member States and three International Organizations, that ICAO develop and deliver an air cargo security best practices workshop to provide opportunities for personnel who are actively involved in air cargo and air cargo security work to learn from best practices in air cargo security that are being implemented by regulators and industry from across the world.

18.6 AFCAC, in WP/164 Revised, presented, on behalf of its 54 Member States, the progress made in the implementation of the AFI SECFAL Plan since its inception. It invited the Assembly to urge ICAO to continue providing its leadership and support to the AFI SECFAL Plan; to collaborate with AFCAC to enhance capacity of African Experts in the African Regional Aviation Security and Facilitation Group (RASFALG-AFI); and to encourage other ICAO regions to emulate the AFI SECFAL Plan approach. It also requested that high-level ICAO missions to States with low progress in implementing ICAO Standards and Recommended Practices be conducted, in coordination with AFCAC.

18.7 In an information paper (WP/446), the Dominican Republic summarized the progress they have made in the field of aviation security and their contribution to the global civil aviation security system. They further reaffirmed their intention to continue to cooperate with, and support ICAO, in its No Country Left Behind (NCLB) initiative.

18.8 The Committee was informed that WP/105 would be considered under Agenda Item 28.

18.9 The Executive Committee commended the progress made in the implementation of the AFI SECFAL Plan. In particular, stressing the importance of having coordination mechanisms in place, it noted the relevance of the set of targets established for Aviation Security and Facilitation in Africa, the creation of a pool of experts, and the efforts made to raise political commitment. The Executive Committee endorsed all of the actions of WP/21 Revised and WP/164, including the Draft Assembly Resolution on AFI SECFAL Plan, urging Member States of the AFI Region to commit to the achievement of the goals and objectives of the AFI

SECFAL Plan. It further noted the need for the international community to support the Plan and work with ICAO and AFCAC for its implementation.

18.10 In reference to the joint proposal made by Kazakhstan and Russian Federation to consider increasing the staffing level at the ICAO EUR/NAT Office, including the source of funding, the Committee observed that the allocation and management of Secretariat resources is the prerogative of the Secretary General.

18.11 The Committee welcomed the adoption of the Riyadh Declaration on Aviation Security and Facilitation and called upon States in the ACAC and ICAO MID Regions to implement the Declaration. It further requested ICAO to support the implementation of the Declaration through the establishment of a SECFAL Plan for the ACAC and ICAO MID Regions, based on the experience of the AFI SECFAL Plan.

18.12 The Committee supported Singapore's proposal for the development of an ICAO Air Cargo Security Best Practices workshop. The Secretariat expressed appreciation for the workshop outline presented and noted that human competency development is a high priority in air cargo security.

### **Agenda Item 19: Facilitation and the ICAO Traveller Identification Programme (ICAO TRIP) Strategy**

19.1 At its sixth meeting, the Executive Committee considered developments in the areas of the Public Key Directory (PKD), the ICAO Traveller Identification Programme (TRIP) Strategy and Annex 9 — *Facilitation* on the basis of reports by the Council presented in WPs/19, 40 and 42 respectively. In addition, 3 papers were submitted by States and Observers: WPs/191, 203, and 326.

19.2 The Council, in WP/19, described developments pertaining to the ICAO Public Key Directory (PKD) and its use since the 38th Session of the ICAO Assembly, and proposed priorities for the ICAO PKD work programme and the expected outcome of its work during the next triennium.

19.3 In WP/40, the Council, in highlighting the mandate and current priorities of the ICAO TRIP Strategy, reported on developments in the Programme since the last Assembly. It concluded by proposing priorities for the ICAO TRIP Strategy and outlined the expected outcomes of its work during the next triennium.

19.4 The Council, in WP/42, presented a report on developments in Annex 9 — *Facilitation* since the last Assembly and the current priorities of the Facilitation (FAL) Programme's work on Annex 9. It concluded by proposing work priorities for Annex 9, and expected outcomes, for the next triennium.

19.5 In WP/191, South Africa, reporting on an initiative taken by that State to include parents' particulars in children's passports to address the issue of child trafficking, invited the Assembly to note this initiative and agree that the issue of inclusion of parents' particulars in children's passports be included in the ICAO Plan of Action and be referred to the Facilitation Panel (FALP) for consideration.

19.6 Indonesia, in WP/203 Revised, in calling for greater implementation of the PNRGOV standards developed by the World Customs Organization (WCO), the International Air Transport Association (IATA) and ICAO in order to have an accurate and swift analysis tool to address an increase of risk and aviation security threat, invited the Assembly to promote the full implementation of PNRGOV standards and request the organizations involved to review the PNRGOV message standards, through the

PNRGOV Working Group, in order that they become more accessible in various systems, including in an open source environment.

19.7 Brazil, in WP/326, in providing a summary of the Brazilian experience with regulating the quality of service at international airports, taking into account the application of Annex 9 – *Facilitation*, proposed the elaboration of Standard 6.6 of Annex 9 by requesting the Council to adopt actions to encourage the study and promotion of a work programme on facilitation and quality of service at airports in the technical forums of ICAO and urged Member States to note the relevance of the issue.

19.8 The Committee endorsed the work programme for the ICAO PKD as set out in WP/19 and urged all Member States to join and actively use the ICAO PKD to validate and authenticate ePassports.

19.9 With regards to paragraph 2.5 of WP/40 that addressed the development of an ePassport Standard roadmap, some delegations expressed the view that they would be unable to support the introduction of an ICAO Standard for ePassports because of the burden it would place on small States and the overriding priority to instead focus on strengthening identification management to ensure that secure travel documents are issued to the correct person. With regard to priorities and outcomes for the ICAO TRIP Strategy for the next triennium, the view was expressed that prior to developing an ICAO TRIP roadmap, feedback should be gathered from more States to ensure the roadmap is reflective of broad requirements. Following the discussion, the Committee endorsed the proposed priorities for the ICAO TRIP Strategy and expected outcomes for the 2017-2019 triennium, as presented in Appendix D of WP/40.

19.10 With regard to the proposed priorities for the FAL Programme’s work on Annex 9 and expected outcomes for the next triennium set out in paragraph 3.3 of WP/42, some delegations expressed the view that it was premature to include the development of a “Global Aviation Facilitation Plan (GAFP)” as an expected outcome because the FAL Panel has tasked a working group to examine the matter, with a report on its deliberations to be presented to the next meeting of the Panel. As there was broad support for the planned work set out in paragraph 3.3, the Committee endorsed the proposed priorities for the FAL Programme related to Annex 9 – *Facilitation* and expected outcomes for the 2017-2019 triennium.

19.11 The Committee noted the initiative taken by South Africa, as set out in WP/191, to address the issue of child trafficking, although some delegations expressed the view that including parents’ particulars in children’s passports might create additional complexity in passport-issuance and border clearance processes. The Committee agreed, however, that this issue should be further investigated by ICAO’s technical experts, and be referred to the Technical Advisory Group on the Traveller Identification Programme (TAG/TRIP) and the Facilitation Panel (FALP), for consideration.

19.12 The Committee agreed with Indonesia’s proposal, made in WP/203 Revised, that the Council should consider promoting the full implementation of PNRGOV standards. In noting that the maintenance and control of PNRGOV was the responsibility of the World Customs Organization, that worked jointly with ICAO and the International Air Transport Association on the matter, the Committee also agreed that the organizations should review the PNRGOV message, as required. The Committee also noted that the PNRGOV is fully open-source and available to all States.

19.13 With regard to subject-matter of WP/326, presented by Brazil, the Committee agreed to the proposal that Member States be urged to note the relevance of the issue. The Committee also requested the Council to encourage study of the quality of service at airports in the technical forums of

ICAO, taking into consideration the work already accomplished in this area by Airports Council International and the International Air Transport Association.

19.14 Completing its work on this agenda item, the Committee considered the proposed revisions to the *Consolidated statement of continuing ICAO policies and practices related to Facilitation* as presented in WP/41, which contained a revised version of a draft resolution for adoption by the Assembly (Resolution 19/1).

19.15 Having reviewed the revised version of the draft resolution, and having amended Appendices B, C and D, the Committee agreed to recommend to the Plenary to adopt the following resolution which should supersede Resolution A38-16.

**Resolution 19/1: Consolidated statement of continuing ICAO policies related to facilitation**

*Whereas* Annex 9 — *Facilitation*, was developed as a means of articulating the obligations of Member States under Articles 22, 23 and 24 of the Convention and standardizing procedures for meeting the legal requirements referred to in Articles 10, 13, 14, 29 and 35;

*Whereas* implementation of the Standards and Recommended Practices in Annex 9 is essential to facilitate the clearance of aircraft, passengers and their baggage, cargo and mail and manage challenges in border controls and airport processes so as to maintain the efficiency of air transport operations; and

*Whereas* it is essential that Member States continue to pursue the objective of maximizing efficiency and security in such clearance operations;

*The Assembly:*

1. *Resolves* that the Appendices attached to this resolution and listed below constitute the consolidated statement of continuing ICAO policies related to facilitation, as these policies exist at the close of the 39th Session of the Assembly:

Appendix A — Development and implementation of facilitation provisions

Appendix B — National and international action in ensuring the security and integrity of traveller identification and border controls

Appendix C — National and international action and cooperation on facilitation matters

Appendix D — Passenger Data Exchange Systems

2. *Requests* the Council to keep the consolidated statement related to facilitation under review and advise the Assembly as appropriate when changes are needed to the statement; and

3. *Declares* that this resolution supersedes Resolution A38-16: Consolidated statement of continuing policies related to facilitation.

## APPENDIX A

### Development and implementation of facilitation provisions

*Whereas* the *Convention on the Rights of Persons with Disabilities* and its Optional Protocol, that had been adopted in December 2006 by the United Nations General Assembly, entered into force on 3 May 2008;

*Whereas* the development of specifications for machine readable travel documents by the Organization has proved effective in the development of systems that expedite the movement of international passengers and crew members through clearance control at airports while enhancing immigration compliance programmes; and

*Whereas* the development of a set of standard signs to facilitate the efficient use of airport terminals by travellers and other users has proved effective and beneficial;

*The Assembly:*

1. *Urges* Member States to give special attention to increasing their efforts to implement Annex 9 Standards and Recommended Practices;
2. *Urges* Member States to give due regard to Doc 9984, *Manual on Access to Air Transport by Persons with Disabilities*, in their implementation of the relevant provisions of Annex 9;
3. *Requests* the Council to ensure that Annex 9 — *Facilitation*, is current and addresses the contemporary requirements of Member States with respect to administration of border controls, cargo and passengers; advances in technologies related to such administration; cargo facilitation; the handling of and responses to health-related and other disruptive events to aviation; and unaccompanied minors;
4. *Requests* the Council to ensure that relevant guidance material is current and responsive to the requirements of Member States;
5. *Requests* the Council to ensure that the provisions of Annex 9 — *Facilitation*, and Annex 17 — *Security*, are compatible with and complementary to each other; and
6. *Requests* the Council to update Doc 9636, *International Signs to Provide Guidance to Persons at Airports and Marine Terminals*, to ensure that it is current and responsive to the requirements of Member States.

## APPENDIX B

### National and international action in ensuring the security and integrity of traveller identification and border controls

*Whereas* Member States recognize the relevance of traveller identification and border control management to aviation security and facilitation;

*Whereas* Member States recognize that the ability to uniquely identify individuals requires a holistic and coordinated approach, which links the following five interdependent elements of traveller identification and border control management into a coherent framework:

- a) Foundational documents, tools and processes required to ensure authentic evidence of identity;
- b) The design and manufacture of standardized Machine Readable Travel Documents (MRTDs), especially ePassports, that comply with ICAO specifications;
- c) Processes and protocols for document issuance by appropriate authorities to authorized holders, and controls to combat theft, tampering and loss;
- d) Inspection systems and tools for the efficient and secure reading and verification of MRTDs at borders, including use of the ICAO PKD; and
- e) Interoperable applications that provide for timely, secure and reliable linkage of MRTDs and their holders to available and relevant data in the course of inspection operations.

*Whereas* Member States require capacity to uniquely identify individuals and require tools and mechanisms available to establish and confirm the identity of travellers;

*Whereas* the ICAO Traveller Identification Programme (ICAO TRIP) Strategy provides the global framework for achieving the maximum benefits of travel documents and border controls by bringing together the elements of identification management, and building on the success of the ICAO MRTDs Programme;

*Whereas* Member States of the United Nations have resolved, under Resolution 70/1 adopted on 25 September 2015 to adopt a 2030 Agenda for Sustainable Development that includes a set of 17 Sustainable Development Goals (SDGs) supported by 169 targets, the target 16.9 being to provide legal identity for all, including birth registration by 2030;

*Whereas* the veracity and validity of machine readable travel documents (MRTDs) depends on the readability and protection of these documents, physical securities contributing to them, and electronic securities guaranteeing them;

*Whereas* the limitation of the number of possible civil status for a person depends on the documentation used to establish identity, confirm citizenship or nationality and assess entitlement of the passport applicant (i.e. breeder documentation);

*Whereas* the passport is the main official document that denotes a person's identity and citizenship and is intended to inform the State of transit or destination that the bearer can return to the State which issued the passport;

*Whereas* international confidence in the integrity of the passport is essential to the functioning of the international travel system;

*Whereas* the use of stolen blank passports, by those attempting to enter a country under a false identity, is increasing worldwide;

*Whereas* the security of traveller identification and border controls depends on a robust identification management system and the integrity of the travel document issuance process;

*Whereas* high-level cooperation among Member States is required in order to strengthen resistance to passport fraud, including the forgery or counterfeiting of passports, the use of forged or counterfeit passports, the use of valid passports by impostors, the use of expired or revoked passports, and the use of fraudulently obtained passports;

*Whereas* Member States of the United Nations have resolved, under the Global Counter-Terrorism Strategy adopted on 8 September 2006, to step up efforts and cooperation at every level, as appropriate, to improve the security of manufacturing and issuing identity and travel documents and to prevent and detect their alteration or fraudulent use;

*Whereas* Resolution 1373 adopted by the United Nations Security Council on 28 September 2001 decided that all Member States shall prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents;

*Whereas* enhanced and intensified cooperation among Member States is required in order to combat and prevent identification and travel document fraud;

*Whereas* the criminal focus worldwide has been increasingly shifting from travel document fraud to identification fraud;

*Whereas* Convention Travel Documents (CTDs) are travel documents that States Parties to the 1951 Convention Relating to the Status of Refugees (“the 1951 Convention”) and the 1954 Convention Relating to the Status of Stateless Persons (“the 1954 Convention”) shall issue to refugees or stateless persons lawfully staying on their territory (see respective Article 28 of both Conventions), and as such are travel documents foreseen in two international treaties for persons benefitting from an internationally recognized status;

*Whereas* ICAO has set up the Public Key Directory (PKD) to verify, validate and authenticate biometrically-enhanced MRPs (ePassports), thereby strengthening their security and the integrity of border controls; and

*Whereas* Member States request from ICAO Programmes technical assistance and capacity-building support in strengthening their traveller identification and border control programmes;

*The Assembly:*

1. *Urges* Member States, through their travel document and border control programmes, to uniquely identify individuals to maximize security and facilitation benefits, including preventing acts of unlawful interference and other threats to civil aviation;
2. *Urges* Member States to implement rigorous processes and tools to safeguard the security and integrity of breeder documentation;
3. *Urges* Member States to intensify their efforts in developing and implementing a robust identification management system and safeguard the security and integrity of the travel document issuance process;
4. *Urges* Member States to intensify their efforts in establishing and implementing a solid verification system of the integrity of electronic passports, in particular by reading their electronic signatures and verifying their validity;
5. *Requests* the Council to direct the Secretary General to implement the ICAO TRIP Strategy to assist Member States to uniquely identify individuals, and to enhance the security and integrity of their travel documents and border controls;

6. *Requests* Member States to intensify their efforts to safeguard the security and integrity of traveller identification and border controls, and to assist one another in these matters;
7. *Urges* those Member States that have not already done so, to issue machine readable passports in accordance with the specifications of Doc 9303, Part 4;
8. *Reminds* Member States to ensure that non-machine readable passports are withdrawn from circulation;
9. *Reminds* Member States to ensure that when issuing travel documents for refugees and stateless persons (“Convention Travel Documents (CTDs)”), these CTDs are machine readable, in accordance with the specifications of Doc 9303;
10. *Reminds* Member States to establish controls to safeguard against the theft of blank travel documents and the misappropriation of newly issued travel documents;
11. *Urges* those Member States requiring assistance in building effective and efficient traveller identification and border control systems to contact ICAO without delay;
12. *Requests* the Council to ensure that specifications and guidance material contained in Doc 9303, *Machine Readable Travel Documents*, remain up to date in the light of technological advances;
13. *Requests* the Council to continue to explore technological solutions aimed at enhancing security and facilitation of border controls while improving clearance procedures, such as the Automated Border Control (ABC) gates;
14. *Requests* the Council to update the ICAO/United Nations High Commissioner for Refugees (UNHCR) *Guide for Issuing Machine Readable Convention Travel Documents for Refugees and Stateless Persons*;
15. *Requests* the Council to continue the work on further strengthening the security and integrity of traveller identification and border controls, and developing guidance material to assist Member States to further those objectives;
16. *Urges* the Council to explore ways of intensifying assistance and capacity-building support to Member States in the traveller identification and border control areas, including a proactive leadership role for ICAO in facilitating and coordinating such assistance in the international community;
17. *Urges* all Member States to join the ICAO PKD and to use the information available from the ICAO PKD to validate eMRTDs at border controls;
18. *Reminds* those Member States that are not already doing so to provide routine and timely submissions of stolen, lost, and revoked travel documents data to the Interpol’s Stolen and Lost Travel Document (SLTD) Database.
19. *Urges* those Member States that are not already doing so to query, at entry and departure border control points, the travel documents of individuals travelling internationally against the INTERPOL Stolen and Lost Travel Documents (SLTD) database.



20. *Urges* Member States to establish efficient and effective mechanisms in order to implement submissions to, and queries of, the SLTD database.

## APPENDIX C

### **National and international action and cooperation on facilitation matters**

*Whereas* there is a need for continuing action by Member States to improve the effectiveness and efficiency of clearance control formalities;

*Whereas* the establishment and active operation of national facilitation programmes and facilitation committees is a proven means of effecting needed improvements;

*Whereas* cooperation on facilitation matters amongst Member States and with the various national and international parties interested in facilitation matters has brought benefits to all concerned;

*Whereas* such cooperation has become vital in the light of the proliferation of non-uniform passenger data exchange systems that adversely affect the viability of the air transport industry;

*Whereas* the threat of worldwide transmission of communicable diseases by means of air transport has increased in past years; and

*Whereas* Annex 9 provides for the facilitation of assistance to aircraft accident victims and their families;

*The Assembly:*

1. *Urges* Member States to establish and utilize national facilitation programmes and facilitation committees and adopt policies of cooperation on a regional basis among neighbouring States;

2. *Urges* Member States to participate in regional and subregional facilitation programmes of other intergovernmental aviation organizations;

3. *Urges* Member States to take all necessary steps, through national facilitation programmes and facilitation committees or other appropriate means, for:

a) regularly calling the attention of all interested departments of their governments to the need for:

i. making the national regulations and practices conform to the provisions and intent of Annex 9;  
and

ii. working out satisfactory solutions for day-to-day problems in the facilitation field; and

b) taking the initiative in any follow-up action required;

4. *Urges* Member States to encourage the study of facilitation problems by their national and other facilitation programmes and committees and to coordinate the findings of their committees on facilitation problems with those of other Member States with which they have air links;

5. *Urges* neighbouring and bordering Member States to consult one another about common problems that they may have in the facilitation field whenever it appears that these consultations may lead to a uniform solution of such problems;
6. *Urges* Member States, aircraft operators and airport operators to continue to cooperate intensively as regards:
  - a) identification and solution of facilitation problems; and
  - b) developing cooperative arrangements for the prevention of illicit narcotics trafficking, illegal immigration, the spread of communicable diseases and other threats to national interests;
7. *Urges* Member States to call upon aircraft and airport operators and their associations to participate in electronic data interchange systems in order to achieve maximum efficiency levels in the processing of cargo traffic at international terminals;
8. *Urges* Member States to implement the provisions of Annex 9 to facilitate assistance to aircraft accident victims and their families;
9. *Urges* Member States and aircraft and airport operators, in cooperation with interested international organizations, to make all possible efforts to speed up the handling and clearance of air cargo, while ensuring the security of the international supply chain; and
10. *Urges* Member States to undertake dialogue and cooperation between national and regional facilitation and security-related bodies.

## **APPENDIX D**

### **Passenger Data Exchange Systems**

*Whereas* there is a need for continuing action by Member States to improve the effectiveness and efficiency of clearance control formalities;

*Whereas* UN Security Council, in Resolution 2178 (2014), at paragraph 9, has called upon Member States “to require that airlines operating in their territories provide advance passenger information to the appropriate national authorities in order to detect the departure from their territories, or attempted entry into or transit through their territories, by means of civil aircraft, of individuals designated by the Committee established pursuant to resolutions 1267 (1999) and 1989 (2011) (“the Committee”), and further calls upon Member States to report any such departure from their territories, or such attempted entry into or transit through their territories, of such individuals to the Committee, as well as sharing this information with the State or residence or nationality, as appropriate and in accordance with domestic law and international obligations.”

*The Assembly:*

1. *Urges* Member States to call upon aircraft operators offering international air transport services to participate in electronic data interchange systems by providing advance passenger information in order to achieve maximum efficiency levels in the processing of passenger traffic at international terminals; and

2. *Urges* Member States, in the use of electronic data interchange systems, to ensure that the passenger data requirements conform to international standards adopted by relevant United Nations agencies for this purpose, and to ensure the security, fair processing and safeguarding of such data; and

3. *Urges* Member States to assist and share best practices, as appropriate, with other Member States in the establishment of passenger data exchange systems.

**Agenda Item 20: Environmental Protection – Aircraft Noise – Policy, Standardization and Implementation Support**

20.1.1 At its second meeting, the Executive Committee considered the subject of environmental protection on the basis of progress reports by the Council on the Organization’s technical work on aircraft noise, engine emissions and climate change (WPs 28, 51 and 55 and Corrigendum No. 1). Based on these progress reports, the Executive Committee considered the Council’s proposals that update Resolution A38-17, *Consolidated Statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality* (WP/48 and Corrigendum No. 1). In addition, there were 11 papers submitted by States and Observers: WPs 91, 152, 156, 170, 210 (Revision No. 1), 223, 225, 250 (Revision No. 1), 429, 430 and 447.

**GENERAL PROVISIONS, NOISE AND LOCAL AIR QUALITY**

20.1.2 The Council submitted a report (WP/51) on progress made by ICAO since the 38th Session of the Assembly on issues related to civil aviation and the environment, including Secretariat activities, work conducted by CAEP and cooperation with other organizations. The paper provided details on the CAEP/10 agreement on a proposed new Annex 16, Volume III Aeroplane CO<sub>2</sub> certification Standard and a proposed new Annex 16, Volume II non-volatile Particulate Matter (nvPM) Standard for aircraft engines. WP/51 also included details on the updated Doc 9184, *Airport Planning Manual, Part 2, Land-use and Environmental Control*, a new Circular on community engagement for aviation environmental management, and an overview of the analysis of environmental benefits from the implementation of the Aviation System Block Upgrade (ASBU) Block 0. The paper contained the latest developments on ICAO work on aircraft noise, including the continued work on the development of a new supersonic noise Standard for future aircraft. Details were provided on the intense cooperation with the United Nations Framework Convention on Climate Change (UNFCCC), the International Maritime Organization (IMO), the United Nations Environment Programme (UNEP) and participation in the Sustainable Development Goals (SDGs) development process. It was highlighted that the Council agreed with all recommendations from the CAEP/10 meeting, and States were being consulted on the proposed amendments to Annex 16, Volumes I and II, and the new first edition of Volume III.

20.1.3 The Committee recognized the important progress made by ICAO in addressing the impact of noise, local air quality and global emissions, and emphasized the importance of this technical work.

20.1.4 As requested by the 38th Session of the Assembly, the Council submitted WP/55 (with Corrigendum No. 1), which reports on the environmental trends assessment undertaken by CAEP for the present and future impact of aircraft noise and aircraft engine emissions. By 2040, it is expected that despite an anticipated increase of 4.2 times in international air traffic, fuel consumption is projected to increase by only 2.8 to 3.9 times over the same period. Regarding sustainable alternative fuels, significant uncertainties exist in predicting the contribution of their use in the long-term, however based on the

scenarios evaluated by CAEP, it is possible that up to 100 per cent of international aviation jet fuel demand could be met in 2050. In this scenario, based on the analysis assumptions, net CO<sub>2</sub> emissions could be reduced by 63 per cent. The future development of alternative fuels will highly depend on the policies and incentives in place for such fuels, and also the ecological and economical effectiveness of their use. CAEP also updated trends for emissions that affect local air quality and aircraft noise. In all cases, the trends show that aircraft engine emissions and aircraft noise, are expected to continue to grow in the future, but at a rate slower than the growth in traffic. In the case of aircraft noise, by 2030, aircraft noise may no longer grow with an increase in traffic, under an optimistic technology and operational improvement scenario.

20.1.5 The Committee recognized that it is important to have a single, robust information basis for sound discussion and decision-making. The Committee recommended that the environmental trends be endorsed as the basis for decision-making on environmental matters, and that the next Assembly be updated thereon. The Committee also urged States to submit data to support the Assembly request of reporting on aviation emissions.

20.1.6 The Committee also considered WP/28, which reported on activities related to the ICAO Technical Assistance Programme, covering all Strategic Objectives of ICAO including environmental protection. Information on environment-related assistance and capacity-building initiatives, such as the ICAO's partnerships with European Union as well as with United Nations Development Programme (UNDP) and Global Environment Facility (GEF), was included in the paper.

20.1.7 In WP/48 and Corrigendum No. 1, the Council submitted a proposal for the revision of Assembly Resolution A38-17, Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality, in light of developments since the 38th Session of the Assembly. The revisions arise mainly from the activities of the Secretariat and work conducted by CAEP.

20.1.8 In WP/91 presented by Switzerland, Slovakia on behalf of the European Union (EU) and its Member States and the other Member States of the European Civil Aviation Conference (ECAC), emphasized that Europe has adopted a comprehensive approach to mitigating the environmental impacts of international aviation, and strongly supports the on-going efforts within ICAO as part of this approach. The paper recognized and supported the important work undertaken by CAEP and the necessity for CAEP to operate a free, inclusive and transparent way. The paper highlighted the importance of prioritizing the implementation of the CAEP/10 recommended standards on aeroplane CO<sub>2</sub> emissions and aircraft engine nvPM mass concentration, as well as the further development of the nvPM mass and number standard.

20.1.9 In WP/225, Guatemala on behalf the Member States of the Latin American Civil Aviation Commission (LACAC), presented information of the developments concerning the environment and civil aviation. This included details on the consolidation of visions and guidelines related to the environment and civil aviation in Latin America from the various civil aviation organizations. The paper invited the assembly to incorporate the Latin American Region's environmental strategies and vision into the documents being prepared by ICAO, and invited the Assembly to require a higher level of representation of LACAC Member States in CAEP.

20.1.10 In WP/170, Canada highlighted the advances in defined performance and functionality of navigation systems that have enabled more efficient aircraft operations resulting in opportunities to both reduce Greenhouse Gas (GHG) emissions and aircraft noise. However, in the vicinity of aerodromes, these improvements usually result in a perceived concentration of noise, due to more aircraft following the same efficient approach profile. The paper encouraged States to contribute data concerning noise

impacts in the vicinity of aerodromes, and invited the assembly to direct the Council to develop a pragmatic approach to balancing GHG emissions and noise impacts when implementing PBN procedures.

20.1.11 In WP/250 Revision No. 1, the Republic of Korea related the experience of implementing noise-related charges at its airports, and highlights the lack of standardization of the issue within ICAO Member States. The Republic of Korea considered ICAO current guidelines on noise-related charges to be insufficient and requested that best practices among states be shared on the ICAO webpage, in order to develop enhanced ICAO guidelines in the future. The paper proposed that ICAO review its recommended practices on noise related charges and that ICAO provide Member States with a “Bulletin” board on the official ICAO webpage where Member States can share ideas and polices freely with a view to developing enhanced ICAO guidelines.

20.1.12 In WP/210 Revision No. 1, the United States recognized the progress taken to reduce noise and local air quality impacts through the development of policy and standards, and encouraged States to refrain from setting operational restrictions based on ICAO environmental emissions certification Standards; ICAO Member States were encouraged to follow the Balanced Approach to aircraft noise management. The paper welcomed the CAEP recommendation for the translation of the smoke number certification standard limit line into an engine nvPM emissions Standard, recognizing it as another step towards reducing aviation emissions at the source. The United States encouraged Member States to continue to pursue the development of a stringency level for the engine nvPM emissions Standard by the CAEP/11 meeting in February 2019, and supported adding nvPM emissions from aircraft engines to CAEP’s technology review and goals setting process.

20.1.13 In WP/152, the International Air Transport Association (IATA) welcomed the adoption by CAEP of recommendations on the first aeroplane CO<sub>2</sub> emissions certification Standard and the first nvPM Standard for aircraft engines. IATA emphasized that ICAO Standards should maintain their original purpose and also urged States to refrain from imposing any operating restrictions or emissions levies based on the CO<sub>2</sub> emissions Standard. On aircraft noise, IATA emphasized the importance of the balanced approach to aircraft noise management and strongly opposed the phase-out of aircraft which comply with Annex 16, Volume I, Chapter 3, as well as supported the request to States not to permit operating restrictions aimed at the withdrawal of aircraft that comply with Annex 16, Chapter 4 and 14.

20.1.14 The Committee acknowledged five working papers (WPs 156, 223, 429, 430, 447) submitted for information purposes. They were not presented to the meeting but are summarized below:

20.1.15 In WP/156, Argentina provided details on their proposal to create a TRANAIR-PLUS course focused on noise abatement procedures for helicopters. The course would be based on the experience gathered by the Argentinian army on operations in the Antarctic, an environmentally protected area, and the benefits of noise abatement procedures for operations in highly populated urban areas. The objective would be to maximize the use of noise abatement procedures by helicopter crews through active practice of such procedures, and would also include the theoretical aspects related to helicopter noise.

20.1.16 In WP/223, Indonesia provided details on the implementation of Annex 16, Volume I certification Standards into their national regulatory framework, by means of a Ministerial decree. It also informed of the ongoing initiative to issue noise certificates for the Indonesian National fleet. So far, 1 119 noise certificates have been issued by the Indonesian Directorate General of Civil Aviation.

20.1.17 In WP/429, the Airports Council International (ACI) provided information on its active collaboration with other entities in the aviation industry and with ICAO related to environmental protection, as contained in the Resolutions agreed by the ACI World General Assembly (WAGA) in

September 2016. In addition, it showcased ACI projects to assist member airports to effectively address the environmental impacts of activities, including, Airport Carbon Accreditation, the Airport Carbon and Emissions Reporting Tool (ACERT), and the use of sustainable renewable energy at airports.

20.1.18 In WP/430, the Republic of Korea based on the guidance in ICAO Doc 9829, Guidance on the Balanced Approach to Aircraft Noise Management, reported that it is currently implementing policies on the reduction of noise at source, land-use planning and management, noise abatement operational procedures and operating restrictions on aircraft. The Republic of Korea has designated six regional airports as those that require reduction of noise at source and need government monitoring, and three of these are implementing noise abatement operational procedures. The government is assisting communities that are affected by aircraft noise and has set up an institution to deal with Stakeholder consultation. The Republic of Korea would like to hear from ICAO Member States on ideas or advice on noise management.

20.1.19 In WP/447, the International Transport Workers' Federation (ITF) presented details on new research on air pollution in airports, pollution sources, employee exposure to ultrafine particles and actions to limit the pollution. The paper suggested incorporating air pollution created by diesel engines into the Consolidated statement of continuing ICAO policies and practices related to environmental protection - General provisions, noise and local air quality. The ITF also offered its expertise and knowledge to the work of ICAO.

20.1.20 The Committee welcomed the progress made by the CAEP/10 meeting, including the agreement on the new Annex 16, Volume III Aeroplane CO<sub>2</sub> certification Standard and a proposed new Annex 16, Volume II non-volatile Particulate Matter (nvPM) Standard. The Committee encouraged the prioritization of the implementation of these Standards, as well as the further development of future nvPM mass and number standards. Several States affirmed their plans to continue supporting the work of CAEP and encouraged others to do the same.

20.1.21 The Committee noted the CAEP membership issues raised with regard to increasing the participation of LACAC States, and recommended that as this is related to CAEP administrative issues, it should be addressed by the Council.

20.1.22 Regarding work balancing GHG emissions and noise impacts when implementing PBN procedures, the Committee recognized the interdependency of various environmental impacts is one of key consideration principles in the work of CAEP, and that CAEP should be encouraged to continue this work with more contribution of data from States.

20.1.23 The Committee noted that information on noise-related charges are included in various ICAO Documents (e.g. Doc 7100 – ICAO Policies on Charges and Taxation, Doc 9082 – Policies on Airports and Air Navigation Services, Doc 9184 – Airport Planning Manual), and that the database of noise-related charges is also accessible from the ICAO Environment website. The Committee recommended that the proposal to review ICAO's recommended practices for noise-related charges should be brought to CAEP for its consideration, in consultation with the Airport Economics Panel (AEP) and the Air Navigation Services Economics Panel (ANSEP).

20.1.24 The Committee recommended that the Assembly reaffirm its commitment to the Balanced Approach, recognizing that operating restrictions should not be applied as a first resort and only after consideration of each of the other elements. While recognizing this, some States highlighted the usefulness of some level of operational restrictions under specific local circumstances and considered that the proposed resolution text does not prevent States from implementing operating restrictions based on

noise certification of aircraft. It was also noted that assessments of noise restrictions should consider whether operating restrictions may divert noise problems from one State to another.

20.1.25 The Committee agreed to recommend that the Assembly adopt the following Resolution:

**Resolution 20/1:** Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality

*Whereas* in Resolution A38-17 the Assembly resolved to continue to adopt at each ordinary Session a consolidated statement of continuing ICAO policies and practices related to environmental protection;

*Whereas* Resolution A38-17 consists of an introductory text and a number of Appendices concerning specific but interrelated subjects; and

*Considering* the need to reflect developments that have taken place since the 38th Session of the Assembly in the field of aircraft noise and engine emissions;

*The Assembly:*

1. *Resolves* that the Appendices attached to this Resolution and listed below, together with A39-XY: *Consolidated statement of continuing ICAO policies and practices related to environmental protection - Climate change* and A39-XZ: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) Scheme*, constitute the consolidated statement of continuing ICAO policies and practices related to environmental protection, as these policies exist at the close of the 39th Session of the Assembly:

Appendix A — General

Appendix B — Development of Standards, Recommended Practices and Procedures and/or guidance material relating to the quality of the environment

Appendix C — Policies and programmes based on a “balanced approach” to aircraft noise management

Appendix D — Phase-out of subsonic jet aircraft which exceed the noise levels in Volume I of Annex 16

Appendix E — Local noise-related operating restrictions at airports

Appendix F — Land-use planning and management

Appendix G — Supersonic aircraft — The problem of sonic boom

Appendix H — Aviation impact on local air quality

2. *Requests* the Council to submit the ICAO policies and practices related to environmental protection for review at each ordinary session of the Assembly; and

3. Declares that this resolution, together with A39-XY *Consolidated statement of continuing ICAO policies and practices related to environmental protection — Climate change*, and A39-ZZ: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) Scheme*, supersede Resolutions A38-17 and A38-18.

## APPENDIX A

### General

*Whereas* the preamble to the *Convention on International Civil Aviation* states that “the future development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world . . .” and Article 44 of that Convention states that ICAO should “develop the principles and techniques of international air navigation and . . . foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport”;

*Whereas* many of the adverse environmental effects of civil aviation activity can be reduced by the application of comprehensive measures embracing technological improvements, more efficient air traffic management and operational procedures, aircraft recycling, the use of clean, renewable and sustainable energy sources, the appropriate use of airport planning, land-use planning and management, and market-based measures;

*Whereas* all ICAO Member States agreed to continue to pursue all aviation matters related to the environment and also maintain the initiative in developing policy guidance on these matters, and not leave such initiatives to other organizations;

*Whereas* other international organizations are emphasizing the importance of environmental policies affecting air transport;

*Whereas* the sustainable growth of aviation is important for future economic growth and development, trade and commerce, cultural exchange and understanding among peoples and nations; therefore prompt action must be taken to ensure that it is compatible with the quality of the environment and develops in ways that alleviate adverse impacts;

*Recognizing* that the work of the Organization on the environment contributes to ten of 17 United Nations Sustainable Development Goals (SDGs);

*Whereas* reliable and best available information on the environmental effects of aviation is essential for the development of policy by ICAO and its Member States;

*Acknowledging* that substantial progress has been achieved in addressing the effects of aviation on the environment, and that aircraft produced today, are 80 per cent more fuel efficient and 75 per cent quieter than they were in the 1960s;

*Whereas* as far as there are recognized interdependencies of the environmental effects from aviation, such as noise and engine emissions, they need to be considered when defining source control and operational mitigation policies;



*Whereas* airspace management and design can play a role in addressing the impacts of aviation greenhouse gas emissions on the global climate, and the related economic and institutional issues need to be addressed by States, either individually or collectively on a regional basis;

*Whereas* cooperation with other international organizations is important to progress the understanding of aviation's impacts on the environment and in order to develop the appropriate policies to address these impacts; and

*Recognizing* the importance of research and development in fuel efficiency and alternative fuels for aviation that will enable international air transport operations with a lower environmental impact, both in terms of local air quality and the global climate;

*The Assembly:*

1. *Declares* that ICAO, as the lead United Nations (UN) Agency in matters involving international civil aviation, is conscious of and will continue to address the adverse environmental impacts that may be related to civil aviation activity and acknowledges its responsibility and that of its Member States to achieve maximum compatibility between the safe and orderly development of civil aviation and the quality of the environment. In carrying out its responsibilities, ICAO and its Member States will strive to:

- a) limit or reduce the number of people affected by significant aircraft noise;
- b) limit or reduce the impact of aviation emissions on local air quality; and
- c) limit or reduce the impact of aviation greenhouse gas emissions on the global climate;

2. *Emphasizes* the importance of ICAO continuing to demonstrate its leadership role on all international civil aviation matters related to the environment and *requests* the Council to maintain the initiative in developing policy guidance on these matters, which recognizes the seriousness of the challenges which the sector faces;

3. *Requests* the Council to continue to assess regularly the present and future impact of aircraft noise and aircraft engine emissions and to continue to develop tools for this purpose;

4. *Requests* the Council to maintain and update knowledge of the interdependencies and trade-offs related to measures to mitigate the impact of aviation on the environment so as to optimize decision-making;

5. *Requests* the Council to establish a set of aviation environmental indicators which States could use to evaluate the performance of aviation operations and the effectiveness of standards, policies and measures to mitigate aviation's impacts on the environment;

6. *Requests* the Council to disseminate information on the present and future impact and trends of aircraft noise, aircraft fuel consumption, aviation system fuel efficiency, and aircraft engine Particulate Matter (PM) and Oxides of Nitrogen (NOx) emissions, reflecting the work of the Organization, action plans submitted by States, the ICAO Global Air Navigation Plan, ICAO Standards and Recommended Practices, and ICAO policy and guidance material in the environmental field, in an appropriate manner, such as through regular reporting and workshops, including through the coordination with the ICAO Regional Offices;

7. *Invites* States to continue their active support for ICAO's environment-related activities, and urges Member States to support activities not foreseen in the budget by providing a reasonable level of voluntary contributions;
8. *Invites* States and international organizations to provide the necessary scientific information and data to enable ICAO to substantiate its work in this field;
9. *Encourages* the Council to continue to cooperate closely with international organizations and other UN bodies on the understanding of aviation impacts on the environment and on the establishment of policies to address such impacts; and
10. *Urges* States to refrain from environmental measures that would adversely affect the orderly and sustainable development of international civil aviation.

## **APPENDIX B**

### **Development of Standards, Recommended Practices and Procedures and/or guidance material relating to the quality of the environment**

*Whereas* the problem of aircraft noise in the vicinity of many of the world's airports, which continues to arouse public concern and limit airport infrastructure development, requires appropriate action;

*Whereas* the scientific community is improving the understanding of uncertainties associated with the environmental impact of aircraft emissions at both the local and global levels, this impact remains a cause of concern and requires appropriate action;

*Recognizing* that there are interdependencies related to technology, design and operations of aircraft when addressing concerns related to noise, local air quality, and climate change;

*Whereas* the Council has established a Committee on Aviation Environmental Protection (CAEP) for the purpose of assisting in the further development of Standards, Recommended Practices and Procedures and/or guidance material on aircraft noise and engine emissions;

*Whereas* the Council has adopted Annex 16, Volume I — *Aircraft Noise*, which comprises noise certification Standards for subsonic aircraft (except short take-off and landing/vertical take-off and landing aeroplanes) and has notified Member States of this action;

*Whereas* the Council has adopted Annex 16, Volume II — *Aircraft Engine Emissions*, which comprises emissions certification Standards for new aircraft engines and has notified Member States of this action;

*Welcoming* the recommendation by CAEP on a new standard for non-volatile particulate matter (nvPM) emissions;

*Welcoming* the recommendation by CAEP on a new global CO<sub>2</sub> emissions certification Standard for aeroplanes that, once adopted, will constitute Annex 16 Volume III - *Aeroplane CO<sub>2</sub> Emissions*;

*Recognizing* that the CO<sub>2</sub> emissions certification standard is a technical comparison of aviation technologies designed for use in CO<sub>2</sub> emissions certification processes, and was not designed to serve as a basis for operating restrictions or emissions levies;

*Whereas* ICAO policy guidance on measures to address environmental concerns related to aircraft noise and engine emissions has been developed, amended and published; and

*Whereas* the Council has adopted medium- and long-term technology goals for reduction of noise and oxides of nitrogen (NO<sub>x</sub>), and technology and operational goals for aircraft fuel burn reduction;

*The Assembly:*

1. *Welcomes* the continuing benefits of the more stringent aircraft noise Standard in Annex 16, Volume I, Chapter 4 that took effect on 1 January 2006;
2. *Welcomes* the adoption by the Council in March 2014 of the new, more stringent Standard for noise to be implemented on or after 31 December 2017 and on or after 31 December 2020 for aircraft less than 55 tonnes Maximum Take-off Mass (MTOM);
3. *Welcomes* the adoption by the Council in March 2014 of the new Standard for noise to be implemented for Tilt-rotors on or after 1 January 2018;
4. *Welcomes* the development of the new aeroplane CO<sub>2</sub> Standard to be implemented on or after 1 January 2020 for new aeroplane types, except those new aeroplane types of less than or equal to 60 tonnes MTOM and with a maximum passenger seating capacity of 19 seats or less, which would have an applicability data of on or after 1 January 2023;
5. *Welcomes* the development of the new aeroplane CO<sub>2</sub> Standard to be implemented on or after 1 January 2023 for in-production aeroplanes with a production cut-off date of 1 January 2028;
6. *Urges* States to recognize that the CO<sub>2</sub> emissions certification Standard was not designed to serve as a basis for operating restrictions or emissions levies;
7. *Welcomes* the development of the new nvPM emissions Standard for all turbofan and turbojet aircraft engines with rated thrust greater than 26.7kN and for which the date of manufacture of the individual engine is on or after 1 January 2020;
8. *Requests* the Council, with the assistance and cooperation of other bodies of the Organization and of other international organizations, to continue with vigour the work related to the development of Standards, Recommended Practices and Procedures and/or guidance material dealing with the impact of aviation on the environment;
9. *Requests* the Council to ensure that CAEP pursues its work programme in the noise and emissions fields expeditiously in order that appropriate solutions can be developed as quickly as possible, and that the necessary resources are made available to do so;
10. *Urges* Member States from regions of the world that are currently under-represented in CAEP to participate in the Committee's work;
11. *Requests* the Council to provide States and International Organizations information on available measures to reduce the impact of aviation operations on the environment so that action can be taken using the appropriate measures;

12. *Urges* Member States to follow, where appropriate, the ICAO provisions developed pursuant to Resolving Clause 8 of this Appendix; and

13. *Requests* the Council to continue the work on developing and employing scenarios for assessing the future environmental impact of aviation emissions and to cooperate with other international organizations in this area.

## APPENDIX C

### **Policies and programmes based on a “balanced approach” to aircraft noise management**

*Whereas* a goal of ICAO is to promote the highest practicable degree of consistency in international civil aviation, including environmental regulations;

*Whereas* the uncoordinated development of national and regional policies and programmes for the alleviation of aircraft noise could hinder the role of civil aviation in economic development;

*Whereas* the severity of the aircraft noise problem at many airports has given rise to measures which limit aircraft operations and has provoked vigorous opposition to the expansion of existing airports or construction of new airports;

*Whereas* ICAO has accepted full responsibility for pursuing a course aimed at achieving maximum compatibility between the safe, economically effective and orderly development of civil aviation and the quality of the environment, and is actively pursuing the concept of a “balanced approach” for the reduction of aircraft noise and guidance on how States might apply such an approach;

*Whereas* the balanced approach to noise management developed by ICAO consists of identifying the noise problem at an airport and then analysing the various measures available to reduce noise through the exploration of four principal elements, namely reduction at source, land-use planning and management, noise abatement operational procedures and operating restrictions, with the goal of addressing the noise problem in the most cost-effective manner;

*Whereas* the assessment of present and future impact of aviation noise is an essential tool for the development of policy by ICAO and its Member States;

*Whereas* the process for implementation and decisions between elements of the balanced approach is for Member States and it is ultimately the responsibility of individual States to develop appropriate solutions to the noise problems at their airports, with due regard to ICAO rules and policies;

*Whereas* the ICAO guidance developed to assist States in implementing the balanced approach [Guidance on the Balanced Approach to Aircraft Noise Management (Doc 9829)] has been subsequently updated;

*Recognizing* that solutions to noise problems need to be tailored to the specific characteristics of the airport concerned, which calls for an airport-by-airport approach, and that similar solutions could be applied if similar noise problems are identified at airports;

*Recognizing* that measures to address noise may have significant cost implications for operators and other stakeholders, particularly those from developing countries;

*Recognizing* that States have relevant legal obligations, existing agreements, current laws and established policies which may influence their implementation of the ICAO “balanced approach”;

*Recognizing* that some States may also have wider policies on noise management;

*Considering* that the improvements in the noise climate achieved at many airports through the replacement of Chapter 2 compliant aircraft (aircraft which comply with the noise certification standards in Volume I, Chapter 2 of Annex 16 but which exceed the noise levels in Volume I, Chapter 3 of Annex 16) by quieter aircraft should be safeguarded by taking account of the sustainability of future growth and should not be eroded by incompatible urban encroachment around airports; and

*Take note* that the CAEP analysis of Trends in aircraft noise show that, under an advanced technology improvements scenario, an increase in aircraft operations may no longer result in an increase in noise contour area after 2030;

*The Assembly:*

1. *Calls upon* all ICAO Member States and international organizations to recognize the leading role of ICAO in dealing with the problems of aircraft noise;
2. *Welcomes* the progress achieved to date in addressing aircraft noise and encourages States, manufacturers and operators to continue to engage in the work of ICAO in addressing aircraft noise, and to continue to pursue technologies and policies that reduce the impact of aircraft noise in the communities that surround airports;
3. *Urges* States to:
  - a) adopt a balanced approach to noise management, taking full account of ICAO guidance (Doc 9829), relevant legal obligations, existing agreements, current laws and established policies, when addressing noise problems at their international airports;
  - b) institute or oversee a transparent process when considering measures to alleviate noise, including:
    - 1) assessment of the noise problem at the airport concerned based on objective, measurable criteria and other relevant factors;
    - 2) evaluation of the likely costs and benefits of the various measures available and, based on that evaluation, selection of measures with the goal to achieve maximum environmental benefit most cost-effectively; and
    - 3) provision for dissemination of the evaluation results, for consultation with stakeholders and for dispute resolution;
4. *Encourages* States to:
  - a) promote and support studies, research and technology programmes aimed at reducing noise at source or by other means taking into account interdependencies with other environmental concerns;

- b) apply land-use planning and management policies to limit the encroachment of incompatible development into noise-sensitive areas and mitigation measures for areas affected by noise, consistent with Appendix F to this Resolution;
- c) apply noise abatement operational procedures, to the extent possible without affecting safety and considering interdependencies with other environmental concerns; and
- d) not apply operating restrictions as a first resort but only after consideration of the benefits to be gained from other elements of the balanced approach and in a manner which is consistent with Appendix E to this Resolution and taking into account the possible impact of such restrictions at other airports;

5. *Requests States to:*

- a) work closely together to ensure the harmonization of programmes, plans and policies to the extent possible;
- b) ensure that the application of any measures to alleviate noise are consistent with the non-discrimination principle in Article 15 of the Chicago Convention; and
- c) take into consideration the particular economic conditions of developing countries;

6. *Invites States to keep the Council informed of their policies and programmes to alleviate the problem of aircraft noise in international civil aviation;*

7. *Requests the Council to:*

- a) assess continuously the evolution of the impact of aircraft noise;
- b) ensure that the guidance on the balanced approach in Doc 9829 is current and responsive to the requirements of States; and
- c) promote the use of the balanced approach, for example through workshops; and

8. *Calls upon States to provide appropriate support for this work on ICAO guidance and any additional work on methodologies, and for the assessment of the impact or effectiveness of measures under the balanced approach as necessary.*

## **APPENDIX D**

### **Phase-out of subsonic jet aircraft which exceed the noise levels in Volume I of Annex 16**

*Whereas* certification standards for subsonic jet aircraft noise levels are specified in Volume I of Annex 16;

*Whereas* for the purpose of this Appendix, a phase-out is defined as withdrawal of a noise-based category of aircraft from international operations at all airports in one or more States;

*Whereas* the Committee on Aviation Environmental Protection has concluded that a general phase-out of Chapter 3 aircraft operations by all the countries which imposed a phase-out on operations of Chapter 2 aircraft is not supported on cost-benefit grounds and had undertaken the work that led to the recommendation of a new noise certification standard in Volume I, of Annex 16 on the understanding that a new phase-out should not be considered;

*Whereas* some States have implemented or initiated phase-outs of aircraft which exceed the noise levels in Volume I, Chapter 3 of Annex 16, or are considering so doing;

*Recognizing* that the noise standards in Annex 16 are not intended to introduce operating restrictions on aircraft;

*Recognizing* that operating restrictions on existing aircraft may increase the costs of airlines and could impose a heavy economic burden, particularly on aircraft operators which may not have the financial resources to re-equip their fleets, such as those from developing countries; and

*Considering* that resolution of problems due to aircraft noise must be based on the mutual recognition of the difficulties encountered by States and a balance among their different concerns;

*The Assembly:*

1. *Urges* States not to introduce any phase-outs of aircraft which exceed the noise levels in Volume I, Chapter 3 of Annex 16 before considering:

- a) whether the normal attrition of existing fleets of such aircraft will provide the necessary protection of noise climates around their airports;
- b) whether the necessary protection can be achieved by regulations preventing their operators from adding such aircraft to their fleets through either purchase, or lease/charter/interchange, or alternatively by incentives to accelerate fleet modernization;
- c) whether the necessary protection can be achieved through restrictions limited to airports and runways the use of which has been identified and declared by them as generating noise problems and limited to time periods when greater noise disturbance is caused; and
- d) the implications of any restrictions for other States concerned, consulting these States and giving them reasonable notice of intention;

2. *Urges* States which, despite the considerations in Resolving Clause 1 above, decide to phase out aircraft which comply with the noise certification standards in Volume I, Chapter 2 of Annex 16 but which exceed the noise levels in Volume I, Chapter 3 of Annex 16:

- a) to frame any restrictions so that Chapter 2 compliant aircraft of an individual operator which are presently operating to their territories may be withdrawn from these operations gradually over a period of not less than 7 years;
- b) not to restrict before the end of the above period the operations of any aircraft less than 25 years after the date of issue of its first individual certificate of airworthiness;

- c) not to restrict before the end of the period the operations of any presently existing wide-body aircraft or of any fitted with engines that have a by-pass ratio higher than 2 to 1; and
  - d) to inform ICAO, as well as the other States concerned, of all restrictions imposed;
3. *Strongly encourages* States to continue to cooperate bilaterally, regionally and inter-regionally with a view to:
- a) alleviating the noise burden on communities around airports without imposing severe economic hardship on aircraft operators; and
  - b) taking into account the problems of operators of developing countries with regard to Chapter 2 aircraft presently on their register, where they cannot be replaced before the end of the phase-out period, provided that there is proof of a purchase order or leasing contract placed for a replacement Chapter 3 compliant aircraft and the first date of delivery of the aircraft has been accepted;
4. *Urges* States not to introduce measures to phase out aircraft which comply, through original certification or recertification, with the noise certification standards in Volume I, Chapters 3, 4 or any more recent Chapter of Annex 16;
5. *Urges* States not to impose any operating restrictions on Chapter 3 compliant aircraft, except as part of the balanced approach to noise management developed by ICAO and in accordance with Appendices C and E to this Resolution; and
6. *Urges* States to assist aircraft operators in their efforts to accelerate fleet modernization and thereby prevent obstacles and permit all States to have access to lease or purchase aircraft compliant with Chapter 3, including the provision of multilateral technical assistance where appropriate.

## **APPENDIX E**

### **Local noise-related operating restrictions at airports**

*Whereas* certification standards for subsonic jet aircraft noise are specified in Volume I of Annex 16;

*Whereas* for the purposes of this Appendix an operating restriction is defined as any noise-related action that limits or reduces an aircraft's access to an airport;

*Whereas* Appendix C to this Resolution calls for States to adopt a balanced approach to noise management when addressing noise problems at their international airports;

*Whereas* further reductions in noise at source are expected as a result of the adoption of new noise certification standards in Volume I of Annex 16 and through the assimilation of noise reduction technology in the fleet;

*Whereas* at many airports, land-use planning and management and noise abatement operational procedures are already being used and other noise mitigation measures are in place, although urban encroachment continues in certain cases;



*Whereas* implementation of the phase-out of aircraft which comply with the noise certification standards in Volume I, Chapter 2 of Annex 16 but which exceed the noise levels in Volume I, Chapter 3 of Annex 16 (as provided for in Appendix D to this Resolution) has been completed in some States and, assuming continued growth in aviation activity, without further action the number of people exposed to aircraft noise at some airports in those States may increase;

*Whereas* there are significant regional differences in the extent to which aircraft noise is expected to be a problem over the next two decades and some States have consequently been considering placing operating restrictions on certain aircraft which comply with the noise certification standards in Volume I, Chapter 3 of Annex 16;

*Whereas* if operating restrictions on Chapter 3 aircraft are introduced at certain airports, this should be based on the balanced approach and relevant ICAO guidance (Doc 9829) and should be tailored to the specific requirements of the airport concerned;

*Whereas* these restrictions could have a significant economic impact on fleet investments of aircraft operators from States other than those in which the restrictions are imposed;

*Recognizing* that these restrictions go beyond the policy established in Appendix D to this Resolution and other relevant policy guidance developed by ICAO;

*Recognizing* that ICAO places no obligation on States to impose operating restrictions on Chapter 3 aircraft;

*Recognizing* that the noise standards in Annex 16 were not intended to introduce operating restrictions on aircraft and, specifically, that the standards contained in Annex 16, Volume I, Chapter 4 and Chapter 14, and any further stringency levels adopted by the Council, are based on the understanding that it is for certification purposes only; and

*Recognizing* in particular that States have legal obligations, laws, existing arrangements and established policies which may govern the management of noise problems at their airports and could affect the implementation of this Appendix;

*The Assembly:*

1. *Urges* States to ensure, wherever possible, that any operating restrictions be adopted only where such action is supported by a prior assessment of anticipated benefits and of possible adverse impacts;
2. *Urges* States not to introduce any operating restrictions at any airport on aircraft which comply with Volume I, Chapter 3 of Annex 16 before:
  - a) completing the phase-out of aircraft which exceed the noise levels in Volume I, Chapter 3 of Annex 16, at the airport concerned; and
  - b) fully assessing available measures to address the noise problem at the airport concerned in accordance with the balanced approach described in Appendix C;

3. *Urges* States which, despite the considerations in Resolving Clause 2 above, permit the introduction of restrictions at an airport on the operations of aircraft which comply, either through original certification or recertification, with Volume I, Chapter 3 of Annex 16:

- a) to base such restrictions on the noise performance of the aircraft, as determined by the certification procedure conducted consistent with Annex 16, Volume I;
- b) to tailor such restrictions to the noise problem of the airport concerned in accordance with the balanced approach;
- c) to limit such restrictions to those of a partial nature wherever possible, rather than the complete withdrawal of operations at an airport;
- d) to take into account possible consequences for air transport services for which there are no suitable alternatives (for example, long-haul services);
- e) to consider the special circumstances of operators from developing countries, in order to avoid undue hardship for such operators, by granting exemptions;
- f) to introduce such restrictions gradually over time, where possible, in order to take into account the economic impact on operators of the affected aircraft;
- g) to give operators a reasonable period of advance notice;
- h) to take account of the economic and environmental impact on civil aviation; and
- i) to inform ICAO, as well as the other States concerned, of all such restrictions imposed; and

4. *Further urges* States not to permit the introduction of any operating restrictions aimed at the withdrawal of aircraft that comply, through either original certification or recertification, with the noise standards in Volume I, Chapter 4 and Chapter 14 of Annex 16 and any further stringency levels adopted by the Council.

## **APPENDIX F**

### **Land-use planning and management**

*Whereas* land-use planning and management is one of the four principal elements of the balanced approach to noise management;

*Whereas* the number of people affected by aircraft noise is dependent on the way in which the use of land surrounding an airport is planned and managed, and in particular the extent to which residential development and other noise sensitive activities are controlled;

*Whereas* activity may increase significantly at most airports and there is a risk that future growth may be constrained by inappropriate land use near airports;

*Whereas* the phase-out of subsonic jet aircraft which comply with the noise certification standards in Volume I, Chapter 2 of Annex 16 but which exceed the noise levels in Volume I, Chapter 3 of Annex 16 has succeeded at many airports in reducing the size of the noise contours depicting the areas where people are exposed to unacceptable noise levels as well as in reducing the total number of people exposed to noise;

*Considering* it essential that these improvements should be preserved to the greatest extent practicable for the benefit of local communities;

*Recognizing* that the standard contained in Annex 16, Volume I, Chapter 4 has increased the opportunities for operators to replace aircraft in their fleets by quieter aircraft;

*Recognizing* that the standard contained in Annex 16, Volume I, Chapter 14, when implemented, will increase the opportunities for operators to replace aircraft in fleets by quieter aircraft;

*Recognizing* that while land-use management includes planning activities that may primarily be the responsibility of local authorities, it nevertheless affects airport capacity, which in turn has implications for civil aviation; and

*Recognizing* that the update of the guidance material on appropriate land-use planning and noise mitigation measures is included in the *Airport Planning Manual* (Doc 9184), Part 2 — *Land Use and Environmental Control*;

*Recognizing* that the ICAO Circular Community Engagement on Aviation Environmental Management complements the current policy of aircraft noise management at and around airports;

*The Assembly:*

1. *Urges* States that have phased out operations of Chapter 2 aircraft at their airports as provided for in Appendix D to this Resolution, whilst preserving the benefits for local communities to the greatest extent practicable, to avoid inappropriate land use or encroachment whenever possible in areas where reductions in noise levels have been achieved;

2. *Urges* States to ensure that the potential reductions in noise levels to be gained from the introduction of quieter aircraft, particularly those complying with the Chapter 4 standard, are also not avoidably compromised by inappropriate land use or encroachment;

3. *Urges* States, where the opportunity still exists to minimize aircraft noise problems through preventive measures, to:

- a) locate new airports at an appropriate place, such as away from noise-sensitive areas;
- b) take the appropriate measures so that land-use planning is taken fully into account at the initial stage of any new airport or of development at an existing airport;
- c) define zones around airports associated with different noise levels taking into account population levels and growth as well as forecasts of traffic growth and establish criteria for the appropriate use of such land, taking account of ICAO guidance;

- d) enact legislation, establish guidance or other appropriate means to achieve compliance with those criteria for land use; and
- e) ensure that reader-friendly information on aircraft operations and their environmental effects is available to communities near airports; and

4. *Requests* the Council to:

- a) ensure that the guidance on land use in Doc 9184 is current and responsive to the requirements of States; and
- b) consider what steps might be taken to promote land-use management, particularly in those parts of the world where the opportunity may exist to avoid aircraft noise problems in the future.

## APPENDIX G

### Supersonic aircraft — The problem of sonic boom

*Whereas* since the introduction of supersonic aircraft in commercial service action has been taken to avoid creating unacceptable situations for the public due to sonic boom, such as interference with sleep and injurious effects to persons and property on land and at sea caused by the magnification of the sonic boom; and

*Whereas* the States involved in the manufacture of such supersonic aircraft, as well as other States, continue to carry out research into the physical, physiological and sociological effects of sonic boom;

*Recognizing* the ongoing work to develop a new supersonic noise Standard for future aircraft, and the work to understand the current state of sonic boom knowledge, research and supersonic aeroplane projects.

*Recognizing* that the airworthiness certification of a supersonic aeroplane could occur in the 2020-2025 timeframe.

*The Assembly:*

1. *Reaffirms* the importance it attaches to ensuring that no unacceptable situation for the public is created by sonic boom from supersonic aircraft in commercial service;
2. *Instructs* the Council, in the light of the available information and availing itself of the appropriate machinery, to review the Annexes and other relevant documents, so as to ensure that they take due account of the problems which the operation of supersonic aircraft may create for the public and, in particular, as regards sonic boom, to take action to achieve international agreement on measurement of the sonic boom, the definition in quantitative or qualitative terms of the expression “unacceptable situations for the public” and the establishment of the corresponding limits; and
3. *Invites* the States involved in the manufacture of supersonic aircraft to furnish ICAO in due course with proposals on the manner in which any specifications established by ICAO could be met.

## APPENDIX H

### Aviation impact on local air quality

*Whereas* there are growing concerns about the impact of aviation on the atmosphere with respect to local air quality and the associated human health and welfare impacts;

*Whereas* the evidence of this impact from emissions of NO<sub>x</sub> and particulate matter (PM) from aircraft engines on local surface and regional air quality is now more compelling;

*Recognizing* that the scientific community is improving the understanding of uncertainties associated with the impact from emissions of NO<sub>x</sub> and PM from aircraft engines on the global climate;

*Recognizing* that there are interdependencies related to design and operations of aircraft when addressing concerns related to noise, local air quality, and climate change;

*Recognizing* that ICAO has established technical Standards and fostered the development of operational procedures that have reduced significantly local air quality pollution from aircraft;

*Whereas* many pollutants such as soot and unburned hydrocarbons from aircraft engines affecting local and regional air quality, have declined dramatically over the last few decades;

*Whereas* progress in operational procedures such as continuous descent operations has resulted in further reduction of emissions from aircraft;

*Whereas* an assessment of trends in aviation emissions of NO<sub>x</sub>, PM, and other gaseous emissions shows increasing global emissions values;

*Whereas* the impacts of aviation emissions of NO<sub>x</sub>, PM, and other gaseous emissions need to be further assessed and understood;

*Recognizing* the robust progress made in understanding impacts of non-volatile components of PM emissions while the scientific and technical work continues on better assessment of volatile components of PM emissions;

*Whereas* the impacts of aviation emissions on local and regional air quality is part of the total emissions in the affected area and should be considered in the broader context of all sources that contribute to the air quality concerns;

*Whereas* the actual local air quality and health impacts of aviation emissions depend on a series of factors among which are the contribution to the total concentrations and the number of people exposed in the area being considered;

*Whereas* Article 15 of the *Convention on International Civil Aviation* contains provisions regarding airport and similar charges, including the principle of non-discrimination, and ICAO has developed policy guidance for Member States regarding charges (*ICAO's Policies on Charges for Airports and Air Navigation Services*, Doc 9082) including specific guidance on noise-related charges and emissions-related charges for local air quality;

*Whereas* the ICAO Council had adopted on 9 December 1996 a policy statement of an interim nature on emissions-related charges and taxes in the form of a resolution wherein the Council strongly recommends that any such levies be in the form of charges rather than taxes, and that the funds collected should be applied in the first instance to mitigating the environmental impact of aircraft engine emissions;

*Whereas* such charges should be based on the costs of mitigating the environmental impact of aircraft engine emissions to the extent that such costs can be properly identified and directly attributed to air transport;

*Whereas* the ICAO Council has adopted policy and guidance material related to the use of emissions-related charges to address the impact of aircraft engine emissions at or around airports;

*Noting* that the ICAO Council has published information on environmental management systems (EMS) that are in use by aviation stakeholders; and

*Noting* that the ICAO Council has developed an Airport Air Quality Guidance Manual which has been subsequently updated;

*The Assembly:*

1. *Requests* the Council to monitor and develop its knowledge of, in cooperation with other relevant international organizations such as WHO, the effects of aviation emissions of PM, NO<sub>x</sub> and other gases on human welfare and health, and to disseminate information in this regard;
2. *Requests* the Council to continue its work to develop technologically feasible, environmentally beneficial and economically reasonable standards to further reduce the impact of local air pollution from aircraft;
3. *Requests* the Council to continue to develop certification requirements for non-volatile PM emissions while continuing to monitor progress in scientific and technical understanding of volatile and non-volatile components of PM emissions;
4. *Encourages* action by Member States to aid the development of certification requirements for nvPM emissions;
5. *Requests* the Council to ensure that the interdependencies between measures to reduce aircraft noise and engine emissions that affect local air quality as well as global climate are given due consideration;
6. *Requests* the Council to continue its work to develop long-term technology and operational goals with respect to aviation environmental issues, including NO<sub>x</sub> emissions from aircraft;
7. *Requests* the Council to continue to foster operational and air traffic improvements that reduce the impact of local air pollution from aircraft;
8. *Encourages* action by Member States, and other parties involved, to limit or reduce international aviation emissions affecting local air quality through voluntary measures and to keep ICAO informed;

9. *Welcomes* the development and promotion of guidance material on issues related to the assessment of airport-related air quality;

10. *Requests* the Council to work with States and stakeholders in promoting and sharing best practices applied at airports in reducing the adverse effects of aviation emissions on local air quality;

11. *Welcomes* the development of the guidance on emissions charges related to local air quality and *requests* the Council to keep up-to-date such guidance and *urges* Member States to share information on the implementation of such charges; and

12. *Urges* Member States to ensure the highest practical level of consistency and take due account of ICAO policies and guidance on emissions charges related to local air quality.

### **Agenda Item 21: Environmental Protection – Aircraft Engine Emissions affecting Local Air Quality – Policy, Standardization and Implementation Support**

21.1 No working papers were submitted uniquely under Agenda Item 21. Therefore, the draft text of the report on Agenda Item 21 is included in the report on Agenda Item 20.

### **Agenda Item 22: Environmental Protection – International Aviation and Climate Change – Policy, Standardization and Implementation Support**

22.1 At its second, third, fourth and tenth meetings, the Executive Committee considered the subject of environmental protection on the basis of progress reports by the Council on the Organization's work on international aviation and climate change (WPs 28, 51, 54, 55 and Corrigendum No. 1 and 56). Based on these progress reports, the Executive Committee considered the Council's proposals that update Resolution A38-18, *Consolidated Statement of continuing ICAO policies and practices related to environmental protection – Climate change* (WP/49). Amendments to aspects of Resolution A38-18 relating to a global market-based measure (MBM) scheme are provided in a separate working paper (WP/52 and Corrigendum No. 1), *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) scheme*. In addition, there were 44 papers submitted by States and Observers: WPs 91, 138, 152, 153 (Revision No. 1), 154 (Revision No. 1), 155 (Revision No. 1), 163, 170, 181, 182, 206, 207, 208, 209, 211 (Revision No. 1), 212 (Revision No. 1), 222, 227, 232, 233, 234, 248, 262, 321, 343, 363, 364, 377, 387, 411, 412, 413, 414, 415, 426, 427, 428, 429, 431, 443, 448, 449, 455 and 465.

#### **22.2 CLIMATE CHANGE WITHOUT GLOBAL MARKET-BASED MEASURE SCHEME**

22.2.1 The Council submitted a report (WP/56) on ICAO's activities to promote and facilitate the emergence of sustainable alternative fuels in aviation, including: information sharing and promotion of dialogue between States and stakeholders; maintenance of the Global Framework for Aviation Alternative Fuels (GFAAF); and work of the Alternative Fuels Task Force within the Committee on Aviation Environmental Protection (CAEP). The report highlighted that, while the technological feasibility for alternative jet fuels was proven, the next priorities would be to address initial economic barriers and ensure sustainable commercial-scale deployment, and that dedicated policies from States would be required, including the support of measures and provisions to ensure sustainability. The Committee acknowledged the progress, and supported the continued work of the Organization.

22.2.2 The Council submitted a report (WP/54) on the developments since the last Assembly related to States' voluntary action plans for CO<sub>2</sub> emissions reduction activities, as well as the next steps by which ICAO could further support States in preparing, updating and implementing the action plans. To date, 100 States representing 89.90 per cent of international air transport submitted action plans. While this was a significant improvement, more than half of the action plans submitted still did not include quantified baselines and expected results. As next steps, the Secretariat would continue to provide support to States in the preparation and update of voluntary action plans with quantified data, and to build partnerships to support States that have not yet prepared action plans. The Committee acknowledged the progress, and supported the continued work of the Organization.

22.2.3 The Committee also encouraged Member States to share information and include more complete and robust data in the action plans, which would facilitate the compilation of global emissions data by ICAO. It further encouraged partnerships between States to support each other in the preparation and refinement of action plans.

22.2.4 The Committee also considered WP/28, which reported on activities related to the ICAO Technical Assistance Programme, covering all Strategic Objectives of ICAO including environmental protection. Information on environment-related assistance and capacity-building initiatives, such as the ICAO's partnerships with European Union (EU) as well as with United Nations Development Programme (UNDP) and Global Environment Facility (GEF), was included in the paper. The Committee was informed of the new assistance partnerships related to environment, such as additional support from the EU; Germany's support of a pilot project for the implementation of the global MBM's Monitoring, Reporting and Verification (MRV) system; the confirmed intentions of ACI to partner with ICAO on initiatives for greener airports; and the new partnership with the World Bank to support the implementation of the global MBM scheme.

22.2.5 In WP/49, the Council submitted a proposal for the revision of Assembly Resolution A38-18, Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change, in light of developments since the 38th Session of the Assembly on international aviation and climate change.

22.2.6 In WP/91, presented by Switzerland, Slovakia on behalf of the EU and its Member States and the other Member States of the European Civil Aviation Conference (ECAC), expressed the need for States to develop measures to support the uptake of sustainable alternative fuels, Europe's commitment to building capacity for environmental protection in developing countries and its invitation for others to engage in activities with the same objective was highlighted, as was support for the establishment of a long term CO<sub>2</sub> emissions reduction goal, and future work to improve the scientific understanding of the aviation's environmental impacts, including on non-CO<sub>2</sub> effect.

22.2.7 In WP/262, Dominican Republic on behalf of the 22 Member States of the Latin American Civil Aviation Commission (LACAC) described the challenges faced by a number of LACAC States in developing and implementing their action plans on emissions reduction, while highlighting the success experienced by the Dominican Republic from the project funded by the EU and the overall benefits being achieved through the project funded by UNDP/GEF. They requested the allocation of specific funds that would allow the expansion and enhancement of assistance projects for States to develop and implement their action plans and to develop MRV systems, such as the Aviation Environmental System (AES) for creating emissions inventories and monitoring CO<sub>2</sub> emissions from international aviation.

22.2.8 In WP/321, nine Central African States, as beneficiaries of the ICAO-EU Project, presented progress made by the Central African States in drawing up action plans to reduce CO<sub>2</sub>



emissions and implementing the Aviation Environmental System (AES) within the framework of the ICAO and EU assistance project. It further described cooperation by them in drawing up a regional action plan. They requested ICAO, other States and international organizations to explore additional sources of funding to enhance technical assistance for the development of action plans and implementation of the measures set out therein.

22.2.9 In WP/170 Canada highlighted the compromise that may exist on the analysis of the environmental benefits accrued by the implementation of Performance Based Navigation (PBN) procedures, since they can enable more efficient operations that result in fuel burn and emission reductions, but may also result in a perceived concentration of noise due to more aircraft following similar routes. Canada proposed that States contribute data concerning noise impacts in the vicinity of aerodromes, and that the Council develop a pragmatic approach to balancing GHG and noise impacts in the vicinity of aerodromes when implementing PBN procedures.

22.2.10 In WP/181, Kenya shared its experience and progress in the collection, monitoring and reporting of CO<sub>2</sub> emissions data from international aviation, as part of its initiative to update and strengthen its voluntary action plan. It suggested that, in order to promote the development of robust action plans and increase States' readiness for the possible Monitoring, Reporting and Verification (MRV) requirements, ICAO enhance its capacity building programme on CO<sub>2</sub> emissions reduction, building upon the successful experience of the ICAO's partnership with the EU and the roll out of the Aviation Environmental System (AES) in selected States, and further facilitate States' access to financial resources, technical expertise and technology transfer. It further encouraged States to build partnerships, including through the "ICAO Buddy Programme" or additional dedicated regional capacity building projects, in order to continue to foster regional cooperation and knowledge exchange.

22.2.11 In WP/212, Revision No. 1, Indonesia highlighted the development of sustainable alternative fuels for aviation being included as part of its State action plan, and as a result, aviation was included in its national bio-energy policy and targets for the transport sector. It highlighted that sustainable alternative fuels for aviation would require appropriate policies and incentives to create long-term market perspectives, and requested the development of ICAO guidance for States to establish globally aligned appropriate policy actions. It also encouraged States to include aviation in their national bio-energy policies and/or targets for transport.

22.2.12 In WP/232, the United States supported ICAO's "basket of measures" to address climate change from international civil aviation, and highlighted several initiatives that the United States were currently funding on the implementation and research of the various elements in the basket of measures.

22.2.13 In WP/363, Burkina Faso described its progress to reduce CO<sub>2</sub> emissions in the civil aviation sector, highlighting the steps toward the development of its action plan and the implementation of an Aviation Environmental System (AES) by the National Civil Aviation Authority. The challenges foreseen in the implementation of the plan were also discussed, as well as the expectations of Burkina Faso as regards assistance and cooperation. It encouraged Member States and international organizations to earmark funds for capacity building and new regional assistance projects in the environment field, similar to the ICAO-EU project.

22.2.14 In WP/364, Egypt presented a report on its activities in the field of environmental protection arising from international aviation, and the progress achieved in relation to presentation of its action plan for CO<sub>2</sub> emissions reduction. It requested ICAO to include a specialized training team in TRAINAIR PLUS Programme concerning the State action plans, to strengthen environmental capabilities in ICAO Regional Offices, and to provide experts for assisting States in developing action plans and creating partnerships among them.

22.2.15 In WP/455, Mexico summarized the current status for the development and deployment of sustainable alternative fuels for aviation, as a key element of the basket of measures to reduce aviation emissions. It invited the Assembly to encourage all States, the aviation industry and other stakeholder, to participate in the ICAO preparatory seminar in Montréal in February 2017, and the ICAO Conference on Aviation Alternative Fuels, to be held in Mexico City, Mexico in October 2017 that would develop an *ICAO Vision on International Aviation Alternative Fuels*, as a means to encourage States to take action to further develop and deploy sustainable alternative fuels for aviation.

22.2.16 In WP/152, the International Air Transport Association (IATA) welcomed the adoption by CAEP of recommendations, including the first aeroplane CO<sub>2</sub> emissions certification standard. IATA emphasized that States should refrain from imposing any operating restrictions or emissions levies based on the CO<sub>2</sub> emissions standard.

22.2.17 The Committee acknowledged ten working papers submitted for information purposes. They were not presented to the meeting but are summarized below:

22.2.18 In WP/138, India provided an overview of the initiatives taken by India's government and other stakeholders to reduce aviation emissions towards a sustainable growth.

22.2.19 In WP/222, Indonesia provided an update on the implementation of the Indonesia's State action plan, highlighting recent achievements and future plans and seeking cooperation opportunities with other member States.

22.2.20 In WP/227, Caribbean Aviation Safety and Security Oversight System (CASSOS) described the challenges faced by a number of CASSOS States in developing and implementing their action plans on CO<sub>2</sub> emissions reduction, while highlighting the success of a number of ICAO initiatives, including the project funded by the EU, the project funded by UNDP/GEF and the ICAO Secretariat-led "Buddy Programme."

22.2.21 In WP/415, Slovakia on behalf of the EC and its Member States and the other Member States of the ECAC presented their activities in support of the objectives of the ICAO *No Country Left Behind* (NCLB) initiative, including the ICAO-EU project to assist the development and implementation of State Action Plans to reduce aviation CO<sub>2</sub> emissions for 14 Caribbean and African States.

22.2.22 In WP/426, Guatemala on behalf of the 22 Member States of the Latin American Civil Aviation Commission (LACAC) presented the work by LACAC Member States related to collaboration and submission of State action plans to reduce aviation CO<sub>2</sub> emissions. It described the measures taken by the States of the region in accordance with their respective capabilities, and encouraged States that have not yet submitted their voluntary action plans to join in the efforts.

22.2.23 In WP/207, the International Coalition for Sustainable Aviation (ICSA) suggested that six years of intense effort have not produced a CO<sub>2</sub> Standard for new types or in production aeroplanes that will reduce emissions beyond what they might otherwise have been without the Standard. Given the expected growth in aviation CO<sub>2</sub> and the urgency of adopting all feasible mitigation measures as the Paris Agreement so starkly underlines, this result is, in the opinion of ICSA, deeply disappointing.

22.2.24 In WP/208, ICSA emphasized the importance of public scrutiny and openness regarding the work of ICAO to address greenhouse gas emissions from international aviation. It highlighted that ICAO transparency and process lags significantly behind longstanding practices in other UN bodies, and

emphasized the commitment of ICAO Members States regarding enhanced transparency in other international processes.

22.2.25 In WP/209, ICSA proposed that ICAO should take the lead in developing a credible long-term emissions goal for the international aviation sector, consistently with the objectives of the Paris Agreement (using 200 Gt carbon budget), and that the outcome of this process should be presented to the UNFCCC in the form of an ICAO Determined Contribution. It suggested that the scope of the “basket of measures” be reviewed and that the “basket” should include other measures relating to taxation, which would also be an opportunity to reconsider revenue raising for climate finance. It also suggested that measures adopted by ICAO be amended to reflect a conservative non-CO<sub>2</sub> effect factor, such as through the introduction of discounting to a global market-based measure (MBM) scheme.

22.2.26 In WP/427, ICSA presented its views on the interactions between the Sustainable Development Goals (SDGs) and ICAO’s “basket of measures” to address climate change, particularly market-based measures (MBMs) and alternative fuels. It highlighted the need for additional market or non-market measures in the long-term beyond 2035 to ensure the delivery of both sustainable development and climate change objectives.

22.2.27 In WP/429, the Airports Council International (ACI) provided information on its active collaboration with other entities in the aviation industry and with ICAO related to environmental protection, as contained in the Resolutions agreed by the ACI World Annual General Assembly (WAGA) in September 2016. In addition, it showcased ACI projects to assist member airports to effectively address the environmental impacts of their activities, including, Airport Carbon Accreditation, the Airport Carbon and Emissions Reporting Tool (ACERT), and the use of sustainable renewable energy at airports.

22.2.28 The Committee recognized that more efforts should be dedicated to the development and deployment of sustainable alternative fuels for aviation. It welcomed the convening of the ICAO Conference on Aviation Alternative Fuels in October 2017 in Mexico, with a view to developing the ICAO Vision on International Aviation Alternative Fuels as a means to encourage States to take actions for that objective.

22.2.29 In addition, the Committee concluded that the ICAO Secretariat should enhance ICAO’s capacity building and assistance activities for the preparation and implementation of States’ voluntary action plans to reduce aviation CO<sub>2</sub> emissions. More partnerships among States should be encouraged to assist States that have not yet prepared their action plans or need to improve their action plans, including through the ICAO’s Buddy Programme. States that had benefited from assistance acknowledged the value of capacity-building.

22.2.30 The Committee fully recognized the significant achievements made over the last triennium and overwhelming support to further work for all elements of the basket of measures as well as capacity building and assistance on the development and implementation of States’ action plans, while it noted the concern of some States on the ICAO’s global aspirational goals and their relation to a global MBM scheme.

22.2.31 Therefore, the Committee agreed to suspend the consideration of the draft Assembly Resolution text proposed in the Appendix to WP/49. The Committee also decided that, following the next discussion on a global MBM scheme, it would reconsider this subject.

22.2.32 Following the discussion on a global MBM scheme and subsequent informal consultations with some States by the Chairperson, together with the President of the Council, the Committee considered the suggestions as a result of the consultations, and agreed on the following amendments to the draft Assembly Resolution text proposed in the Appendix to WP/49:

- inclusion of a new preamble paragraph “*Recognizing* that this Resolution does not set a precedent for or prejudge the outcome of negotiations under the UNFCCC or the Paris Agreement, nor represent the position of the Parties to those agreements;”
- deletion of text “, in particular by assessing the share of international aviation in the global carbon budget in light of the 2 °C and 1.5 °C temperature goals” from paragraph 9 of the draft Resolution text; and
- guiding principles listed in the Annex to Resolution A38-18 are reproduced in the Annex to the draft Assembly Resolution text. In addition, the related preamble paragraph in Resolution A38-18 is also reproduced and updated as follows: “*Recalling* that Assembly Resolution A37-19 requested the Council, with the support of member States, to undertake work to develop a framework for market-based measures (MBMs) in international aviation, including further elaboration of the guiding principles listed in the Annex to A37-19, and that the guiding principles were elaborated as listed in the Annex to Assembly Resolution A38-18, which are reproduced in the Annex to this Resolution;”.

22.2.33 A majority of States reiterated their support to the draft Assembly Resolution text proposed in the Appendix to WP/49 together with the suggested amendments above as a result of the informal consultations.

22.2.34 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.

22.2.35 The Committee agreed to recommend that the Assembly adopt the following Resolution:

**Resolution 22/1: Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change**

*Whereas* ICAO and its member States recognize the critical importance of providing continuous leadership to international civil aviation in limiting or reducing its emissions that contribute to global climate change;

*Reemphasizing* the vital role which international aviation plays in global economic and social development and the need to ensure that international aviation continues to develop in a sustainable manner;

*Acknowledging* that the work of the Organization on the environment contributes to 10 of the 17 United Nations Sustainable Development Goals (SDGs), including SDG 13 “*Take urgent action to combat climate change and its impacts*”;

*Whereas* a comprehensive assessment of aviation’s impact on the atmosphere is contained in the special report on *Aviation and the Global Atmosphere*, published in 1999, which was prepared at ICAO’s request by the Intergovernmental Panel on Climate Change (IPCC);

*Whereas* the IPCC special report recognized that the effects of some types of aircraft emissions are well understood, it revealed that the effects of others are not, and identified a number of key areas of scientific uncertainty that limit the ability to project aviation's full impacts on climate and ozone; the Organization will update the information contained in the IPCC special report;

*Acknowledging* that international aviation emissions, currently accounting for less than 2 per cent of total global CO<sub>2</sub> emissions, are projected to increase as a result of the continued growth of air transport;

*Whereas* the ultimate objective of the United Nations Framework Convention on Climate Change (UNFCCC) is to achieve stabilization of greenhouse gas (GHG) concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system;

*Whereas* the Kyoto Protocol, which was adopted by the Conference of the Parties to the UNFCCC in December 1997 and entered into force on 16 February 2005, calls for developed countries (Annex I Parties) to pursue limitation or reduction of greenhouse gases from "aviation bunker fuels" (international aviation) working through ICAO (Article 2.2);

*Whereas* the Paris Agreement, which was adopted by the Conference of the Parties to the UNFCCC in December 2015, enhances the implementation of the UNFCCC including its objective, and aims to strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty, including by holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 °C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change;

*Recognizing* the global aspirational goals for the international aviation sector of improving fuel efficiency by 2 per cent per annum and keeping the net carbon emissions from 2020 at the same level, as adopted by the ICAO Assembly at its 37th Session in 2010 and reaffirmed at its 38th Session in 2013, as well as the work being undertaken to explore a long term global aspirational goal for international aviation in light of the 2 °C and 1.5 °C temperature goals of the Paris Agreement;

*Recognizing* that the aspirational goal of 2 per cent annual fuel efficiency improvement is unlikely to deliver the level of reduction necessary to stabilize and then reduce aviation's absolute emissions contribution to climate change, and that goals of more ambition are needed to deliver a sustainable path for aviation;

*Affirming* that addressing GHG emissions from international aviation requires the active engagement and cooperation of States and the industry, and *noting* the collective commitments announced by Airports Council International (ACI), Civil Air Navigation Services Organisation (CANSO), International Air Transport Association (IATA), International Business Aviation Council (IBAC) and International Coordinating Council of Aerospace Industries Associations (ICCAIA) on behalf of the international air transport industry, to continuously improve CO<sub>2</sub> efficiency by an average of 1.5 per cent per annum from 2009 until 2020, to achieve carbon neutral growth from 2020 and to reduce its carbon emissions by 50 per cent by 2050 compared to 2005 levels;

*Recalling* the UNFCCC and the Paris Agreement and *acknowledging* its principle of common but differentiated responsibilities and respective capabilities, in light of different national circumstances;

*Also acknowledging* the principles of non-discrimination and equal and fair opportunities to develop international aviation set forth in the Chicago Convention;

*Recognizing* that this Resolution does not set a precedent for or prejudice the outcome of negotiations under the UNFCCC or the Paris Agreement, nor represent the position of the Parties to those agreements;

*Noting* that, to promote sustainable growth of international aviation and to achieve its global aspirational goals, a comprehensive approach, consisting of a basket of measures including technology and standards, sustainable alternative fuels, operational improvements and market-based measures to reduce emissions is necessary;

*Acknowledging* the significant technological progress made in the aviation sector, with aircraft produced today being about 80 per cent more fuel efficient per passenger kilometre than in the 1960's;

*Welcoming* the agreement by the Committee on Aviation Environmental Protection (CAEP) on the CO<sub>2</sub> emissions certification Standard for aeroplanes;

*Recognizing* the work being undertaken to consider the environmental aspects of aircraft end-of-life such as through aircraft recycling;

*Recognizing* that air traffic management (ATM) measures under the ICAO's Global Air Navigation Plan contribute to enhanced operational efficiency and the reduction of aircraft CO<sub>2</sub> emissions;

*Welcoming* the assessment of the environmental benefits of the Aviation System Block Upgrades (ASBUs) completed for Block 0 and being undertaken for Block 1;

*Noting* that the Conference on Aviation and Alternative Fuels in November 2009 (CAAF/09) endorsed the use of sustainable alternative fuels for aviation, particularly the use of drop-in fuels in the short to mid-term, as an important means of reducing aviation emissions;

*Also noting* that the CAAF/09 established an ICAO Global Framework for Aviation Alternative Fuels (GFAAF) through which progress has been registered, including five pathways for the certification of aviation alternative fuels to date, and the first airport-hub for such fuels;

*Recognizing* that the technological feasibility of drop-in sustainable alternative fuels for aviation is proven and that the introduction of appropriate policies and incentives to create a long-term market perspective is required;

*Acknowledging* the need for such fuels to be developed and deployed in an economically feasible, socially and environmentally acceptable manner and the progress achieved in the harmonization of the approaches to sustainability;

*Acknowledging* the need to explore and facilitate civil aviation sector's access to renewable energy including through its cooperation with the Sustainable Energy for All (SE4ALL) initiative, as part of the Organization's contribution to SDG 7 "*Ensure access to affordable, reliable, sustainable and modern energy for all*";

*Recalling* that Assembly Resolution A37-19 requested the Council, with the support of member States, to undertake work to develop a framework for market-based measures (MBMs) in international aviation, including further elaboration of the guiding principles listed in the Annex to A37-19, and that the guiding principles were elaborated as listed in the Annex to Assembly Resolution A38-18, which are reproduced in the Annex to this Resolution;

*Noting* that, consistent with Assembly Resolution A38-18, a substantial strategy for capacity building and other technical and financial assistance was undertaken by the Organization, in line with the No Country Left Behind (NCLB) initiative, to assist the preparation and submission of States' action plans, including the holding of regional seminars, the development and update of ICAO Doc 9988, *Guidance on the development of States' Action Plans on CO<sub>2</sub> Emissions Reduction Activities*, an interactive web-interface, the ICAO Fuel Savings Estimation Tool (IFSET) and the ICAO Environmental Benefits Tool (EBT);

*Welcoming* that, as of 8 June 2016, 94 member States that represent more than 88 per cent of global international air traffic voluntarily prepared and submitted action plans to ICAO;

*Recognizing* the different circumstances among States in their capacity to respond to the challenges associated with climate change and the need to provide necessary support, in particular to developing countries and States having particular needs;

*Affirming* that specific measures to assist developing States as well as to facilitate access to financial support, technology transfer and capacity building should be initiated as soon as possible;

*Recognizing* the assistance provided by ICAO in partnership with other organizations to facilitate Member States' action to reduce aviation emissions, as well as continuous search for potential assistance partnerships with other organizations;

*Recognizing* the importance of work being undertaken to identify the potential impacts of climate change on international aviation operations and related infrastructure; and

*Recognizing* the progress made by ICAO in its implementation of the Climate Neutral UN initiative and the significant support provided by ICAO to the initiative, in particular through the development of the ICAO Carbon Emissions Calculator, to support the assessment of emissions from passengers travelling by air and welcoming its expansion to add air cargo emissions;

*The Assembly:*

1. *Resolves* that this Resolution, together with Resolution A39-YY: *Consolidated statement of continuing ICAO policies and practices related to environmental protection - General provisions, noise and local air quality* and Resolution A39-ZZ: *Consolidated statement of continuing ICAO policies and practices related to environmental protection - Global Market-based Measure (MBM) Scheme*, supersede Resolutions A38-17 and A38-18 and constitute the consolidated statement of continuing ICAO policies and practices related to environmental protection;

2. *Requests* the Council to:

- a) ensure that ICAO exercise continuous leadership on environmental issues relating to international civil aviation, including GHG emissions;
- b) continue to study policy options to limit or reduce the environmental impact of aircraft engine emissions and to develop concrete proposals, encompassing technical solutions and market-based measures, and taking into account potential implications of such measures for developing as well as developed countries; and
- c) continue to cooperate with organizations involved in policy-making in this field, notably with the Conference of the Parties to the UNFCCC;

3. *Reiterates* that:

- a) ICAO should continue to take initiatives to promote information on scientific understanding of aviation's impact and action undertaken to address aviation emissions and continue to provide the forum to facilitate discussions on solutions to address aviation emissions; and
- b) emphasis should be on those policy options that will reduce aircraft engine emissions without negatively impacting the growth of air transport especially in developing economies;

4. *Resolves* that States and relevant organizations will work through ICAO to achieve a global annual average fuel efficiency improvement of 2 per cent until 2020 and an aspirational global fuel efficiency improvement rate of 2 per cent per annum from 2021 to 2050, calculated on the basis of volume of fuel used per revenue tonne kilometre performed;

5. *Agrees* that the goals mentioned in paragraph 4 above would not attribute specific obligations to individual States, and the different circumstances, respective capabilities and contribution of developing and developed States to the concentration of aviation GHG emissions in the atmosphere will determine how each State may voluntarily contribute to achieving the global aspirational goals;

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;

7. *Recognizes* the many actions that ICAO member States have taken and intend to take in support of the achievement of the collective aspirational goals, including air traffic management modernization, acceleration of the use of fuel-efficient aircraft technologies, and the development and deployment of sustainable alternative fuels, and *encourages* further such efforts;

8. *Agrees* to review, at its 40th Session, the goal outlined in paragraph 6 above in light of progress towards the goal, studies regarding the feasibility of achieving the goal, and relevant information from States;

9. *Requests* the Council to continue to explore the feasibility of a long term global aspirational goal for international aviation, through conducting detailed studies assessing the attainability and impacts of any goals proposed, including the impact on growth as well as costs in all countries, especially developing countries, for the progress of the work to be presented to the 40th Session of the ICAO Assembly. Assessment of long term goals should include information from member States on their experiences working towards the medium term goal;

10. *Further encourages* States to submit voluntary action plans outlining respective policies and actions, and annual reporting on international aviation CO<sub>2</sub> emissions to ICAO;

11. *Invites* those States that choose to prepare or update action plans to submit them to ICAO as soon as possible preferably by the end of June 2018 and once every three years thereafter, in order that



ICAO can continue to compile the quantified information in relation to achieving the global aspirational goals, and the action plans should include information on the basket of measures considered by States, reflecting respective national capacities and circumstances, quantified information on the expected environmental benefits from the implementation of the measures chosen from the basket, and information on any specific assistance needs;

12. *Encourages* States that have already submitted action plans to share information contained in action plans and build partnerships with other member States in order to support those States that have not prepared action plans, and to make the submitted action plans available to the public, taking into account the commercial sensitivity of information contained in States' action plans;

13. *Requests* the Council to facilitate the dissemination of economic and technical studies and best practices related to aspirational goals and to continue to provide guidance and other technical assistance for the preparation and update of States' action plans prior to the end of June 2018, in order for States to conduct necessary studies and to voluntarily submit action plans to ICAO;

14. *Requests* the Council to maintain and enhance appropriate standard, methodologies and a mechanism to measure/estimate, monitor and verify global GHG emissions from international aviation, and States support the work of ICAO on measuring progress through the reporting of annual data on traffic, fuel consumption and CO<sub>2</sub> emissions;

15. *Requests* the Council to request States to continue to support the efforts of ICAO on enhancing the reliability of measuring/estimating global GHG emissions from international aviation, and to regularly report CO<sub>2</sub> emissions from international aviation to the UNFCCC, as part of its contribution to assessing progress made in the implementation actions in the sector based on information approved by its member States;

16. While recognizing that no effort should be spared to obtain means to support the reduction and stabilization of CO<sub>2</sub> emissions from all sources, *urges* that ICAO and its member States express a clear concern, through the UNFCCC process, on the use of international aviation as a potential source for the mobilization of revenue for climate finance to the other sectors, in order to ensure that international aviation would not be targeted as a source of such revenue in a disproportionate manner;

17. *Requests* the Council to:

- a) continue to play a pivotal role in providing assistance to its member States through the dissemination of the latest information on best practices and the provision of guidance and other technical assistance to enhance capacity building and technology transfer, including through the ICAO Technical Cooperation Programme;
- b) build further partnerships with other international organizations to meet the assistance needs of ICAO's member States, including through the ICAO Action Plan Buddy Programme, and facilitate access to existing and new financial resources, technology transfer and capacity building, to developing countries and report on results achieved as well as further recommendations, preliminarily by the end of 2018 and at the 40th Session of the Assembly; and
- c) continue to initiate specific measures to assist developing States as well as to facilitate access to financial resources, technology transfer and capacity building;

18. *Requests States to:*

- a) promote scientific research aimed at continuing to address the uncertainties identified in the IPCC special report on Aviation and the Global Atmosphere and in the Assessment reports, and ensure that future assessments undertaken by IPCC and other relevant United Nations bodies include updated information, if any, on aircraft-induced effects on the atmosphere;
- b) consider policies to encourage the introduction of more fuel efficient aircraft in the market, and work together through ICAO to exchange information and develop guidance for best practices on aircraft end-of-life such as through aircraft recycling;
- c) accelerate investments on research and development to bring to market more efficient technology by 2020;
- d) accelerate the development and implementation of fuel efficient routings and air navigation procedures to reduce aviation emissions, and work with ICAO to bring the environmental benefits to all regions and States, taking into account the Aviation System Block Upgrades (ASBUs) strategy;
- e) reduce legal, security, economic and other institutional barriers to enable implementation of the new air traffic management operating concepts for the environmentally efficient use of airspace;
- f) set a coordinated approach in national administrations for policy actions and investment to accelerate the appropriate development, deployment and use of clean and renewable energy sources for aviation, including the use of sustainable alternative fuels, in accordance with their national circumstances;
- g) consider the use of incentives to encourage the deployment of clean and renewable energies sources for aviation, including sustainable alternative fuels;
- h) consider measures to support research and development as well as processing technology and feedstock production in order to decrease costs and support scale-up of sustainable production pathways up to commercial scale, taking into account the sustainable development of States;
- i) recognize existing approaches to assess the sustainability of all alternative fuels in general, including those for use in aviation which should achieve net GHG emissions reduction on a life cycle basis, contribute to local social and economic development; competition with food and water should be avoided; and
- j) adopt measures to ensure the sustainability of alternative fuels for aviation, building on existing approaches or combination of approaches, monitor, at a national level, the sustainability of the production of alternative fuels for aviation, and work together through ICAO and other relevant international bodies, to exchange information and best practices, including for the harmonization on the sustainability criteria of aviation alternative fuels;

19. *Requests* the Council to:

- a) continue to develop and keep up-to-date the guidance for member States on the application of policies and measures aimed at reducing or limiting the environmental impact of emissions from international aviation, and conduct further studies with respect to mitigating the impact of international aviation on climate change;
- b) encourage States to cooperate in the development of predictive analytical models for the assessment of aviation impacts;
- c) continue evaluating the costs and benefits of the various measures, including existing measures, with the goal of addressing aircraft engine emissions in the most cost-effective manner, taking into account the interests of all parties concerned, including potential impacts on developing world;
- d) assist member States with studies, evaluations and development of procedures, in collaboration with other States in the region, to limit or reduce GHG emissions on a global basis and work together collaboratively to optimize the environmental benefits that can be achieved through various programmes;
- e) adopt the CO<sub>2</sub> emissions certification Standard for aeroplanes as soon as possible;
- f) update medium and long term technological goals for aircraft fuel burn;
- g) maintain and update guidance on operational measures to reduce international aviation emissions, and place emphasis on increasing fuel efficiency in all aspects of the ICAO's Global Air Navigation Plan (GANP); encourage States and stakeholders to develop air traffic management that optimizes environmental benefits, and promote and share best practices applied at airports;
- h) continue to develop and update the necessary tools and guidance to assess the benefits associated with air traffic management improvements, and assess the environmental benefits associated with the implementation of the Aviation System Block Upgrades (ASBUs) strategy;
- i) encourage member States and invite industry, financial institutions and other international organizations to actively participate in exchange of information and best practices, and facilitate the establishment of partnerships and the definition of policies that will further promote the transition to clean, renewable sources of energy for aviation, including sustainable alternative fuels, through regional seminars;
- j) continue to maintain the ICAO Global Framework for Aviation Alternative Fuels (GFAAF);
- k) continue to give a global view of the future use of alternative jet fuels and to account for changes in life cycle GHG emissions in order to assess progress toward achieving global aspirational goals;
- l) work with financial institutions to facilitate access to financing infrastructure development projects dedicated to sustainable aviation alternative fuels and incentives to overcome initial market hurdles;

- m) cooperate with other relevant international initiatives, including the Sustainable Energy for All (SE4ALL) initiative, to facilitate the aviation's access to renewable energy;
- n) identify the potential impacts of climate change on international aviation operations and related infrastructure and identify adaptation measures to address the potential climate change impacts, in cooperation with other relevant international organizations and the industry; and
- o) continue to cooperate with the Climate Neutral UN initiative, remain at the forefront of developing methods and tools for quantifying aviation's GHG emissions with respect to the initiative, including the ICAO Carbon Emissions Calculator that also incorporates cargo emissions, and further develop and implement the strategy for reducing GHG emissions and enhancing in-house sustainability management practices of the Organization.

## Annex

The guiding principles for the design and implementation of market-based measures (MBMs) for international aviation:

- a) MBMs should support sustainable development of the international aviation sector;
- b) MBMs should support the mitigation of GHG emissions from international aviation;
- c) MBMs should contribute towards achieving global aspirational goals;
- d) MBMs should be transparent and administratively simple;
- e) MBMs should be cost-effective;
- f) MBMs should not be duplicative and international aviation CO<sub>2</sub> emissions should be accounted for only once;
- g) MBMs should minimize carbon leakage and market distortions;
- h) MBMs should ensure the fair treatment of the international aviation sector in relation to other sectors;
- i) MBMs should recognize past and future achievements and investments in aviation fuel efficiency and in other measures to reduce aviation emissions;
- j) MBMs should not impose inappropriate economic burden on international aviation;
- k) MBMs should facilitate appropriate access to all carbon markets;
- l) MBMs should be assessed in relation to various measures on the basis of performance measured in terms of CO<sub>2</sub> emissions reductions or avoidance, where appropriate;
- m) MBMs should include *de minimis* provisions;
- n) where revenues are generated from MBMs, it is strongly recommended that they should be applied in the first instance to mitigating the environmental impact of aircraft engine emissions, including mitigation and adaptation, as well as assistance to and support for developing States;
- o) where emissions reductions are achieved through MBMs, they should be identified in States' emissions reporting; and
- 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.

## 22.3 GLOBAL MARKET-BASED MEASURE SCHEME

22.3.1 In WP/52 and Corrigendum No. 1, the Council submitted the draft Assembly Resolution text on a global Market-based Measure (MBM) scheme, *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) scheme*, which was developed in light of the work of the Organization since the 38th Session of the Assembly towards the development of a global MBM scheme, as summarized in Appendix A. The Appendix B to this working paper presented the draft Assembly Resolution text, for consideration by the 39th Session of the Assembly.

22.3.2 In WP/414, Slovakia on behalf of the European Union and its Member States and the other Member States of the European Civil Aviation Conference, expressed the need for a credible, robust and effective global MBM scheme to be decided by the 39th Assembly as a key element of the “basket of measures” to tackle CO<sub>2</sub> emissions from international aviation and to achieve carbon neutral growth from 2020. The paper presented the European position on the need for key design elements to be clear, credible and agreed upon as a package for the duration of the global MBM scheme, together with a roadmap for implementation from 2020. It also included the intention of the EU, its Member States and the other Member States of the ECAC to implement this scheme from the start, and requested States, who can do so, to declare before the end of the Assembly their commitment to voluntarily participate in the global MBM scheme from the beginning.

22.3.3 In WP/412, India, China and the Russian Federation proposed changes to certain provisions of the draft Assembly Resolution text on a global MBM scheme, in particular: review of the scheme after the pilot and first phases would determine the design parameters of the second phase from 2027, such as the RTK threshold for the exemption of States and a specific individual rate in the dynamic approach from 2030; recognition that “developed States will take the lead”; distribution of offsetting requirements on the basis of Nationally Determined Contributions (NDCs) by individual participating States, or by the formula provided in paragraph 9 of the draft text; use of different thresholds to participate in the scheme between new entrants from developed and developing States; not using Standards and Recommended Practices (SARPs) for Monitoring, Reporting and Verification (MRV) requirements; and different timelines for implementation of MRV by States participating in different phases of the scheme.

22.3.4 In WP/449, Guatemala and Spain shared information related to the initiative “Alliance for Sustainable Aviation (ALAS)”, which was developed by Guatemala, Spain and the US, in order to promote emission reduction programmes and projects toward an environmental, social, and economically sustainable aviation sector, focused on a progressive development approach for lowering emissions. It invites other States and Organizations to join the initiative, and emphasized the need for cooperation among States for the implementation of Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA).

22.3.5 In WP/182, Qatar expressed its view based on Assembly Resolution A38-18, Annex paragraph i) which specifically refers to recognizing “early action” taken by airlines to improve fuel efficiency and reduce aviation emissions. Qatar pointed out that the proposals did not include an important design element that was commonly known as “early movers”, and that the absence of that recognition would act as a de-motivator for airlines to improve their efficiencies at a higher rate than that of the industry, and would actually penalize early movers when carbon neutral growth would be implemented.

22.3.6 In WP/211 Revision No. 1, Indonesia supported the establishment of a global MBM scheme for international aviation and summarized its positions including: the need to ensure that an

operator's emissions offsetting requirements be reduced through the use of sustainable alternative fuels on an individual basis; that Indonesia would be willing to take early action by joining the scheme from 2021 if technical support would be received from ICAO and/or other Member States; and that Indonesia supported a dynamic transition of distribution of offsetting requirements from a 100 percent sectorial to an individual approach.

22.3.7 In WP/233, Brazil supported a two-phased approach for the implementation of the global scheme, with a minimum five-year gap between them, and advocated for a classification of States in each phase based primarily on aviation criteria such as RTK. It strongly believed that all countries from South and Central America that do not fall under the exemptions should join the scheme together in the second phase. It supported the 100 per cent sectoral approach for the distribution of offsetting requirements. It also recognized that further work should be commissioned to CAEP with respect to the implementation of the scheme, in particular emissions unit criteria must be guided by and consistent with UNFCCC and its Paris Agreement.

22.3.8 In WP/234, Brazil summarized technical arguments in support to the adoption of the 100 per cent sectoral approach for the distribution offsetting requirements, with a view to avoiding market distortions and disproportionate burden to some region's international air traffic development.

22.3.9 In WP/343, Malaysia supported the development of a global MBM scheme, in the form of the global offsetting scheme, aiming at reducing the impact of carbon emissions from the international aviation sector. Malaysia would undertake all the necessary actions to prepare for the implementation of the scheme, while requesting for technical assistance from ICAO and encouraging cooperation with other States. Malaysia supported the phased implementation of the scheme based on the consensus by Member States, and also supported the sectoral approach on the distribution of offsetting requirements. Malaysia expressed its intention to voluntarily participate in the scheme from its outset.

22.3.10 In WP/387, the Russian Federation provided an overall analysis of the negative impacts associated with the implementation of CORSIA, and offered an alternative approach to addressing environmental challenges, based on the Clean Development Mechanism (CDM) for International Civil Aviation (ACDM), as a basis for implementing a global MBM scheme. The proposal intended to establish a mechanism for mobilizing resources available to international aviation, by introducing an environmental fee from States calculated as a flat charge rate per tonne of aviation fuel used for internal flights, in order to fund environmentally efficient aviation projects in developing States.

22.3.11 In WP/411, Canada expressed its view that a single and robust global MBM scheme as one element of a basket of measures to address CO<sub>2</sub> emissions from international aviation would achieve a significantly better environmental outcome at a lower cost than a patchwork of State and regional measures. It recognized that the draft Assembly Resolution contained in WP/52 and Corrigendum No. 1 was the product of significant efforts at compromise, the elements only work when taken together as a package, and that the package was balanced and reflective of the multiple perspectives of various States. Canada expressed its intention to voluntarily participate in the scheme from its outset and encouraged other States to do the same.

22.3.12 In WP/428, Chile presented its views on ongoing CAEP's technical work in Monitoring, Reporting and Verification (MRV), Emissions Unit Criteria (EUC) and Registries related to a global MBM scheme, and the benefits for all Members States to have access to relevant information in a transparent manner. Chile proposed that the discussion related to future technical work of CAEP on a global MBM scheme should be available to all Member States.

22.3.13 In WP/448, the United States supported ICAO's comprehensive approach to achieve carbon neutral growth from 2020 through a "basket of measures" including a global MBM as a gap-filler. The United States supported the adoption of CORSIA and endorsement of the proposed Assembly Resolution text in Appendix B to WP/52 and Corrigendum No. 1, which consisted of a carefully balanced package of key elements, and that the United States expressed its intention to provide capacity building support to States to aid in the implementation of CORSIA. The United States also expressed its intention to join the global MBM from the beginning, assuming the participation of other States that collectively represent significant global emissions, and encouraged other States to consider participating in the global MBM from the beginning and to publically state their willingness to do so during the Assembly, if at all possible.

22.3.14 In WP/153, Revision No. 1, IATA stressed that proliferation of carbon pricing instruments on aviation would result in an unsustainable patchwork of measures for operators and for governments. In contrast, IATA believed that if a global carbon offsetting scheme to support carbon neutral growth from 2020 would be the sole, global measure to address CO<sub>2</sub> emissions from international aviation, the costs for the industry, whilst significant, would be more "manageable".

22.3.15 In WP/154, Revision No. 1, IATA set out its views on a phased implementation of the global MBM scheme, including: all operators should be granted equal treatment on any given route; emissions not covered by the scheme should not be redistributed to be offset by any operators who are subject to the scheme; the proportion of emissions from international aviation covered in the different phases should not be lower than what is envisaged under the proposal as a result of the High-level Meeting in May 2016; and the special provision for Least Developed Countries (LDCs), Small Island Developing States (SIDS) and Land-Locked Developing Countries (LLDCs) would limit the impact of the scheme on developing and emerging economies.

22.3.16 In WP/155, Revision No. 1, ACI, CANSO, IATA, IBAC and ICCAIA presented the Resolution on a global MBM scheme, adopted by the 72nd IATA Annual General Meeting in June 2016, which set out a series of recommended design elements including: phased implementation should not cause market distortions and all operators on the same route should be treated equally; and the distribution of offsetting requirements should give due consideration to an appropriate weighting between a sectoral and an individual component, recognizing that the weighting may change over the lifetime of the scheme.

22.3.17 In WP/413, ACI, CANSO, IATA, IBAC and ICCAIA also expressed that, while the aviation industry recognized the considerations which led to the proposed CORSIA to apply on a voluntary basis in the pilot and first phases, it underlined the importance of ensuring that this would not result in additional market distortions and preserve the global and exclusive nature of the scheme. It also discussed the need for regulatory predictability and stability, and emphasized the role of capacity-building in facilitating participation in CORSIA. It encouraged States to join CORSIA on a voluntary basis from the outset of the scheme, and requested the Council to accelerate work on MRV, EUC and registries.

22.3.18 In WP/248, World Bank aimed to highlight the partnership opportunities between ICAO and the World Bank Group (WBG) to support a successful implementation of the global MBM scheme. The WBG had extensive expertise in capacity-building activities that would be central to mechanisms under the ICAO scheme, including designing and setting up registries; MRV systems; and data collection and management tools. The WBG stands ready to support the ICAO capacity building and assistance programme that would be needed to implement the scheme successfully.



22.3.19 In WP/431, the Republic of Korea shared information, prior to the start of a global MBM scheme for international aviation, on the lesson learned by Republic of Korea based on its experience of MRV system under the Agreement of Voluntary Activity (AVA) with national aircraft operators and under the Korean Emission Trading Scheme (ETS) for domestic flights.

22.3.20 In WP/443, Thailand provided information related to the Thailand Voluntary Emissions Reduction (TVER) programme, as one of the greenhouse gas emissions reduction mechanisms under Thailand's voluntary carbon market, inviting the Assembly to support TVER credits to be used as an offset credit for an international aviation global MBM scheme.

22.3.21 In WP/163, IATA reiterated the importance of the principles of simplicity, integrity and confidentiality for aircraft operators, and that substantial further work would be required on several key elements related to MRV, EUC and Registries to enable the full implementation of a global MBM scheme for international aviation.

22.3.22 In WP/206, International Coalition for Sustainable Aviation (ICSA) identified key elements for the Assembly to consider in order to place the global MBM scheme on an environmentally and economically solid footing. It offered recommendations to further strengthen the Assembly Resolution text including: the need for setting greater ambition through the review process in line with the Paris Agreement; and regional routes with already-heavy carbon pollution should have greater initial responsibility; obligations of small, fast-growing regional routes should increase as their pollution grows; and responsibilities should be updated regularly.

22.3.23 In WP/377, the Latin American Association for Aeronautics and Space Law (ALADA) praised the work undertaken by ICAO and its Member States on environmental issues, and presented its position with regard to a global MBM scheme, including that the implementation of the scheme would be favoured by the mandatory submission of State Action Plans, and inclusion of environmental issues in the ICAO audit programmes.

22.3.24 In WP/465, Dominican Republic presented its progress in the implementation of their Action Plan for Reducing CO<sub>2</sub> Emissions (DRAPER), which had been prepared in compliance with the requirements as per Assembly Resolution A38-18 and with the support of the ICAO-EU assistance project, and the update of the Action Plan was submitted in July 2015.

22.3.25 The Committee recognized the CAEP membership issue raised by WP/428 from Chile, and noted that the Council had already taken a decision to disseminate more information on the progress of CAEP, and that the Secretariat would explore the best way to facilitate all interested States to become CAEP observers and nominate their experts to participate in the MBM-related work.

22.3.26 The Committee recognized that several papers emphasize the importance of capacity building and assistance to States for the implementation of a global MBM, and that the draft Assembly Resolution text included specific provisions in this regard. The Committee welcomed WP/248 from the World Bank that intends to provide support for capacity building activities for implementation of a global MBM scheme in the areas of MRV systems and registries.

22.3.27 The Committee recognized the amount of work that has been done by the Council, its Environment Advisory Group (EAG), the High-Level Group, the High-Level Meeting and the Friends of the President Informal Group Meeting, as well as technical inputs by experts, before the Council came up with the draft Resolution text contained in Appendix B of WP/52 and Corrigendum No. 1.

22.3.28 An overwhelming number of States expressed their support to the draft Assembly Resolution text as contained in WP/52 and Corrigendum No. 1, as it represented the results of significant efforts made by the Organization over the last three years and reflected different views of States, therefore being a carefully balanced and acceptable compromise as a package.

22.3.29 Some States expressed concern, in particular on the need to undertake further work to ensure that the views of all States were incorporated in the draft Assembly Resolution text, and suggested that further discussion and consultation be undertaken to improve the draft text. The Committee recognized that these issues were addressed by paragraph 2 of WP/52 and Corrigendum No. 1.

22.3.30 The Committee noted that the Chairperson, together with the President of the Council, would consult with some States with a view to discuss possible improvements to the draft Assembly Resolution text, without impacting the support garnered so far by the text.

22.3.31 Following informal consultations with some States, the Committee considered the suggestions as a result of the consultations, and agreed on the following amendments to the draft Assembly Resolution text:

- A new preamble paragraph for the draft text to be added: “*Recognizing* that this Resolution does not set a precedent for or prejudice the outcome of negotiations under the UNFCCC, the Paris Agreement, or other international agreements, nor represent the position of the Parties to the UNFCCC, the Paris Agreement, or other international agreements;”;
- A new paragraph 7 c) for the draft text to be added: “All States are strongly encouraged to voluntarily participate in the pilot phase and the first phase, noting that developed States, which have already volunteered, are taking the lead, and that several other States have also volunteered;” and
- 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;”

22.3.32 States expressed a range of views on what should be a Standard, a Recommended Practice or guidance material regarding MRV and EUC. In this respect, the Committee requested that the Council, while undertaking the work for the development of the Standards and Recommended Practices (SARPs) and related guidance material for the implementation of the MRV system under the CORSIA, provide clear guidance on what should be a Standard or a Recommended Practice and what should be in guidance material.

22.3.33 The Committee noted that the Council, while undertaking work on emission units criteria, would foster the development of methodologies for, and the implementation of, emission reduction projects that would generate emission units arising from the aviation sector. The Committee emphasized that States are encouraged to develop domestic-aviation related projects.

22.3.34 The Committee noted that the management and overall governance of the scheme, following the Assembly decisions, is under the responsibility of the Council.

22.3.35 An overwhelming number of States reiterated their support to the draft Assembly Resolution text as contained in WP/52 and Corrigendum No. 1 together with the suggested amendments above as a result of the informal consultations.

22.3.36 A few States reiterated their concern regarding the impacts of some design elements in the proposed global MBM scheme on the sustainable development of international aviation, in particular, on developing countries.

22.3.37 The Committee agreed to recommend that the Assembly adopt the following Resolution:

**Resolution 22/2: Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) scheme**

*Whereas* Assembly Resolution A38-18 decided to develop a global market-based measure (GMBM) scheme for international aviation, for decision by the 39th Session of the Assembly;

*Recalling* that Assembly Resolution A38-18 requested the Council, with the support of Member States, to finalize the work on the technical aspects, environmental and economic impacts and modalities of the possible options for a GMBM scheme, including on its feasibility and practicability, taking into account the need for development of international aviation, the proposal of the aviation industry and other international developments, as appropriate, and without prejudice to the negotiations under the UNFCCC;

*Also recalling* that Assembly Resolution A38-18 requested the Council, with the support of Member States, to identify the major issues and problems, including for Member States, and make a recommendation on a GMBM scheme that appropriately addresses them and key design elements, including a means to take into account special circumstances and respective capabilities, and the mechanisms for the implementation of the scheme from 2020 as part of a basket of measures which also include technologies, operational improvements and sustainable alternative fuels to achieve ICAO's global aspirational goals;

*Recognizing* that ICAO is the appropriate forum to address emissions from international aviation, and the significant amount of work undertaken by the Council, its Environment Advisory Group (EAG) and its Committee on Aviation Environmental Protection (CAEP) to develop a recommendation for a GMBM scheme and its design elements and implementation mechanisms, including the analyses of various approaches for distribution of obligations;

*Further recalling* that Assembly Resolution A38-18 requested the Council, with the support of Member States, to organize seminars, workshops on a GMBM scheme for international aviation participated by officials and experts of Member States as well as relevant organizations;

*Recognizing* the convening of two rounds of Global Aviation Dialogues (GLADs) seminars held in 2015 and 2016 for all regions;

*Noting* the support of the aviation industry for a single global carbon offsetting scheme, as opposed to a patchwork of State and regional MBMs, as a cost effective measure to complement a broader package of measures including technology, operations and infrastructure measures;

*Recognizing* that MBMs should not be duplicative and international aviation CO<sub>2</sub> emissions should be accounted for only once;

*Emphasizing* that the decision by the 38th Session of the Assembly to develop a global MBM scheme for international aviation reflects the strong support of Member States for a global solution for the international aviation industry, as opposed to a possible patchwork of State and regional MBMs;

*Reaffirming* the concern with the use of international civil aviation as a potential source for the mobilization of revenue for climate finance to the other sectors, and that MBMs should ensure the fair treatment of the international aviation sector in relation to other sectors;

*Recalling* the UNFCCC and the Paris Agreement and *acknowledging* its principle of common but differentiated responsibilities and respective capabilities, in light of different national circumstances;

*Also acknowledging* the principles of non-discrimination and equal and fair opportunities to develop international aviation set forth in the Chicago Convention;

*Welcoming* the adoption of the Paris Agreement under the UNFCCC and *recognizing* that the work related to a global MBM scheme for international aviation and its implementation will contribute to the achievement of the goals set out in the Paris Agreement;

*Whereas* the UNFCCC and the Paris Agreement provide for mechanisms, such as the Clean Development Mechanism (CDM) and a new market mechanism under the Paris Agreement, to contribute to the mitigation of GHG emissions to support sustainable development, which benefit developing States in particular;

*Welcoming* the cooperation between the United Nations Framework Convention on Climate Change (UNFCCC) and ICAO on the development of CDM methodologies for aviation;

*Recognizing* that this Resolution does not set a precedent for or prejudice the outcome of negotiations under the UNFCCC, the Paris Agreement, or other international agreements, nor represent the position of the Parties to the UNFCCC, the Paris Agreement, or other international agreements;

*The Assembly:*

1. *Resolves* that this Resolution, together with Resolution A39-YY: *Consolidated statement of continuing ICAO policies and practices related to environmental protection - General provisions, noise and local air quality* and Resolution A39-ZZ: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change*, supersede Resolutions A38-17 and A38-18 and constitute the consolidated statement of continuing ICAO policies and practices related to environmental protection;
2. *Acknowledges* the progress achieved on all elements of the basket of measures available to address CO<sub>2</sub> emissions from international aviation, including aircraft technologies, operational improvements, sustainable alternative fuels and a GMBM scheme and any other measures, and *affirms* the preference for the use of aircraft technologies, operational improvements and sustainable alternative fuels that provide the environmental benefits within the aviation sector;
3. *Also acknowledges* that, despite this progress, the environmental benefits from aircraft technologies, operational improvements and sustainable alternative fuels may not deliver sufficient CO<sub>2</sub> emissions reductions to address the growth of international air traffic, in time to achieve the global aspirational goal of keeping the global net CO<sub>2</sub> 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 CO<sub>2</sub> 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;
6. *Requests* the Council to continue to ensure all efforts to make further progress on aircraft technologies, operational improvements and sustainable alternative fuels be taken by Member States and reflected in their action plans to address CO<sub>2</sub> emissions from international aviation, and to monitor and report the progress on implementation of action plans, and that a methodology should be developed to ensure that an aircraft operator's offsetting requirements under the scheme in a given year can be reduced through the use of sustainable alternative fuels, so that all elements of the basket of measures are reflected;
7. *Request* the Council to continuously monitor the implementation of all elements of the basket of measures, and consider the necessary policies and actions to ensure that progress is achieved in all of the elements in a balanced way with an increasing percentage of emissions reductions accruing from non-MBM measures over time;
8. *Acknowledges* special circumstances and respective capabilities of States, in particular developing States, in terms of vulnerability to the impacts of climate change, economic development levels, and contributions to international aviation emissions, among other things, while minimizing market distortion;
9. *Decides* the use of a phased implementation for the CORSIA to accommodate the special circumstances and respective capabilities of States, in particular developing States, while minimizing market distortion, as follows:
  - a) Pilot phase applies from 2021 through 2023 to States that have volunteered to participate in the scheme. States participating in this phase may determine the basis of their aircraft operator's offsetting requirements from paragraph 11 e) i) below;
  - b) First phase applies from 2024 through 2026 to States that voluntarily participate in the pilot phase, as well as any other States that volunteer to participate in this phase, with the calculation of offsetting requirements in paragraph 11 a) below;
  - c) All States are strongly encouraged to voluntarily participate in the pilot phase and the first phase, noting that developed States, which have already volunteered, are taking the lead, and that several other States have also volunteered;
  - d) The Secretariat will make public on the ICAO website updated information on the States that volunteered to participate in the pilot phase and first phase;
  - e) Second phase applies from 2027 through 2035 to all States that have an individual share of international aviation activities in RTKs in year 2018 above 0.5 per cent of total RTKs or whose cumulative share in the list of States from the highest to the lowest amount of RTKs reaches 90 per cent of total RTKs, except Least Developed Countries (LDCs), Small Island Developing

States (SIDS) and Landlocked Developing Countries (LLDCs) unless they volunteer to participate in this phase;

- f) States that are exempted or have not yet participated are strongly encouraged to voluntarily participate in the scheme as early as possible, in particular those States that are members of a regional economic integration organization. States who decide to voluntarily participate in the scheme, or decide to discontinue the voluntary participation from the scheme, may only do so from 1 January in any given year and they shall notify ICAO of their decision by no later than 30 June of the preceding year;
- g) Starting in 2022, the Council will conduct a review of the implementation of the CORSIA every three years, including its impact on the growth of international aviation, which 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;

10. *Decides* that the CORSIA shall apply to all aircraft operators on the same routes between States with a view to minimizing market distortion, as follows:

- a) all international flights on the routes between States, both of which are included in the CORSIA by paragraph 9 above, are covered by the offsetting requirements of the CORSIA;
- b) all international flights on the routes between a State that is included in the CORSIA and another State that is not included in the CORSIA by paragraph 9 above are exempted from the offsetting requirements of the CORSIA, while retaining simplified reporting requirements; and
- c) all international flights on the routes between States, both of which are not included in the CORSIA by paragraph 9 above, are exempted from the offsetting requirements of the CORSIA, while retaining simplified reporting requirements;

11. *Decides* that the amount of CO<sub>2</sub> emissions required to be offset by an aircraft operator in a given year from 2021 is calculated every year as follows:

- a) an aircraft operator's offset requirement = [ % Sectoral × (an aircraft operator's emissions covered by CORSIA in a given year × the sector's growth factor in the given year)] + [ % Individual × (an aircraft operator's emissions covered by CORSIA in a given year × that aircraft operator's growth factor in the given year);
- b) where the sector's growth factor = (total emissions covered by CORSIA in the given year – average of total emissions covered by CORSIA between 2019 and 2020) / total emissions covered by CORSIA in the given year;
- c) where the aircraft operator's growth factor = (the aircraft operator's total emissions covered by CORSIA in the given year – average of the aircraft operator's emissions covered by CORSIA between 2019 and 2020 ) / the aircraft operator's total emissions covered by CORSIA in the given year;
- d) where the % Sectoral = (100% – % Individual) and;

- e) where the % Sectoral and % Individual will be applied as follows:
  - i) from 2021 through 2023, 100% sectoral and 0% individual, though each participating State may choose during this pilot phase whether to apply this to:
    - a) an aircraft operator's emissions covered by CORSIA in a given year, as stated above, or
    - b) an aircraft operator's emissions covered by CORSIA in 2020;
  - ii) from 2024 through 2026, 100 % sectoral and 0% individual;
  - iii) from 2027 through 2029, 100 % sectoral and 0% individual;
  - iv) from 2030 through 2032, at least 20% individual, with the Council recommending to the Assembly in 2028 whether and to what extent to adjust the individual percentage;
  - v) from 2033 through 2035, at least 70% individual, with the Council recommending to the Assembly in 2028 whether and to what extent to adjust the individual percentage;
- f) the aircraft operator's emissions and the total emissions covered by CORSIA in the given year do not include emissions exempted from the scheme in that year;
- g) the scope of emissions in paragraphs 11 b) and 11 c) above will be recalculated at the start of each year to take into account routes to and from all States that will be added due to their voluntary participation or the start of a new phase or compliance cycle;

12. *Decides* that a new entrant<sup>1</sup> is exempted from the application of the CORSIA for three years or until the year in which its annual emissions exceed 0.1 per cent of total emissions in 2020, whichever occurs earlier. From the subsequent year, the new entrant is included in the scheme and treated in the same way as the other aircraft operators.

13. *Decides* that, notwithstanding with the provisions above, the CORSIA does not apply to low levels of international aviation activity with a view to avoiding administrative burden: aircraft operators emitting less than 10,000 metric tonnes of CO<sub>2</sub> emissions from international aviation per year; aircraft with less than 5,700 kg of Maximum Take Off Mass (MTOM); or humanitarian, medical and firefighting operations;

14. *Decides* that the emissions that are not covered by the scheme, as the results of phased implementation and exemptions, are not assigned as offsetting requirements of any aircraft operators included in the scheme;

15. *Notes* the work of the Council, with the technical contribution of CAEP, on: a) the monitoring, reporting and verification (MRV) system; b) recommended criteria for emissions units to be purchased by aircraft operators that take into account developments in the UNFCCC process; c) and registries under the CORSIA, and *requests* the Council, with the technical contribution of CAEP, to complete its work as soon as possible including the provision of capacity building and assistance, so as to enable the full implementation of the CORSIA from 2020;

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<sup>1</sup> A new entrant is defined as any aircraft operator that commences an aviation activity falling within the scope of the scheme on or after its entry into force and whose activity is not in whole or in part a continuation of an aviation activity previously performed by another aircraft operator.

16. *Decides* a three year compliance cycle, starting with the first cycle from 2021 to 2023, for aircraft operators to reconcile their offsetting requirements under the scheme, while they report the required data to the authority designated by the aircraft operator's State of registry every year;

17. *Decides* on the need to provide for safeguards in the CORSIA to ensure the sustainable development of the international aviation sector and against inappropriate economic burden on international aviation, and requests the Council to decide the basis and criteria for triggering such action and identify possible means to address these issues;

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 to the sustainable development of the international aviation sector and the effectiveness of the scheme. This will involve, inter alia:

- a) assessment of: progress towards achieving the ICAO's global aspirational goal; the scheme's market and cost impact on States and aircraft operators and on international aviation; and the functioning of the scheme's design elements;
- b) consideration of the scheme's improvements that would support the purpose of the Paris Agreement, in particular its long-term temperature goals; and update the scheme's design elements to improve implementation, increase effectiveness, and minimize market distortion, taking into account the consequential impact of changing the scheme's design elements, e.g., to MRV requirements; and
- c) a special review by the end of 2032 on termination of the scheme, its extension or any other improvements of the scheme beyond 2035, including consideration of the contribution made by aircraft technologies, operational improvements and sustainable alternative fuels towards achieving the ICAO's environmental objectives;

19. *Determines* that the CORSIA or any other scheme decided by the Assembly is to be the market-based measure applying to CO<sub>2</sub> emissions from international aviation;

20. *Requests* the following actions be taken, with a view to establishing necessary mechanisms for implementation of the CORSIA from 2020:

Regarding the implementation of the MRV system,

- a) the Council to develop, with the technical contribution of CAEP, the SARPs and related guidance material for the implementation of the MRV system under the CORSIA, including simplified MRV procedures, for adoption by the Council by 2018;
- b) all Member States whose aircraft operator undertakes international flights to develop the necessary arrangements, in accordance with the MRV SARPs, for implementation from 1 January 2019;

Regarding the Emissions Unit Criteria (EUC),

- c) the Council to develop, with the technical contribution of CAEP, the SARPs and related guidance material for Emissions Unit Criteria (EUC) to support the purchase of appropriate emissions units by aircraft operators under the scheme, taking into account relevant developments in the



UNFCCC and Article 6 of the Paris Agreement, for adoption by the Council as soon as possible but not later than 2018;

- d) the Council to establish, with the technical contribution of CAEP, a standing technical advisory body on the Emissions Unit Criteria (EUC) to make recommendations to the Council on the eligible emissions units for use by the CORSIA;
- e) the Council, with the technical contribution of CAEP, to periodically review the EUC SARPs and related guidance material, as appropriate, to promote compatibility with future relevant decisions under the Paris Agreement;

Regarding the establishment of Registries,

- f) the Council to develop, with the technical contribution of CAEP, policies and related guidance material to support the establishment of registries under the scheme, for adoption by the Council by 2018;
- g) the Council to establish a consolidated central registry under the auspices of ICAO, for operationalization no later than 1 January 2021;
- h) Member States to develop necessary arrangements for the establishment of their own registries or group registries established by groups of States, or to arrange for participation in other registries, in accordance with the ICAO guidance;

Regarding the governance of the CORSIA,

- i) the Council to oversee the functioning of the CORSIA, with support provided by the standing technical advisory body and CAEP as needed;

Regarding the regulatory framework,

- j) Member States to take necessary action to ensure that the necessary national policies and regulatory framework be established for the compliance and enforcement of the scheme by 2020.

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;

22. *Decides* that ICAO and Member States take all necessary actions in providing the capacity building and assistance and building partnerships for implementation of the CORSIA from 2020, including:

Regarding the implementation of the MRV system,

- a) the Council to take necessary action to expand the provision of capacity building and assistance for the preparation and implementation on Member States' action plans, in order to accommodate capacity building and assistance for implementation of the MRV system by Member States from 1 January 2019, including organization of seminars and training in all regions from 2017, and

facilitation of financial support where needed, in particular for those States that volunteer to participate in the pilot phase and require support to do so;

- b) Member States to build partnerships among themselves to cooperate on the implementation of the MRV system;

Regarding the establishment of Registries,

- c) the Council to take necessary action to expand the provision of capacity building and assistance for the preparation and implementation on Member States' action plans, in order to accommodate capacity building and assistance for establishment of registries by States, including organization of seminars and training in all regions from 2017, and facilitation of financial support where needed, in particular for those States that volunteer to participate in the pilot phase and require support to do so;
- d) Member States to build partnerships among themselves to cooperate on the establishment of their own registries or group registries established by groups of States, and possible pilot implementation;

23. *Decides* that the CORSIA will use emissions units that meet the Emissions Unit Criteria (EUC) in paragraph 20 above;

24. *Requests* the Council to promote the use of emissions units generated that benefit developing States, and *encourages* States to develop domestic aviation-related projects;

25. *Requests* the Council to explore further development of aviation-related methodologies for use in offsetting programmes, including mechanisms or other programmes under the UNFCCC, and *encourages* States to use such methodologies in taking actions to reduce aviation CO<sub>2</sub> emissions, which could further enable the use of credits generated from the implementation of such programmes by the CORSIA, without double-counting of emissions reduction;

### **Agenda Item 23: ICAO Civil Aviation Training Policy and Capacity Building in Aviation**

23.1 For Agenda Item 23, the Executive Committee considered the subject of the ICAO Civil Aviation Training Programme and Capacity Building in Aviation, based on Working Paper A39-WP/62, presented by the Council of ICAO, as well as Working Papers presented by Brazil (A39-WP/348 Revision No. 1), Cameroon (A39-WP/349 Revision No. 1), Egypt (A39-WP/364), India (A39-WP/346) and Slovakia (A39-WP/105), on behalf of the European Union and its Member States, the other Member States of the European Civil Aviation Conference, and EUROCONTROL. Additionally, three Information Papers were provided by Argentina (A39-WP/183), the Latin American Civil Aviation Commission (LACAC) (A39-WP/354), and Indonesia (A39-WP/353).

23.2 The Committee reviewed A39-WP/62, which provides a summary of activities and achievements of the Global Aviation Training (GAT) Office since its establishment on 1 January 2014 and as of March 2016 as well as the implementation status of Assembly Resolution A38-12, Appendix D, the ICAO Civil Aviation Training Policy, and the priorities for the next triennium (2017–2019). The Paper highlighted the following training activities, and as of 1 March 2016, the TRAINAIR PLUS Programme (TPP) is implemented in 66 ICAO Member States and is composed of 89 Members (16 Regional Training Centres of Excellence (RTCEs), 31 Full Members, 38 Associate Members and 4 Corporate Member). A total of 87 Standard Training Packages (STPs) were developed and 57 STPs

were under development, enabling ICAO to increase its training catalogue to 136 training packages. With regard to assessments of training organization, the GAT Office conducted 130 assessments, initial and reassessments, to first validate their acceptance as a TRAINAIR PLUS Member, and then to maintain the validity of their membership. In terms of course delivery, 482 ICAO-recognized courses have been delivered globally with a total of about 7,100 trainees in attendance. ICAO also initiated a competency-based training course development plan with internal and external partners, and academia to support the human resources capacity-building of Members States.

23.3 The Committee also reviewed the GAT Office's activities for the next triennium, as indicated in A39-WP/62. The Paper specifies that TPP will continue to operate on a cost-recovery mechanism. The TPP network is expected to increase the number of Members to 100 by the end of 2016. Additionally, 20 new ICAO-harmonized training package are expected to be developed and made available each year. New web tools and resources will be made available in the next triennium, such as an online job task catalogue, an Instructional Systems Design (ISD) web-based tool, a Training Needs Assessment (TNA) methodology, and a Post-Training Evaluation (PTE) methodology

23.4 The Working Papers presented by five Member States call for the establishment of methods, tools, as well as roadmaps to better map and manage training resources and needs, with the aim of building competencies, capacity and regional cooperation in training.

23.5 The Committee reviewed A39-WP/348 Revision No. 1, presented by Brazil, under the title *Human Resources Development in the Context of the No Country Left Behind Initiative: Training Courses Database and Training Resources Management Committee*. This Paper recalls the objectives of Assembly Resolution A38-12, Appendix D, and the ICAO Civil Aviation Training Policy, for assistance to Member State, and calls for the establishment of a centralized database of existing courses worldwide, as an extension and an improvement of the TRAINAIR PLUS network and correlated initiatives. In addition, the creation of a Committee within the boundaries of the No Country Left Behind (NCLB) initiative is proposed, aimed at mapping and managing training resources and training needs, in an attempt to address local and regional training gaps and foster regional training coordination planning, in order to rationalize use of resources as well as to support expertise exchange and sharing

23.6 A39-WP/349 Revision No. 1, presented by Cameroon, under the title *Preparation of Roadmap for Capacity Building in Aviation in Cameroon*, outlines the roadmap preparation project for capacity-building in aviation, initiated by Cameroon, and details its progress to date. It calls for Member States facing a shortage of qualified personnel to implement the Standards and Recommended Practices (SARPs) and Procedures for Air Navigation Services (PANS), and prepare roadmaps to enhance their competencies. It also requests the ICAO Council to continue to support Member States in harmonizing the competency levels of aviation professionals, ensure that ICAO regularly provides Member States with the competencies required to implement SARPs, and assists Member States in implementing a roadmap for capacity development in aviation.

23.7 A39-WP/346, presented by India, under the title *Regional Cooperation for Capacity Building*, calls for regional cooperation for capacity building within the Asia Pacific region by identifying a pool of flight operations inspectors that can be deployed regionally. The Paper invites the Assembly to recognize the need and opportunity for regional capacity building of flight operations inspectors as a means to mitigate this skilled manpower shortage, and to incorporate regional capacity building into the state civil aviation safety oversight framework.

23.8 A39-WP/364, presented by Egypt, under the title *Action Plan by Egypt for CO2 Emissions Reduction Emanating from International Aviation*, presents a report on the activities undertaken by Egypt in the field of environmental protection arising from international aviation, and the

progress achieved in relation to presentation of its action plan for CO2 emissions reduction. With regard to training, it invites the Assembly to request ICAO to include a specialized training course in the TRAINAIR PLUS Programme concerning the “Voluntary State Action Plans on CO2 Emissions Reduction emanating from international civil aviation”.

23.9 The final Working Paper under Agenda Item 23 is A39-WP/105, presented by Slovakia, on behalf of the European Union and its Member States, the other Member States of the European Civil Aviation Conference, and EUROCONTROL. Although there is no specific reference to training, this Paper highlights methods and opportunities to effectively manage capacity building activities to ensure tangible results.

23.10 The Executive Committee unanimously supported GAT activities and endorsed its work plan for the next triennium. The Committee also expressed its support for A39-WP/349 Revision No. 1, presented by Cameroon, calling for the establishment of a training and capacity-building roadmap by States facing a shortage of qualified competent aviation personnel and the amendment of the Assembly Resolution A38-12, Appendix D, taking into account the need for such a roadmap.

23.11 The Executive Committee requested that TRAINAIR PLUS assessments be linked to ICAO Annex 1 — *Personnel Licensing* SARPs, in order to reduce redundancies of assessments and audits. Member States also welcomed the Training Needs Assessment tool to allow training centres to effectively identify training needs.

23.12 Member States proposed a periodic review of the fees related to the various levels of the TRAINAIR PLUS Programme (Associate, Full Member, and RTCE), in order to assess and work to reduce the cost for training organizations and States in the development, revision and delivery of standardized training, managed by the GAT Office.

23.13 Additionally, the Committee noted that TPP should reach training institutions of developing States and highlighted the issue of retention of trained professionals.

#### **Agenda Item 24: Human Resources Management**

24.1 The Committee, considered A39-WP/74, presented by the Council, outlining ongoing initiatives and future actions to improve the human resources management of the Organization and to align with best practices in order to assist the Organization in attracting, retaining and motivating a competent, mobile and diverse workforce.

24.2 The Committee noted that improvements had been made in the regulatory framework relating to ethics, contractual arrangements and recruitment, as well as in the strategic areas related to staff mobility, performance management, learning and development and succession planning. It was also noted that the modernization of human resources business processes had continued, in tandem with the implementation of automation improvements aimed at improving efficiency and responsiveness to programme needs. Building on achievements to date, the priority areas which will be pursued to make further improvements in human resources management in the next triennium will be focussed on diversity; talent management; staff motivation; performance management; succession planning; and staff welfare.

24.3 During the Committee’s discussion, the importance of succession planning was highlighted.

24.4 Some delegations stressed the importance for the Organization to have continuity at the management level for the Strategic Objectives to better fulfil ICAO's mission; and that term limits at this level could unfavourably impact the continuity of ICAO's work and institutional memory of the Organization; the removal of such term limitations was recommended. It was clarified that this issue was under the purview of the Council and would be reviewed by the Council.

24.5 The Committee noted the information presented in A39-WP/423 by China.

24.6 In light of the discussion, the Executive Committee invites the Assembly to:

- a) note the reforms undertaken and achievements made by the Organization to enhance the management of its human resources;
- b) endorse the priority initiatives and future actions identified for human resources management for the next triennium, as presented in paragraph 9.1 of WP/74, in accordance with the operating plan for human resources management and its associated deliverables; and
- c) refer to the Council the issue of term limits at the management level, as described in paragraph 24.4 above.

#### **Agenda Item 25: Status of ICAO Workforce**

25.1 At its eighth meeting, the Committee considered A39-WP/73 (with Corrigendum No. 1), presenting a report on the composition of the ICAO Workforce as at 31 December for the years 2013, 2014, and 2015, including the status of Equitable Geographical Representation (EGR) and Gender, and an analysis of the Professional and Higher Category Appointments.

25.2 During the discussion, the importance of having an appropriately balanced distribution of Professional and Higher Category Posts was highlighted by some States, taking into account programme and organizational needs.

25.3 The Executive Committee invites the Assembly to:

- a) note the status report presented in WP/73; and
- b) urge Member States to collaborate with the ICAO Secretariat in the attainment and maintenance of a diverse, flexible and motivated workforce.

#### **Agenda Item 26: Multilingualism at ICAO**

26.1 At its eighth meeting, the Executive Committee considered three working papers (A39-WP/43, 355, 357) under the agenda item "*Multilingualism at ICAO*".

26.2 A39-WP/43 contained the report of the Council outlining the measures implemented to promote multilingualism in ICAO through parity and quality of services, optimization of available resources, adherence to UN best practices related to language services and through the development and use of enhanced technical tools.

26.3 This report also presented the current situation in the delivery of language services and the significant reduction in funding for language services since 2008. Despite budget cuts, the Secretariat has been able to ensure parity of language services and to maintain and even enhance the volume and the quality of translation, interpretation, and publications services. Notwithstanding the efficiencies achieved, the level of budgeted resources has had an impact on ICAO's ability to promulgate timely information in all the languages and the provision of full interpretation services for certain meeting categories.

26.4 The Committee noted that the draft budget proposal for the 2017-2019 triennium as presented in A39-WP/46 provides the same funding level for language services as for the present triennium; and that the Organization will implement measures to manage demand to achieve efficiencies through business reengineering, enhanced planning, increased accountability, a transformation of the end-to-end process from document production through final dissemination.

26.5 WP/355, presented by Colombia on behalf of the 22 Member States of the Latin American Civil Aviation Commission, highlighted the need for documentation that supports safety and other important areas of work of the Organization to be available in all official languages. The paper recommended that new methods and procedures, including incorporating support from the ICAO Regional Offices, be explored to enhance efficiency and ensure that the Organization can continue to provide quality services to its Member States.

26.6 WP/357, presented by the Russian Federation, reported that language services within ICAO were being reduced to the detriment of non-English speaking countries and requested that the Assembly be invited to take a number of steps, as outlined in paragraph 5 of WP/357, aimed at reinforcing Assembly resolutions already in force on this matter, including the importance of multilingualism as key to ICAO work and requirements with a view to ensuring fair access to and full participation in all of the Organization's legislative bodies in keeping with Article 37 of the Chicago Convention, which underscores the uniformity of aviation standards and procedures.

26.7 Several Member States took the floor to support multilingualism as a fundamental principle to achieve ICAO goals. Some highlighted the need for availability of documentation on both a timely basis and concurrently in all ICAO working languages, mainly but not exclusively those related to the implementation of SARPS and PANS and to safety and security measures. It was also noted that multilingualism should not just be considered as an expenditure, but also as an investment into the development of a safe and secure global civil aviation environment. Other Member States discussed the budgetary impact of ensuring that manuals related to the implementation of standards were available on a timely basis in all ICAO working languages, and requested that the level of outsourcing be further reassessed taking into consideration the best practices of other similar UN organizations.

26.8 The Committee recognized that language services are an integral part of every ICAO programme, that they are essential to all Strategic Objectives of the Organization and to the global implementation of SARPs and PANS, and that they are a key requirement of the No Country Left Behind (NCLB) initiative. It also acknowledged the support provided by Argentina, China and Saudi Arabia for the translation of the ICAO websites into the Spanish, Chinese and Arabic languages, respectively.

26.9 Having considered A39-WP/43, 355 and 357, and in light of the discussions, the Committee recommended that the Assembly:

- 1) Request the Council to closely monitor the implementation of the policies and decisions it has adopted to enhance efficiency and effectiveness on language service matters, recognizing multilingualism as a fundamental principle to achieve ICAO goals; and

- 2) Request the Council to further analyse and reassess the resources required to ensure that ICAO documentation related to the implementation of standards is available on a timely basis in all ICAO working languages, and to further review the level of outsourcing required for these objectives, whilst taking into consideration the best practice of other similar UN organizations.

**Agenda Item 27: Increasing the efficiency and effectiveness of ICAO**

27.1 At its eighth meeting, the Executive Committee considered WP/75, which contained the report of the Council outlining the continuing progress to improve efficiency and effectiveness of the Organization, taking into account Assembly resolutions A31-2 and A32-1, was presented. This report also presented actions and identified measures for further improvement during the 2017-2018-2019 triennium.

27.2 The Committee noted with appreciation the progress made by the Organization in improving its efficiency and effectiveness, and it invites the Assembly to request Council to continue with the ongoing process to work on the improvement of the effectiveness and efficiency of ICAO.

*Addressing the Low Response Rate by Member States to ICAO State Letters*

27.3 The Committee considered WP/22, which reported on the subject of increasing the response rate to State letters by Member States and presented actions to address the low response rates which was supported by an analysis of the status and reasons for the low response rate.

27.4 The United States, in WP/86, recommended that Contracting States review their procedures related to the development of SARPs; urged States to respond to ICAO State letters regarding proposed amendments to Annexes and PANS; and recommended ICAO Regional Offices to take an active role in encouraging responses by States. The paper included a proposed Assembly Resolution to supersede Resolution A38-11. It was noted that substantive discussion in the Technical Commission resulted in revised language for paragraphs 19 and 20 of the Assembly Resolution that clarified the intent for communication through Member States in those provisions.

27.5 Cuba, in WP/119, shared its experience and methodologies in responding effectively to ICAO State letters, and recommended including some of the elements of its practices in the communication tracking procedures being developed by ICAO.

27.6 An information paper (WP/320) was provided by the United Arab Emirates on challenges faced by States due to the large volume of correspondence sent by ICAO.

27.7 In its discussion, the Committee supported the recommendations. It agreed with the proposed actions aimed at increasing response rate to State letters as outlined in paragraph 2.3.1 in WP/22 and noted the intention by the Secretariat to incorporate the information contained in the various papers, as enhanced by the discussions, when it develops and implements those actions.

27.8 In light of the discussion the Committee agreed to submit, for adoption by the Plenary, the following resolutions:

**Resolution 27/1: Addressing the low response rate by Member States to ICAO State letters**

*Whereas* Article 37 of the *Convention on International Civil Aviation* (Chicago Convention) requires the Organization to adopt and amend international Standards and Recommended Practices and

Procedures and each Contracting State to collaborate in securing the highest possible degree of uniformity in regulations and practices in all matters in which such uniformity will facilitate and improve air navigation;

*Recognizing* that a State letter is a medium through which the Organization, under the authority of the Secretary General, officially communicates its Standards and Recommended Practices and policies and interacts with its Member States and with others concerned;

*Concerned* that the low response rate by Member States to State letters is a long-standing issue that can adversely impact the fulfilment of obligations under Articles 37, 38, 54, 57 and 90 of the Chicago Convention;

*Recalling* that Resolution A29-3 urged States to respond to the ICAO Council's requests for comments and agreement or disagreement on ICAO proposed Standards to prevent decisions being taken on the basis of a small number of responses;

*The Assembly:*

1. *Calls* on Member States to reaffirm the necessity and honour their commitment to responding to all State letters issued by the ICAO in a complete and timely manner and to share best practices, through ICAO Regional Offices and/or regional civil aviation commissions, in order to promote continuous improvement, mobilize resources and build capacity within Member States in concert with ICAO's No Country Left Behind (NCLB) initiative;
2. *Instructs* the Secretary General to implement a registry attributes scheme for State letters that identifies the category, priority, discipline or subject matter and response needs, to facilitate improved processing of the State letters by Member States and other recipients;
3. *Requests* the Secretary General to review and, as necessary, revise the format of State letters and Electronic Bulletins, including design layout, as a means to more effectively communicate their content with Member States and other recipients;
4. *Requests* the Secretary General to investigate and, as necessary, introduce new communications tools, including web-based solutions, as a means to improve communication and interaction with Member States and other recipients of State letters and the recording of replies in the ICAO Records Management System;
5. *Instructs* the Secretary General to implement an automated and interactive web-based system capable of reporting the response rates to State letters, thus improving visibility of the status of State letter responses by Member States, by regions and/or globally, and promoting awareness and capacity building among Member States;
6. *Instructs* the Secretary General to introduce follow-up procedures at all ICAO Regional Offices, as a component of the Regional Office Manual as necessary, as a means to further inform and interact with focal points within the Member States in their area of accreditation where responses to State letters are low or absent, and to take advantage of the presence of delegations at ICAO Headquarters in this connection also;
7. *Directs* the Council to monitor and analyse the response rate to State letters on a periodic basis, to make recommendations where the response rate of Member States is below the global average;



8. *Calls* on Member States to consider establishing focal points for internal (State-level) coordination and follow-up to State letters, continuously review the ICAO Directors General of Civil Aviation (DGCA) Directory and ensure that the contact details of the State letter recipients is kept up-to-date with changes notified to ICAO in a complete and timely manner; and

9. *Requests* the Secretary General to conduct an awareness campaign through ICAO Regional Offices, regional DGCA conferences and/or other fora such as regional civil aviation commissions targeted at Member States to increase the level of awareness of the importance of responding to all State letters issued by ICAO and in maintaining up-to-date contact details.

**Resolution 27/2: Formulation and implementation of Standards and Recommended Practices (SARPs) and Procedures for Air Navigation Services (PANS) and notification of differences**

*Whereas* Article 37 of the *Convention on International Civil Aviation* requires each Member State to collaborate in securing the highest practicable degree of uniformity in regulations and practices in all matters in which such uniformity will facilitate and improve air navigation;

*Whereas* Article 37 of the Convention requires the Organization to adopt and amend international standards and Recommended Practices and procedures and states the purpose of and the matters to be dealt with in that action, and Articles 38, 54, 57 and 90 contain additional relevant provisions;

*Whereas* in accordance with Article 38 of the Convention any Member State which finds it impractical to comply in all respects with any international standard or procedure or deems it necessary to adopt regulations or practices differing therefrom is obliged to give immediate notification to ICAO;

*Whereas* the Assembly deems it advisable to establish certain policies to be followed in complying with these provisions of the Convention;

*Recognizing* the effective implementation of SARPs and PANS promotes safe, secure and sustainable development of international civil aviation;

*Recognizing* that making differences information easily available to all stakeholders in a timely manner is important to promote safety, regularity and efficiency in international civil aviation;

*Noting* that many Member States experience difficulty in fulfilling their obligations under Articles 37 and 38 of the Convention and keeping pace with frequent amendments to Annexes;

*Recognizing* that up-to-date ICAO technical guidance material provides valuable assistance to Member States in the effective implementation of SARPs, PANS and Regional Plans;

*Recognizing* that substantial resources are required to develop and maintain all ICAO technical guidance material for SARPs and PANS;

*Noting* the increase of the number of notified differences to ICAO; ~~and~~

*Recognizing* that there is a strong need for all available means to be sought and employed in encouraging and assisting Member States in overcoming their difficulties in implementation of SARPs and PANS; and

*Recognizing* that implementation of a Standard is increased globally through a development process that encourages inclusion of perspectives among all States and relevant industry stakeholders;

*The Assembly:*

1. *Calls on* Member States to reaffirm their commitment to abide by the obligations under Articles 37 and 38 of the Convention;
2. *Resolves* that SARPs and PANS shall be amended as necessary to reflect changing requirements and techniques and thus, inter alia, to provide a sound basis for global and regional planning and implementation;
3. *Agrees* that subject to the foregoing clause, a high degree of stability in SARPs shall be maintained to enable the Member States to maintain stability in their national regulations. To this end amendments shall be limited to those significant to safety, regularity and efficiency and editorial amendments shall be made only if essential;
4. *Reiterates* that SARPs and PANS shall be drafted in clear, simple and concise language. SARPs shall consist of broad, mature and stable provisions specifying functional and performance requirements that provide for the requisite levels of safety, regularity and efficiency. Supporting technical specifications, when developed by ICAO, should be translated in all working languages of ICAO in a timely manner and shall be placed in separate documents to the extent possible;
5. *Instructs* the Council to utilize, to the maximum extent appropriate and subject to the adequacy of a verification and validation process, the work of other recognized standards making organizations in the development of SARPs, PANS and ICAO technical guidance material. Material developed by these other standards-making organizations may be deemed appropriate by the Council as meeting ICAO requirements; in this case such material should be referenced in ICAO documentation;
6. *Resolves* that to the extent consistent with the requirements of safety regularity and efficiency, SARPs specifying the provision of facilities and services shall reflect a proper balance between the operational requirements for such facilities and services and the economic implications of providing them;
7. *Instructs* the Council to consult Member States on proposals for the amendment of SARPs and PANS before the Council acts on them, except when the Council may deem urgent action to be necessary. Furthermore, subject to the adequacy of the verification and validation process, technical specifications may be acted upon by the Council without consultation with Member States. Such material shall however be made available to Member States upon request;
8. *Resolves* that the applicability dates of amendments to SARPs and PANS shall be so established as to allow Member States sufficient time for their implementation;
9. *Agrees* that no Annex or PANS document shall be amended more frequently than once per calendar year;
10. *Reminds* Member States of the requirement in Annex 15 to publish any significant differences in their Aeronautical Information Publication (AIP) and to include English text for those parts expressed in plain language;
11. *Encourages* Member States to use the Electronic Filing of Differences (EFOD) System when notifying their differences to ICAO;
12. *Instructs* the Secretary General to continue improving the EFOD system and assist Member States in transitioning from the paper-based processes to the use of the EFOD system;

13. *Directs* the Council to monitor and analyse the differences between the regulations and the practices of Member States and the SARPs and PANS with the aim of encouraging the elimination of those differences that are important for the safety, regularity and efficiency of international air navigation and taking appropriate actions;
14. *Instructs* the Council to explore possibilities to make differences information more easily available to all interested stakeholders and assess appropriate mechanism and form in which this information is made available;
15. *Resolves* that Member States shall be encouraged and assisted in the implementation of SARPs and PANS by all available means and provided as soon as possible with more guidance in respect of the notification and publication of differences;
16. *Calls* on all Member States able to do so to provide requesting States with technical cooperation in the form of financial and technical resources to enable those States to carry out their obligations under Articles 37 and 38 of the Convention;
17. *Instructs* ICAO to establish priorities for the continuing updating of the contents of present ICAO technical guidance material and the development of additional guidance material thus ensuring optimum value for Member States in their planning and implementation of SARPs and PANS;
18. *Resolves* that the associated practices in this Resolution constitute guidance intended to facilitate and ensure implementation of this Resolution; ~~and~~
19. *Urges* Member States to review their procedures related to the development of SARPs with a view to enhance the involvement of a broader set of aviation stakeholders”; and;
20. *Requests* ICAO to consider development of a transition and communication strategy throughout planning and implementation phases for Member States, who in turn should facilitate outreach to stakeholders;
21. *Directs* ICAO to enhance the role of its Regional Offices in facilitating and monitoring the SARP amendment review process;
22. *Calls* upon Member States to respond to ICAO State letters regarding proposed Annex and PANS amendments; and
23. *Declares* that this resolution supersedes Resolution A38-11.

*Associated practices*

1. The Council should ensure that provisions of SARPs and PANS are completely consistent with each other. Furthermore, the Council should endeavour to improve the processing, presentation and usefulness of ICAO documents containing SARPs, PANS and other related provisions, especially for complex systems and their associated applications. To that end the Council should promote the development and upkeep of broad system-level, functional and performance requirements. The Council should continue seeking the most appropriate means of development, translation, processing and dissemination of technical specifications.
2. Member States should comment fully and in detail on the proposals for amendment of SARPs and PANS or at least should express their agreement or disagreement on their substance. They should be allowed at least three months for this purpose. Furthermore, Member States should receive at least

30 days of notification of the intended approval or adoption of detailed material on which they are not consulted.

3. Member States should be allowed a full three months for notifying disapproval of adopted SARPs amendments; in establishing a date for notifying disapproval the Council should take into account the time needed for transmission of the adopted amendments and for receipt of notifications from States.

4. The Council should ensure that, whenever practicable, the interval between successive common applicability dates of amendments to Annexes and PANS is at least six months.

5. The Council, prior to the adoption and approval of amendments to SARPs and PANS, should take into account feasibility of the implementation of SARPs and PANS by the intended applicability dates.

6. The Council, taking into account the definitions of terms “Standard” and “Recommended Practice”, should ensure that new Annex provisions, uniform application of which is recognized as necessary, are adopted as Standards, and that those new provisions, uniform application of which is recognized as desirable, are adopted as Recommended Practices.

7. The Council should urge Member States to notify the Organization of any differences that exist between their national regulations and practices and the provisions of SARPs as well as the date or dates by which they will comply with the SARPs. If a Member State finds itself unable to comply with any SARPs, it should inform ICAO of the reason for non-implementation, including any applicable national regulations and practices which are different in character or in principle.

8. Differences from SARPs received should be promptly made available to Member States.

9. In encouraging and assisting Member States in the implementation of SARPs and PANS, the Council should make use of all existing means of ICAO and strengthen partnerships with entities which provide resources and assistance towards development of international civil aviation.

10. Member States should establish internal processes and procedures by which they give effect to the implementation of provisions of SARPs and PANS.

11. ICAO should update and develop guidance material in accordance with the established priorities to adequately cover all technical fields.

12. ICAO should amend and enhance existing SARPs development processes to ensure a robust multidisciplinary approach, and endeavor to make coordination as transparent to Member States as possible.

27.9 WP/79 Revised, presented by the Council, reported on off-site strategy meetings that have afforded the Council an opportunity to use a different setting to reflect on and plan for ICAO’s direction and strategy, while strengthening relationships between Council Representatives, the Air Navigation Commission and the Secretariat, also benefitting from the participation of industry partners. Also reported were recommendations from these events that are reflected in ongoing policies, initiatives and activities including the NCLB initiative, the IWAF and global partnerships for aviation development. ICAO’s outreach to the regions was facilitated by visits of the President of the Council and Council Representatives to the regions and regional offices. The continued support of the Assembly and Member States was sought for the off-site strategy meetings and regional visits to be held in the future.

27.10 The Committee noted the information WP/308 presented by the Interstate Aviation Committee.

27.11 The Committee noted the contribution of the Council's off-site strategy meetings and regional visits to enhancing the efficiency and effectiveness of the organization and expressed support for these meetings as a mechanism for furthering the Organization strategic planning process.

27.12 WP/325, presented by ABIS Group<sup>2</sup>, CERG<sup>3</sup>, Chile, NORDIACO<sup>4</sup>, highlighted benefits of the creation of rotation groups with the objective of a more effective representation at ICAO, and invited the Assembly to:

- a) take note of the information contained in this paper;
- b) express appreciation for the existence of current rotation groups as an effective means of ensuring a greater number of Member States have an opportunity to serve on the Council;
- c) encourage Member States seeking to serve on the ICAO Council to create new rotation groups or join rotation groups already in existence; and
- d) request the Council to consider the adoption of written procedures that would formally recognize rotation groups and the function they serve for the purposes of electing Member States to the Council.

It was highlighted that through rotation groups a greater number of States are able to more closely follow and be engaged in the work of the Council while enhancing coordination and cooperation among States as well as their opportunities for membership of the Council.

27.13 Several delegations took the floor to support the role and recognition of rotation groups and to encourage participation in such groups. Other delegations, while supporting the working paper and in particular action items a) b) and c), identified the right of each Member State to submit its candidature for election to the Council; the need for coordination with regional groupings bearing in mind the arrangements established by them; and the absence of rotation groups in some regions, as factors to be taken into account while considering the role and status of rotation groups.

27.14 The Committee accordingly agreed to a), b) and c) above, and refer to the Council for further study the role and status of rotation groups in the work of the Organization, taking into account the comments made.

## **Agenda Item 28: No Country Left Behind Initiative**

28.1 The Committee reviewed WP/23, presented by the Council, which contained information on the establishment of ICAO's No Country Left Behind (NCLB) Initiative which aims at: providing support for States in the effective implementation of ICAO's Standards and Recommended Practices (SARPs), policies, plans and programmes in a globally-harmonized manner; promoting the resolution of significant safety concerns (SSCs) and significant security concerns (SSeCs); and promoting and implementing all ICAO's assistance activities. The Committee also noted the work of ICAO under the NCLB initiative in the Central American and Caribbean Region, as submitted in A39-WP/261 which was presented by El Salvador with the support of the States of the NAM and CAR Regions. The Committee

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<sup>2</sup> Austria, Belgium, Croatia, Ireland, Luxembourg, The Netherlands, Portugal, Switzerland

<sup>3</sup> Bulgaria, Cyprus, Czech Republic, Greece, Hungary, Lithuania, Poland, Romania, Slovakia, Slovenia

<sup>4</sup> Denmark, Estonia, Finland, Iceland, Latvia, Norway, Sweden

agreed to endorse the No Country Left Behind initiative and to encourage States, international organizations, industry and donors to provide support to the initiative.

28.2 In light of the discussion, the Committee agreed to submit, for adoption by the Plenary, the following resolution:

**Resolution 28/1: No Country Left Behind (NCLB) Initiative**

*Whereas* Article 44 of the Convention on International Civil Aviation states that among the aims and objectives of ICAO are development of the principles and techniques of international air navigation and fostering of the planning and development of international air transport so as to meet the needs of the people of the world for safe, regular and economical air transport;

*Whereas* to realize these goals, the Organization has established Strategic Objectives on safety, air navigation capacity and efficiency, security and facilitation, economic development of air transport and environmental protection;

*Recalling* that several Assembly resolutions, including A38-5, A38-11, A38-12, A38-15, A38-16, A38-17, and A33-9, urge States to increase the implementation of ICAO Standards and Recommended Practices (SARPs);

*Recognizing* that all States should effectively implement ICAO's Standards and Recommended Practices (SARPs) and policies so that all States have safe, secure, efficient, economically viable and environmentally sound air transport systems which support sustainable development and socio-economic prosperity, and which ultimately help to create and preserve friendship and understanding among the nations and peoples of the world;

*Whereas* the findings of the Universal Safety Oversight Audit Programme (USOAP) and the Universal Security Audit Programme (USAP) activities continue to indicate that many States experience difficulties in the implementation of ICAO SARPs;

*Recognizing* that due to a varying level of capacity to meet and sustain their compliance with SARPs, States are not always able to effectively implement SARPs in a timely manner at the rate in which they are adopted by ICAO;

*Recognizing* that the Council has established the No Country Left Behind (NCLB) Initiative;

*Recognizing* that the successful implementation of the No Country Left Behind (NCLB) initiative will enhance States' air transport systems and align with the achievement of the United Nations (UN) Sustainable Development Goals (SDGs);

*Recognizing* that further progress in improving civil aviation, including the efficient human and financial resources for the implementation of assistance activities that are tailored to the needs of individual States, is best achieved through a cooperative, collaborative and coordinated approach in partnership with all stakeholders; and

*Recognizing* that all ICAO assistance activities and mechanisms have the common objective of supporting the effective implementation of SARPs and policies;

*The Assembly:*

1. *Urges* Member States to endorse the No Country Left Behind (NCLB) Initiative;
2. *Urges* Member States to improve their civil aviation systems by actively participating in ICAO's work and by effectively implementing ICAO SARPs and policies so that they can foster sustainable local and regional prosperity and fully benefit from improved global connectivity;
3. *Directs* the Council to maintain the focus of the community on the global contribution and value of aviation through support of NCLB efforts and future ICAO World Aviation Forums;
4. *Directs* the Secretary General to coordinate, facilitate and implement comprehensive assistance programmes, in partnership with all stakeholders, that will help Member States in enhancing their civil aviation systems and oversight capabilities;
5. *Urges* Member States, the industry, financial institutions, donors and other stakeholders to coordinate and cooperate amongst themselves and through ICAO, and to support the implementation of assistance activities in line with the global and regional priorities established by ICAO, thereby avoiding duplication of efforts;
6. *Urges* Member States, international and regional organizations, and financial institutions to use ICAO data-driven decision-making tools and services to assist in identifying the deficiencies in aviation, implementing ICAO projects and programmes, mapping solutions, developing business cases, and identifying funding needs to facilitate finding potential donors and investors;
7. *Encourages* Member States to include within their aviation infrastructure development projects elements of training and capacity building aimed at strengthening their civil aviation authorities to enable an effective oversight of such infrastructure;
8. *Encourages* Member States to establish partnerships with other Member States, industry, financial institutions, donors and other stakeholders through ICAO to enhance their civil aviation systems and oversight capabilities;
9. *Encourages* Member States to make use of and benefit from the ICAO Air Services Negotiation (ICAN) facility, as a forum for Member States to negotiate and conclude bilateral and/or multilateral air services agreements, which contributes to enhancing air transport connectivity and consequently the development of tourism, trade, and national and global economies;
10. *Calls* on all Member States and relevant partners able to do so to provide States in need with financial and technical resources to assist them in enhancing their civil aviation systems by implementing SARPs and fulfilling their oversight responsibilities;
11. *Instructs* the Secretary General to further enhance its coordinated and comprehensive implementation and evaluation mechanisms to assist States in implementing ICAO SARPs, policies, plans and programmes;
12. *Requests* the Secretary General to coordinate with States, international organizations, industry and donors on the implementation of assistance activities by establishing partnerships through an ICAO network for aviation development;

13. *Requests* the Secretary General to engage States and financial institutions to secure their support for strengthening the safety, security and efficiency of the global aviation system;

14. *Urges* industry and financial institutions to develop and present to ICAO their own action plans in support of the full implementation of this resolution.

28.3 The Executive Committee noted WP/348 Revision No. 1 submitted by Brazil which proposes the establishment of a centralized database of existing courses worldwide, as an extension and an improvement of the TRAINAIR PLUS network and correlated initiatives such as the Aviation Training Directory and the Global Aviation Training Course Catalogue.

28.4 The Committee reviewed WP/218 Revision No. 1 presented by Cook Islands, Fiji, Kiribati, New Zealand, Papua-New Guinea, Samoa, Singapore, Tonga and Vanuatu proposing the merits of establishing an ICAO Regional Sub-office to be located in the Pacific Region in order to provide more direct support to all twelve Pacific Island States, taking into consideration the existing Pacific Aviation Safety Office (PASO). The Committee supported the Council considering the conduct of a feasibility study for the establishment of a sub-regional office in the Pacific Region, however the Secretary General noted the need for resources to undertake such a study, and called on the support of States and international financial institutions to provide the required financial and in-kind human resources.

28.5 The Committee noted WP/105, presented by Slovakia on behalf of the EU, and its Member States, the other Member States of ECAC and EUROCONTROL, stating that capacity-building activities whether organized by ICAO, individual States, regional organizations or industry play an important role in supporting Contracting States' efforts to reach effective and sustainable implementation of international requirements. It was noted that the Assembly Resolution proposed in WP/23 covers the actions proposed in WP/105.

28.6 The Committee considered WP/299 and noted the progress made in the establishment and implementation of the Human Resources Development Fund (HRDF) and HRDF Secondment Programme, which are financed by voluntary contributions and which aim to strengthen human capacity in the African civil aviation sector. This capacity-building initiative was seen as a welcome development within the overall efforts being made for the No Country Left Behind Initiative.

28.7 The need to further develop the HRDF through the establishment of additional programmes and activities was highlighted. It was also emphasized that the success, continuity and sustainability of the HRDF was dependent on the receipt of voluntary contributions.

28.8 Information Papers WP/415 by Slovakia on behalf of the EU, ECAC and EUROCONTROL, WP/446 by Dominican Republic, WP/450 by Japan were discussed under Agenda Item 14. WP/364 presented by Egypt was discussed under Agenda Item 22.

#### *Strategy on Disaster Risk Reduction and Response Mechanisms in Aviation*

28.9 The Committee reviewed A39-WP/24, presented by the Council, and A39-WP/264, presented by the United States, that contained proposals for the establishment of an institutionalized ICAO approach to respond to crises that would enable the Organization to mitigate the impact of disasters on international civil aviation. The proposals called for the development of both a strategic approach that aims to improve the resilience of civil aviation infrastructure to disasters, as well as a tactical approach to aviation-specific crises that could affect the safety or continuity of international civil aviation. The Committee noted that the international strategy for disaster reduction, as embodied in the United Nations



Sendai Framework for Disaster Risk Reduction 2015-2030, reflects a major shift from the traditional emphasis on disaster response to disaster reduction and seeks to promote a culture of prevention already underway in ICAO. The Committee highlighted that any response undertaken by ICAO should be guided by, and in concert with, the State(s) affected, given that States have the overarching responsibility for responding to these events.

28.10 The Committee reviewed A39-WP/280 Revision No. 1, presented by Japan, that outlined best practices undertaken in Japan following earthquakes that caused damage to the buildings and other facilities of the Kumamoto airport. The Committee agreed that States should be encouraged to prepare their emergency responses to disasters based upon the measure taken and lessons learned by Japan, as well as other Member States that have faced similar crises.

28.11 In light of the discussion, the Committee agreed to submit, for adoption by the Plenary, the following resolution:

**Resolution 28/2: Strategy on Disaster Risk Reduction and Response Mechanisms in Aviation**

*Whereas* Article 44 of the Convention on International Civil Aviation states that among the aims and objectives of ICAO are to foster the planning and development of international air transport so as to meet the needs of the people of the world for safe, regular, efficient and economical air transport;

*Whereas* the General Assembly of the United Nations endorsed the Sendai Declaration and the Sendai Framework for Disaster Risk Reduction 2015–2030 adopted by the Third United Nations World Conference on Disaster Risk Reduction;

*Mindful* that natural disasters damage the social and economic infrastructure of all countries, and the long-term consequences of natural disasters are especially severe for developing countries and hamper their sustainable development;

*Mindful* that States are primarily responsible for prevention and reduction of disaster risk and any response undertaken by the Organization should be guided by, and in concert with, the State(s) affected;

*Recognizing* that Annex 1 — Personnel Licensing, Annex 6 — Operation of Aircraft, Annex 9 — Facilitation, Annex 11 — Air Traffic Services, Annex 14 — Aerodromes and Annex 19 — Safety Management provide Standards and Recommended Practices (SARPs) for States relating to emergency planning and response, as well as border control formalities relating to relief flights following natural or man-made disasters;

*Recognizing* that disaster risk reduction is an important function of the United Nations System and should receive continued attention, and stressing the need for the international community to demonstrate the firm political determination required to utilize scientific and technical knowledge to reduce vulnerability to natural disasters and environmental hazards, taking into account the particular needs of developing countries;

*Recognizing* that all States have a vital need for disaster-resilient aviation infrastructure to promote socio-economic development and, in times of need, to support the timely and efficient distribution of aid; and

*Recognizing* that all States can benefit from integrating disaster risk reduction strategies into their Air Transport Sector Strategic Plans.

*The Assembly:*

1. *Urges* States to recognize the significant role of aviation in the context of disaster risk reduction at the national level, including in their Air Transport Sector Strategic Plans;
2. *Urges* States to take into consideration the disaster risk reduction priorities as contained in the Sendai Framework for Disaster Risk Reduction 2015–2030, as well as the best practices of member States, in the development of their State emergency response plans as well as in the emergency response plan requirements for aviation service providers;
3. *Directs* the Council to establish a crisis response policy and disaster risk reduction strategy in aviation that would institutionalize and guide the Organizations strategic approach and tactical responses to aviation-specific crises that could affect the safety or continuity of international civil aviation;
4. *Directs* the Council to assist States in implementing disaster risk reduction strategies in aviation with priority given to Least Developed Countries (LDCs), Landlocked Developing Countries (LLDCs) and Small Island Developing States (SIDS);
5. *Instructs* the Secretary General to establish an ICAO mechanism, in coordination with the States affected and neighbouring States, for crises response and assistance;
6. *Instructs* the Secretary General to continue working collaboratively within the United Nations System to ensure timely, coordinated and high quality assistance to all States where disaster losses pose a threat to people’s health and development; and
7. *Instructs* the Secretary General to ensure that ICAO participate, when applicable and in alignment with its Strategic Objectives, in appropriate mechanisms put in place to support the cross-sectorial implementation of the Sendai Framework for Disaster Risk Reduction 2015–2030 and the United Nations Plan of Action on Disaster Risk Reduction for Resilience.

*Policy on ICAO Publications*

28.12 A39-WP/369, presented by Canada, introduced a proposal to expand free web access to ICAO documents in support of the No Country Left Behind initiative and to confirm efforts in implementing ICAO Standards and Recommended Practices.

28.13 The Committee noted that ICAO remained fully committed to the No Country Left Behind Initiative and to supporting efforts to assist States in implementing ICAO’s Standards and Recommended Practices (SARPs). Some States expressed strong support for this initiative; however, the Committee noted also that this proposal could have budgetary implications for the next triennium.

28.14 The Executive Committee recommends that the Assembly request the Council to analyse the proposal for the provision of free web access to ICAO documents and to report back on options to the 40th Session of the Assembly.

**Agenda Item 29: United Nations 2030 Agenda - Sustainable Developments Goals (SDGs)**

29.1 Under this Agenda Item, the Committee reviewed A39-WP/25, presented by the Council, which addresses the contributions of ICAO compliant air transport systems to the 2030 Agenda for Sustainable Development and encourages States to implement ICAO Standards and Recommended Practices (SARPs), policies, plans and programmes that contribute ultimately to the realization of the

international development priorities, particularly the Sustainable Development Goals (SDGs). The paper also provides a report on activities undertaken by ICAO aimed at assisting its Member States in this endeavour. The Committee noted the important contributions enabled by the delivery of results of ICAO's Strategic Objectives, the NCLB initiative and the ICAO World Aviation Forum towards the realization of the 2030 Agenda; urged States to include and elevate the priority of aviation into their national development plans and to support such plans with robust air transport sector strategic and civil aviation master plans; and directed ICAO to continue fostering partnerships and assist States to materialize aviation's contributions to sustainable development. The Committee noted the various environmental issues related with the SDGs and the progress of the work of the ICAO Committee on Aviation Environmental Protection (CAEP) to the attainment of the 2030 Agenda. The Committee further noted that airports had demonstrated the value of community engagement in their sustainability practices, specifically with regard to SDGs 8, 16 and 17, as stated by ACI.

29.2 The Committee considered A39-WP/194, presented by CANSO and supported by Burkina Faso, Saudi Arabia, South Africa and Venezuela, that provides an update of Project Loon, calls on States and ANSPs to review the information contained in the ICAO State Letter on the subject (AN13/22.1-16/42), and, in light of that information, review procedures and establish Letters of Agreements to ensure safe overflight provision. The Committee noted that this initiative directly supports SDGs 9 and 17 and encouraged the Assembly to endorse the spirit of paper extending its coverage to all aviation solutions that are compliant with SARPs that assist in the achievement of the SDGs related to bringing the internet to underserved parts of the world.

29.3 A39-WP/240 presented by the World Bank Group was reviewed by the Committee which noted that the subject was already tabled under Agenda Item 30 Resource Mobilization.

29.4 The Committee considered A39-WP/374, presented by IATA on behalf of ACI, CANSO, IATA, IBAC and ICCAIA, and supported by Argentina, Burkina Faso, Guatemala, Sri Lanka, South Africa, Saudi Arabia, United Kingdom, United States, which introduces the report Aviation: Benefits Beyond Borders which demonstrates how safe, reliable and cost-effective air transport supports many of the SDGs and invites States to distribute and use the report to advocate aviation contributions to the SDGs. The Committee noted the information contained in the paper and encouraged Member States to recognize the global, regional and national benefits of aviation by embracing this notion in development frameworks and policies to promote the sustainable development of the aviation sector as a driver of economic, social and other multiple benefits.

29.5 The Committee noted the information contained in A39-IP/427, presented by the International Coalition for Sustainable Aviation. It was acknowledged that A39-WP/78 and A39-WP/140, presented by the Council and IATA, under agenda items 31 and 39, respectively, as well as A39-IP/294 and A39-IP/305, presented by India and IATA, contain a number of important references to SDGs that support the spirit of the Resolution proposed.

29.6 In light of the discussion the Committee agreed to submit, for adoption by the Plenary, the following resolution:

**Resolution 29/1: Aviation's contribution towards the United Nations 2030 Agenda for Sustainable Development**

*Recognizing* that air transport is a catalyst for sustainable development and that it represents an essential lifeline for least developed countries (LDCs), and especially for landlocked developing countries (LLDCs) and small island developing States (SIDS) to connect to the world;

*Recognizing* that air transport connectivity is of utmost importance for the economic, social and territorial cohesion of Member States and their populations;

*Recognizing* that the benefits enabled by air transportation can only materialize if States have a safe, efficient, secure, economically viable and environmentally sound air transport system;

*Whereas* the No Country Left Behind (NCLB) initiative aims at assisting States in effectively implementing ICAO Standards and Recommended Practices (SARPs), plans, policies and programmes, as well as addressing Significant Safety and Security Concerns so as to ensure that all States have access to the significant socio-economic benefits of air transport;

*Whereas* the General Assembly of the United Nations adopted the *Transforming our World: The 2030 Agenda for Sustainable Development* that includes a set of seventeen universal and transformative goals supported by 169 targets that balance the economic, social and environmental dimensions of sustainable development;

*Recalling* that the scale and ambition of the 2030 Agenda for Sustainable Development call for a global partnership that will bring together Governments, the private sector, civil society, the United Nations system and other actors to mobilize all available resources for its implementation;

*Whereas* the delivery of ICAO Strategic Objectives on safety, air navigation capacity and efficiency, security and facilitation, economic development of air transport, and environmental protection contribute to the attainment of the United Nation Sustainable Development Goals (SDGs);

*The Assembly:*

1. *Urges* Member States to recognize the significant contributions of aviation to sustainable development realized by stimulating employment, trade, tourism and other areas of economic development at the national, regional and global levels, as well as by facilitating humanitarian and disaster response to crises and public health emergencies;
2. *Directs* the Council and the Secretary General, within their respective competencies, to demonstrate that ICAO continues to serve as an advocate for aviation by raising awareness among Member States, including relevant authorities beyond the air transport sector, the United Nations system, the donor community and all relevant stakeholders about aviation's contributions to sustainable development and the attainment of the SDGs;
3. *Urges* Member States to enhance their air transport systems by effectively implementing SARPs and policies while at the same time including and elevating the priority of the aviation sector into their national development plans supported by robust air transport sector strategic plans and civil aviation master plans, thereby leading to the attainment of the SDGs;
4. *Directs* the Secretary General to consider the special needs and characteristics of LDCs, LLDCs and SIDS, identified within the framework of the United Nations, in the coordination, prioritization, facilitation and implementation of assistance programmes aimed at enhancing their air transport systems;

5. *Directs* the Secretary General to continue monitoring and reviewing, when applicable, the contributions made towards the attainment of the SDGs through the implementation of ICAO Strategic Objectives and work programmes;

6. *Directs* the Secretary General to ensure that ICAO participate, when applicable and in alignment with its Strategic Objectives, in appropriate mechanisms put in place to support the implementation of the 2030 Agenda for Sustainable Development so that aviation is recognized and prioritized as such by Member States in their development plans; and

7. *Requests* the Secretary General to enhance existing and establish new partnerships with Member States, the aviation industry, the United Nations system, international and regional organizations, financial institutions, donors and other actors to assist Member States in enhancing their air transport systems with a view to contributing, consequently, to the attainment of the SDGs.

### **Agenda Item 30: Resource Mobilization**

30.1 Under this Agenda Item, the Committee reviewed A39-WP/26, presented by the Council, which provides information on the ICAO Resource Mobilization Policy that aims at achieving adequate, more predictable and sustainable voluntary contributions to realize the Organization's mission, complement the ICAO Regular Programme Budget and assist States in facilitating access to funds to enhance their air transport systems, and a report on the activities related to resource mobilization. The Committee expressed appreciation for the voluntary contributions received, recommends that the Secretary General foster partnerships to mobilize resources for sustainable aviation development, urged Member States, international organizations, industry, donors and all relevant stakeholders to assist States in enhancing their air transport systems and to contribute to ICAO voluntary funds.

30.2 The Committee acknowledged the content of A39-WP/105, presented by Slovakia on behalf of the EU and its Member States and other Member States of ECAC and EUROCONTROL, noting that the subject was already discussed in under Agenda Item 28 No Country Left Behind Initiative.

30.3 The Committee reviewed A39-WP/240, tabled by the World Bank Group, that presents information that facilitates States access to financing that would enhance their air transport systems and, therefore, support the achievement of the goals of the 2030 Agenda. The Committee noted the catalytic impact of air transport for development and urged Member States to recognize this impact by elevating the priority of the aviation sector in the national development plans. The Committee also noted the Bank's support for Member States in the air transport sector along its funding mechanisms and called Member States to consider the inclusion of the air transport sector in their development strategies through their respective Country Partnership Frameworks (CPFs) with the World Bank Group, if applicable.

30.4 In light of the discussion the Committee agreed to submit, for adoption by the Plenary, the following resolution:

#### **Resolution 30/1 : Resource Mobilization**

*Recognizing* that air transport is a catalyst for sustainable development and that despite its socio-economic significance, it receives limited funds from existing international funding mechanisms to support its development;

*Recognizing* that the successful implementation of the No Country Left Behind (NCLB) initiative will rely on an increased level of funding and investments supported by all Member States;

*Considering* that, in some cases, Member States may not have access to the necessary resources to remedy the deficiencies identified through ICAO audit programmes and to enhance their air transport systems;

*Whereas* most developing States experience difficulties in gaining access to many financial market sources, particularly foreign capital markets, for funding sustainable development of civil aviation;

*Whereas* the Council has established, based on ICAO Strategic Objectives, thematic and multi-donor trust funds with the objective of assisting Member States in enhancing civil aviation;

*Recalling* that several Assembly resolutions, including A38-2, A38-5, A38-7, A38-15, A37-16, A36-17, A36-18, A35-15, A33-1, A33-9, A29-13 and A22-19, urge States, international organizations and financial institutions to establish partnerships, mobilize resources for technical assistance and make voluntary contributions to ICAO Funds;

*Acknowledging* Member States, international and regional organizations and other donors' significant contributions to ICAO Funds associated with the fulfilment of the objectives of ICAO;

*Recognizing* that a holistic and purposeful resource mobilization capacity has the potential for increasing ICAO's support to States in facilitating access to funds to enhance their civil aviation systems;

*Whereas* ICAO has a Resource Mobilization Policy aimed at achieving adequate, more predictable and sustainable voluntary contributions to realize the Organization's mission, to complement the ICAO Regular Programme Budget, and to assist States in facilitating access to funds to enhance their safety, efficient, secure, economically viable and environmentally sound air transport system;

*The Assembly:*

1. *Directs* the Council and Secretary General, within their respective competencies, to ensure that ICAO continue its role as an advocate for aviation by raising awareness among Member States, the United Nations system, international and regional organizations, financial institutions, the private sector and the donor community about the benefits of mobilizing resources for and investing in the sustainable development of air transport systems of all Member States;
2. *Urges* Member States, the industry, international and regional organizations, financial institutions, donors and other stakeholders to support the implementation of assistance activities in line with the global and regional aviation plans and priorities established by ICAO while avoiding duplication of efforts;
3. *Requests* the Secretary General to develop guidance material to assist States in including and elevating the priority of the aviation sector into their national development plans and developing robust air transport sector strategic plans and civil aviation master plans;
4. *Urges* Member States to secure national funding for the sustainable development of air transport and *encourages* them to seek assistance from ICAO when appropriate;

5. *Urges* Member States providing Official Development Assistance (ODA) to recognize the significant contributions of aviation to sustainable development by considering commitments and disbursements of financial flows to the enhancement of air transport of States in need and *encourages* the Secretary General to assist them in realizing this endeavour;
6. *Urges* all Member States, the industry, international and regional organizations financial institutions, donors and other stakeholders able to do so to continue making voluntary contributions to ICAO Funds and to partner with States in need with a view to providing financial and technical resources to assist in enhancing their civil aviation systems, including their oversight capabilities;
7. *Directs* the Council and Secretary General, within their respective competencies, to continue fostering ICAO's partnership with financial institutions seeking the prioritization or inclusion of aviation in their agendas and work programmes in order to facilitate States' access to fund or finance their aviation development projects;
8. *Directs* the Secretary General to develop strategies and means to mobilize resources among Member States, the UN system, international and regional organizations, financial institutions, the private sector and related mechanisms to assist States in need, especially Least Developed Countries (LDCs), Landlocked Developing Countries (LLDCs) and Small Island Developing States (SIDS), in enhancing their air transport systems when appropriate and consistent with the NCLB initiative;
9. *Directs* the Secretary General to work with international organizations to ensure that aviation priorities and opportunities are properly represented in global and regional initiatives related to the mobilization of resources for the development of air transport; and
10. *Directs* the Secretary General to work with international organizations to ensure that ICAO Resource Mobilization initiatives are harmonized and integrated in relevant funding and development frameworks.

**Agenda Item 31: Other high-level policy issues to be considered by the Executive Committee**

*Family Assistance*

31.1 The Committee reviewed A39-WP/32, presented by the Council, providing a progress report on actions taken by ICAO pursuant to Assembly Resolution A38-1: Assistance to victims of aviation accidents and their families. The efforts by the Council in adopting a Recommended Practice for Annex 9 — Facilitation regarding the establishment by States of legislation, regulation and/or policies to support aircraft accident victims and their families were highly appreciated by the Committee, which agreed with the proposed Resolution in A39-WP32 to supersede Resolution A38-1.

31.2 The Committee reviewed WP/247, presented by Brazil, highlighting that the evolution of air transportation, combined with other social phenomena, such as greater consumer sensitivity and the speed of news published on all kinds of media and social networks, have raised the issue of the assistance to victims of aviation accidents and their families. The paper recognized the appropriateness of ICAO's provisions on this subject, and invited the Assembly to consider the establishment of an official forum in which States could share experiences concerning family assistance.

31.3 Recalling that the first ICAO SARP addressing the establishment by States of legislation, regulations and/or policies in support of assistance to aircraft accident victims and their families was

introduced in Annex 9 — Facilitation on 25 Feb 2016, the Committee agreed to invite the Council to consider the convening of a global ICAO meeting on family assistance after 2019, when States would have obtained sufficient experience on the subject.

31.4 The Committee reviewed A39-WP/137 Revision No. 1, presented by Italy, Malaysia, Mexico and Spain, which provided that the international community and States should have adequate policies and planning to support aircraft accident victims and their families. While acknowledging the commendable initiatives taken by the Council in recent years, including the adoption in 2015 of a Recommended Practice for Annex 9 — Facilitation regarding the establishment by States of legislation, regulation and/or policies to support aircraft accident victims and their families, the Committee was supportive that the suffering experienced by victims and their families could be further mitigated with the implementation of appropriate family assistance plans by aircraft and airport operators, as recommended by the ICAO Policy on Assistance to Aircraft Accident Victims and their Families (Doc 9998).

31.5 Having been advised that relevant Universal Safety Oversight Audit Programme (USOAP) protocol questions (PQ) addressing family assistance had been incorporated in the amendment of USOAP protocol questions (applicable in January 2017), the Committee agreed to invite the Council to give further consideration to the proposal to upgrade Recommended Practice 8.46 of Annex 9 to a Standard, as well as to develop a Recommended Practice regarding proper implementation of family assistance plans by aircraft and airport operators, following a review of the results of the USOAP audits.

31.6 The Committee reviewed A39-WP/270, presented by the Air Crash Victims' Families' Federation International (ACVFFI), and agreed that the ICAO Policy on Assistance to Aircraft Accident Victims and their Families (Doc 9998), the Manual on Assistance to Aircraft Accident Victims and their Families (Doc 9973), as well as the introduction of Recommended Practice 8.46 in Annex 9 — Facilitation on 25 February 2016, have significantly advanced the global level of assistance to aircraft accident victims and their families. Recalling that relevant PQs addressing family assistance had been incorporated in the amendment of USOAP PQs (applicable in January 2017), the Committee agreed to invite the Council to give further consideration to the proposal to upgrade Recommended Practice 8.46 of Annex 9 to a Standard, following a review of the results of the USOAP audits.

31.7 The Committee also agreed to submit, for adoption by the Plenary, the following resolution:

**Resolution 31/1: Assistance to victims of aviation accidents and their families**

*Having considered* that, even though international air transport is the safest means of transportation, the total elimination of serious accidents cannot be guaranteed;

*Whereas* the actions of the State of Occurrence should address the most critical needs of persons affected by a civil aviation accident;

*Whereas* the policy of the International Civil Aviation Organization (ICAO) should be to ensure that the mental, physical, and spiritual well-being of victims involved in civil aviation accidents and their families are considered and accommodated by ICAO and its Member States;

*Whereas* it is essential that ICAO and its Member States recognize the importance of timely notification of family members of victims involved in civil aviation accidents; the prompt recovery and accurate identification of victims; the return of the victims' personal effects; and the dissemination of accurate information to family members;



*Recognizing* the role of Governments of nationals, who are victims of civil aviation accidents, in notifying and assisting families of the victims;

*Recalling* the provision of Article 28 of the Montréal Convention of 1999 as well as Resolution No. 2 adopted by the Montréal Conference, which called for the provision of advance payments, without delay, to aircraft accident victims, and their families;

*Whereas* it is essential that support be provided to family members of victims of civil aviation accidents, wherever the accident may occur, and any lessons learned from support providers, including effective procedures and policies, be promptly disseminated to other Member States and ICAO to improve States' family support operations;

*Considering* that harmonization of the regulations for dealing with the needs of victims of civil aviation accidents and their families is also a humanitarian duty and a permissive function of the ICAO Council contemplated in Article 55 (c) of the Chicago Convention;

*Considering* that States should provide a homogeneous solution for treatment of victims of civil aviation accidents and their families;

*Recognizing* that the air carrier involved in a civil aviation accident is often best situated to assist families in the immediate aftermath of the accident;

*Noting* that family members of victims of a civil aviation accident, irrespective of where the accident occurs or the national origin of the victims, express certain fundamental human needs and emotions;

*Recognizing* that public attention will continue to focus on States' investigative actions, as well as the human interest aspects of a civil aviation accident;

*Recalling* the issuance of ICAO *Guidance on Assistance to Aircraft Accident Victims and their Families* (Circ 285) in 2001 as well as the inclusion, in 2005, of provisions in Annex 9 to enable expeditious entry into the State in which an accident occurs for family members of victims of aircraft accidents; and

*Acknowledging* the approval by the Council of the ICAO *Policy on Assistance to Aircraft Accident Victims and their Families* (Doc 9998) in March 2013 and the issuance of the *Manual on Assistance to Aircraft Accident Victims and their Families* (Doc 9973) in December 2013; and

*Noting* the inclusion, in 2015, of a provision in Annex 9 for States to establish legislation, regulations and/or policies in support of assistance to aircraft accident victims and their families;

*The Assembly:*

1. *Calls on* Member States to reaffirm their commitment to support victims of civil aviation accidents and their family members;
2. *Urges* Member States to establish legislation, regulations and/or policies to support victims of civil aviation accidents and their family members, in consideration of the ICAO Policy in Doc 9998 and of Annex 9, and pursuant to Article 28 of the Montréal Convention of 28 May 1999 and Resolution No. 2 adopted by the Montréal Conference;

3. *Encourages* States that have legislation, regulations and/or policies to support civil aviation accident victims and their families to review these documents, as necessary, in consideration of the ICAO Policy in Doc 9998 and of the guidance material in Doc 9973;
4. *Urges* Member States to inform ICAO, through the compliance checklist (CC) in the Electronic Filing of Differences (EFOD), of the level of implementation of the provisions in Annex 9 associated with family assistance plans;
5. *Directs* the Council, when considering the extent of the level of implementation of family assistance plans obtained through the CC, to give further consideration to the development of Standards and Recommended Practices to support victims of civil aviation accidents and their family members; and
6. *Declares* that this resolution supersedes Resolution A38-1.

*Infectious diseases and aircraft disinsection*

31.8 The Committee reviewed A39-WP/84, presented by the United States, which outlined the need for ICAO, working with the World Health Organization (WHO), to develop guidance on a three-pronged approach to controlling the spread of disease-bearing vectors through international aviation. The three-pronged approach included a proposal that ICAO engage with WHO on the development of performance-based criteria for non-chemical as well as chemical disinsection and specific guidance on the components of a scientifically based risk assessment model for States to use in determining whether to require aircraft disinsection, as well as the provision of an effective means for information sharing regarding vector control and disinsection measures and status at international airports. The Committee noted that the Secretariat had already advanced work related to performance criteria and testing of non-chemical disinsection, developed an initial draft of a risk assessment model for State use to determine whether aircraft disinsection should be required, and established an airport vector control register on the ICAO website to facilitate the sharing of this information. The benefits of this work and the need for close collaboration with WHO, as well as engagement by the Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCAs), were recognized by the Committee.

31.9 In light of the discussion, the Committee agreed to submit, for adoption by the Plenary, the following resolution:

**Resolution 31/2: Performance-based criteria and guidance material on aircraft disinsection and vector control measures**

*Whereas* the most recent outbreaks of vector-borne diseases have resulted in Contracting States imposing chemical disinsection requirements;

*Whereas* the World Health Organization has not issued recommendations regarding non-chemical disinsection methods;

*Whereas* there is strong evidence that chemicals are becoming increasingly ineffective in combatting vector-borne diseases as insect resistance to chemicals increases;

*Whereas* the lack of World Health Organization-recommended non-chemical disinsection methods leads to Contracting States continuing to require only chemical disinsection methods;

*Whereas* despite past Assemblies having encouraged development of performance-based criteria for disinsection requirements, in collaboration with the World Health Organization, insufficient progress has been made in this regard;

*The Assembly:*

1. *Directs* that the Council engage with the World Health Organization to develop:
  - a) performance-based criteria to evaluate all disinsection methods, including non-chemical means of disinsection;
  - b) recommendations regarding non-chemical disinsection methods; and
  - c) guidance on the components of a scientifically-based risk assessment model for Contracting States to use in determining whether to employ vector control measures that include but are not limited to aircraft disinsection.
2. *Urges* Contracting States to require pest management control programmes around airports and related facilities, which would mitigate the need to impose aircraft disinsection requirements;
3. *Urges* Contracting States to encourage airport reporting to the ICAO Airport Vector Control Registry and to keep the information current;
4. *Requests* the Council to report on the implementation of this Resolution at the next Assembly; and
5. *Declares* that this Resolution supersedes Resolution A37-14.

*Next Generation of Aviation Professionals*

31.10 The Committee reviewed and approved A39-WP/33 presented by the Secretariat which provided an update on the Next Generation of Aviation Professionals (NGAP) Programme and highlighted the work of ICAO with States, international organizations, industry and academia to create greater awareness of the impending shortages of personnel, promote gender equality in aviation and assist the global aviation community in attracting, educating and retaining the next generation of aviation professionals. The Committee recognized the importance of this initiative and encouraged States, international organizations, industry, and academia to participate and support ICAO by providing resources (human, financial and data) as the NGAP Programme was not included in the ICAO Regular Programme Budget for the next Triennium

31.11 In light of the discussion, the Commission agreed to submit, for adoption by the Plenary, the following resolution:

**Resolution 31/3: Next Generation of Aviation Professionals**

*Recognizing* that aviation is a growing industry that is critical for promoting global connectivity while supporting economic development and growth around the world;

*Recognizing* that in order to support growing aviation needs and ensure the safe and efficient operation of the air transportation system, qualified and competent aviation professionals, as well as a diverse aviation workforce, are required;

*Considering* that, to meet current and future human resources needs, it is important for States and industry to engage the next generation of aviation professionals;

*Noting* that partnerships between government, regional organizations, industry and educational organizations are important to attracting, educating and retaining the next generation of aviation professionals, considering gender equality;

*The Assembly:*

1. *Urges* Member States to work with the aviation community to identify long-term human resources needs and establish strategies to attract, educate and retain in the sector aviation professionals, considering gender equality;
2. *Encourages* Civil Aviation Authorities to communicate and cooperate with government education and labour bodies, the TRAINAIR PLUS Programme (TPP) network and the aviation industry to develop strategies for promoting aviation and developing competent aviation professionals and retaining them within States;
3. *Encourages* Member States to facilitate, through internationally agreed upon guidance and assessment practices for mutual recognition of qualifications and licenses, administrative procedures to allow for the free flow of professionals across borders;
4. *Instructs* the Council to ensure a continued leadership role for ICAO, in facilitating communication and collaboration with States and industry to support the development of forecasts, strategies, sharing of best practices, planning tools, and guidelines for engaging and cultivating the next generation of aviation professionals;
5. *Encourages* Member States to promote best practices that focus on meeting the needs and values of the next generation of aviation professionals to enable employee productivity, performance, recruitment, retention, and safety; and
6. *Encourages* Member States, international and regional organizations, academia and industry to support the NGAP Programme, as one of the integral elements of capacity building, by providing technical expertise and guidance, and resources (human, financial and data) to help achieve the Programme's objectives.

31.12 The Commission noted A39-WP/329 from the Dominican Republic proposing the analysis and design of an action plan which would be used by States as a model for the development of strategies linking civil aviation authorities with educational institutions. The Commission noted that additional resources, both in funding and experts, would be required to undertake the work proposed.

31.13 Information papers were provided by the United Arab Emirates (A39-WP/457) and the Dominican Republic (A39-WP/458).

*ICAO Gender Equality Programme: Promoting the participation of women in the global aviation sector*

31.14 The Committee reviewed WP/78, presenting the ICAO Council's proposal on the establishment of an ICAO Gender Equality Programme. This important initiative aims to involve ICAO and States in building on past achievements in order to take active steps towards establishing a framework through which gender equality and women's empowerment can be addressed within both ICAO and the global aviation sector.

31.15 It is expected that this framework will take into account recent global developments on gender, such as the United Nations Sustainable Development Goal (SDG) No. 5 on *Gender Equality and Empowerment of Women*.

31.16 It is also expected that emphasis will continue to be placed on the need for closing skills gaps and on sharing of best practices and role models on the issue of gender equality. It was also highlighted that progress made on gender equality within the international aviation community would help support the implementation of the UN SDG on gender.

31.17 The Committee concluded its discussion by noting that actions outlined in WP/78 on gender equality were inter-related with the priority initiatives and future actions identified for the next triennium for human resources management in WP/74, and were also linked with activities foreseen for the ICAO Next Generation of Aviation Professionals (NGAP) Programme, in WP/33. The principles of equal access to education, skills and competency development, and career opportunities in the global aviation community for all girls and boys, women and men, was highlighted. It was also noted that the paramount consideration in the appointment of staff to ICAO shall be the necessity for securing the highest standards of efficiency, competence and integrity.

31.18 In light of the discussion, the Committee agreed that the Assembly be invited to approve the proposed ICAO Gender Equality programme and related actions outlined in Section 2 of WP/78, and the Committee agreed to submit, for adoption by the Plenary, the following resolution which will supersede Resolution A36-27

**Resolution 31/4: ICAO Gender Equality Programme promoting the participation of women in the global aviation sector**

*Recognizing* that half of the world's population is made up of women.

*Acknowledging* that at the Twenty-third Special Session of the United Nations General Assembly (UNGA) in June 2000, upon reviewing the implementation of the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women in September 1995, Governments committed to further actions to accelerate the implementation of the Platform for Action and to ensure that commitments for gender equality, development and peace were fully realized;

*Considering* that UNGA Resolution A/RES/69/151, adopted on 18 December 2014, highlights the need raised in previous resolutions regarding "*Strengthening the institutional arrangements for support of gender equality and the empowerment of women*" and calls upon all actors, including the UN specialized agencies and the private sector, to intensify and accelerate action to achieve the full and effective implementation of the Beijing Declaration and the Platform for Action;

*Noting* that in September 2015, at the United Nations Sustainable Development Summit 2015, world leaders came together at UN Headquarters in New York to adopt the *2030 Agenda for Sustainable Development*, committing their nations to a new global partnership to reduce extreme poverty and setting

out a series of goals and targets known as the Sustainable Development Goals, of which Goal 5 is to achieve gender equality and empower all women and girls;

*Welcoming* the outcomes of the September 2015 Global Leader's Meeting on Gender Equality and Women's Empowerment: *A Commitment to Action*, in which more than 80 world leaders committed to end discrimination against women and further measures and targets to accelerate the achievement of women's empowerment and gender equality;

*Welcoming* also the UN Women's theme for International Women's Day 2016: *Planet 50-50 by 2030: "Step It Up" for Gender Equality*, as a timely initiative to assist national leaders in intensifying their commitments to gender equality and women's empowerment and in accelerating momentum for effective implementation;

*Stressing* that in 2016, 21 years after the adoption of the Platform for Action, significant levels of inequality between women and men persist in critical areas including, but not limited to, access to decent work and closing the gender pay gap;

*Recalling* ICAO Assembly Resolution A36-27: Gender Equality, in particular its resolving clause 1 b), which states that "every effort should continue to be made by ICAO to attain gender equality and equity, with full respect for the principle of equitable geographical representation";

*Recalling also, the 1995 Beijing Platform for Action*, in which the Secretary General of the United Nations urged International Organizations and Specialized Agencies of the United Nations, such as ICAO, to establish programmes in order to achieve the goal of 50/50 gender balance at all levels;

*Welcoming* achievements made by ICAO and States pursuant to ICAO Assembly Resolution A36-27;

*Acknowledging* that appointments to the ICAO Secretariat are based on merit, while having due regard to the importance of recruiting staff on as wide a geographical basis as possible and ensuring equal gender representation; and

*Recognizing* that, notwithstanding the extant challenges, ICAO should continue to focus greater attention on women's rights and gender equality by playing its part in furthering the goals of the Beijing Declaration and Platform for Action and UN Sustainable Development Goal 5.

*The Assembly:*

1. *Reaffirms* its commitment to enhancing gender equality and the advancement of women's development by supporting UN Sustainable Development Goal 5: *Achieve gender equality and empower all women and girls* including by aiming to achieve an aspirational goal of 50-50 (women-men) by 2030 at all professional and higher levels of employment in the global aviation sector;
2. *Urges* States, regional and international aviation organizations and the international aviation industry to demonstrate strong, determined leadership and commitment to advance women's rights and to take the necessary measures to strengthen gender equality by supporting policies, as well as the establishment and improvement of programmes and projects, to further women's careers within ICAO's governing and technical bodies, the ICAO Secretariat and the global aviation sector;
3. *Urges* States, as part of national commitments to gender equality, to work cooperatively with ICAO by sharing best practices and working in partnership with ICAO on programmes and projects aimed at increasing the pool of women in the aviation sector and encouraging women to further develop their aviation careers, including through the promotion of women in aviation careers by State Ministries responsible for higher education;

4. *Instructs* the Secretary General to establish an *ICAO Gender Equality Programme* by mid-2017 with the primary aim of facilitating and coordinating targeted programmes and projects to enable and make regular reports on progress toward the goal of gender equality by 2030, especially in professional and higher levels of employment, within ICAO, and within States and the global aviation sector;
5. *Requests* the Secretary General to report annually to the Council on the measures implemented and the progress being made in promoting gender equality within all levels of staff categories in the ICAO Secretariat, and on aviation gender equality statistics, to the extent that they are provided on a voluntary basis, in States and the international aviation industry; and
6. *Declares* that this Resolution supersedes Resolution A36-27.





**PART II**  
**MINUTES OF**  
**THE EXECUTIVE COMMITTEE**



**Minutes of the First Meeting**  
(Wednesday, 28 September 2016 at 0900 hours)

**SUBJECTS DISCUSSED**

**Closed Meeting**

1. Agenda Item 10: Contributions in arrears
  - Financial aspects of the question of contributions in arrears
2. Agenda Item 10: Contributions in arrears
  - Approval of oral report to the Plenary

**SUMMARY OF DISCUSSIONS**

1. Opening the meeting, the Chairperson of the Executive Committee stated that Agenda Item 10 would be taken in closed session, with attendance restricted to Delegations of ICAO Member States.

**Agenda Item 10: Contributions in arrears**

***Financial aspects of the question  
of contributions in arrears***

2. The Secretary General introduced WP/61 Revision No. 1 (with Addendum No. 1), which dealt with the financial aspects of the question of contributions in arrears. The paper provided information 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. 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.

3. Drawing attention to paragraph 2.3 of the paper on the impact of non-payment or delayed payment of contributions on the cash flow of the Organization, the Secretary General highlighted that the total outstanding contributions in arrears as at 19 September 2016 was approximately CAD 12.5 million, which was 1.2 times the level of the Working Capital Fund (WCF) (USD 8.0 million). In terms of outstanding commitments, it represented approximately 14 per cent of ICAO's assessed budget for 2016.

4. Referring to paragraph 3 on measures taken by ICAO to encourage Member States to pay their annual assessed contributions in a timely manner, the Secretary General recalled that she issued State letters three times a year advising Member States of their status of contributions. In addition, since November 2015, electronic monthly statements of account were dispatched to Member States with outstanding balances. Furthermore, Member States were able to check their status of contributions online

through a password-protected website. The Secretary General highlighted that prior to the 39th Session of the Assembly she had written individual letters to Member States that were at risk of losing their voting rights, advising them of the consequences of non-payment and urging them to fulfil their financial obligations to the Organization. She was pleased to report that two States (Djibouti and Kiribati) had subsequently submitted proposals to conclude agreements for the settlement of arrears. The Secretary General underscored that ICAO continued to collect some of the long-outstanding arrears from States that had not made payments in several years.

5. With regard to updated Appendix C in Addendum No. 1 to the paper, the Secretary General reported that, as at 26 September 2016, the voting privileges of 13 Member States remained suspended under Article 62 of the *Convention on International Civil Aviation*, as compared to 11 Member States at the time of the last Assembly in 2013. Any changes that might occur to the status of voting privileges during the course of the 39th Session of the Assembly would be notified by means of further addenda to WP/61 Revision 1.

6. The Secretary General then drew attention to 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 WP/61 Revision No. 1, 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”.

7. In the absence of comments, the Committee agreed to invite the Assembly to: note the progress made in the collection of long-outstanding arrears; and adopt draft Resolution 10/1 as set forth in Appendix D to WP/61 Revision No. 1.

8. The Chairperson thanked all those Member States that had paid their contributions on time and those that were making every effort not to be in arrears by concluding agreements with ICAO to settle their arrears. He urged those Member States that had thus far not paid their arrears or concluded such agreements for their settlement to do so as early as possible.

***Approval of oral report  
on Agenda Item 10***

9. The Committee approved the Chairperson's proposed oral report to the Plenary on Agenda Item 10.

10. The meeting adjourned at 0920 hours to enable the Committee to reconvene as the Plenary and continue deliberations on that and other Agenda Items.



**Minutes of the Second Meeting**  
(Wednesday, 28 September 2016 at 1430 hours)

**SUBJECTS DISCUSSED**

1. Agenda Item 11: Annual Reports of the Council to the Assembly for 2013, 2014 and 2015
2. Agenda Item 12: Proposal to amend Article 50 (a) of the Chicago Convention so as to increase the membership of the Council
- Agenda Item 13: Proposal to amend Article 56 of the Chicago Convention so as to increase the membership of the Air Navigation Commission
  - *Proposal to amend Article 50 (a) of the Convention on International Civil Aviation so as to increase the membership of the Council*
  - Paper presented by Indonesia
  - *Proposal to amend Article 56 of the Convention on International Civil Aviation so as to increase the membership of the Air Navigation Commission*
3. Pre-recorded video message from Ségolène Royal, the French Minister of the Environment, Energy and the Sea and the new President of the Twenty-first Conference of the Parties (COP21) of the United Nations Framework Convention on Climate Change (UNFCCC)
4. Agenda Item 20: Environmental protection – Aircraft noise – Policy, standardization and implementation support
- Agenda Item 21: Environmental protection – Aircraft engine emissions affecting local air quality – Policy, standardization and implementation support
  - *Civil aviation and the environment*
  - *Present and future aircraft noise and emissions trends*
  - *Report on the ICAO Technical Assistance Programme*
  - *Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality*
  - Paper presented by Slovakia on behalf of the European Union (EU) and its Member States and the other Member States of the European Civil Aviation Conference (ECAC)
  - Paper presented by Guatemala representing the Member States of the Latin American Civil Aviation Commission (LACAC)
  - Paper presented by Canada
  - Paper presented by the Republic of Korea
  - Paper presented by the United States
  - Paper presented by the International Air Transport Association (IATA)
  - Information paper presented by Argentina
  - Information paper presented by Indonesia
  - Information paper presented by the Republic of Korea
  - Information paper presented by Airports Council International (ACI)
  - Information paper presented by the International Transport Workers' Federation (ITF)

5. 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]*

- *Civil aviation and the environment*
- *Present and future aircraft noise and emissions trends*
- *Sustainable alternative fuels for aviation*
- *States' voluntary Action Plans on CO<sub>2</sub> emissions reduction activities*
- *Report on the ICAO Technical Assistance Programme*
- *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change*
- Paper presented by Slovakia on behalf of the EU and its Member States and the other Member States of ECAC
- Paper presented by the Dominican Republic on behalf of the 22 Member States of LACAC
- Paper presented by nine Central African States beneficiaries of the ICAO-EU Project
- Paper presented by Canada
- Paper presented by Kenya
- Paper presented by Indonesia
- Paper presented by the United States
- Paper presented by Burkina Faso
- Paper presented by Egypt
- Paper presented by Mexico
- Paper presented by IATA
- Information paper presented by India
- Information paper presented by Indonesia
- Information paper presented by the Caribbean Aviation Safety and Security Oversight System (CASSOS)
- Information paper presented by Slovakia on behalf of the EU and its Member States and the other Member States of ECAC, and by the European Organisation for the Safety of Air Navigation (EUROCONTROL)
- Information paper presented by Guatemala on behalf of the 22 Member States of LACAC
- Information papers presented by the International Coalition for Sustainable Aviation (ICSA)
- Information paper presented by ACI



## SUMMARY OF DISCUSSIONS

### **Agenda Item 11: Annual Reports of the Council to the Assembly for 2013, 2014 and 2015**

1. Recalling that during his opening address he had provided the Assembly with an overview of the transformational changes and achievements of ICAO over the past triennium and its future challenges, the President of the Council invited all Delegates to review the Annual Reports of the Council to the Assembly for 2013, 2014 and 2015, as well as the Supplementary Report covering the first six months of 2016, which were available on the ICAO public website at [www.icao.int/about-icao/Pages/annual-reports](http://www.icao.int/about-icao/Pages/annual-reports).

2. It was noted that as each Commission would be reviewing those parts of the said Annual Reports and Supplementary Report that fell within its respective field of competence, no decision thereon was required by the Executive Committee at the present time.

**Agenda Item 12: Proposal to amend Article 50 (a) of the Chicago Convention so as to increase the membership of the Council**

**Agenda Item 13: Proposal to amend Article 56 of the Chicago Convention so as to increase the membership of the Air Navigation Commission**

3. The Executive Committee considered these two Agenda Items concurrently on the basis of: WPs/18 and /13, which set forth the Council's recommendations to the Assembly to approve amendments to Articles 50 (a) and 56 of the Chicago Convention to increase the membership of the Council from 36 to 40 and the membership of the Air Navigation Commission (ANC) from 19 to 21; and related WP/179 presented by Indonesia.

4. In her introduction of WPs/18 and /13, the Secretary General noted that at its 206th Session the Council had considered a proposal by Portugal and Saudi Arabia to increase the size of the Council from 36 to 39 Members (C-WP/14345; 206/9). It had agreed, in principle, that the size of the Council should be increased in view of the increased membership of ICAO, the expansion and increasing importance of international air transport for the national economies in many countries, and the need to ensure adequate representation of ICAO Member States thereon. The Council had subsequently decided, by consensus, at its 207th Session to recommend an increase in the size of the Council from 36 to 40 Members (C-WP/14358; 207/13).

5. During the 206th Session the Council had also considered a proposal by a group of 15 co-sponsoring States [Bolivia (Plurinational State of), Burkina Faso, Cameroon, Chile, Dominican Republic, Egypt, India, Kenya, Libya, Nicaragua, Nigeria, Saudi Arabia, the United Arab Emirates, the United Republic of Tanzania and Venezuela (Bolivarian Republic of)] to increase the size of the ANC from 19 to 23 Members (C-WP/14348; 206/9). It had agreed, in principle, that it should be enlarged in view of the increased membership of ICAO, and the need to draw on the expertise and experience from diverse operational skills and knowledge. The Council had decided, by consensus, at its 207th Session, to recommend an increase in the size of the ANC from 19 to 21 Members (C-WP/14359; 207/13).

6. The Secretary General observed that the said two Assembly working papers were very similar in format and structure, both having three main sections and the same number of Appendices. Summaries of the justifications offered by the proposing States for an increase in the size of the Council, and those offered by the co-sponsors for an increase in the size of the ANC were given in the first section of each of the working papers under *Background*. Excerpts from the presenters' papers, setting forth their full justifications for the proposals, were contained in Appendix A to each of the working papers. Also in

the first section were details of the previous amendments to Articles 50 (a) and 56 of the Chicago Convention, with further historical background thereon appearing in Appendix B.

7. The procedural requirements for amendments to the Chicago Convention were set forth in the second section of the two working papers, covering the requirements of Article 94 of the Chicago Convention, Rule 10 d) of the Standing Rules of Procedure of the Assembly (Doc 7600) and Assembly Resolution A4-3: *Policy and programme with respect to the amendment of the Convention*.

8. Summaries of the Council's deliberations and decisions at its 206th and 207th Sessions were given in the third section of the two working papers. The full record of the decisions of the Council at those Sessions was contained in Appendices C and D.

9. Two draft Assembly Resolutions approving amendments to Articles 50 (a) and 56 were contained in Appendix E. Two further draft Assembly Resolutions were set forth in Appendix F, in response to the Council's decision to encourage States to ratify most urgently the Protocols of Amendment relating to Articles 50 (a) and 56 as soon as possible following their envisaged adoption by the Assembly, in order for the said increases in the size of the Council and the ANC to enter into force as soon as possible. The draft texts of the said Protocols of Amendment were set forth in Appendix G.

10. The Assembly was invited to consider the proposals, together with the Council's comments and recommendations thereon, and to adopt the two draft Resolutions setting forth the amendments to Articles 50 (a) and 56 of the Chicago Convention increasing the membership of the Council from 36 to 40 and the ANC from 19 to 21, as well as the two draft Resolutions recommending that all Contracting States ratify most urgently those amendments so that they would come into force as soon as possible.

11. In presenting WP/179 on the Council's proposal to amend Article 50 (a), the Delegate of Indonesia indicated that his State supported increasing the size of the Council to 40 in view of the fact that the last increase had been decided by the Assembly 26 years ago, on 25 October 1990, when ICAO's membership had stood at 162. The Organization's membership had since increased by 29, or 17.9 per cent, and the size, structure and importance of international air transport for national economies had significantly changes so as to become a major driver of national and international economic development and tourism. Indonesia considered that the proposed increase in the Council's membership would also cater for greater regional representation provided that the envisaged four new Council seats would be fairly distributed in accordance with the principle of equitable geographical representation (EGR). The Assembly should make every effort to abide by the principle of EGR in electing States to fill those additional Council seats at the time of entry into force of the new Protocol of Amendment relating to Article 50 (a).

## **Discussion**

12. In reiterating the support for the proposed amendment to Article 50 (a) (WP/18) which his State had expressed during the Council's deliberations thereon, the Delegate of the United Arab Emirates emphasized the importance of enlarging the Council from 36 to 40 Members in light of the increase in the number of ICAO Member States and the significant role which international air transport played in national economies. He also reiterated the United Arab Emirates' support for the original proposal to increase the ANC's membership from 19 to 23, of which it was a co-sponsor (C-WP/14348; 206/9).

13. In recalling that Portugal and Saudi Arabia had been the co-sponsors of the initial proposal presented to the Council to increase the latter's membership from 36 to 39 (C-WP/14345;

206/9), the Delegate of Portugal noted therefrom that since the entry into force of the Chicago Convention in 1947 the size of the Council had been augmented four times in accordance with the Organization's ever-increasing membership. Furthermore, the structure and importance of international air transport for national economies had significantly changed, and civil aviation had become a major driver of economic development and tourism for many States. Consequently, more Member States than ever before were prepared to take an active role in decisions affecting the global air transport system, as well as their national economies, and wished to assume their responsibility by participating in the Council's work. As a number of new players with significant air transport services and related services had emerged it would be advisable, from ICAO's point of view, to bring them on board to enable broad consensus to be achieved on future challenges.

14. The Delegate of Portugal also noted from the initial proposal to amend Article 50 (a) (C-WP/14345) that air transport would continue to grow, as shown in the forecasts for 2030, and that the States concerned would play a greater role in the provision of facilities for international civil air navigation. The growth of civil aviation had already led to the creation of new sub-regions and hubs that were not represented on the Council. As ICAO's membership now stood at 191, it would be desirable and useful to increase the size of the Council from 36 to 40 as now proposed in WP/18 in order to ensure adequate representation of Member States.

15. Recalling that in accordance with Assembly Resolution A4-3 an amendment of the Chicago Convention "may be appropriate when either or both of the following tests is satisfied: i) when it is proved necessary by experience; ii) when it is demonstrably desirable or useful;", the Delegate of Portugal affirmed that the proposed increase in the size of the Council and the ANC had been demonstrated to be desirable and useful. His State thus fully supported the related amendments to Articles 50 (a) and 56 as proposed in WPs/18 and /13, respectively.

16. The Delegate of India indicated that while his State likewise supported the proposals to expand the Council and the ANC, it was concerned about the low representation of the Asia/Pacific region on those two bodies. Although that region comprised some 40 ICAO Member States, the latter occupied only seven seats on the Council, despite contributing more than 40 per cent to international air traffic. The Delegate of India therefore requested that the Assembly acknowledge that region's contribution and resolve that at least one more seat be made available to the Asia/Pacific region in the expanded Council and ANC.

17. The Delegate of the United States underscored that although his State also supported the proposals to increase the membership of the Council and the ANC, it objected to any specific reference to the selection of new Members on both of those two bodies based on regional location. He highlighted, in this context, that Articles 50 (a) and 56 of the Chicago Convention did not make any mention of the concept of regional representation. The Delegate of the United States further emphasized that the ANC was intended to be a professional body, whose Members were selected based on their expertise and who did not represent any particular region or State.

18. The Delegate of Norway noted that her State, in line with the other ECAC Member States, supported WPs/18 and /13 and the draft Resolutions contained therein setting forth the amendments to Articles 50 (a) and 56 of the Chicago Convention increasing the membership of the Council and the ANC to 40 and 21, respectively. In addition, Norway endorsed the draft Resolutions recommending that all Contracting States ratify most urgently those amendments so that they would come into force as soon as possible.

19. While also supporting the proposed enlargement of the Council and the ANC, the Delegate of Saudi Arabia agreed with the Delegate of the United States that now was not the appropriate time to discuss the issue of geographical representation.

20. The Delegate of Egypt endorsed the proposal to expand the Council to 40 Members in view of the augmentation in ICAO's membership and the increasing importance of international air transport for national economies. He also supported the proposal to enlarge the ANC to 21 Commissioners given the important role it played.

21. The Delegate of Spain recalled that, during the 38th Session of the Assembly, her State had highlighted the importance of expanding the Council as the best way to afford an opportunity to a larger number of States to participate in its deliberations. It therefore supported the current proposal by the Council to increase its membership to 40. In underscoring that it would be necessary to uphold the spirit of Article 50 (b) of the Chicago Convention regarding the Council's composition, the Delegate of Spain emphasized that rapid entry into force of the Protocol of Amendment relating to Article 50 (a) would be an important step forward to improving Member States' representation on that body.

22. In likewise supporting the Council's proposal to increase the ANC's membership to 21, the Delegate of Spain underscored the high degree of technical knowledge and independence required of the Commissioners, which were key elements to the proper functioning of that body and its ability to address the technical challenges facing the aviation sector.

23. Joining previous speakers in endorsing WPs/18 and /13, the Delegate of Cameroon reiterated that the Council's expansion would allow other regions to fully participate in ICAO's work. He also highlighted that the ANC's enlargement would enable experts from other States and regions to contribute their perspectives to the Commission's work, enabling ICAO to take into account any existing or potential difficulties with implementation of its Standards and Recommended Practices (SARPs).

24. In adding his voice in support of the said two papers, the Delegate of South Africa affirmed that the proposed increase in the size of the Council and the ANC would enhance efficiency and effectiveness. He also supported the rapid entry into force of the Protocols of Amendment relating to Articles 50 (a) and 56.

25. The Delegate of Libya also spoke in favour of the proposals to expand the Council and the ANC in view of the technical work carried out by those bodies and the technical problems currently facing the Organization.

26. The Chairperson of the Executive Committee observed from the discussion that there was general support for the proposals set forth in WPs/18 and /13 to increase the membership of the Council from 36 to 40 and the membership of the ANC from 19 to 21. He then asked for a show of hands on the two draft Resolutions setting out the amendments to Articles 50 (a) and 56 of the Chicago Convention, as well as the two draft Resolutions recommending that all Contracting States ratify those amendments most urgently so that they would come into force as soon as possible, which revealed unanimous support therefor.

27. By a second show of hands, the Executive Committee unanimously agreed to recommend the said four draft Resolutions to the Plenary for adoption. In addition, it recommended that they be adopted by consensus.

***Pre-recorded video message from Ségolène Royal, the French Minister of the Environment, Energy and the Sea and the new COP21 President***

28. The President of the Council noted that although he and the Secretary General had invited Ségolène Royal, the French Minister of the Environment, Energy and the Sea and the new COP21 President, to participate in the Assembly, she had been unable to do so due to other commitments. She had, however, provided a pre-recorded video message, of which the following is a translation from the original French:

“Good afternoon to you all,

“First, I would like to tell you that the Paris Agreement is ambitious and proactive. At the Paris Conference, we shared a historic moment in which the countries of the world came together to combat climate change. Today, we are in the ratification phase and I am giving it all my (renewable) energy. It has been my determined hope since I took over the presidency of COP21 that we will have brought the Paris Agreement into force by the end of the year. This Agreement places upon us an obligation and a commitment by virtue of which the international community is striving to reduce greenhouse gas emissions and to hold the increase in the global average temperature to well below 2°C [above pre-industrial levels] by the end of the century. The aviation sector is being called on to make a great effort because it represents a large share of global CO<sub>2</sub> emissions and because it is a mode of transport that is experiencing major growth. We must act to combat climate change in aviation.

“Back in 2010, ICAO set the goal of stabilizing CO<sub>2</sub> emissions by the year 2020 and has developed a ‘basket of measures’ to achieve that. With a combination of strong actions, technological progress, air operations optimization, the development of alternative fuels and economic measures, international aviation emissions can be controlled over the long term.

“Today, ICAO has the opportunity to advance toward a global offsetting mechanism for CO<sub>2</sub> emissions from international aviation, the Carbon Offsetting and Reduction Scheme for International Aviation – CORSIA. The mechanism must not only be seen to be ambitious from an environmental standpoint, but must also uphold the principle of non-discrimination in respect of airlines on the same route and take account of the special circumstances and respective capabilities of States. These concerns, however, should not put a brake on actions to curb greenhouse gases, and I encourage all States to demonstrate their commitment to meeting the climate challenge.

“For that reason, this conference in Montréal is very important. Unfortunately, I cannot attend because I am undertaking ratification of the Paris Agreement for the European Union. This is the first time that a sector of the economy is creating a binding global mechanism to limit CO<sub>2</sub> emissions. It is absolutely crucial. France, which hosted the COP21, supports your effort and calls on you to take decisive action and not find excuses such as competition issues for doing nothing or for aligning to the airline that pollutes the most. On the contrary, you must share technologies, know-how and flight techniques. I have talked to pilots who have proposals to offer, in particular regarding air routes and take-off and landing methods. There are also ways of handling aircraft that can save energy.

“I wish you every success in your work, which I am sure will be conclusive.”

**Agenda Item 20: Environmental protection – Aircraft noise – Policy, standardization and implementation support****Agenda Item 21: Environmental protection – Aircraft engine emissions affecting local air quality – Policy, standardization and implementation support**

29. The Executive Committee considered Agenda Items 20 and 21 concurrently on the basis of four main working papers presented by the Council [WPs/51, /55 (with Corrigendum No. 1) /28 and /48 (with Corrigendum No. 1)] and related papers presented by States and international organizations.

***Civil aviation and the environment***

30. The Secretary General introduced WP/51 on this subject, which reported on the progress made by ICAO in addressing the impact of noise, local air quality and global emissions. The overarching paper covered the activities of the ICAO Secretariat, in cooperation with other organizations, and the work carried out by the Committee on Aviation Environmental Protection (CAEP). It detailed the CAEP's main deliverables, as well as its analysis of environmental benefits to be derived from the implementation of the Aviation System Block Upgrade (ASBU) Block 0 and its initial analysis of Block 1. Developments in the area of sustainable alternative fuels for aviation and advances in clean energy for aviation were reflected in WP/56 and information on the States' Voluntary Action Plans initiative was provided in WP/54. WP/51 also included a summary of the outcomes of ICAO's cooperation with the UNFCCC, as well as with other UN bodies. More information on the environmental work carried out during the current triennium was included in the ICAO 2016 Environmental Report *On Board a Sustainable Future*, which was available free of charge on the ICAO public website. Proposed action by the Assembly was set forth in the executive summary of WP/51.

31. The Chairperson noted that, in line with that proposed action, the Executive Committee: recognized the substantial progress made by ICAO in addressing the impact of noise, local air quality and global emissions and emphasized the importance of that technical work; and supported the continued work of the ICAO Secretariat and the CAEP on all key areas relating to civil aviation and the environment.

***Present and future aircraft noise and emissions trends***

32. The Secretary General then introduced WP/55 (with Corrigendum No. 1), which set forth the CAEP's assessment of the present and future impact of aircraft noise and aircraft engine emissions for endorsement by the Assembly as the basis for decision-making on environmental matters. Updated results were presented for aircraft noise and aircraft engine emissions that affected local air quality trends, and for CO<sub>2</sub> emissions to include the potential contribution of sustainable alternative fuels for aviation. Those environmental trends were fully documented in ICAO Doc 10069 – *Report of the Tenth Meeting of the Committee on Aviation Environmental Protection*. Proposed action by the Assembly was contained in the paper's executive summary.

33. The Chairperson observed that, in line with that proposed action, the Executive Committee recognized that it was important to have a single, robust information basis for sound discussion and decision-making. In that regard, the ICAO global environmental trends developed by the CAEP and set forth in WP/55 (with Corrigendum No. 1) represented a consensus agreement among all stakeholders. The Executive Committee recommended that their use be endorsed as the basis for decision-making on environmental matters and that the next Assembly be provided with an updated trends assessment. In addition, it recommended that States be urged to submit data to support the Assembly's request to report on aviation emissions.

***Report on the ICAO Technical Assistance Programme***

34. The Secretary General next presented WP/28, which reported on the ICAO Technical Assistance Programme. The paper recalled that the ICAO Council had defined “technical assistance” to distinguish it from “technical cooperation” as “any assistance provided by ICAO to States, which is funded by the Regular Budget and/or Voluntary Funds, and implemented through any Bureau/Office depending on the nature and duration of the project” (C-WP/13880; 197/2). That definition had subsequently been endorsed by the 38th Session of the Assembly. The ICAO Technical Assistance Programme was implemented in the fields of aviation safety, air navigation capacity and efficiency, security and facilitation, the economic development of air transport and environmental protection. Technical assistance was a major component of the ICAO *No Country Left Behind* (NCLB) initiative, which focused on assisting all States on prioritized needs to improve implementation support under all ICAO Strategic Objectives. Building partnerships and pooling resources among States, international organizations, development institutions and industry were essential for collaboration on, and contribution to, technical assistance and cooperation for effective implementation of SARPs and policies by States for capacity building with sustainable results.

35. WP/28 highlighted those implementation projects that were supported by the financial contributions to ICAO voluntary funds, contributions in-kind as well as activities funded by the Regular Programme Budget. The environmental protection-related projects were presented in paragraph 2.3 of the paper and included, inter alia: the ICAO-European Union (EU) joint assistance project *Capacity Building for CO<sub>2</sub> Mitigation from International Aviation*, funded by the EU; and the ICAO-United Nations Development Programme (UNDP) joint assistance project financed by the Global Environment Facility (GEF) *Transforming the global aviation sector: Emissions reductions from international aviation*. ICAO highly appreciated the voluntary contributions, financial and in-kind, provided by Member States, international organizations, and industry to fund technical assistance activities through the ICAO voluntary funds and encouraged the continuation of such contributions. For environmental protection, those contributions were listed in paragraph 3.4 of the paper and the results, in paragraph 4.4.

36. ICAO was building a resource mobilization capacity and encouraged traditional donors to continue providing their voluntary contributions to the Organization. ICAO urged all Member States, as well as other donors, to contribute to ICAO voluntary funds. Identified during the second ICAO World Aviation Forum (IWAF 2016), held on Monday, 26 September 2016 prior to the start of the Assembly, ICAO highly welcomed the recent new assistance partnerships related to the environment, such as: the second phase of the said successful ICAO-EU joint assistance project relating to State Action Plans on CO<sub>2</sub> emissions reduction activities; Germany’s support for a pilot project for the implementation of the global MBM scheme’s monitoring, reporting and verification (MRV) system; the confirmed intentions of ACI to partner with ICAO on initiatives for greener airports; and a new partnership with the World Bank to support implementation of the global MBM scheme. The Assembly was invited to: request that ICAO continue its work on the development and implementation of technical assistance under the respective Strategic Objectives, in partnership with Member States, international and regional organizations, and industry; and to encourage Member States, international organizations and industry to support ICAO’s technical assistance activities and to continue making voluntary contributions to ICAO.

***Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality***

37. The Secretary General then introduced WP/48 (with Corrigendum No. 1) setting forth proposed revisions to Assembly Resolution A38-17: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality* which

arose mainly from the work carried out by the ICAO Secretariat, in cooperation with other organizations, and from the outcome of the activities conducted by the CAEP, including its Tenth Meeting (CAEP/10) (Montréal, 1-12 February 2016). As showcased by the above-mentioned working papers presented by the Council, 2016 had been a tremendous year for aviation environmental protection. The proposed revisions to Assembly Resolution A38-17, as summarized in paragraph 1.2 of the paper, reflected: the CAEP's recommendations for the new aeroplane CO<sub>2</sub> emissions certification Standard and the non-volatile Particulate Matter (nvPM) Standard for aircraft engines; the Council's adoption of the Annex 16, Volume I, Chapter 4 and 14 noise Standards; updates to the *Airport Planning Manual* (Doc 9184); the development of the new ICAO Circular *Community Engagement on Aviation Environmental Management*; and the ongoing work for a new supersonic noise Standard. The proposed updated Resolution also recognized aircraft dismantling and recycling, and renewable and sustainable energy sources as ways of reducing the adverse environmental impacts of civil aviation, and acknowledged the contribution made by international civil aviation to the achievement of the UN Sustainable Development Goals (SDGs). The Executive Committee was invited to recommend that the Plenary adopt the proposed revised *Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality* as presented in WP/48 and Corrigendum No. 1.

38. The Delegate of Switzerland then introduced WP/91 on the European comprehensive approach to environmental protection, which was presented by Slovakia on behalf of the EU and its Member States and the other Member States of ECAC. He noted that whereas aviation activities brought significant economic and social benefits to society, they unfortunately also contributed at the same time to climate change and had noise and local air quality impacts, all of which had a negative effect on the health and quality of life of people, not only in Europe but throughout the world. In order to address the growing challenges associated with those negative impacts, and in order to guarantee the sustainable development of the aviation sector in the future, there was a strong need for a comprehensive and effective package of environmental measures to be put in place in practice. Recognizing the complexity and interdependencies of the environmental challenges, Europe had adopted a comprehensive approach to mitigating aviation's environmental impacts and it strongly supported the ongoing efforts within ICAO as part of that approach. Key building blocks to support that encompassing approach in Europe were, for instance: the Clean Sky technology initiative; the Single European Sky Air Traffic Management (ATM) Research (SESAR) Programme; the European Advanced Biofuels Flightpath; as well as the development thus far of 41 European action plans on CO<sub>2</sub> emissions reductions. More detailed information on the actual state of environmental protection in relation to aviation could be found in the *European Aviation Environmental Report*, which had recently been published.

39. The Delegate of Switzerland noted that in the field of technology and design, Europe particularly welcomed the agreement reached at the CAEP/10 Meeting on the new ICAO Annex 16, Volume III, aeroplane CO<sub>2</sub> emissions certification Standard (fuel efficiency) and the new ICAO Annex 16, Volume II nvPM mass concentration Standard. It called upon States to integrate the associated amendments to the Annex 16 SARPs in a timely manner and to continue to support the actual CAEP work programme, which aimed at continuing to keep standard-setting under Annex 16 up-to-date. With regard to ATM and operations, Europe welcomed the proposed ICAO Circular *Community Engagement for Aviation Environmental Management* and would continue to actively support the CAEP's future work, including on community engagement and the analysis of the ASBU Block 1.

40. Noise at airports posed a significant risk to the future development of air traffic and was thus a key concern for Europe. Reduction of aircraft noise at source and future reviews of noise stringency levels therefore remained key priorities in its view. Europe recognized the significant challenges involved in ensuring that alternative fuels for aviation were sustainable and in turning them into an operational reality. Without concrete policy responses, it remained, at the present juncture, rather



unlikely that such alternative fuels would play a significant role in the near future. Europe thus supported the work of the Alternative Fuels Task Force (AFTF) in the CAEP and encouraged States to develop incentive mechanisms to increase the availability of sustainable alternative fuels for aviation to ensure that sufficient volumes were available in the medium- to long-term.

41. With regard to the important issue of capacity building, the Delegate of Switzerland highlighted that the European Commission currently financed the ICAO-EU joint assistance project *Capacity Building for CO<sub>2</sub> Mitigation from International Aviation* in 14 African and Caribbean States and that it remained committed to building capacity for environmental protection throughout the world. In concluding, he invited the Assembly to accept the following actions as proposed in the executive summary of WP/91 under Agenda Items 20, 21 and 22:

- a) support the development of a broad range of policy measures under a “comprehensive approach” to effectively address environmental impacts from the aviation sector;
- b) recognize the important work undertaken by the CAEP and the necessity for the CAEP to operate in as free, inclusive and transparent a way as possible;
- c) prioritize the implementation of the CAEP/10 agreed and recommended aeroplane CO<sub>2</sub> emissions certification Standard and aircraft engine nvPM mass concentration Standard, as well as the further development of the nvPM mass and number Standard;
- d) support greater transparency in the ICAO decision-making process as agreed at the CAEP/10 Meeting for amendments to the Annex 16 SARPs;
- e) note the challenges involved in turning alternative fuels sustainable and into an operational reality, and invite ICAO Member States to develop measures to support their uptake, including establishing global sustainability criteria; and
- f) note Europe’s commitment to building capacity for environmental protection in developing countries and its invitation for others to engage in activities with the same objective.

42. The Delegate of Guatemala introduced WP/225, which was presented by his State on behalf of LACAC. The paper outlined civil aviation developments in Latin America in support of air transport sustainability in that region, which had been consolidated in the document containing Resolution A21-07: *Guidelines related to the Environment and Civil Aviation in Latin America*, adopted by consensus at the 21st Ordinary Session of the LACAC Assembly. It also described the mainstreaming of the environmental factor into LACAC’s various working groups, mainly its link with participation in the development of a Strategic Plan for LACAC and the integration of a sustainable vision in the area of airport management. LACAC Member States acknowledged the efforts made, and guidelines developed by ICAO related to environmental issues and air transport and, taking them into account, had achieved various initiatives for improving the environmental performance of civil aviation in Latin America. That had been substantiated through regional coordination and the integration of air transport in Latin America, which was the ultimate goal. Also, given the significance of the environmental factor, the latter had been mainstreamed into the various manuals and documents by the said working groups.

43. The paper highlighted that LACAC Member States could enrich the work that ICAO was carrying out through the CAEP due to the exchange of successful experiences in implementing environmental projects, as well as the awareness of the characteristics specific to civil aviation in the Latin American region. The Assembly was invited to: note the information presented in WP/225; incorporate the Latin American region’s environmental strategies and vision into the documents being prepared on that matter by ICAO; and require a higher level of representation of LACAC Member States in the CAEP.

44. In presenting WP/170, the Delegate of Canada highlighted that Performance-based Navigation (PBN) established an infrastructure which would enhance safety and enable aircraft to follow more direct and precise routes. There would consequently be a marked improvement in fuel consumption and thus a reduction in GHG emissions, as well as better noise management. However, in the terminal zones near aerodromes those improvements might give the perception of concentration of noise as a result of a higher number of aircraft following the same efficient approach profile. Airspace planners would therefore benefit from practical guidance material to achieve a balance between the environmental benefits of reducing GHG emissions and noise impacts in the vicinity of aerodromes when implementing PBN procedures in a restructured airspace.

45. Canada invited the Assembly to: call upon States to contribute data concerning noise impacts in the vicinity of aerodromes; and direct the Council to develop a pragmatic approach to balancing GHG and noise impacts in the vicinity of aerodromes when implementing PBN procedures.

46. The Delegate of the Republic of Korea then presented WP/250 Revision No. 1, in which his State proposed that ICAO provide Member States with some sort of bulletin board or platform on the official ICAO webpage where they could share ideas, practices and policies on noise-related charges. The reason behind that proposal was that Member States needed to share their experiences and ideas on noise-related charges in order to derive the applicable best practice and to request ICAO to review the latter and ultimately reflect it as a recommended practice on noise-related charges in the future. Currently Member States were adopting diverse levying standards on noise-related charges based on aircraft weight, landing fees, Effective Perceived Noise level in decibels (EPNdB) and mixed methods. Many Member States levied the charge in accordance with maximum take-off weight (MTOW) as in the past the heavier the aircraft, the more noise it made. However, that correlation had become less significant with the advances made in technology. With reference to Section 4 of ICAO Doc 9082 – *ICAO's Policies on Charges for Airports and Air Navigation Services*, the Republic of Korea considered that guidelines for more detailed and concrete standards on noise-related charges were required. It intended to continuously contribute to the enhancement of international standards on noise-related charges and to share its knowledge and experience with Member States in order to come up with more effective ICAO guidelines.

47. The Assembly was invited to note the contents of WP/250 Revision No. 1 and to agree to the Republic of Korea's above-mentioned proposal, as detailed in paragraphs 2.9 and 2.10 thereof.

48. In her introduction of WP/210 Revision No. 1, the Delegate of the United States emphasized that her State was committed to addressing aviation environmental impacts, including noise and air quality, which it viewed as a paramount condition so that all could continue to enjoy the economic and social benefits of aviation. Noise and air quality were significant issues, and while tremendous progress had been made, it was necessary to do more. In welcoming the considerable amount of work that had been carried out over the last three years, the United States expressed its continued commitment in the next triennium to provide significant resources for that work and asked that others do the same. It welcomed in particular the addition of Indonesia and the United Arab Emirates as CAEP Members and of Saudi Arabia as a CAEP Observer, noting that that was an example of the continued provision of resources.

49. The United States had taken steps to implement the ICAO Annex 16, Volume I, Chapter 14 aircraft noise Standard agreed to in 2013, as outlined in WP/210 Revision No. 1. It nevertheless reminded the Assembly in the said paper of the agreement that a Standard should not be viewed as a basis for operating restrictions and recalled the importance of using ICAO's Balanced Approach to aircraft noise management when considering noise restrictions. The United States focussed

on technology, operations and land use, with operating restrictions being a last resort, once the other elements of the Balanced Approach had been studied.

50. With regard to local air quality, the United States welcomed the agreement reached at the CAEP/10 Meeting on a step towards a nvPM Standard for aircraft engines and encouraged States to work to complete that Standard by 2019.

51. The United States invited the Assembly to take the action set forth in the executive summary of WP/210 Revision No. 1 and to:

- a) encourage States to refrain from setting operating restrictions based on ICAO environmental emissions certification standards;
- b) encourage States to follow the Balanced Approach to aircraft noise management, and avoid seeking operating restrictions until all other potential solutions have been exhausted;
- c) reaffirm the commitment to the Balanced Approach, including the Guidance on the Balanced Approach to Aircraft Noise Management (Doc 9829), recognizing that operating restrictions should not be applied as a first resort and only after consideration of each of the other elements;
- d) endorse the CAEP's recommendation to the ICAO Council for the translation of the smoke certification standard's number limit line into an engine nvPM emissions standard and recognize it as another step towards reducing aviation emissions at the source; and
- e) recognize the progress and ongoing work to address the impact of emissions on local air quality and to support further work in developing a stringency level for the engine nvPM emissions standard that will replace the smoke number standard.

52. In presenting WP/152, the Observer from IATA emphasized that ICAO Standards and policies were absolutely critical to ensuring that aviation's environmental impact was addressed with the high degree of harmonization and regulatory stability that the aviation sector required. IATA therefore strongly welcomed the CAEP's recent agreement on the first aeroplane CO<sub>2</sub> emissions certification Standard, as well as the first nvPM standard for aircraft engines. For airlines, it was important that ICAO environmental standards maintained their original purpose which was, and must remain, the certification of aircraft and aircraft engines. Airline fleets were in a constant state of modernization and flight procedures were being continually optimized. Nonetheless, local airport authorities were increasingly resorting to operating restrictions without thoroughly assessing other options first. In addition, a trend was being witnessed towards increases in noise or local air quality levies which often were not related to mitigation measures. IATA was therefore calling on States and local airport authorities to ensure that their actions were always guided by ICAO's environment-related policies, including the Balanced Approach to aircraft noise management and ICAO Doc 9082 – *ICAO's Policies on Charges for Airports and Air Navigation Services*, which set forth important guidelines for the implementation of noise- and local air quality-related charges. IATA confirmed its commitment to contribute to the development of ICAO policies and standards related to the environment and to any guidance that might assist States with their implementation.

53. It was noted that the following five information papers had also been submitted: WP/156 (*Environmental programme on helicopter noise mitigation by operational procedures*) presented by Argentina; WP/223 (*Progress on the implementation of aircraft noise policy and standardization*) presented by Indonesia; WP/430 (*Proposal to share best practice on ICAO Balanced Approach*)

presented by the Republic of Korea; WP/429 (*Airports' contribution to environmental protection*) presented by ACI; and WP/447 (*Airport air pollution: A serious health risk for airport workers*) presented by ITF.

## Discussion

54. The Delegate of Norway welcomed the good work done by ICAO and the CAEP and the substantial progress they had made as reported in WP/51. Noting that her State, in line with other ECAC Member States, had made important contributions to that work, she congratulated the Organization on the finalization of recommendations at the CAEP/10 Meeting for a new aeroplane CO<sub>2</sub> emissions certification Standard and a new nvPM Standard for aircraft engines, which were now being progressed through the SARP adoption process. The Delegate of Norway highlighted the importance of the on-going work referred to in paragraph 4.2 of the said paper regarding future supersonic aircraft and noise-related issues.

55. In thanking ICAO for the excellent work it had carried out over the last three years, the Delegate of France voiced support for the draft *Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality* appended to WP/48 and Corrigendum No. 1. Underscoring that aircraft noise was a serious concern to French citizens, he stressed the need to take that into account. Drawing attention to Appendix E (*Local noise-related operating restrictions at airports*) of the draft Consolidated statement, the Delegate of France noted that in Operative Paragraph 4 the Assembly “*Further urges States not to permit the introduction of any operating restrictions aimed at the withdrawal of aircraft that comply, through either original certification or recertification, with the noise Standards in Volume I, Chapter 4 and Chapter 14 of Annex 16 and any further stringency levels adopted by the Council.*”. He emphasized that if that request still seemed legitimate in 2016, when Chapter 4 was still the most stringent noise Standard, then the entry into force of the Chapter 14 aircraft noise Standard as from 2017 would necessitate the reconsideration of this issue in order to continue fuelling the positive dynamic which enabled the improvement of the noise performance of aircraft.

56. The Delegate of France considered that the Balanced Approach for aircraft noise management should be the basis for the regulatory framework to take into account noise disturbances around airports. In some cases, however, it was necessary to address aircraft noise at source, particularly for night-time flights. It should be borne in mind that the implementation of regulatory measures based on noise certification of aircraft made it possible to meet that concern while avoiding the establishment of much more drastic measures, such as curfews, which had a considerable economic impact. The Delegate of France maintained that the draft Consolidated statement did not pose an obstacle to implementing a noise certification-based approach for aircraft when the latter respected the Balanced Approach and focussed on night-time flights.

57. In then referring to Appendix G (*Supersonic aircraft – The problem of sonic boom*) of the draft Consolidated statement, the Representative of France stressed that, notwithstanding technical progress, it was necessary to ensure that supersonic aircraft did not produce unbearable noise for the public. It was necessary to ensure their acceptability to the public, without which supersonic aircraft should not be authorized to overfly inhabited zones.

58. Commenting on WP/210 Revision No. 1, the Delegate of Italy welcomed the United States' commitment to reduce the impact of aircraft noise on people living in close proximity of aerodromes, as well as the impact of aircraft engine emissions on local air quality. He noted that his State was likewise working hard to decrease the said impact of aircraft noise in conjunction with local authorities. The Delegate of Italy averred that improvements could be made by developing a better

definition of land-use planning and modernizing operators' fleets through the use of new generation aircraft with lower noise emissions. He emphasized that the implementation of ICAO's Balanced Approach for aircraft noise management was an essential step in enhancing the situation, mainly in terms of reducing the impact of aircraft noise. The Delegate of Italy further indicated that local air quality could be improved by deploying aircraft equipped with new generation engines.

59. Noting that his State had already adopted the said Balanced Approach in accordance with EU rules, the Delegate of Italy underscored that accordingly the imposition of operating restrictions was the last resort, to be considered only after having studied the use of other elements of the Balanced Approach.

60. The Delegate of Poland shared the view expressed by Canada in WP/170 that the management of air operations was one of the elements that contributed to the reduction of environmental nuisance. In emphasizing that the efficiency of airspace use and operations in the vicinity of aerodromes should correspond with each other, he stressed that to avoid negative environmental impacts, it was necessary to take comprehensive action that would include consideration of the economic aspects. The Delegate of Poland fully supported Canada's proposal that States contribute data concerning noise impacts in the vicinity of aerodromes and that the Council be directed to develop a pragmatic approach to balancing GHG and noise impacts in the vicinity of aerodromes when implementing PBN procedures.

61. The Delegate of Ireland strongly supported the work of ICAO and the CAEP as reflected in WP/51 and acknowledged the CAEP's important contribution to the sustainable development of aviation. He, along with his European colleagues, welcomed WP/55 (with Corrigendum No. 1) related to present and future aircraft noise and emissions trends. Observing that the Committee's work on estimating the future impacts of aircraft noise and emissions was most encouraging with regard to the potential to decouple aircraft noise and traffic growth, he voiced support for further work in that regard, and the use of ICAO global environmental trends for environmental policies in analyses and decision-making. In stressing the need to remember that the said environmental trends were only estimations for the long-term future and that there were limits inherent in all long-term forecasting exercises, the Delegate of Ireland stressed that forecasts were merely forecasts, after all. In emphasizing that global trends could not reflect specific geographic circumstances, he underscored that specific additional indices would be required.

62. In that context, the Delegate of Ireland expressed concern that the wording of action paragraph a) of WP/55 (with Corrigendum No. 1) could wrongly lead to the ICAO global environmental trends being used as the sole basis for decision-making processes for environmental policies. He, together with his European colleagues, therefore suggested that action paragraph a) be redrafted to as to crystallize that the said global environmental trends may be used as a basis for the analysis of environmental policies which formed a part of the decision-making process on environmental matters while making it clear that they were not the sole basis.

63. The Delegate of the United States welcomed the many expressions of support for ICAO's Balanced Approach to aircraft noise management, which her State deemed to be very important. In understanding that operating restrictions might be imposed as a last resort, she urged States that were considering such restrictions to do a comprehensive assessment thereof as oftentimes an operating restriction applied in one State could result in the aircraft noise problem being transferred to another State. The Delegate of the United States emphasized that for a global industry such as aviation, it was necessary, when considering a measure, to assess its potential global impact.

64. In endorsing WP/51, the Delegate of Nigeria commended the continuing work of ICAO and the CAEP on all key areas relating to civil aviation and the environment and recommended

that ICAO continue to use the basket of mitigation measures (including technology and standards, sustainable alternative fuels, operational improvements and MBMs) to address the issues of aviation CO<sub>2</sub> emissions and aircraft noise. He also voiced support for the progress made by ICAO, through its Balanced Approach to aircraft noise management, in addressing the impact of noise, local air quality and global emissions, and in particular, the development of the new nvPM Standard and the new aeroplane CO<sub>2</sub> emissions certification Standard. In addition, the Delegate of Nigeria supported taking the information contained in WP/51 into consideration in updating Assembly Resolutions A38-17 and A38-18.

65. In summarizing the discussion, the Chairperson observed that as in WPs/91 and /210 Revision No. 1, the Executive Committee recognized the progress made by the CAEP in addressing aviation noise and emissions and supported its further technical work thereon. In particular, it welcomed the progress made at the CAEP/10 Meeting, including the CAEP's agreement on the new Annex 16, Volume III aeroplane CO<sub>2</sub> emissions certification Standard and Annex 16, Volume II nvPM Standard for aircraft engines. The Executive Committee encouraged the prioritization of the implementation of those Standards, as well as the further development of future nvPM mass and number Standards. It noted the CAEP membership issues raised in WP/225 with regard to increasing the participation therein of LACAC Member States and recommended that, as it was related to CAEP administrative issues, it be addressed by the Council.

66. With respect to work relating to balancing GHG emissions and noise impacts when implementing PBN procedures (WP/170), the Executive Committee recognized that the interdependency of various environmental impacts was one of the key consideration principles in the work of the CAEP and that the latter should be encouraged to continue that work with more contribution of data from States.

67. With regard to WP/250 Revision No. 1, the Executive Committee noted that information on noise-related charges was included in various ICAO documents, such as Doc 7100 – *ICAO Policies on Charges and Taxation*, Doc 9082 – *Policies on Airports and Air Navigation Services*, and Doc 9184 – *Airport Planning Manual*, and that the database of noise-related charges was also accessible from the ICAO Environment website. It recommended that the proposal to review ICAO's recommended practices for noise-related charges be referred to the CAEP for its consideration.

68. Regarding the need to follow ICAO policies, Standards and guidance raised in WPs/210 Revision No. 1 and /152, the Executive Committee noted that such policies were included in the above-mentioned draft *Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality* [cf. WP/48 and Corrigendum No. 1]. It further noted the expansion of activities, with the development of the said new Standards for CO<sub>2</sub> and nvPM emissions, and of the consequent need to ensure that the necessary resources would be available for the Organization's work in those areas, in particular, to support the CAEP.

69. The Executive Committee recommended that the Assembly reaffirm its commitment to ICAO's Balanced Approach to aircraft noise management, recognizing that operating restrictions should not be applied as a first resort and only after consideration of each of the other elements thereof. While recognizing that, some States had highlighted the usefulness of some level of operating restrictions under specific local circumstances. It had also been noted that some operating restrictions might divert aircraft noise problems from one State to another.

70. The Executive Committee agreed to recommend to the Plenary for adoption the draft *Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality* as set forth in WP/48 and Corrigendum No. 1.

**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]*

71. The Executive Committee then commenced its consideration of Agenda Item 22, which was documented in six working papers presented by the Council [WPs/51, /55 (with Corrigendum No. 1), /56, /54, /28 and /49] and related papers presented by States and international organizations. It was recalled that WPs/51, /55 and /28 had been introduced previously under Agenda Items 20 and 21, as had WPs/91 (Slovakia on behalf of the EU and its Member States and the other Member States of ECAC), /170 (Canada) and /152 (IATA).

***Sustainable alternative fuels for aviation***

72. In presenting WP/56 on developments since the last Assembly related to ICAO's work on sustainable alternative fuels for aviation, the Secretary General noted that the use of sustainable alternative fuels and other forms of clean energy was an element of the UN SDGs. ICAO was at the forefront in promoting and facilitating the emergence of sustainable alternative fuels in aviation within the context of its Global Framework for Aviation Alternative Fuels (GFAAF). States were rapidly embracing that important and transformative technology, with more than 2 2000 commercial flights having flown using alternative fuels since 2011. The next priorities were to address initial economic barriers and to ensure sustainable commercial-scale deployment. To that end, an ICAO Seminar on Alternative Fuels was planned to take place at ICAO Headquarters in Montréal from 8 to 9 February 2017, which would serve as the basis for an ICAO High-level Conference on Aviation Alternative Fuels, envisaged to be convened in Mexico City in October 2017 (cf. WP/455).

73. The Assembly was invited to take the action in the executive summary of WP/56 and to:

- a) acknowledge the developments and support the continued work of the Organization in facilitating efforts by States and the industry in the development and deployment of sustainable alternative fuels for aviation;
- b) encourage States to develop policies, recognizing the current challenges, that will accelerate the development and deployment of sustainable alternative fuels for aviation;
- c) invite States to consider the use of incentives to encourage the deployment of clean and renewable energy sources for aviation, including sustainable alternative fuels; and
- d) consider the information contained in the paper for the update of Assembly Resolution A38-18.

74. The Chairperson observed that the Executive Committee acknowledged the progress made by States and industry in the development and deployment of sustainable alternative fuels for aviation and supported the continued work of ICAO in that field.

***States' voluntary Action Plans on CO<sub>2</sub> emissions reduction activities***

75. The Secretary General then introduced WP/54, which reported on ICAO developments related to States' voluntary Action Plans for CO<sub>2</sub> emissions reduction and relevant capacity building activities since the last Assembly, as well as on the next steps to be taken to further support States in preparing, updating and implementing their Action Plans. The paper highlighted the range of

capacity building activities undertaken by ICAO, which included: the update of guidance and tools; the organization of dedicated environmental workshops; the launch of the ICAO Buddy Programme; and direct contact with States, in particular, through partnerships established with the EU and with the UNDP/GEF. As a result of those activities, there were at present 100 Member States representing more than 89.90 per cent of global international air traffic that had voluntarily submitted Action Plans to ICAO. The Secretary General was pleased to inform the Executive Committee that the target of 50 per cent more Action Plans submitted by June 2016 compared to June 2013 had thus been reached. She underscored, however, that while that was a significant improvement, more than half of the submitted Action Plans did not include quantified baselines and expected results. Thus more work was required to ensure robust Action Plans.

76. The Assembly was invited to take the action indicated in the executive summary of WP/54 and to:

- a) acknowledge the activities undertaken and progress made by the Organization in response to the request of the 38th Session of the Assembly with respect to the preparation and submission of States' Action Plans on CO<sub>2</sub> emissions reduction activities;
- b) encourage States to make available their Action Plans on the ICAO public website and voluntarily submit more complete and robust data in the Action Plans to facilitate the compilation of global emissions data by ICAO;
- c) encourage States that had already submitted their Action Plans to build partnerships with other States in order to support those States that had not yet prepared their Action Plans;
- d) support the continued work of the Organization in assisting States in the preparation and update of Action Plans, and in the implementation of the measures contained therein, as described in paragraph 4 of the paper; and
- e) consider the information contained in WP/54 for the update of Assembly Resolution A38-18.

77. The Chairperson offered congratulations on the submission of 100 State Action Plans representing more than 89.90 per cent of global international air traffic, which exceeded the target. He noted that the Executive Committee acknowledged the progress made by ICAO and its Member States regarding the preparation and submission of the latter's Action Plans and supported the Organization's continued work in further assisting States during the next triennium. It also encouraged States to share information and include more complete and robust data in State Action Plans to facilitate the Organization's compilation of global emissions data. Furthermore, the Executive Committee encouraged partnerships between States to support each other in the preparation and refinement of Action Plans. It also supported ICAO's continued work in further assisting States during the next triennium.

78.

***Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change***

79. The Secretary General then introduced WP/49, whereby the Council proposed revisions to Assembly Resolution A38-18: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change* in light of developments since the last Assembly, with the exception of those aspects relating to a global MBM scheme which were set forth in WP/52. The changes reflected: progress made by the CAEP with regard to, inter alia, the new aeroplane CO<sub>2</sub> emissions certification Standard and ASBUs; the CAEP's future work; progress made with regard to



aviation alternative fuels and the States' Voluntary Action Plans initiative; partnerships with other organizations; and the continuous provision of assistance to States in need, in cooperation with other organizations. The Assembly was invited to adopt the proposed revised Consolidated statement appended to WP/49.

80. The Delegate of the Dominican Republic presented WP/262 on behalf of the 22 LACAC Member States, which highlighted: the challenges being encountered by a number of those States in developing and implementing their Action Plans; the significant environmental protection outcomes achieved by the Dominican Republic as a participant in the ICAO-EU joint assistance project *Capacity Building for CO<sub>2</sub> Mitigation from International Aviation*; and the overall benefits being achieved through the ICAO-UNDP/GEF joint assistance project *Transforming the global aviation sector: Emissions reductions from international aviation*. The paper also recognized, inter alia, the different circumstances among States in their capacity to respond to the challenges associated with climate change and the need for support, especially for developing countries and States having particular needs. As many States in the Latin American region could benefit from capacity building programmes, the paper encouraged ICAO and its Member States to continue their efforts and to work together with developing countries in facilitating access to financial resources, technology transfer and capacity building.

81. The Assembly was invited to:

- a) earmark resources for the expansion and improvement of States' environmental assistance projects for the development and implementation of emissions reduction Action Plans and of monitoring, reporting and verification (MRV) systems such as the Aviation Environmental System (AES) for creating emissions inventories and monitoring CO<sub>2</sub> emissions from international aviation;
- b) request the Secretariat to organize seminars and/or workshops on a global MBM scheme for international aviation aimed at officials and experts from Member States, as well as relevant specialized organizations;
- c) ensure that ICAO continues to play a pivotal role in providing assistance to its Member States through the dissemination of the latest information on best practices and the provision of guidance and other technical assistance to help enhance capacity building and technology transfer; and
- d) build closer ties with States and international organizations to support the continuing implementation of certain mitigation measures for developing States and technology transfer, while promoting access to funding and capacity building.

82. On behalf of the nine Central African States beneficiaries of the said ICAO-EU joint assistance project (Angola, Burundi, the Central African Republic, Chad, Congo, the Democratic Republic of the Congo, Equatorial Guinea, Gabon and Sao Tome and Principe), the Delegate of Gabon introduced WP/321, which detailed the progress which they had made thereunder in developing Action Plans to reduce CO<sub>2</sub> emissions from international civil aviation and implementing an AES. The States had each carried out a substantial amount of work to create a sustainable air transport system in Central Africa and had honoured their commitments under the said project by submitting to ICAO national Action Plans that were consistent with its recommendations as contained in Doc 9988 – *Guidance on the Development of States' Action Plans on CO<sub>2</sub> Emissions Reduction*. Those Action Plans, which demonstrated the States' willingness to take ownership of the strategy to migrate toward a low carbon development model and to commit to using every means at their disposal to implement it, had been reviewed by ICAO and deemed to be satisfactory. The nine States were now implementing the mitigation measures contained therein. They were nevertheless aware that those measures could entail considerable cost and that not all of the said nine States had the capacity to implement them. With the support provided under the ICAO-EU joint

assistance project, they had been submitting monthly CO<sub>2</sub> emissions reports to ICAO since January 2016 for their respective international aviation activities to facilitate monitoring and assessment of the established global objectives.

83. Furthermore, under the said joint assistance project the nine Central African States were also preparing a joint regional Action Plan to reduce aviation emissions at the regional level consistent with their national Action Plans. That regional Action Plan would contribute significantly to strengthening regional cooperation and efforts to combat climate change.

84. Based on the above-mentioned positive results of the ICAO-EU joint assistance project, and mindful of the ICAO NCLB initiative, the said nine Central African States invited the Assembly to:

- a) review the information presented in WP/321, including progress achieved to date by that group of States;
- b) request ICAO to seek additional sources of funding to enhance and scale up technical assistance for the development of Action Plans and implementation of the measures set out therein;
- c) request other States and international organizations to provide separate funding to enable ICAO to improve and expand capacity building activities related to environmental protection;
- d) encourage other States and groups of States to solicit assistance from ICAO to develop and implement Action Plans, and institute a robust emissions monitoring system based on the AES;
- e) request the Council to instruct ICAO to incorporate the AES monitoring, reporting and verification system into the planned global MBM scheme for international aviation; and
- f) request the Council to instruct ICAO to enhance the capacity of the Western and Central African Regional Office (WACAF) and other African Regional Offices to sustain project results over time and provide for the ongoing monitoring of environmental issues in the civil aviation sector in Africa.

85. The Delegate of Kenya presented WP/181, which elaborated on his State's experience and progress in the collection, monitoring and reporting of data related to CO<sub>2</sub> emissions from international aviation, which were part of Kenya's initiatives to update and strengthen its voluntary Action Plan on CO<sub>2</sub> mitigation from the aviation sector submitted to ICAO in December 2015. In addition, the paper highlighted Kenya's achievements to date and the key role played by ICAO's capacity building programme since the last Assembly, and described remaining challenges and the proposed next steps.

86. Kenya invited the Assembly to:

- a) note the information provided in WP/181;
- b) support States in implementing an efficient and sustainable MRV strategy;
- c) support and strengthen capacity building for CO<sub>2</sub> emissions reduction, building upon the successful experience of the ongoing ICAO-EU joint assistance project of which Kenya was a beneficiary State, and further facilitate States' access to financial resources, technical support and technology transfer;
- d) encourage States to formulate assistance requests to ICAO for the development and implementation of their voluntary Action Plans, and for the improvement of their environment-related data collection, monitoring and reporting capacity; and

- e) encourage States to build partnerships on climate change-related matters, including through the ICAO Buddy Programme or additional dedicated regional capacity building projects, and to foster cooperation and knowledge exchange at the regional and global levels.

87. The Delegate of Indonesia then introduced WP/212 Revision No. 1 on the need for policy guidance for the promotion of sustainable alternative fuels for aviation, the use of which was considered to be an integral part of CO<sub>2</sub> emissions reduction. While efforts had been made, and progress achieved, the commercial scale and availability of the supply of sustainable alternative fuels for aviation was still at a very early stage in terms of making a real contribution toward ICAO's goal of carbon neutral growth (CNG) from 2020. However, Indonesia had already included the development of a number of sustainable alternative fuels for aviation in its Action Plan which had been submitted to ICAO in 2013 and updated in 2015 and had, as a result, included aviation in its national bio-energy policy and targets for the transport sector. Indonesia wished to develop a policy for the deployment of sustainable alternative fuels for aviation in a collaborative manner with ICAO and other States in order to promote regional and global harmonization of policies and to avoid any regional market or competitive distortions. In light of its experience, Indonesia considered that it was important to help States in the establishment of globally-aligned appropriate policy actions and thus requested the Assembly to support the development of ICAO policy guidance for the promotion of sustainable alternative fuels for aviation. In addition, Indonesia encouraged States to include aviation in their national bio-energy policies and/or targets for the transport sector.

88. The Delegate of the United States presented WP/232 setting forth her State's views on ICAO's basket of measures to address climate change arising from international civil aviation. The United States strongly supported ICAO's comprehensive approach to achieving CNG from 2020 through the said basket of measures which comprised: technical, operational and infrastructure enhancements; an aeroplane CO<sub>2</sub> emissions certification Standard; sustainable alternative fuels; and the development of a global MBM scheme as a gap filler. It considered that the basket of measures comprehensive approach was the right choice for taking responsibility for the climate impacts of international civil aviation as it could be, and had been, tailored to fit the unique needs of the unique aviation sector. Through the basket of measures, States were able to put in place the elements needed to reduce aviation emissions over the long term, while also filling the gap to achieving the CNG goal in the near term, through the proposed global MBM scheme.

89. ICAO and its Member States had made substantial progress on all of the elements of the basket of measures since the last Assembly. The United States had been heavily involved in the CAEP's development of the said new technology-based aeroplane CO<sub>2</sub> emissions certification Standard and was proud to support the Council's envisaged adoption thereof. The United States had also led several collaborative efforts with industry to develop and improve fuel efficiency and emissions reduction technologies. Technologies developed under the first phase of the Federal Aviation Administration's (FAA's) Continuous Lower Energy, Emissions and Noise (CLEEN) Programme, a partnership with five aviation manufacturers, would likely enter the commercial aircraft fleet during the current year (2016), and phase 2 of that Programme was already underway.

90. The United States also actively supported and facilitated the development and deployment of sustainable alternative jet fuels (AJFs), including through its Commercial Aviation Alternative Fuels Initiative (CAAFI), which focused on every phase of alternative fuels development, from research and development through to commercialization. Its work in those areas, as well as in the area of air traffic management, did not solely benefit the United States, however. Through technical assistance programmes, collaboration with ICAO, and the diffusion of more efficient technologies, it was helping other States and their respective industries improve efficiency and reduce aviation emissions. The

United States was committed to continuing to enhance its collaboration among ICAO Member States and industry on the entire basket of measures in the years to come. The United States gladly played a leadership role in those areas as it was committed to tackling climate change. As it was aware that not all States had the capacity to undertake that work, the United States was committed to working with others to build that capacity, which would help ensure the sustainable development of international civil aviation long into the future.

91. The Assembly was invited to:

- a) note the views of the United States on the basket of measures;
- b) note the significant financial and other resource investments of the United States in each element of the basket of measures;
- c) note the opportunities for international partnerships with States and industry to enhance the implementation and use of various elements of the basket of measures; and
- d) take note that different national circumstances, or “differentiation”, were being addressed in different ways across the basket of measures, with some States undertaking the majority of effort in the key areas of technology development, operational and infrastructure improvements, and alternative fuels for aviation.

92. In closing, the Delegate of the United States availed herself of this opportunity to thank Indonesia, Burkina Faso and the many other States that had shared their Action Plans on CO<sub>2</sub> emissions reduction activities publicly with the global community.

93. The Delegate of Burkina Faso introduced WP/363, which described the progress achieved by his State in its efforts to curb CO<sub>2</sub> emissions in the civil aviation sector. It highlighted, in particular, the steps that had led to the development of a national Action Plan in accordance with ICAO recommendations, and the implementation of the AES by the National Civil Aviation Authority (ANAC). Burkina Faso expressed appreciation to ICAO and the EU for the assistance provided to it under the joint assistance project *Capacity Building for CO<sub>2</sub> Mitigation from International Aviation*. The paper also described the challenges foreseen by Burkina Faso in implementing its said Action Plan, as well as its expectations with regard to assistance and cooperation.

94. Burkina Faso invited the Assembly to:

- a) take note of the contents of WP/363;
- b) instruct the Secretary General to continue support for ICAO programmes aimed at assisting States in developing and implementing their Action Plans on reducing CO<sub>2</sub> emissions from international aviation;
- c) encourage States and international organizations to earmark funds for capacity building and new regional assistance projects in the environment field similar to the said ICAO-EU joint assistance project; and
- d) foster partnerships among States in this field, to promote the sharing of knowledge, the transfer of skills and joint actions to reduce CO<sub>2</sub> emissions in the aviation sector.

95. The Delegate of Egypt then presented WP/364, which reported on: the activities undertaken by his State in the field of environmental protection as it related to international aviation; and the progress achieved regarding the submission of its Action Plan on aviation CO<sub>2</sub> emissions reduction. Egypt’s first voluntary Action Plan had been presented to ICAO following governmental approval on 25 July 2016. Rather than being considered as just an obligation, the Action Plan was deemed to be an

important tool in providing the Organization with information on Egypt's activities to reduce aviation CO<sub>2</sub> emissions. It included the following elements from the basket of measures for the short-term (2010-2020) and the medium-term (2020-2030): modern technological improvements for aircraft, including fleet renewal; improvement of air traffic management; and more effective operational measures. It was expected that Egypt's new Action Plan for the long-term (2030-2050) would include sustainable aviation fuels which would not negatively affect the global food basket.

96. While developing States were faced with many challenges in the field of development and in the sustainable building of their capacity, Egypt intended to update its Action Plan by seeking direction from Doc 9988 – *Guidance on the Development of States' Action Plans on CO<sub>2</sub> Emissions Reduction* and by using the ICAO Environmental Benefits Tool (EBT).

97. Egypt invited the Assembly to:

- a) note the contents of WP/364;
- b) urge States to support the ICAO NCLB initiative;
- c) request ICAO to include a specialized training team in its TRAINAIR PLUS Programme concerning the voluntary State Action Plans on CO<sub>2</sub> emissions reduction emanating from international aviation;
- d) request ICAO to provide a number of experts in the ICAO Regional Offices for specific periods of time to assist States in submitting their voluntary Action Plans, through support of the Environmental Fund within the NCLB initiative; and
- e) invite ICAO to provide a list of experts who have contributed to the submission of their State's voluntary Action Plans in accordance with ICAO measures, with a view to making it available to assist States that have not yet submitted their Action Plans and to encourage States to share scientific knowledge and create partnerships.

98. The Delegate of Mexico introduced WP/455, which provided the historical background of the development and deployment of sustainable alternative fuels for aviation, as well as the current status thereof, and highlighted Mexico's experience in using such fuels. Mexico invited the Assembly to:

- a) acknowledge the importance of further developing and deploying sustainable alternative fuels as a key element of the basket of measures to reduce aviation emissions;
- b) acknowledge the value of defining a global objective for sustainable alternative fuels as a way of encouraging necessary actions; and
- c) encourage all Member States, the aviation industry and other stakeholders, to participate in the preparatory ICAO Seminar on Alternative Fuels, planned to take place in Montréal from 8 to 9 February 2017, and in the ICAO High-level Conference on Aviation Alternative Fuels, proposed to be held in Mexico City from 18 to 20 October 2017 to develop an *ICAO Vision on International Aviation Alternative Fuels* (ICAO VIAAF), by which States would be encouraged to take actions at the national and international levels in further developing and deploying sustainable alternative fuels for aviation.

99. It was noted that the following ten information papers had also been submitted: WP/138 (*Climate change & Aviation growth in India*) presented by India; WP/222 (*Progress in the implementation of State Action Plan for reducing emissions from international aviation*) presented by Indonesia; WP/227 (*Assistance and capacity building in aviation to address the CO<sub>2</sub> emissions from*

*international aviation*) presented by CASSOS; WP/415 [*European support for the No Country Left Behind initiative (NCLB)*] presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and by EUROCONTROL; WP/426 [*Latin American Civil Aviation Commission (LACAC) Member States that have prepared their Action Plan for reducing CO<sub>2</sub> emissions from international civil aviation*] presented by Guatemala on behalf of the 22 LACAC Member States; WP/207 (*ICAO's CO<sub>2</sub> Standard for new aircraft*) presented by ICSA; WP/208 (*Increased transparency in ICAO decision-making*) presented by ICSA; WP/209 (*Addressing international aviation emissions in the context of the Paris Agreement*) presented by ICSA; WP/427 (*ICAO's climate change measures and the Sustainable Development Goals*) presented by ICSA; and WP/429 (*Airports' contribution to environmental protection*) presented by ACI.

## Discussion

100. The Delegate of Norway highlighted the importance of new Preambular Paragraph 9 of the proposed revised *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change* (WP/49), which made reference to the Paris Agreement, its goal of holding the increase in the global average temperature to well below 2° C above pre-industrial levels, and pursuing efforts to limit the temperature increase to 1.5° C above pre-industrial levels. She affirmed that it was essential that ICAO and the international aviation sector contribute to attaining those temperature goals.

101. In voicing support for WP/54, the Delegate of the United Republic of Tanzania expressed appreciation for, and acknowledged, the efforts being made by ICAO in assisting States in the preparation of their voluntary Action Plans on CO<sub>2</sub> emissions reduction activities. In addition, he recognized the achievements of Kenya, Burkina Faso, Egypt, LACAC Member States and the nine Central African States beneficiaries of the ICAO-EU joint assistance project in preparing and improving their voluntary State Action Plans, as well as in capacity building, and supported their respective papers (WPs/181, /363, /364, /262 and /321). Furthermore, the Delegate of the United Republic of Tanzania noted Mexico's achievement in using sustainable aviation alternative fuels, which was one element of the basket of measures, and endorsed its paper (WP/455). He emphasized that these achievements could be replicated by States in other regions.

102. In averring that the proposed revised Consolidated statement on climate change (WP/49) contained modifications that had not been sufficiently discussed in advance of the Assembly, the Delegate of Saudi Arabia cited the insertion of references to the Paris Agreement's said 2° C and 1.5° C temperature goals, which he averred needed to be viewed in a much broader context which also encompassed capacity building, financing, technology transfer and adaptation. He underscored that the 2° C temperature goal covered all emissions from all economic sectors, and that it had been developed on the basis of nationally determined contributions to the global response to climate change. The Delegate of Saudi Arabia further emphasized that the 1.5° C temperature goal was still under consideration by the Intergovernmental Panel on Climate Change (IPCC).

103. Noting that the guiding principles for the design and implementation of MBMs for international aviation that had been annexed to Assembly Resolution A38-18 had been deleted from the proposed revised Consolidated statement on climate change, the Delegate of Saudi Arabia called for them to be incorporated into the draft Consolidated statement on a global MBM scheme (WP/52) as they were an essential element thereof.

104. The Delegate of China endorsed the intervention made by the Delegate of Saudi Arabia. Noting that his State had concerns regarding the medium-term global aspirational goal of CNG from 2020 set forth in Operative Paragraph 6 of the proposed Consolidated statement on climate change (WP/49),

and observing that that goal was also incorporated in the proposed Consolidated statement on a global MBM scheme (WP/52), he suggested that those two Assembly Resolutions be discussed concurrently.

105. In highlighting the positive steps taken by Kenya, in conjunction with the ICAO-EU joint assistance project *Capacity Building for CO<sub>2</sub> Mitigation from International Aviation*, to augment its emissions data collection, monitoring and reporting system, the Delegate of Portugal agreed with that State that one of the critical requirements for the global MBM scheme was that all States collect, verify and report CO<sub>2</sub> emissions data. He therefore supported Kenya's proposal that the Assembly support States in implementing an efficient and sustainable MRV strategy and encourage them to build partnerships on climate change-related matters, including through the ICAO Buddy Programme or additional dedicated regional capacity building projects, and to foster cooperation and knowledge exchange at the regional and global levels [cf. WP/181, action paragraphs b) and e) and paragraph 3.3].

106. In welcoming Burkina Faso's efforts to develop and implement its Action Plan on CO<sub>2</sub> emissions reduction activities (cf. WP/363), the Delegate of Portugal recognized the value of each State preparing and submitting to ICAO an updated Action Plan on CO<sub>2</sub> emissions reduction as an important part of the process to ensure an effective contribution by the civil aviation sector to the mitigation of climate change impacts. He thanked Burkina Faso for showcasing the positive results of its participation in the ICAO-EU joint assistance project *Capacity Building for CO<sub>2</sub> Mitigation from International Aviation* and noted that practical outcomes were being delivered, such as the installation of the AES which enabled automated environmental data collection and direct reporting to ICAO. The Delegate of Portugal reiterated that his State, and all other ECAC Member States, would strive, together with other stakeholders, to address any future needs that might arise from those States requiring technical assistance and capacity building in order to stand ready for the implementation of their respective CO<sub>2</sub> mitigation plans for international aviation.

107. Voicing strong support for WPs/54 and /56 presented by the Council, the Delegate of Italy affirmed that the development and submission of State Action Plans on CO<sub>2</sub> emissions reduction was both a very good step forward in terms of planning all of the various activities, and a very good tool for achieving such emissions reduction. He strongly supported, in particular, encouraging States to publish their Action Plans on the ICAO public website for the sake of transparency.

108. With regard to WP/56, the Delegate of Italy strongly supported the work done by States and industry with regard to the development and deployment sustainable alternative fuels for aviation, including the financing for new projects, such as the ones underway in Italy relating to the use of marine algae in aviation fuel.

109. The Delegate of Cameroon joined previous speakers in strongly supporting WP/54, as well as the related papers presented by: the Dominican Republic on behalf of LACAC Member States (WP/262); the nine Central African States (WP/321); Kenya (WP/181); Burkina Faso (WP/363); and Egypt (WP/364). He underscored that those States had voluntarily submitted their Action Plans on CO<sub>2</sub> emissions reduction activities to ICAO and called upon the Assembly to encourage other States to do likewise. In also emphasizing the need to draw to the attention of submitting States the importance of implementing their respective Action Plans, the Delegate of Cameroon averred that without providing them with the requisite human resources capacity building, the ICAO NCLB initiative would have problems in attaining its goal of no country being left behind.

110. In expressing appreciation to Mexico, the United States and other States for their efforts to promote the use of sustainable aviation alternative fuels, the Delegate of Indonesia indicated that his State looked forward to further collaboration in establishing policy guidelines therefor.

111. Referring to the paper presented by Mexico (WP/455), the Delegate of the United States agreed that ICAO worked best as a facilitator among States and thus supported ICAO's role as one to bring States together to share experiences and to discuss what was working well, and what had not worked well, with regard to such alternative fuels for aviation, which enabled States to learn from one another. She noted that Mexico had raised many interesting issues in its paper which should be addressed at the envisaged ICAO Seminar on Alternative Fuels (Montréal, February 2017) and ICAO High-level Conference on Aviation Alternative Fuels (Mexico City, October 2017), whose discussions should be informed by the CAEP's ongoing work in the field of sustainable aviation alternative fuels.

112. The Delegate of the Russian Federation fully endorsed the interventions made by the Delegates of Saudi Arabia and China, especially the latter's suggestion that the proposed revised Consolidated statement on climate change (WP/49) be considered in conjunction with the draft Consolidated statement on a global MBM scheme (WP/52). Referring to Preambular Paragraph 10 of the said revised Consolidated statement on climate change, which made mention of the global aspirational goal of CNG from 2020, he recalled that at the two previous Assemblies in 2010 and 2013 his State had expressed a reservation to that goal as it did not consider it to be realistic or scientifically-based. In particular, the Russian Federation had expressed a reservation to Operative Paragraphs 12 and 15 of Assembly Resolution A37-19 and to Operative Paragraph 7 of Assembly Resolution A38-18. The Russian Federation would thus be compelled to lodge the same reservation with regard to Operative Paragraph 6 when the Assembly came to adopt the proposed revised Consolidated statement on climate change (WP/49).

113. The Delegate of Mexico underscored that the said Consolidated statement on climate change contained relevant updates to Assembly Resolution A38-18, which had been adopted without a vote at the last Assembly. Noting that the proposed revised text reflected recent developments in the field of international aviation and climate change, and excluded provisions relating to MBMs, focussing instead on the other elements of the basket of measures, he emphasized that it should be viewed in that light.

114. Echoing the views expressed by the Delegates of Saudi Arabia, China and the Russian Federation, the Delegate of India reiterated that the issue of international aviation and climate change should not be considered separately from the issue of a global MBM scheme. He stressed that while there was an attempt to borrow selectively from the Paris Agreement for one part of the draft Consolidated statement on a global MBM scheme, it was necessary to align both the latter and the proposed revised Consolidated statement on climate change with the Paris Agreement and the principles agreed at COP21 in 2015. The Delegate of India concurred with the Delegate of the Russian Federation that the global aspirational goal of CNG from 2020 referred to in Operative Paragraph 6 of the revised Consolidated statement on climate change did not have any basis as it had not been agreed at COP21 for any other sector. He did not support that goal or agree to it as a basis for any Resolution to be adopted at the present Assembly.

115. The Delegate of Egypt commended the role played by ICAO in the field of environmental protection. Referring to the comments made by the Delegate of Saudi Arabia, he emphasized that the guiding principles for the design and implementation of MBMs for international aviation that had been annexed to Assembly Resolution A38-18 should either be re-introduced into the proposed revised Consolidated statement on climate change (WP/49) or incorporated in the draft Consolidated statement on a global MBM scheme (WP/52).

116. The Delegate of South Africa endorsed the conclusions and actions set forth in WP/54 presented by the Council, as well as those set forth in WPs/181, /363 and /364 presented by Kenya, Burkina Faso and Egypt, respectively.



117. The Delegate of Pakistan voiced support for the positions expressed by the Delegates of Saudi Arabia, China and the Russian Federation, in particular for the concern that they had shown towards developing States. He affirmed that all States should be given an equal chance.

118. The Observer from ICSA noted that his organization was the sole environmental representative at ICAO and had made a substantial contribution to the latter's environmental protection work over recent years. Underscoring that ICSA's four papers (WPs/206, /207, /208 and /209) had been submitted within the set deadline, he indicated that it had been presumed that they would be received as working papers, particularly as they contained specific recommendations. In the interest of time, the Observer from ICSA would not insist on presenting the said papers under this second block of items relating to environmental protection and would instead invite the Executive Committee to read the recommendations contained in WPs/207, /208 and /209. He did, however, request that WP/206 be considered as a working paper when the global MBM scheme was discussed.

119. In offering a summary of the discussion, the Chairperson of the Executive Committee noted that WP/91 (Slovakia on behalf of EU and ECAC Member States) and WP/209 (ICSA) had highlighted the need for further work related to a long-term global aspirational goal on CO<sub>2</sub> emissions reduction and improving the understanding of non-CO<sub>2</sub> effects of international aviation. It was understood that the relevant technical work was ongoing in the CAEP and would be further progressed during the next triennium. The Executive Committee should therefore await the results of such work.

120. With regard to the issue of transparency and information access to the CAEP's work raised in WP/91 (Slovakia on behalf of EU and ECAC Member States) and WP/208 (ICSA), the Executive Committee took note of those papers, on the understanding that as they were related to administrative matters of the CAEP, a technical body of the Council, they would be addressed by the latter.

121. With respect to sustainable alternative fuels for aviation, WP/91 (Slovakia on behalf of EU and ECAC Member States), WP/212 (Indonesia), WP/232 (United States) and WP/455 (Mexico) encouraged further work by ICAO and its Member States on the development and deployment of such fuels as they were a key element of the basket of measures. In particular, the Executive Committee welcomed Mexico's offer to host an ICAO High-level Conference on Aviation Alternative Fuels in Mexico City from 18 to 20 October 2017 with a view to developing an *ICAO Vision on International Aviation Alternative Fuels* (ICAO VIAAF) as a means of encouraging States to take actions at the national and international levels in further developing and deploying sustainable alternative fuels for aviation. It was noted that a crucial part of the basket of measures was the development of the aeroplane CO<sub>2</sub> emissions certification Standard, which the Executive Committee had welcomed earlier in the meeting.

122. There were a number of papers that congratulated ICAO on its work on State Action Plans, capacity building and assistance initiative: WPs/91 and /415 (Slovakia on behalf of EU and ECAC Member States); WP/181 (Kenya); WP/222 (Indonesia); WP/227 (CASSOS); WP/262 (Dominican Republic on behalf of LACAC Member States); WP/321 (nine Central African States); WP/363 (Burkina Faso); WP/364 (Egypt); and WP/426 (Guatemala on behalf of LACAC Member States). Those papers had some convergent views, as follows:

- a) the ICAO Secretariat should continue to enhance ICAO's capacity building and assistance activities for the preparation and implementation of States' voluntary Action Plans on CO<sub>2</sub> emissions reduction, including: the organization of seminars and training; the provision of guidance and tools; and facilitating access to financial resources and experts;

- b) more partnerships among State should be encouraged to assist State that had not yet prepared their Action Plans or needed to improve them, including through the ICAO Buddy Programme;
- c) additional resources should be made available and earmarked to expand ICAO's capacity building and assistance projects relating to State Action Plans to reduce aviation emissions beyond the current ICAO partnership with the EU and with UNDP/GEF;
- d) the added value of preparing State Action Plans had been clearly recognized. Those States participating in the ICAO-EU joint assistance project *Capacity Building for CO<sub>2</sub> Mitigation from International Aviation* had additionally acknowledged the benefits of capacity building for the collection, monitoring and reporting of emissions data through the AES, which should facilitate the implementation of the global MBM scheme.

123. In then drawing attention to the proposed revised Consolidated statement on climate change (WP/49), the Chairperson suggested that the Executive Committee recommend it to the Plenary for adoption.

124. The Delegates of France, Mexico, Switzerland, Sweden, the United Kingdom and Spain endorsed this proposal.

125. Reiterating his suggestion that the proposed Consolidated statements on climate change and a global MBM scheme (WPs/49 and /52) be discussed concurrently given their close relationship, the Delegate of China averred that it would be inappropriate to consider and submit them separately to the Plenary for adoption and that that would lead to problems later on. The Delegates of India, Saudi Arabia, the Russian Federation, Pakistan and Iran (Islamic Republic of) shared this view.

126. In noting that his earlier comments on the proposed revised Consolidated statement on climate change had not been taken into account in the Chairperson's summary (cf. paragraphs 101 and 102 above), the Delegate of Saudi Arabia maintained that it should not be submitted to the Plenary for adoption.

127. Averring that the Executive Committee could only conclude its consideration of the said Consolidated statement on climate change after it had discussed the Consolidated statement on a global MBM scheme, the Delegate of the Russian Federation asserted that to refer the former immediately to the Plenary for consideration and adoption would constitute a departure from the Assembly's Rules of Procedure (Doc 7600).

128. In light of time constraints, the Executive Committee agreed to return to this Agenda Item at its next meeting.

129. The meeting adjourned at 1700 hours.

**Minutes of the Third Meeting**  
(Thursday, 29 September 2016 at 0900 hours)

**SUBJECTS DISCUSSED**

1. Agenda Item 22: Environmental Protection – International Aviation and Climate Change – Policy, Standardization and Implementation Support (*Section on Global Market-based Measure Scheme*)
  - *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global market-based measure (MBM) scheme*
  - Paper presented by Slovakia on behalf of the European Union (EU) and its Member States and the other Member States of the European Civil Aviation Conference (ECAC)
  - Paper presented by India, China and the Russian Federation
  - Paper presented by Guatemala and Spain
  - Paper presented by Qatar
  - Paper presented by Indonesia
  - Paper presented by Brazil
  - Paper presented by Malaysia
  - Paper presented by the Russian Federation
  - Paper presented by Canada
  - Paper presented by Chile
  - Paper presented by the United States
  - Paper presented by the International Air Transport Association (IATA)
  - Paper presented by Airports Council International (ACI), the Civil Air Navigation Services Organisation (CANSO), IATA, the International Business Aviation Council (IBAC) and the International Coordinating Council of Aerospace Industries Associations (ICCAIA)
  - Paper presented by the World Bank
  - Information paper presented by the Republic of Korea
  - Information paper presented by Thailand
  - Information paper presented by IATA
  - Information paper presented by the International Coalition for Sustainable Aviation (ICSA)
  - Information paper presented by the Asociación Latinoamericana de Derecho Aeronáutico y Espacial (ALADA)
  - Information paper presented by the Dominican Republic

## SUMMARY OF DISCUSSIONS

### **Agenda Item 22: Environmental Protection – International Aviation and Climate Change – Policy, Standardization and Implementation Support (*Section on Global Market-based Measure Scheme*)**

1. The Executive Committee resumed (EX/2) its consideration of Agenda Item 22. In light of the concerns previously expressed by some States regarding ICAO's global aspirational goals and their to the proposed global MBM scheme (CORSA), the Chairperson suggested, and it was agreed, to suspend consideration of the draft *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change* (WP/49) until discussions on the issue of a global MBM scheme for international aviation had been concluded.

#### ***Address by Patricia Espinosa, the Executive Secretary of the UNFCCC***

2. On behalf of the Executive Committee, the Chairperson welcomed Patricia Espinosa, the Executive Secretary of the UNFCCC. The Executive Secretary expressed her gratitude for the opportunity to join the Executive Committee for its discussion on environmental protection, which had enormous relevance for the goals that the international community as a whole had set under the 2015 Paris Agreement on climate change and in the United Nations 2030 Agenda for Sustainable Development. She stressed the importance of the contribution which ICAO could make under the able leadership of the President of the Council, and thanked all Delegations and the Secretariat staff for their hard work and dedication in developing a global MBM scheme for international aviation. The Executive Secretary of the UNFCCC noted that last year's Sustainable Development Goals (SDGs) and the Paris Agreement marked an historic turning point towards a more sustainable world. Those Agreements had the potential to transform growth and development into a new model that would be both low-emission and highly resilient, a transformation that would benefit the well-being of everyone on the planet for generations to come. Now was the moment for international aviation, a sector which enabled mobility and powered economic activity, to agree on how it could contribute to that global and ambitious transformation.

3. The Executive Secretary of the UNFCCC emphasized that the Paris Agreement sent a strong and clear signal that global greenhouse gas (GHG) emissions must peak as soon as possible and rapidly decline to achieve climate neutrality in the second half of the 21st century. Science indicated that that must be done to meet the goal of holding the increase in the global average temperature to well below 2°C. That was what all nations had agreed at the Twenty-first Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) (COP21) held in Paris in November/December 2015. Observing that the international solidarity demonstrated at that time was continuing into 2016, the Executive Secretary of the UNFCCC underscored that the implementation of commitments undertaken in 2015 by nations big and small was widely supported by industry, investors, States and cities, and that it was now international civil aviation's turn to help achieve the common global goals. She recalled that at the special event hosted by the United Nations Secretary-General Ban Ki-moon on 21 September 2016 many governments had joined the commitment to transformation towards a better and more sustainable world. On that occasion alone, 31 countries had deposited their instruments of ratification of the Paris Agreement, bringing the total number of ratifications to 60, which represented approximately 48 per cent of global GHG emissions. The Executive Secretary of the UNFCCC highlighted that there was now a clear possibility that the Paris Agreement could enter into force by COP22 in Marrakesh, Morocco, in November 2016, which had previously been unthinkable, even in December 2015 when that Agreement had been adopted.

4. The Executive Secretary of the UNFCCC observed that the climate footprint of international aviation was growing. It currently was comparable to the climate footprint of a country like

Germany, and the emissions of the aviation industry were set to increase as populations swelled and prosperity proliferated. While indicating that ICAO's global aspirational goal of stabilizing CO<sub>2</sub> emissions at 2020 levels was a good start, she invited the Assembly to increase its ambition and extend it in line with the Paris Agreement goal. Underscoring that every country and every sector of the economy must increase its ambition as the initial contributions made in the run up to COP21 were not sufficient to achieve the goals articulated in the Paris Agreement, the Executive Secretary of the UNFCCC noted that there were several areas where ICAO could increase aviation ambition and show that this global industry was prepared to lead the transformative change. The first was to immediately foster implementation of measures and tools that would reduce international aviation's carbon footprint. Without these tools, it would be impossible for the aviation sector as a whole to build a better future. Without urgent action, the cost of inaction remained. That translated into physical risk, which was why many airports – ICAO's partners – were themselves moving to climate-neutral operations.

5. The Executive Secretary of the UNFCCC noted that a second measure that ICAO could take would be to strengthen international aviation's mid-term global aspirational goal and establish a long-term one. Recalling that that was already included in the work programme of the Committee on Aviation Environmental Protection (CAEP), she indicated that she was highly optimistic that ICAO action would be fully in line with the Paris Agreement.

6. The Executive Secretary of the UNFCCC noted that ICAO could also set the tone and encourage a virtuous cycle of ambition between domestic and international levels. Many countries were already regulating the climate footprint of domestic aviation, which could significantly benefit nationally determined contributions (NDCs) to the Paris Agreement. Approaches ranged from emissions trading to offsetting to sustainable alternative fuels. ICAO's support for these approaches was indispensable but perhaps the most important action that ICAO could take to transform international aviation was to agree on a market-based approach to reducing emissions. The market-based approach embodied in the proposed Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) could achieve emissions reductions efficiently and cost effectively. The Executive Secretary of the UNFCCC invited the international aviation community and ICAO to implement CORSIA and to slot it into the growing number of market-driven climate change response measures around the world. In also encouraging all ICAO Member States to voluntarily participate in the scheme to ensure the highest possible coverage of CO<sub>2</sub> emissions from international aviation, she emphasized that CORSIA offered a great opportunity to strike a balance between human mobility needs and the scientific imperative to reduce emissions at a speed and scale that would stabilize the climate system.

7. The Executive Secretary of the UNFCCC underscored that a stable climate system was a critical path to a secure, sustainable, healthy and prosperous world for all. Currently investors were considering climate change in their portfolios and turning to green bonds. Businesses were seeking sustainable supply chains and offering low-emission climate-responsive products. Cities and regional governments were investing in resilience, turning to clean energy, and partnering to deliver the benefits of a climate-smart economic policy to their citizens. In noting that there was opportunity for everyone in the transformation which governments had agreed to with the Paris Agreement and the SDGs, the Executive Secretary of the UNFCCC emphasized that that was an opportunity on which aviation could capitalize. Recalling that ICAO had long been a transformational leader, and that the spirit of exploring new approaches, trying new measures and taking bold action had driven aviation from its very start, she stressed that action by all aviation stakeholders was within reach today. The Executive Secretary of the UNFCCC expressed confidence that the Assembly would take action to help international aviation shape the transformation that would put the world on the path to a sustainable, climate-safe future and ensure the well-being of all. She looked forward to a successful outcome of the Assembly, one that could be part of the progress that would be reported to COP22 in Marrakesh, Morocco, in November 2016.

*Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global market-based measure (MBM) scheme*

8. The Secretary General introduced WP/52, in which the Council reported on the work of the Organization to develop a global MBM scheme for international aviation, undertaken pursuant to Assembly Resolution A38-18. A significant amount of work had been done by ICAO during the triennium with the dedicated efforts by States, the aviation industry and other stakeholders, ranging from high-level meetings to technical task forces, discussing the various design and implementation features of a global MBM scheme. She expressed appreciation to all those involved in this challenging task. Paragraph 2 of WP/52 outlined many issues for consideration to develop the best possible consensus by the Assembly, while Appendix B contained the draft Assembly Resolution text on a global MBM scheme. The Assembly was invited to take the action proposed by the Council in the executive summary of WP/52 and: a) acknowledge the activities undertaken by the Organization in response to the request of the 38th Session of the ICAO Assembly with respect to the development of a global MBM scheme for international aviation, as summarized in Appendix A to the paper; and b) adopt the proposed *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global market-based measure (MBM) scheme*, presented in Appendix B.

9. The Chairperson of the Executive Committee echoed the Secretary General's comments regarding the magnitude of work accomplished by ICAO and its Member States, in cooperation with the aviation industry and other stakeholders since 2013: fifteen meetings of the Council Environment Advisory Group (EAG), supported by a significant amount of technical work and analyses by the CAEP; two rounds of regional outreach through the Global Aviation Dialogues (GLADS); two meetings of the High-Level Group on a Global MBM Scheme (HLG-GMBM); the High-Level meeting in May 2016; a number of bilateral and multilateral consultations over the summer of 2016; the "Friends of the President" Meeting held in August 2016; and the subsequent Council meeting (208/16) that had delivered the current proposal for consideration by the Assembly. He stressed that Delegates should not underestimate the amount of effort and the dedication involved, on the part of Member States, the aviation industry, environmental non-governmental organizations (NGOs) and other stakeholders, both at the policy level and technical level, in discussing various approaches to a global MBM scheme, bridging different views and ultimately formulating the draft Resolution now before them.

10. The Delegate of Slovakia then presented WP/414 [*European position on a global market-based measure (GMBM) scheme for international aviation emissions*] on behalf of the EU and its Member States and the other Member States of ECAC. He commented that the impact of CO<sub>2</sub> emissions on climate change was a reality that the international community must address. It was now time for international aviation to contribute its fair share to this important overall effort, and expectations were high for the Assembly to agree on the first-ever global sectoral emissions-offsetting scheme, a scheme that would be credible, robust and effective. Outlining the tremendous amount of preparatory work undertaken leading to the draft Resolution under consideration, he noted that the proposed text was not perfect, and Europe's concerns with it were clearly outlined in WP/414. Expressing appreciation that the draft Resolution text represented a compromise which struck a fair balance between States with different levels of economic development, the European States supported this balance and considered the scheme, as proposed, acceptable. Through the Bratislava Declaration of 3 September 2016, the 44 EU and ECAC Member States jointly expressed their commitment to join the scheme from the start. He expressed pleasure that many other States had already made similar commitments, and the European States called on other States, and in particular on the major aviation States, to also participate on a voluntary basis from the start of the scheme and to present their declarations before the end of the Assembly, as concluding the Assembly with no agreement on a credible, robust and effective global MBM scheme was simply not an option.

11. The Delegate of India introduced WP/412, in which his State, China and the Russian Federation proposed amendments to certain provisions of the draft Resolution on a global MBM scheme in WP/52 in order to align them with the principles of common but differentiated responsibilities (CBDR) and special circumstances and respective capabilities (SCRC) embodied in the UNFCCC and the Paris Agreement, as well as with the principles of non-discrimination and equal and fair opportunities to develop international aviation set forth in the Chicago Convention, and to meet the concerns of developing countries. The co-presenters proposed, in particular: review of the global MBM scheme after the pilot and first phases to determine the design parameters of the second phase from 2027, such as the RTK threshold for the exemption of States and a specific individual rate in the dynamic approach from 2030; recognition that “developed States will take the lead”; distribution of offsetting requirements on the basis of nationally determined contributions (NDCs) by individual participating States, or by the formula provided in Paragraph 9 of the draft Resolution; use of different thresholds to participate in the Scheme between new entrants from developed and developing States; not using Standards and Recommended Practices (SARPs) for monitoring, reporting and verification (MRV) requirements; and different timelines for MRV implementation by States participating in different phases of the scheme. The Assembly was invited to approve the proposed changes to the draft Resolution presented in Appendix B to WP/412.

12. The Delegate of Guatemala introduced WP/449 [*Alliance for Sustainable Aviation (ALAS)*], co-presented by his State and Spain. He expressed appreciation to all those who had supported the promotion of ALAS, which had been developed by the Federal Aviation Administration (FAA) of the United States, the Directorate General of Civil Aviation (DGAC) of Guatemala and the State Agency of the Aviation Safety (AESA) of Spain. The aim of ALAS was to promote programmes and projects to achieve sustainable development, both in the environmental and social fields, as well as the economic sustainability of the aviation sector, based on a progressive, developmental approach for lowering emissions. Among the main objectives of ALAS was the promotion of offset mechanisms in compliance with the aspirational environmental objectives of ICAO as well as the promotion of offset mechanisms with other States or organizations. This global effort aimed to unite countries of the North and the South to achieve developmental goals whilst avoiding the polarity which often had been a source of difficulty, and thus exhibit the solidarity which should prevail throughout the world. The Assembly was invited to: a) take note of the information presented in WP/449; b) invite other States and Organizations to join this initiative; and c) emphasize the need for cooperation among States for the implementation of CORSIA.

13. The Delegate of Qatar presented WP/182 (*Recognizing “Early Movers” in the design elements of a global market-based measure on the effect of international aviation on climate change*). In that paper, Qatar commended ICAO for its work towards mitigating the carbon footprint of civil aviation and noted that Assembly Resolutions A37-19 and A38-18 had laid the foundation for achieving the objective of having civil aviation contribute to the global efforts of limiting the impact of climate change to acceptable and economically sustainable levels. Its views were based on Clause i) of the Annex to Assembly Resolutions A37-19 and A38-18, in which the Assembly stipulated that “MBMs should recognize past and future achievements and investments in aviation fuel efficiency and in other measures to reduce aviation emissions;”. In addition, in Operative Paragraph 23 of Assembly Resolution A38-18, the Assembly resolved “that adjustments to MBM requirements for aircraft operators could be on the basis of fast growth, early action to improve efficiency, and provisions for new entrants;”. While commending and appreciating the various proposals for attaining a global MBM scheme for international aviation, Qatar noted that the proposed draft Resolution did not include an important design element, commonly known as “Early Movers”, referred to in the said Clause i). The lack of that recognition would demotivate airlines to improve their efficiencies at a higher rate than that of the industry. The Assembly was invited to include “Early Movers” recognition in any global MBM scheme that might be agreed upon by providing adjustments to the airlines which, during a specific period of time prior to the CNG year of introduction, had reached efficiency levels, measured by either emissions/revenue tonne kilometre (RTK) unit or RTK/emissions unit, better than the industry average.

14. The Delegate of Indonesia introduced WP/211 Revision No. 1, which set forth his State's position regarding some key elements of the draft Resolution on a global MBM scheme, including the use of sustainable alternative fuels (Operative Paragraph 5); phased implementation (Operative Paragraph 7); distribution of offset obligations (Operative Paragraph 9); and implementation (Operative Paragraph 17). With regard to Operative Paragraph 5, Indonesia agreed that a methodology should be developed to ensure that an operator's emissions offsetting obligations in a given year could be reduced through the use of sustainable alternative fuels on an individual basis which would reflect all elements of the basket of measures. Regarding Operative Paragraph 9, on distribution of offset requirements, Indonesia supported the adoption of a dynamic process moving from an initial sectoral approach to an individual approach over the course of the scheme. With respect to Operative Paragraph 17, Indonesia committed to making a special effort before 2021 to expedite and harmonize the implementation of the global MBM scheme, including determining the piloting of monitoring, reporting and verification (MRV) systems.

15. The Assembly was invited to, inter alia: note Indonesia's commitment to take early action for the implementation of a global MBM scheme and to voluntarily participate in the latter from its outset; ensure that an operator's emissions offsetting obligations in a given year could be reduced through the use of sustainable alternative fuels on an individual basis and not through the sector; and to support the development of emission units linked to a national carbon mitigation/saving program involving mitigation or saving such as from: protection of forests (as REDD+), Clean Development Mechanism (CDM), and Joint Implementation; and to establish a preference for carbon mitigation/saving projects located in developing economies and least developed States.

16. In presenting WP/233 (*Key design elements of the global market-based measure scheme for international civil aviation: Brazil's position*), the Delegate of Brazil noted that the discussions which had taken place during the development of the proposed global MBM scheme had focused on how to reduce the impact of civil aviation emissions on climate change while taking into account the UNFCCC's principle of CBDR and the Chicago Convention's principle of non-discrimination. Brazil considered that: the principle of CBDR must be present in the Council's proposed draft Resolution (WP/52), including, but not exclusively, through phase-in; and developing countries, whose aviation markets were less mature than those of developed countries and had a large potential to grow, should be entitled to join the global MBM scheme in the second phase in order to guarantee more space for their development and to reflect different historical responsibilities in relation to climate change.

17. The Delegate of Brazil then introduced WP/234 (*The distribution of offsetting obligations under the GMBM*), which summarized technical arguments in support of the adoption of the 100 per cent sectoral approach for the distribution of offsetting obligations, with a view to avoiding market distortions and disproportionate burden to some regions' international air traffic development. It was recalled that Operative Paragraph 9 of the draft Resolution (WP/52) suggested that the scheme be composed of the 100 per cent sectoral approach for the first three periods, moving towards a more individual approach in the final two periods. During the first three periods airlines would pay according to their market share, or more precisely, their emissions share, while in the final two periods, they would pay according to their market share and according to their growth rates. Brazil highlighted the fact that use of an individual approach might cause significant market distortions, with two airlines having different levels of offset obligations on the same route, which would not reflect the Chicago Convention's principle of non-discrimination. It emphasized that the implementation of the global MBM scheme must be responsive to environmental integrity and be aligned with the regime under the UNFCCC. At this Assembly Member States should send a strong signal that emission units generated by mechanisms established under the UNFCCC would be automatically eligible for complying with requirements of the global MBM scheme. Brazil had conducted extensive talks with other Member States on that key element of its position and was confident that the text that had been carefully crafted during the August 2016



“Friends of the President” Informal Group Meeting and that reflected its outcome, would garner wide support and would be part of the final text of the Resolution.

18. The Delegate of Brazil underscored his State’s readiness to compromise in order to reach an agreement on a global MBM scheme, as that would avoid a patchwork of State and regional schemes, which would be very costly to the aviation industry. Emphasizing that the success of the Assembly depended on the willingness of States to consider how the draft Resolution text proposed by the Council in WP/52 could be made stronger and more inclusive, he expressed the hope that the Assembly would reach an agreement thereon that balanced the principles of the Chicago Convention and the UNFCCC and reiterated that achieving such agreement was crucial for the sustainable development of civil aviation.

19. The Delegate of Malaysia introduced WP/343, which outlined his State’s position regarding the draft Resolution a global MBM scheme. Malaysia supported ICAO’s initiative, which it considered was pivotal to ensuring that the aviation sector continued to operate in an environmentally responsible manner, and accordingly volunteered to participate in the scheme from its outset. Malaysia supported the phased implementation of the scheme based on consensus of Member States. In addition, Malaysia supported the sectoral approach for the distribution of offsetting requirements. The Assembly was invited to, inter alia, note Malaysia’s commitment to and support of ICAO’s work to mitigate the impact of carbon emissions from international aviation by the establishment of the global MBM scheme.

20. The Delegate of the Russian Federation presented WP/387, which provided an overall analysis of the negative impacts associated with the implementation of CORSIA and proposed an alternative approach to addressing environmental challenges based on a Clean Development Mechanism (CDM) for International Civil Aviation (ACDM) as a basis for implementing a global MBM scheme. The paper highlighted the following negative impacts associated with the implementation of CORSIA: it contradicted the ICAO Strategic Objective *Environmental Protection* and the efforts of ICAO Member States aimed at reducing CO<sub>2</sub> emissions from the international civil aviation sector; it would have an extremely negative impact on the implementation of the main ICAO Strategic Objective *Safety*; it would be a tool for using international civil aviation as one of the potential sources for mobilizing revenue to fund climate-related activities of other industrial sectors; and it would lead to serious distortions in market relations resulting from the suppression of fast-growing airlines in developing countries and countries with economies in transition by promoting unfair competition, which obviously contradicted the spirit and letter of the Chicago Convention, as well as the UN SDGs.

21. The paper also set forth in detail the Russian Federation’s proposal, which was intended to establish a mechanism for mobilizing resources available to international aviation by introducing an environmental fee from States calculated as a flat charge rate per tonne of aviation fuel used for internal flights, in order to fund environmentally efficient aviation projects in developing States. It underscored that the proposed ACDM would be easy to administer, would entail a minimum of overhead costs, and would have a positive impact on emission reductions. Furthermore, it would be based on the voluntary participation principle, in line with the Chicago Convention. The Assembly was invited to consider the alternative draft Assembly Resolution appended to WP/387, which provided for implementation of a global MBM scheme based on the ACDM.

22. In affirming that his State’s proposed ACDM approach was the correct one to take, the Delegate of the Russian Federation recalled a recent statement made by Mr. Keven Anderson, the Deputy Director, Tyndall Centre for Climate Change Research, to the effect that CORSIA would be dangerous to the environment and would lead to a clear growth of CO<sub>2</sub> emissions worldwide. He noted that the Russian Federation’s views regarding the efficiency of the proposed ACDM were shared by over 80 different organizations that dealt with climate change.

23. The Delegate of Canada introduced WP/411 (*Views of Canada on the design of the global market-based measure*), which highlighted her State's strong support for addressing CO<sub>2</sub> emissions from international civil aviation through a basket of measures, one element of which was a global MBM scheme. Canada remained focused on the importance of that measure achieving a robust environmental outcome, while recognizing the need to both reflect differences in capabilities and respect the principle of non-discrimination. Canada recognized that the draft Resolution on a global MBM scheme in WP/52 was a product of significant efforts at compromise and that the elements would work only when taken together as a package. It was Canada's belief that the package was balanced and reflective of the multiple perspectives of various States and did not reflect any one State's or group of States' view of an ideal outcome. In thanking Member States for their constructive efforts and hard work, particularly since the last Assembly, Canada reiterated its intention to voluntarily participate in CORSIA from the outset in 2021 and continued to encourage all Member States to participate therein as early as possible.

24. The Delegate of Chile presented WP/428, which set forth his State's views on the ongoing technical work of the CAEP in the development of MRV, EUCs and registries for the proposed global MBM scheme (WP/52). Chile considered that all Member States should have access to discussions in the CAEP so that they could contribute to its discussions, particularly on the scheme's said three main design elements, which were to be developed by the Council, with the CAEP's technical contribution. Currently, access to CAEP's discussions was limited to CAEP Member States and Observers. It was underscored that that limitation was not specified in the CAEP's Directives nor in its Terms of Reference; rather, it was stipulated only in the terms of reference for using CAEP's secure portal. It was further emphasized that, taking into account that the Council should adopt the said design elements by 2018, and that it takes two consecutive CAEP cycles to have the right to vote, only 25 CAEP Member States (the maximum number of CAEP Members) would be able to fully participate in those discussions and that the remaining 166 Member States would not be able to intercede on these core elements, even if a Member State nominated an expert right after the Assembly.

25. Chile acknowledged the importance of confidentiality with respect to some substantive issues, such as ICAO aviation security audit results and commercial information. It therefore considered that such private information should be classified as "reserved", enabling the rest of the information to be made available to all Member States. Chile underscored that having access to the discussions and the elaboration of the MRV, EUCs and registries was not only consistent with the principle of transparency, but was also the right of any ICAO Member State, especially taking into account the fact that all States would have to implement the global MBM scheme. It was highlighted that Member States had access to other environmental Committees' discussions and documents, such as the Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO). Chile thus proposed the insertion of a new operative paragraph in the draft Resolution in WP/52 that would read along the following lines: "*Decided* that all of the discussions in the CAEP on the global MBM scheme and on MRV, EUCs and registries be accessible to all Member States of ICAO, unless the material in question had been classified as confidential;". Chile invited the Assembly to take its views into consideration for the CAEP's future CORSIA-related work

26. The Delegate of the United States presented WP/448 with set forth his State's views on the proposed global MBM scheme. While the draft Resolution thereon (WP/52) did not reflect the United States' preferred outcome on many of the scheme's elements, it was a carefully and delicately balanced package containing difficult compromises made on all sides to address the specific concerns of specific countries and groups of countries, and the United States therefore welcomed it and strongly endorsed its adoption by the Assembly. The following five important compromises were highlighted: first, the draft Resolution provided for voluntary participation in the pilot phase and first phase of the scheme, in order to accommodate the concerns of countries that did not want to base participation in those early years on

RTK, income per capita, or a combination thereof; second, the draft Resolution expanded the previously agreed exemptions to exempt from the second phase countries below .5 per cent of global RTK while encouraging those countries to participate in the scheme as soon as they were able to do so, which several States had already chosen to do; third, it included a provision which would allow States to opt-out of the pilot phase and first phase and was meant to encourage greater early participation by States that might still have concerns regarding the scheme's impacts; fourth, the draft Resolution laid out an approach for the full 15 years of the scheme, providing airlines with the information needed to plan for their businesses while also allowing for adjustments to the design based on the Council's comprehensive reviews, to take place every three years; fifth, it provided for a pragmatic approach to the distribution of offsetting requirements to operators, which would accommodate the differences in operators' growth rates while putting in place greater incentives for operators to reduce their own emissions over time, an issue which was particularly important for the United States.

27. The United States urged all Member States to join it in supporting the adoption of the draft Resolution on a global MBM scheme as contained in WP/52 to ensure that ICAO fulfilled the mandate provided by the 38th Session of the Assembly. This was an historic opportunity, and the international aviation industry had called on governments to adopt it. Furthermore, doing so would send a powerful signal to the world regarding the international aviation community's commitment to enable the sustainable growth of the industry while addressing its climate change impacts. The United States intended to participate in the global MBM scheme from the beginning and stood ready to collaborate with ICAO and other Member States to provide capacity building assistance to those Member States in need thereof in order to participate in the scheme. The ALAS initiative developed by Guatemala, Spain and the United States (WP/449) was an example of the United States' commitment to capacity building.

28. The Observer from IATA presented WP/153 Revision No. 1 (*Comments on the cost impact of a global carbon offsetting mechanism*) and /154 Revision No. 1 (*Phase implementation under the global MBM*). He highlighted that IATA, on behalf of the broader airline community, strongly supported the draft Resolution on a global MBM scheme in its present, carefully crafted form, as it considered that CORSIA would provide an effective measure to help address aviation CO<sub>2</sub> emissions while minimizing the risk of market or competitive distortion. In appreciating the hard work done by the Council and States in developing the draft Resolution, IATA found itself in a unique situation where broad support for CORSIA was being gained from many States, from the aviation industry, and importantly, from civil society, as clearly stated by ICSA in WP/206. IATA congratulated the more than 60 States which had signaled their intention to join CORSIA from the outset.

29. The airline community found itself in a very unusual situation in asking to be regulated on this matter. As it was necessary for the airline industry to pay close attention to costs, any proposal that involved additional costs was an issue for the industry. Many States had also raised questions in that regard. In its WP/153 Revision No. 1, IATA demonstrated that the associated cost to the industry, while significant, would be manageable when put in the correct context. The Assembly was invited to take that analysis into account when discussing the impact of CORSIA.

30. In its WP/154 Revision No. 1, IATA expressed support for the phased approach as contained in the draft Resolution as it considered that it would be an effective way to provide opportunities for differentiated application of CORSIA, while at the same time minimizing market distortion. IATA considered that CORSIA, if adopted as current drafted in WP/52, would complement the basket of measures already in place to ensure that the industry could address its growth in CO<sub>2</sub> emissions in the most efficient and cost-effective way, while enabling the continuation of its vital role in supporting the development of global society and the economy in a sustainable way. The Assembly was invited to take IATA's views into account during its deliberations on phased implementation of CORSIA to

accommodate special circumstances and respective capabilities (SCRC) while minimizing market distortion.

31. The Observer from ACI then introduced WP/155 Revision No. 1 (*Industry views on a global market-based measure for international aviation*) and WP/413 (*Industry views on voluntary participation in CORSIA*), both of which were co-presented by ACI, CANSO, IATA, IBAC and ICCAIA, representing the collective worldwide aviation industry. The co-presenters congratulated ICAO and its Member States for the tremendous work which had been undertaken by a wide range of experts since the last Assembly to give life to CORSIA. They strongly supported the Council's related proposal (WP/52) and were delighted with the broad support from 62 States, representing over 80 per cent of international aviation activity, which had now committed to join the scheme from its outset. The co-presenters encouraged other States to follow that example. They considered that the Council's proposal, as presented in WP/52, fulfilled many of the principles identified in WP/155 Revision No. 1, as it provided for differentiation without excessive market distortion in the most cost-effective manner possible. Stressing that time was of the essence, and that a sustainable future started now, the co-presenters underscored that in order for the Scheme to be implemented in an effective and timely manner, agreement on the key elements of CORSIA was needed at this Assembly. They underscored their commitment to collaborate closely with ICAO in the capacity building and outreach that would be necessary for all stakeholders across the sector to ensure the successful implementation of the scheme. In conclusion, the co-presenters emphasized that the adoption of CORSIA did not mean that the aviation industry would relax its efficiency improvements through technology and operational measures; on the contrary, it would remain steadfastly committed to pursuing those measures and called on all governments to join in those efforts. The co-presenters thus urged States to reach an agreement on CORSIA at this Assembly and asked them to demonstrate leadership in enabling the aviation sector to grow and support the world's economies.

32. The Observer from the World Bank presented WP/248 (*Support for adoption of the global market-based measure by the ICAO 39th Assembly*), which he framed as more of an offer to Member States than a technical or political paper. While the adoption of the global MBM scheme as part of a basket of measures would put international aviation in a leadership position in addressing climate change, it was important to acknowledge that should the Assembly adopt the draft Resolution, the task faced by Member States to develop and build the necessary infrastructure to comply with the requirements in the global MBM scheme would be new and would have an ambitious timeline. In the event that a lack of capacity and financial constraints hindered Member States' efforts to join the scheme in its early phases, the World Bank Group could play an important role as a development institution. It was recalled that, for the past 20 years, through its Climate and Carbon Finance Unit, the World Bank had played a pioneering role in developing and sustaining carbon markets, not only sourcing emissions on behalf of countries, but also working with client countries on market-readiness, MRV issues and building and linking registries. Currently, the World Bank was pioneering new instruments under the 2015 Paris Agreement. Should the draft Resolution on a global MBM scheme be adopted, the climate change team at the World Bank would stand ready to leverage its experience in the carbon markets and channel financial resources to support developing States in building the necessary capacity and infrastructure to comply with CORSIA. Discussions with the ICAO Environment Team on that partnership for capacity building had commenced, as had consultations with some Member States and other international organizations. The World Bank looked forward to a positive outcome from the Assembly so that it could finalize and formalize the scope of its said partnerships with the Secretariat and Member States.

33. It was noted that the following information papers had also been submitted: WP/431 (*Introducing emissions monitoring experiences for aviation in the Republic of Korea*) presented by the Republic of Korea; WP/443 [*Thailand voluntary emissions reduction (T-VER) program*] presented by Thailand; WP/163 [*A global market-based measure for international aviation – monitoring, reporting and verification (MRV), emissions unit criteria (EUC) and registries considerations*] presented by IATA;

WP/206 [*ICAO's global market-based measure (GMBM)*] presented by ICSA; WP/377 (*Elementos esenciales para un acuerdo global en MBM*) presented by ALADA; and WP/465 (*Plan de acción para la reducción de emisiones de CO<sub>2</sub> en la República Dominicana*) presented by the Dominican Republic.

## Discussion

34. In expressing support for the proposed global MBM scheme (CORSA) as presented in the draft Resolution contained in Appendix B to WP/52, the Delegate of Trinidad and Tobago underscored that it was very environmentally ambitious, provided clarity, and limited the administrative burden on participating States. He also endorsed the position expressed by the United States in WP/448 with regard to the approach to the distribution of offsetting requirements in Operative Paragraph 9 of the draft Resolution, and the position expressed previously by Singapore with regard to the treatment of Small Island Developing States (SIDS).

35. Reiterating the opening statement from the President of the ICAO Council that the eyes of the world were on the ICAO Assembly, the Delegate of Sweden stated that ICAO needed to respond to emerging issues, among these being climate change. Sweden urged the Assembly to agree on a meaningful global MBM scheme that would effectively deliver on the climate change-related global aspirational goal of CNG from 2020. A unique opportunity was at hand to agree on a credible, robust and effective system, CORSA, which would be the first-ever global sectoral CO<sub>2</sub> emission offsetting and reduction scheme, one that would also provide necessary certainty for the airline industry. The draft Resolution contained in WP/52 was the result of intensive negotiations and the relentless efforts of the President of the Council and the Secretariat, in this respect, were commendable. Throughout the negotiations, attempts had been made to be flexible and constructive in order to address concerns from other States or regions. In reiterating her State's support for the draft Resolution as a compromise solution, the Delegate of Sweden underscored that it had successfully achieved a fair balance between States with differing levels of economic and aviation development. She highlighted that Sweden, as one of the 44 ECAC Member States, had committed, in the Bratislava Declaration of 3 September 2016, to voluntarily participate in CORSA from its outset based on the current text of the draft Resolution. Noting, with pleasure, that more and more States were willing to participate in CORSA on a voluntary basis from the start, the Delegate of Sweden called upon other States to follow their example. She emphasized that Sweden, like the United States, stood ready, together with other States, to address any further needs of States for technical assistance and capacity building in order to be ready for CORSA's implementation, including the development of ICAO SARPs under the future global MBM scheme.

36. The Delegate of Nicaragua congratulated ICAO on its efforts to reduce CO<sub>2</sub> emissions from international aviation through a basket of measures comprising not only technical and operational improvements, such as performance-based navigation (PBN), infrastructure enhancements and sustainable alternative fuels but also now through the global MBM scheme proposed in the draft Resolution contained in WP/52. He underscored, however, that his State considered that the scheme's implementation mechanism needed to be elaborated upon in greater detail in the draft Resolution. The Delegate of Nicaragua noted that whereas the draft Resolution made reference to the 2015 Paris Agreement, the latter made no reference to international aviation as a source of carbon emissions. Nonetheless, as ICAO had taken up the issue of reducing CO<sub>2</sub> emissions from international aviation, Nicaragua considered that it should be addressed in the spirit of the Kyoto Protocol i.e. with differentiated actions and respect for ICAO's principles of non-discrimination and equal and fair opportunities to develop international aviation. It was of the view that further work was required in that regard.

37. The Delegate of Panama voiced support for WP/449 co-presented by Guatemala and Spain. He stressed the need to adopt, by the end of the Assembly, a Resolution that would present a clear and fair path which all could and would follow to address international aviation's CO<sub>2</sub> emissions through

the implementation of the proposed global MBM scheme. Reiterating that the spotlight was on the Assembly, he emphasized the importance of sending a clear message that the aviation sector was a responsible one that was taking action to meet the common goal of reducing CO<sub>2</sub> emissions in order to combat climate change.

38. The Delegate of Spain expressed appreciation and support for the work carried out by the Council to develop a global MBM scheme, in particular, its proposal for CORSIA as set forth in the draft Resolution appended to WP/52, which reflected the consensus achieved following lengthy and difficult negotiations. She emphasized that as the proposal was a compromise package aimed at accommodating the needs and interests of States and the aviation industry, it was necessary to accept it in its current form, without introducing additional changes which could upset the balance achieved.

39. The Delegate of Spain also endorsed WP/414 presented by Slovakia on behalf of the EU and ECAC Member States, of which Spain was one, which highlighted the need to implement a basket of measures to mitigate the effects of the aviation sector on climate change, a global environmental challenge. In addition, she highlighted the commitment of the collective worldwide aviation industry to attaining that objective as expressed in WPs/155 Revision No. 1 and /413 co-presented by ACI, CANSO, IATA, IBAC and ICCAIA. The Delegate of Spain also underscored the comments made by IATA in WP/153 Revision No. 1 regarding the cost impact of a global MBM scheme on airlines, and echoed and supported the views expressed ICSA in WP/206 regarding key elements to address in order to put CORSIA on an environmentally and economically solid footing and enhance its credibility, such as ensuring transparency and the high-quality of emissions units.

40. The Delegate of Spain highlighted the following six key aspects: first, that the Council's proposal for a global MBM scheme (CORSIA) (WP/52) enjoyed the support of the entire aviation industry, including manufacturers, airports and airlines; second, analysis demonstrated that the CORSIA-related costs could be borne by the aviation industry and, moreover, that the establishment of a single global MBM scheme would avoid the proliferation of much more costly and less efficient measures; third, this was an historic opportunity to be the first sector worldwide to achieve a comprehensive agreement on offsetting and reducing its CO<sub>2</sub> emissions; fourth, the Council's said proposal had already made it possible for 62 States, reflecting broad geographical representation from five continents, to communicate their intention to voluntarily participate in CORSIA from its outset; fifth, the draft Resolution appended to WP/52 fully reflected the consensus reached by the Council and had been analyzed through broad economic studies which had demonstrated CORSIA's viability; and sixth, the Council's proposal included review provisions which enabled future adjustments to be made to the scheme in order to ensure its effectiveness.

41. In conclusion, the Delegate of Spain stressed that the Assembly faced an historic challenge to achieve an agreement on a global MBM scheme (CORSIA) which would enable the aviation sector to meet the environmental responsibility to reduce its CO<sub>2</sub> emissions which society was asking of all sectors of the economy in order to combat climate change.

42. In expressing her State's support for WP/52, the Delegate of South Africa congratulated the Council and its President on the efforts made to develop the draft Resolution on a global MBM scheme, which reflected a compromise position. Noting, however, that much work remained to be done following the establishment of CORSIA, she indicated that South Africa was willing to participate in that further work, which should be carried out with the same spirit of cooperation that had prevailed over the past few months. The Delegate of South Africa congratulated the developed States which had volunteered to take the lead in implementing CORSIA, and all States which had communicated their intention to voluntarily participate in the scheme from its outset. She also expressed South Africa's support for the

periodic review of CORSIA implementation by the Council, which it considered to be crucial for the scheme's effectiveness.

43. The Delegate of Canada voiced her State's support for the draft Resolution as contained in WP/52 and its desire to move forward for its adoption.

44. Recognizing the need for a global MBM scheme as part of the basket of measures to achieve ICAO's global aspirational goal of CNG from 2020, the Delegate of Australia welcomed the commitment made by 62 States from 6 of ICAO's 7 regions, representing 83 per cent of international aviation activity, to join CORSIA from the start on the basis of the draft Resolution appended to WP/52. Recalling that Australia had already announced its intention to voluntarily participate in CORSIA from its outset, he emphasized that the voluntary commitments of so many major aviation States to participate in that global MBM scheme would ensure that it made a significant environmental contribution and minimized market distortions, while recognizing the special circumstances and respective capabilities of all States. The Delegate of Australia underscored that the proposed scheme provided certainty to the aviation industry to support the development of a robust carbon market and to proceed with confidence towards implementation. Australia encouraged other States to support CORSIA, as proposed in WP/52, in order to contribute to the continued sustainable development of the global aviation industry.

45. The Delegate of the United States noted that her State fully supported of the adoption of the draft Resolution as presented in WP/52. Remarking that it would be difficult to point to another issue at ICAO that had had more careful, thoughtful, and transparent consideration, she cited the many meetings that had been held on the issue of a global MBM scheme for international aviation over the last triennium, noting that there had also been countless informal multilateral and bilateral meetings thereon. The Delegate of the United States underscored that it had only been during the past summer that States had begun to make the difficult compromises needed to reflect the wide variety of views and interests represented in the Assembly. While those compromises had been difficult for the United States and for other States, they had enabled the overwhelming majority of countries to converge on the draft Resolution contained in WP/52. The enormous progress made should be a point of pride. Recognizing that no State, including the United States, had experience in implementing a global MBM scheme, she indicated that it was healthy to have concerns when taking such a big step. It was for that reason that ICAO had undertaken a thorough process, and States had included a number of important elements in the draft Resolution to provide confidence that there would be the opportunity to address any issues that might arise as States began to implement this first-of-its-kind scheme. The Delegate of the United States highlighted that the draft Resolution provided for strong periodic reviews that would analyze the impacts of the scheme, looking particularly at costs and potential market distortions, and for adjustments to be made to the scheme, as necessary – an important point.

46. Recalling that ICAO was founded on a commitment to equal and fair opportunities for all airlines, the Delegate of the United States emphasized that the proposed global MBM scheme would be adopted in a manner consistent therewith. Noting that industry representatives had repeatedly stated that they were ready, willing and able to implement the scheme, she indicated that their confidence should give the Assembly confidence that the time to adopt the global MBM scheme had arrived. It was clear that many States shared that confidence, as 62 States, representing some 83 per cent of international aviation activity, had already indicated their intention to voluntarily participate in the scheme from its outset – an overwhelming show of support for CORSIA. Underscoring that the world was waiting for the Assembly to take this historic step for the sustainable development of the international aviation sector, the Delegate of the United States invited other States to join the United States in adopting the draft Resolution as presented in WP/52.

47. Recalling that his State was one of the 44 ECAC Member States that had signed the Bratislava Declaration of 3 September 2016, the Delegate of Iceland underscored that it accordingly supported the draft Resolution on CORSIA as presented in WP/52. Iceland considered that the draft Resolution, which was the result of long and thorough deliberations, and compromises, was in line with the discussions held at COP21 in Paris in 2015, was well-balanced, and addressed the issue of a global MBM scheme in a responsible manner. It noted that the proposed scheme had the full support of the whole aviation industry, a rather unique situation, in its view. Iceland congratulated the many States that had committed to voluntarily participating in CORSIA from its outset, and called upon those States which had not yet done so to join in the scheme, on a voluntary basis, from the start and to announce their intentions before the end of the Assembly.

48. The Delegate of Cuba noted that her State acknowledged the work carried out by the Council since the adoption of Assembly Resolution A38-18 in order to develop a new Resolution on a global MBM scheme for international aviation that would achieve the broadest possible consensus. Cuba considered the resultant draft Resolution presented in WP/52 as a basis for an exchange of views that would enable the Assembly to move towards common ground. In this regard, Cuba supported WP/412, in which India, China and the Russian Federation proposed some changes to the said draft Resolution.

49. Reiterating that the said draft Resolution was the result of intensive discussions, and that all had worked hard and made concessions in order to reach the best common goal for aviation and the environment, the Delegate of Hungary emphasized that her State thus supported the draft Resolution as presented in WP/52, as a package deal.

50. In highlighting that his State likewise endorsed the said draft Resolution as a package deal, the Delegate of Switzerland underscored that it was the result of a tremendous amount of work undertaken during the past three years and that it reflected the spirit of compromise under which it had been developed. Switzerland firmly believed that the package provided an excellent basis for the implementation of CORSIA, the first global MBM scheme to cover an entire sector of the economy. Being aware of the fact that the perfect was the enemy of the good, Switzerland urged the Assembly to refrain from embarking on difficult discussions on the details of the draft Resolution's technical elements, which it considered should be deferred to the implementation phase of CORSIA.

51. The Delegate of Greece concurred with previous speakers that the time had arrived for the aviation community to respond to global climate change concerns and that the Assembly should demonstrate leadership by agreeing to a global MBM scheme for international aviation that would effectively deliver on the climate goals. Noting that much work had been undertaken at ICAO and regionally to reach a compromise on such a scheme that would be sustainable, balanced and credible, she indicated that Greece supported the resultant draft Resolution as presented in WP/52, as a package deal. The Delegate of Greece underscored that her State, along with all of the other ECAC Member States, were committed, through the Bratislava Declaration of 3 September 2016, to voluntarily participate in CORSIA from its outset. Greece was pleased that other States has also signaled their intention to participate in the scheme from the start, and encouraged as many States as possible to do so in order to ensure the highest possible coverage of CO<sub>2</sub> emissions from international aviation.

52. While expressing strong support for WP/52, the Delegate of Saudi Arabia wished to make the following remarks, which should be taken into account. Having listened with interest to the interventions of the Delegates of China, the Russian Federation and Qatar, inter alia, he underscored that States had gone to great lengths in order to reach a consensus, particularly with regard to CORSIA's voluntary nature, pilot phase and periodic review of its implementation. Those elements would build confidence and encourage States to join CORSIA. Noting, however, that CORSIA was based on the global aspirational goal of CNG from 2020, the Delegate of Saudi Arabia proposed that: the said global



aspirational goal be assessed periodically, taking into account the *Guiding principles for the design and implementation of market-based measures (MBMs) for international aviation* enshrined in the Annex to Assembly Resolution A38-18; and that States be given sufficient time to discuss issues of importance relating to CORSIA's implementation with a view to arriving at a consensus.

53. Referring to Operative Paragraph 7 e) of the draft Assembly Resolution contained in Appendix B to WP/52, the Delegate of Saudi Arabia suggested that the language decided upon at the Friends of the President Informal Group Meeting (Montréal, 22-23 August 2016), "opt-in" and "opt-out", be used instead of the current text, as "participate" or "discontinue voluntary participation" might have a different connotation. With regard to Operative Paragraph 5 *bis*, he observed that one of the elements of the basket of measures was sustainable alternative fuels, whose use affected the other elements. The Delegate of Saudi Arabia stressed that any assessment of the implementation of all of the elements of the basket of measures must be exhaustive and take into consideration the impact on safety and environmental integrity, particularly with respect to the lifecycle of sustainable alternative fuels. The Delegate of Saudi Arabia proposed the deletion of Operative Paragraph 5 *bis* in order to limit the subject to the contents of WP/49 on the other elements of the basket of measures.

54. The Delegate of Costa Rica highlighted his State's rich biodiversity, a resulting of its location in the tropics and its geography, and elaborated on the management of its biological resources, in particular, the conservation of its forests in view of the important ecological services they provided, including carbon sequestration. He underscored that some 50 per cent of Costa Rica's GDP came from eco- and adventure-tourism, which gave added impetus to its conservation efforts. In also outlining his State's efforts to develop renewable resources, the Delegate of Costa Rica emphasized that it aspired to be a carbon-neutral country with zero net GHG emissions annually between now and 2100.

55. Noting that his State communicated its message of environmental protection in all relevant international fora, the Delegate of Costa Rica emphasized that it warmly welcomed the proposal for a global MBM scheme for international aviation as set forth in WP/52, which was consistent with the position taken by Costa Rica at COP21. He recalled that Costa Rica had actively participated in the negotiations at that Conference which had culminated successfully with the adoption of the 2015 Paris Agreement. The Delegate of Costa Rica underscored that, in light of the foregoing, his State intended to voluntarily participate in the global MBM scheme (CORSIA) from its outset, and that it was fully prepared to actively participate in the various policy and technical committees which would be established for the analysis and implementation of the scheme. He stressed that Costa Rica's achievements meant that it could take on greater challenges with a view to further sustainable development. Its tradition of supporting multilateral efforts, commensurate with its capacities and resources, would facilitate the adoption of innovative measures to meet its commitments under the UNFCCC. The Delegate of Costa Rica emphasized that his State considered its said participation in CORSIA to be of great importance, especially as it received a high number of eco-tourists who came to visit its wilderness and protected areas. Costa Rica therefore urged other States which had not yet done so to also commit to voluntarily participating in CORSIA from the start, in defense of the global environment.

56. The Delegate of China expressed support for the President of the Council assuming a leadership role in addressing the issue of aviation and climate change, based on an approach that was open, transparent and Member State-driven. He also voiced support for WP/412, co-presented by India, China and the Russian Federation, and WP/234 presented by Brazil. The Delegate of China emphasized that the main goal of his State's participation in the deliberations on climate change-related issues at this Assembly was to resolve or reduce differences through dialogue, with a view to facilitating the reaching of a consensus on those issues. He recalled that developing countries, including China, had maintained all along that ICAO's climate response must be guided by global sustainable development goals and must

strive to address the imbalance in the development of international aviation. The Delegate of China underscored that work in that regard should earnestly borrow from, and reflect, the spirit of win-win cooperation and the nationally determined contributions (NDCs) in the 2015 Paris Agreement. It should fully embody the common but differentiated responsibilities (CBDR) of developing and developed countries, accommodate the special circumstances and respective capabilities of developing countries, and provide tangible assistance in the form of financial support, technology transfer and capacity building to Least Developed Countries (LDCs), Landlocked Developing Countries (LLDCs), as well as Small Island Developing States (SIDS).

57. Referring to the Council's proposed draft Resolution on a global MBM scheme (CORSIA) contained in WP/52, the Delegate of China highlighted that significant divergence of views still existed concerning some core issues, such as: clear recognition of developed countries' obligations in taking the lead in participating in the said global MBM scheme; the purpose and content of the evaluation of the market mechanism; arrangements for the scheme's second phase; distribution of offsetting obligations; MRV, emission units criteria, and registry system requirements. He emphasized that those different views could not and should not be avoided; rather, the Assembly should listen carefully to the views and concerns of all parties, in particular, those of developing countries. China had taken note that some States had officially replied to ICAO State Letter ENV 6/1-16/87 dated 9 September 2016 and expressed their intention to voluntarily participate in CORSIA from its outset i.e. 2021, without prejudice to the final outcome of the Assembly. The Delegate of China pointed out, however, that whether the said concerns and differences of view could be properly addressed would be crucial in determining whether consensus and a positive outcome on climate issues and a global MBM scheme could be reached at this Assembly. As such, it would be a pre-requisite for the parties concerned in ultimately deciding whether or not to join CORSIA.

58. Noting that many Member States, in particular developing countries, had not been able to participate directly in the deliberations on climate change-related issues and the development of a global MBM scheme which had taken place over the last three years, the Delegate of China underscored that, in order to achieve a positive result at the Assembly: ample time and opportunities for dialogue and consultations should be set aside so that they could contribute their wisdom and inputs to the decision-making process; and the Secretariat should establish a system to ensure that any resultant proposed amendments to the said draft Resolution contained in WP/52 could be fairly and comprehensively incorporated therein.

59. In emphasizing that China's aviation sector had always adhered to a green and low-carbon development philosophy, and that his State was a real actor in responding to climate change, the Delegate of China highlighted the following: that in the last five years, China's aviation sector had made a cumulative investment of over 13.5 billion RMB (excluding the purchase of new aircraft) and had implemented over 2 000 energy-efficiency and emissions-reduction projects; the fuel-burn and emissions per unit RTK had been steadily decreased, resulting in an average CO<sub>2</sub> reduction capacity of over 900 000 tonnes per year; and in May 2016, the Civil Aviation Administration of China (CAAC) had submitted to ICAO its updated voluntary State Action Plan detailing China's efforts and achievements with regard to energy conservation and emissions reduction. He underscored that, regardless of the final result of the climate change-related negotiations during the current Assembly, China would not waver in its determination to pursue green aviation development, and that its willingness to actively fulfil obligations commensurate with its national circumstances, capabilities and stage of development would remain unchanged.

60. The Delegate of China indicated that his State maintained that work done on limiting and reducing CO<sub>2</sub> emissions from international aviation should be guided by the principle of CBDR, under the framework of global climate governance. He emphasized that China stood ready to interact and consult

with all participants in the coming days to develop a balanced draft Resolution on a global MBM scheme and would strive to resolve differences through dialogue. China remained committed to making its contribution to pushing for a consensus-based outcome which would accommodate the concerns of all parties.

61. The Delegate of Finland noted that his State strongly supported the draft Resolution on a global MBM scheme (CORSIA) contained in WP/52 as it represented a balanced compromise which reflected elements proposed by countries from all parts of the world. Finland appreciated the efforts made by the President of the Council in order to find an acceptable way forward, as well as the hard work done by the technical experts in that regard. Reiterating that the eyes of the world were on the Assembly, the Delegate of Finland emphasized the need for States to unite, for the sake of not only the environment but also the international aviation community. Underscoring that sustainability was the latter's license to grow, he stressed that it would not be able to meet the global aspirational goal of CNG from 2020 without an agreement by the Assembly on a credible global MBM scheme. While Finland understood that many States wished to see their own priorities better reflected in the draft Resolution, it considered that the Assembly was a forum in which to consider the bigger picture and not such individual details, and that CORSIA could be fine-tuned later by the Council during its envisaged periodic reviews. Finland was convinced that the draft Resolution was the best way forward, and as an EU Member State stood ready to expedite CORSIA's implementation by offering technical assistance and other capacity building in order to guarantee that all States had an opportunity to join the common fight against climate change.

62. The Delegate of Peru expressed support, in general terms, for the said draft Resolution presented in WP/52. He noted that Assembly Resolution A38-18, together with the *Guiding principles for the design and implementation of market-based measures (MBMs) for international aviation* set forth in the Annex thereto, was an historic document which served as the basis for the current discussion on a global MBM scheme. Underscoring that, upon its adoption, the draft Resolution would supersede Assembly Resolution A38-18, he stressed the need to maintain the said Guiding principles by including them in the new Resolution as an Annex, in order to guide future work on the important and delicate issue of the global MBM scheme. The Delegate of Peru recalled, in this regard, that the said Guiding principles had been deleted from the Council's draft Resolution on climate change presented in WP/49, which had been discussed by the Committee at its previous meeting (EX/2). On a final note, the Delegate of Peru voiced full support for WP/428, in which Chile requested that relevant information related to the CAEP's future technical work on CORSIA be made available to all Member States, in particular, information related to monitoring, reporting and verification (MRV), emissions unit criteria (EUC), and registries.

63. The Delegate of France endorsed WP/52 presented by the Council, as well as WP/414 presented by Slovakia on behalf of the EU and ECAC Member States, of which his State was one. In addition, he voiced support for the proposals made by Guatemala and Spain (WP/449), Indonesia (WP/211 Revision No. 1), Malaysia (WP/343), Canada (WP/411) and the United States (WP/448), and the interventions made by South Africa, Australia, Saudi Arabia, Costa Rica and Peru. The Delegate of France underscored that the draft Resolution on a global MBM scheme contained in WP/52 was the result of many years of hard work and represented a good compromise on the part of all States which had already garnered very broad support. Proof thereof was the commitment already made by 62 States, of a wide diversity in terms of geographical origin and level of development, to voluntarily participate in the scheme from its outset. In emphasizing that international civil aviation could not be the only economic sector to refuse to combat climate change, he noted that the collective worldwide aviation industry itself was urging States to reach an agreement on CORSIA at this Assembly. Emphasizing that the eyes of the climate world were on it, the Delegate of France urged the Assembly to assume its important responsibility and to be ambitious, visionary and enthusiastic in making aviation history by adopting the draft Resolution whereby CORSIA would be established.

64. In voicing support for the draft Resolution as presented in WP/52, the Delegate of Italy reiterated that it represented a good compromise, many States having shown the necessary flexibility to accommodate the concerns of others so as to achieve a fair balance between States with different levels of economic development. He emphasized that the proposed Resolution provided for a credible, robust and effective global MBM scheme and should be seen as a package deal. The Delegate of Italy expressed pride in the commitment made by the 44 ECAC Member States, including his State, in the Bratislava Declaration of 3 September 2016, to voluntarily participate in CORSIA from its outset and congratulated all other States which had communicated their intention to also voluntarily participate therein from the start, underscoring that their participation would make CORSIA an effective tool with which to deliver on the climate change-related global aspirational goal of CNG from 2020.

65. The Delegate of Japan emphasized that his State, like many others, strongly supported the draft Resolution as presented in WP/52, which had been developed through a lengthy process of negotiations and mutual compromise. Japan considered that the draft Resolution was well-balanced, reflecting as many views as possible, and firmly believed that it would enable a successful outcome to be reached at the Assembly. Highlighting the urgent need to take action as soon as possible to combat the serious issue of climate change, Japan advocated the adoption and implementation of the said draft Resolution, which would demonstrate that ICAO and its Member States were taking concrete measures in that regard.

66. The Delegate of Ireland noted that, as one of the 44 ECAC Member States that had signed the said Bratislava Declaration on 3 September 2016, his State supported the adoption of the draft Resolution as set forth in WP/52, which was the culmination of years of work and which reflected a delicate balance between the different perspectives and various parameters of the proposed global MBM scheme. He noted while some States considered that the draft Resolution was too ambitious, others considered that it did not go far enough in promoting environmental objectives. The Delegate of Ireland found it encouraging that over 60 States had thus far declared their support for the proposed Scheme and had committed to voluntarily participating therein from its outset. Recalling that at COP21 (Paris, November/December 2015) world leaders had made very clear commitments to global actions to combat global climate change, and that the Conference had entrusted ICAO with the task of delivering an approach to tackling CO<sub>2</sub> emissions from international aviation, he emphasized that the opportunity was now at hand for ICAO Member States to respond to that challenge. Ireland, together with other ECAC Member States, recommended the adoption of the draft Resolution in its present form (WP/52) so that the aviation sector could demonstrate leadership by being the first sector to adopt binding global carbon emissions reduction targets. The Delegate of Ireland cautioned that achievement of that goal would be put at risk if the terms of the proposed scheme were reopened and renegotiated.

67. The Delegate of Turkey underscored that his State supported the draft Resolution as presented in WP/52, as it considered that it was the product of comprehensive and balanced compromises. Turkey appreciated the efforts made in that regard by the President of the Council, the Secretariat, led by the Secretary General, and Member States, and hoped that a consensus could be reached on the proposed global MBM scheme that would uphold environmental integrity and mark ICAO's leadership in this matter.

68. The Delegate of Bolivia (Plurinational State of) noted that his State always conveyed, in the various environmental fora, its position in strong defence of the rights of Mother Earth and had even proposed the creation of a Tribunal of Climate Justice. Bolivia understood the draft Resolution on a global MBM scheme (CORSIA) contained in WP/52 to mean that all States and their airlines had to assume their environmental responsibilities, which translated into individual and collective obligations which could not be whittled down during negotiations. It was thus necessary to closely monitor the environmental impacts of CORSIA's implementation to ascertain the scheme's benefits, as well as the

level of transparency of the mechanisms for its implementation. Bolivia recognized the commitments made by developed States to support developing States in implementing CORSIA through, inter alia, technology transfer and capacity building, and noted that such assistance would also enable the developing States to effectively fulfil the similar commitments they had made to reduce their CO<sub>2</sub> aviation emissions by means of the first three elements of the basket of measures i.e. technologies, operational improvements and sustainable alternative fuels. Bolivia considered that this would avoid unjust discrimination and restrictions in the development of their respective aviation industries.

69. Recalling that under Article 6 of the 2015 Paris Agreement States were to take mitigation and adaptation actions, the Delegate of Bolivia (Plurinational State of) requested that the Assembly support the proposals put forward in WP/262, presented by the Dominican Republic on behalf of the 22 LACAC Member States, of which his State was one, and, inter alia, earmark resources for the expansion and improvement of States' environmental assistance projects for the development and implementation of emissions reduction Action Plans and of MRV systems. He noted that his State agreed with Peru that the *Guiding principles for the design and implementation of market-based measures (MBMs) for international aviation* set forth in the Annex to Assembly Resolution A38-18 should be included, as an Annex, in the draft Resolution contained in WP/52 as they provided conceptual support of CORSIA. Bolivia also endorsed the request made by Chile in WP/428 that information related to the CAEP's future technical work on CORSIA be made available to all Member States, in particular, information related to MRV, EUC, and registries.

70. In his introductory remarks, the Delegate of India wished to support WP/234 presented by Brazil and WP/387 presented by the Russian Federation, as well as the remarks made by the Delegations of Saudi Arabia, Cuba, South Africa and China. While appreciative of the Council's initiative to present a draft Resolution on a global MBM scheme to the 39th Session of the Assembly, India had certain concerns regarding WP/52 which it had expressed earlier, in different fora. WP/412, co-presented by India, China and the Russian Federation, covered some of these concerns, and it was hoped that the time available during the Assembly would be used to deliberate on these concerns and address them amicably.

71. Significant progress had been made under COP21, which was important to recognize and to follow those principles in the agreement which the Assembly of ICAO was trying to achieve. First and foremost, India's concern was that the 2015 Paris Agreement did not mandate CNG specific to a particular sector and particularly not by 2020, as was being proposed by CORSIA. This raised concerns about CNG 2020 being used as the basis of the carbon offsetting scheme. India was of the view that this would be regressive and would hurt the aviation sector, particularly in the developing countries where the aviation sector had not yet matured and was growing apace. Therefore, India did not agree with freezing of the carbon emissions for international aviation at the 2020 level as no such restrictions had been imposed in any sector under the Paris Agreement. The Paris Agreement clearly recognized that developing countries had not yet reached their peak emissions and that it would take longer for them to reach their peak emissions. The downward pull exerted by the global MBM mechanism would reduce the ability of developing countries, such as India, by demanding greater economic burden to follow the growth paradigm enjoyed developing countries. India's view was that the proposed global MBM scheme was a form of taxation on all growth in international aviation beyond 2020, something that had a potentially devastating effect on aviation development of developing countries where aviation activities had just been trying to take off and were on a high growth path. A periodic review should include this aspect, as well.

72. As a stated policy of its government, India had always maintained that differentiation should only be based on the principles of CBDR and SCRC. Under the Paris Agreement, it had been clearly stated that the developed countries would take the lead in emissions reduction because of their

historical responsibilities. It was, therefore, expected that in the course of the pilot phase and in the first phase of CORSIA implementation, a leading role would be taken by the developed countries. India, therefore, suggested that paragraph e) of Operative Paragraph 7 of the draft Resolution in WP/52, should explicitly contain the words “while recognizing that developed countries will take the lead”.

73. The Delegate of India stressed that it was important to recognize that ICAO was trying to test and evaluate a global MBM scheme which had not been implemented in any sector globally and that there were going to be unforeseen outcomes. The environmental and economic impacts of the scheme were as yet unknown. In this absence of any reliable data, without much analysis and discussions, without transparent presentation of the facts and figures, the scheme was relying on projections and speculations. The role of the global MBM scheme in emissions reduction was yet to be proven through scientific means. It was therefore important that the pilot and the first phase be done on a voluntary basis. India fully supported the proposal on these two phases as contained in WP/52, as this fully complied with the Paris Agreement. India suggested to allow the scheme to be tested as a global platform and let the evaluation of these testing phases be made available at the 42nd Session of the ICAO Assembly in 2025. It was understood that a lot of work was still required on the part of ICAO before a robust design of the global MBM scheme, which was proposed to be mandatory in the second phase, barring exemptions, was chosen. The ICAO Council should continue to work on the specific design elements of the scheme to be implemented in the second phase which, based on the evaluation of the pilot phase and the first phase, should be subsequently brought out. The Delegate of India reiterated that as per the principles of the Paris Agreement, the global MBM scheme should be based on nationally determined contributions (NDCs), and India was, therefore, concerned about the specific design elements of the second phase, at this stage. Lastly, the Delegate of India wished to draw attention to ICAO Assembly Resolution A36-22 (*Consolidated statement of continuing ICAO policies and practices related to environmental protection*), Appendix L (*Market-based measures, including emissions trading*), wherein it was agreed that the principles of mutual agreement and consensus would be the basis of any emissions trading system. This principle should be adhered to in ICAO, especially in view of the Paris Agreement, which explicitly recognized the principle of consensus rule and followed the inclusive and transparent process with a multilateral approach. It was, therefore, appropriate for any global MBM scheme for international aviation emissions adopted by the Assembly to honour that rule.

74. The Delegate of Mexico, Mr. R. Kobeh González, a former President of the ICAO Council who had since been appointed the *Lifetime Goodwill Ambassador of ICAO*, reiterated that it was very promising that 62 States, representing some 83 per cent of international aviation activity, had already indicated their intention to voluntarily participate in the proposed global MBM scheme (CORSIA) from its outset. He noted that it was also encouraging to hear the many expressions of support for the efforts of the Council and its President, Member States, the aviation industry, environmental NGOs and other stakeholders, both at the policy level and technical level, in discussing various approaches to a global MBM scheme, bridging different views and ultimately formulating the draft Resolution presented in WP/52, as highlighted earlier by the Chairperson. The Delegate of Mexico thus joined the vast majority of speakers in voicing support for the said draft Resolution on a global MBM scheme. He noted that it might have been possible to have already reached a consensus if the issue had not been so complex. Recognizing, however, that it was not easy to reach a consensus thereon at the present stage, the Delegate of Mexico invited all Delegates who wished to protect the environment and ensure the sustainable development of aviation to make every effort to do so as soon as possible. The Delegate of Mexico noted, in this regard, that there were many other important technical, legal, economic and administrative issues to be dealt with by the Assembly when the Commissions presented their reports to the Plenary for approval. He emphasized that the Assembly should, once again, place its trust in the Council, which it elected every three years, to shoulder its responsibilities and to further develop the global MBM scheme in line with the said draft Resolution, once adopted.

75. The Delegate of Thailand fully supported the Assembly's adoption of the global MBM scheme as presented in WP/52, and its subsequent implementation, in order to strengthen global efforts to reduce CO<sub>2</sub> emissions from international aviation. In underscoring that Thailand was committed to voluntarily participating in CORSIA from its outset, he emphasized that technical assistance and capacity-building support from the international community and experienced States were considered essential for its effective implementation of the scheme. The Delegate of Thailand suggested that the methodology for both data collection and calculation be developed in a more simplified manner. Recalling that Thailand had been implementing its Voluntary Emissions Reduction (T-VER) Program since 2013 (cf. WP/443), he invited the Assembly to support the use of T-VER credits as offset credits for CORSIA.

76. The Delegate of Brazil noted that his State supported: WP/428, in which Chile requested that relevant information related to the CAEP's future technical work on CORSIA be made available to all Member States, in particular, information related to MRV, EUC, and registries; as well as WP/343, in which Malaysia advocated a balanced distribution of offsetting requirements and the avoidance of market distortions and discrimination against growing airlines, especially in developing countries. Brazil also endorsed the intervention by the Delegate of China, and emphasized the need for the Assembly to carefully take into consideration China's concerns regarding differentiation.

77. In expressing his State's support for WP/52, the Delegate of Germany highlighted the hard work that had been done over the last few years to develop the proposed global MBM scheme and emphasized that ICAO should not fail in establishing and implementing it in order to achieve a realistic and common goal for aviation and the environment. Germany considered that the proposal in WP/52 constituted a fair package and was thus ready to voluntarily participate in the global MBM scheme from its outset. It encouraged other Member States to do the same.

78. Having been involved for more than four years in the many discussions that had been held at various levels regarding a global MBM scheme, the Delegate of Singapore underscored that the greatest value of the whole process was that there was now a clear idea of what could and could not work and what could and could not garner the wide support of Member States. Averting that the draft Resolution contained in WP/52 was as good a compromise as could be achieved, he noted that it was reasonably ambitious in nature and that it had significant support from many Member States. Acknowledging, however, that the draft Resolution did not meet everyone's concerns, the Delegate of Singapore cited, as an example, the fundamental difference in view regarding the text relating to the responsibilities of developed and developing States. In suggesting that more time be given to address that concern, as well as the other concerns raised, he urged each Delegate, in deciding whether or not to support the draft Resolution, to keep in mind that there was no perfect solution that would achieve all goals, and to also keep in mind the larger picture, the larger goal, and the larger good that ICAO was trying to achieve through this initiative. It was Singapore's view that the draft Resolution, largely as presented, was worthy of support and that it would be a shame if the Assembly concluded without it having been adopted.

79. The Delegate of Argentina indicated that it was her State's understanding that climate change was one of the greatest challenges confronting humanity and required the joint action of all States. In that regard, Argentina acknowledged the work carried out by ICAO and its Member States, in cooperation with the aviation industry, and supported the global MBM scheme for international aviation (CORSIA) presented in the draft Resolution contained in WP/52. Argentina considered that the development and implementation of CORSIA should take place within the framework of the principles and provisions of the UNFCCC and the Paris Agreement, in particular, the principle of common but differentiated responsibilities (CBDR) and respective capabilities of States. Argentina thus agreed with the explicit insertion of those principles in the Preamble and Operative Paragraph 4 of the said draft Resolution. Argentina supported the phased approach which would allow for the gradual implementation

of CORSIA. In addition, Argentina underscored the importance of the envisaged review process for assessing all of the aspects related to CORSIA's implementation from its outset and analyzing possible market distortions that might be generated. It further emphasized that in no case should the adopted measures: create market distortions in the international traffic to and from developing countries; be detrimental to the growth of developing countries' aviation markets; or be prejudicial to developing countries' international trade. Argentina thus considered that it would be appropriate to assess in particular the impact of CORSIA on the transport of air cargo. Argentina hoped that the result of the current negotiations would make it possible to have full implementation of Article 3, paragraph 5, of the UNFCCC so that States would not, on the basis of environmental arguments, resort to unilateral actions which would affect trade of developing countries. It was Argentina's understanding that what had been agreed in the draft Resolution in WP/52 did not prejudice the outcome of negotiations under the UNFCCC, the Paris Agreement, or other international agreements, and that it did not set a precedent for any other carbon offset mechanism to be applied to other means of transport.

80. The Delegate of The former Yugoslav Republic of Macedonia observed that the greatest threat to the aviation industry and the world was the belief that someone else would save them from the impacts of climate change. Having invented aviation, it was necessary for humankind to protect it by changing its own mindset with regard to climate change and the world of aviation. The former Yugoslav Republic of Macedonia strongly supported the Council's draft Resolution on a global MBM scheme, which it considered to be a carefully drafted, effective, and well-balanced package. As an ECAC Member State and thus a co-presenter of WP/414, The former Yugoslav Republic of Macedonia fully endorsed that whole package, in line with its commitment to support the development of the aviation sector while addressing the climate change-related goal of CNG from 2020, a global responsibility.

81. The Delegate of New Zealand indicated that her State welcomed WP/52 and was willing to accept and support the draft Resolution on a global MBM scheme as presented in Appendix B thereto, which it noted was a compromise that addressed many of the concerns raised by States. New Zealand had notified its intention to voluntarily participate in CORSIA from its outset based on the Resolution's current text. Highlighting that an overwhelming majority of States supported WP/52 as a compromise and as a package, and that many States, both developed and developing, were demonstrating their commitment by notifying ICAO of their intention to voluntarily participate in CORSIA from the start, New Zealand encouraged other States to do so. In emphasizing that ICAO had its own *Guiding principles for the design and implementation of market-based measures (MBMs) for international aviation*, as set forth in the Annex to Assembly Resolution A38-18, and that it was those principles which guided the Assembly in its current consideration of this subject, New Zealand cautioned that selective reference to the 2015 Paris Agreement distorted the balance which the Annex's text represented. It also underscored that the draft Resolution included review provisions that would provide the opportunity to learn from the implementation of the scheme and to make adjustments to the latter in order to enhance its effectiveness. New Zealand thus urged the adoption of the draft Resolution.

82. The Delegate of Namibia expressed her State's full support for WP/52, including the Council's proposed draft Resolution appended thereto. Namibia applauded the selfless example set by the 62 States that had decided to take the lead in implementing the global MBM scheme from its outset. She highlighted that, for the reasons articulated by the Delegate of South Africa for their leading role, and following their example, Namibia, despite its low level of international aviation activity, had submitted its own State Action Plan on CO<sub>2</sub> emissions reduction activities. The Delegate of Namibia indicated, however, that it was not yet clear whether her State would be voluntarily participating in the scheme from its start, with the other said States.



83. The Delegate of the Marshall Islands expressed his State's strong support for the adoption of the draft Resolution on a global MBM scheme contained in WP/52 without any amendments, highlighting that it was one of the countries most vulnerable to the impacts of climate change since it sat only two metres above sea level. While conceding that the draft Resolution was not perfect, he underscored that the document represented a very carefully balanced package. The Delegate of the Marshall Islands stressed that without that Resolution, and the international aviation sector and the other sectors playing their part, there would be no way to keep the global average temperature increase to 1.5°C as had been accepted at COP21, a goal that was critical for the survival of the Marshall Islands. His State could not afford to wait another three years for action and could not afford anything less than what was proposed in WP/52. The Delegate of the Marshall Islands cautioned that if action were delayed, the droughts that all were experiencing would become more frequent, the storms would become more intense, and the "king" tides, more severe. For these reasons, and despite its own economic constraints, the Marshall Islands not only supported the adoption of the draft Resolution as presented in WP/52 but also volunteered to participate in the global MBM scheme from its outset. It expected that that every other signatory of the 2015 Paris Agreement i.e. all Member States present at the Assembly, would do the same.

84. The Committee agreed to resume consideration of this Agenda Item at its next meeting.

85. The meeting adjourned at 1215 hours.



**Minutes of the Fourth Meeting**  
(Thursday, 29 September 2016 at 1400 hours)

**SUBJECTS DISCUSSED**

2. Agenda Item 22: Environmental Protection – International Aviation and Climate Change – Policy, Standardization and Implementation Support (*Section on Global Market-based Measure Scheme*) (continued)

— *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global market-based measure (MBM) scheme*

— Paper presented by Slovakia on behalf of the European Union (EU) and its Member States and the other Member States of the European Civil Aviation Conference (ECAC)

— Paper presented by India, China and the Russian Federation

— Paper presented by Guatemala and Spain

— Paper presented by Qatar

— Paper presented by Indonesia

— Paper presented by Brazil

— Paper presented by Malaysia

— Paper presented by the Russian Federation

— Paper presented by Canada

— Paper presented by Chile

— Paper presented by the United States

— Paper presented by the International Air Transport Association (IATA)

— Paper presented by Airports Council International (ACI), the Civil Air Navigation Services Organisation (CANSO), IATA, the International Business Aviation Council (IBAC) and the International Coordinating Council of Aerospace Industries Associations (ICCAIA)

— Paper presented by the World Bank

— Information paper presented by the Republic of Korea

— Information paper presented by Thailand

— Information paper presented by IATA

— Information paper presented by the International Coalition for Sustainable Aviation (ICSA)

— Information paper presented by the Asociación Latinoamericana de Derecho Aeronáutico y Espacial (ALADA)

— Information paper presented by the Dominican Republic

3. Agenda Item 16: Aviation Security – Policy

*Adoption of United Nations Security Council Resolution 2309 (2016)*

*Global framework*

- *ICAO Comprehensive Aviation Security Strategy (ICASS)*
- *Establishment of a Global Aviation Security Plan*
- *Consolidated statement of continuing ICAO policies related to aviation security*

*Strategic policy priorities for the next triennium*

- Paper presented by the United States
- Paper presented by Slovakia on behalf of the EU and its Member States and the other Member States of ECAC

*Cybersecurity*

- *Addressing cybersecurity in civil aviation*
  
- Paper presented by Argentina, Belgium, France, Guyana, Lao People's Democratic Republic, Namibia, Nauru, Nepal, the Netherlands, Nigeria, the Republic of Moldova, the Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Switzerland, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, the United Arab Emirates and the United Kingdom
- Paper presented by the United States and by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC and draft Resolution EUROCONTROL
- Paper presented by CANSO
- Paper presented by ICCAIA
- Information paper presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC and by EUROCONTROL
- Information paper presented by the Dominican Republic
- Information paper presented by the United States

*Landside security*

- Paper presented by the Russian Federation
- Paper presented by ACI

*Annex 17 and related guidance material*

- Paper presented by India
- Papers presented by the Russian Federation

*Measures to mitigate the insider threat*

- Paper presented by the United States
- Paper presented by the African Civil Aviation Commission (AFCAC) on behalf of African States

## SUMMARY OF DISCUSSIONS

### **Agenda Item 22: Environmental Protection – International Aviation and Climate Change – Policy, Standardization and Implementation Support** *(Section on Global Market-based Measure Scheme)*

1. The Executive Committee resumed (EX/2 and /3) its consideration, under Agenda Item 22, of the issue of a global MBM scheme for international aviation, documented in WP/52 presented by the Council and related papers presented by States and international organizations.

2. All Delegates who took the floor expressed appreciation for the tremendous efforts made since the 38th Session of the Assembly by the President of the Council, the Secretary General and the Secretariat, as well as by the Environment Advisory Group (EAG) and the Committee on Aviation Environmental Protection (CAEP), which had culminated in the draft Assembly Resolution on a global MBM scheme (CORSIA) set forth in Appendix B to WP/52, which reflected a compromise position.

3. The Delegate of Egypt indicated that although his State was among those developing countries that had certain concerns regarding the global MBM scheme's possible negative impacts, it supported the draft Resolution, notably Operative Paragraph 7 thereof on the use of a phased implementation for CORSIA to accommodate the special circumstances and respective capabilities of States, in particular developing States, while minimizing market distortion. The Delegate of Egypt also highlighted: Operative Paragraph 16 *bis*, whereby the Assembly determined that the CORSIA or any other scheme decided by the Assembly is to be the market-based measure applying to CO<sub>2</sub> emissions from international aviation, thus ensuring that there would be no duplicative application of MBMs beyond CORSIA; and Operative Paragraph 15, in which the Assembly decided on the need to provide for safeguards in the CORSIA to ensure the sustainable development of the international aviation sector and against inappropriate economic burden on international aviation, and requested the Council to decide the basis and criteria for triggering such action and identify possible means to address those issues. He noted that Egypt considered that some of the revenue arising from the purchase by aircraft operators of emissions units generated from ICAO's global MBM scheme or from mechanisms established under the UNFCCC and the Paris Agreement should be allocated to developing States, including Small Island Developing States (SIDS). In conclusion the Delegate of Egypt endorsed the comments previously made (EX/3) by South Africa.

4. The Delegate of Sierra Leone lent his support to the draft Resolution.

5. Noting that his State had supported the main components of the proposed global MBM scheme from the very start, the Delegate of Chile emphasized that it endorsed the draft Resolution as it incorporated, in a balanced manner, all of the various concerns of States. Chile nevertheless considered that the text relating to the theoretical *de minimis* exemption should be improved so as to indicate that each time a State passed the established threshold it would be included in CORSIA. In its view, such inclusion should not be done on the basis of a State's individual share of international aviation activities in RTKs in year 2018 as currently specified in Operative Paragraph 7 d) of the draft Resolution. The Delegate of Chile endorsed the earlier interventions by the Delegates of Peru and Brazil.

6. Acknowledging that the draft Resolution was a compromise text, the Delegate of Kenya voiced strong support therefor, as was well as for the comments made by the Delegates of South Africa, Egypt, and all others who advocated its adoption. Observing that Operative Paragraph 7 f) thereof provided for a review by the Council of CORSIA implementation every three years, starting in 2022, he underscored that that should give comfort to the many States that were unclear as to the impacts that the calculations of offsetting requirements would have on them.

7. The Delegate of Nigeria noted that his State strongly supported the draft Resolution as it recognized that the impacts of CO<sub>2</sub> aviation emissions were real and that urgent action needed to be taken to offset and reduce those emissions. He agreed with the comments made by the Delegates of Egypt, Kenya, Sierra Leone, South Africa and the United States, among others, who had advocated adopting the draft Resolution as presented in WP/52. The Delegate of Nigeria also voiced support for those States which had notified their intention to voluntarily participate in the global MBM scheme from its outset and encouraged others to do so. In addition, he expressed support for the aviation industry, which also favoured the adoption of the draft Resolution, as ultimately CORSIA implementation rested with it.

8. The Delegate of Seychelles endorsed the draft Resolution, as well as the interventions by the Delegates of Kenya and Egypt, inter alia.

9. In also expressing support for the draft Resolution, the Delegate of the United Arab Emirates (UAE) highlighted that her State had officially notified its intention to voluntarily participate in CORSIA from its outset. Recalling the comments made earlier by the Delegate of Saudi Arabia regarding Operative Paragraph 7 e) of the draft Resolution relating to the opt-out option for those States which decided to voluntarily participate in CORSIA, she reiterated the importance of that opt-out option and requested that the Secretariat elaborate thereon as the use of the term “discontinue” did not fully explain whether the opt-out would be final or temporary. Referring to Operative Paragraph 9 and the issue of fast growers and early movers, the Delegate of the United Arab Emirates underscored the importance of conducting studies on the move from a sectoral approach to a dynamic approach for distribution of offsetting requirements, taking into consideration the economic impacts of the various stages. She endorsed the comments made by the Delegate of South Africa regarding periodic reviews by the Council of CORSIA’s implementation to ensure its effectiveness [cf. Operative Paragraph 7 f)]. The Delegate of the United Arab Emirates stressed the need to provide the requisite support to developing States in order for them to improve their aviation infrastructure, taking into consideration variations in terms of capacity. She recalled that the global MBM scheme was only proposed as a gap filler, and that it was still necessary to make further progress in implementing all elements of the basket of measures. In reiterating an earlier comment by the Delegate of Singapore to the effect that a Resolution on a global MBM scheme for international aviation adopted by the international community would make things better and easier for all stakeholders, the Delegate of the United Arab Emirates urged all Delegates to cooperate and work together to enhance the proposed global MBM scheme.

10. In voicing support for the draft Resolution, the Delegate of Burkina Faso noted that although it was not perfect, it encapsulated the goodwill of all States. Moreover, political will had been manifested through the statements of politicians and the Secretary-General of the United Nations, Mr. Ban Ki-moon. Given the underlying context of ICAO’s *No Country Left Behind* (NCLB) initiative and the fact that the Council would conduct periodic reviews of CORSIA implementation, the Delegate of Burkina Faso expressed confidence that there would be no losers as a result of the global MBM scheme. He therefore joined previous speakers in advocating adoption of the draft Resolution.

11. The Delegate of Cameroon also lent support to the draft Resolution, and endorsed the interventions by the Delegates of South Africa, Egypt, Nigeria, Kenya, Burkina Faso and the United Arab Emirates. While recognizing the enormous efforts made to develop the Resolution’s compromise text, he underscored that much work on the global MBM scheme remained to be done at future Assemblies. The Delegate of Cameroon expressed the hope that all States would limit themselves to implementing only CORSIA, without any additional measures, following the Resolution’s adoption. He encouraged those States having the necessary capacity and resources to participate in CORSIA on a voluntary basis as soon as possible.

12. In welcoming the intention of 62 States representing 83 per cent of international aviation activity to voluntarily participate in CORSIA from its outset, the Delegate of Belgium indicated that she was convinced that the decision to be taken at the 39th Session of the Assembly was on an acceptable package deal for the international aviation community. The draft Resolution provided the definition of all of the key elements of the global MBM scheme from the beginning, ensured a level playing field for the aviation industry, and included solid capacity building provisions. The Delegate of Belgium shared the view that the draft Resolution presented by the Council was an adequate, carefully balanced compromise and the best agreement that could be offered to the world at this stage. She therefore fully supported the draft Resolution's adoption.

13. Sharing the views expressed by previous speakers who supported the draft Resolution, the Delegate of Poland maintained that although it was not perfect for all, it was sufficiently balanced to warrant adoption. He noted that as Poland had recently undergone an economic transformation it understood the concerns of other States. It was of the view, however, that the draft Resolution contained elements which should meet the needs of emerging markets. Poland thus considered that the time was right to achieve a global agreement on climate change, including a global MBM scheme for international aviation.

14. The Delegate of Austria reiterated that the draft Resolution was well-balanced and covered the different needs of States. She noted that the proposed use of phased implementation for CORSIA, which included voluntary phases, would facilitate State participation in the global MBM scheme. The Delegate of Austria underscored that in order to reach a reliable environmental solution it was important that as many States as possible voluntarily participate therein from the outset and announced that Austria, an ECAC Member State, would be one of those States, pursuant to the Bratislava Declaration of 3 September 2016. She emphasized that to maintain the mandatory second phase, it would be necessary, for the credibility of the whole aviation sector, to ensure that the exemptions which currently existed in the draft Resolution text were not extended. In this regard, capacity building activities would also play an important role and would have to be further developed. The Delegate of Austria noted that another important element of the draft Resolution was the route-based approach, which would help to minimize market distortion between aircraft operators on the same routes. In concluding, she voiced strong support for the draft Resolution and underscored the need for the Assembly to take a common decision thereon, for the sake of future generations.

15. Remarking that climate change was one of the biggest global challenges in generations, the Delegate of the United Kingdom noted that the need to tackle CO<sub>2</sub> emissions in a globally-coordinated way was widely recognized. In emphasizing that aviation had to play its part, he underscored that the eyes of the world were on ICAO and expectations were very high. It was thus necessary for this Assembly to take action. As Observers from the aviation industry had indicated during the discussions, they were in agreement with the draft Resolution, which, once adopted by the Assembly, would give the aviation industry the certainty it needed to invest. The credibility of ICAO and its Member States on this issue was at stake. Under the strong leadership of the President of the Council, every State had worked hard for a long time to arrive at the draft Resolution text presented in Appendix B to WP/52. Many States, including the United Kingdom, had been willing to make difficult compromises at times in order to forge global agreement thereon. The Delegate of the United Kingdom thanked all States that had shown such pragmatism.

16. The Delegate of the United Kingdom agreed with the many Delegates, from both developed and developing States, who had stated that the draft Resolution set forth in WP/52, while not perfect, represented a package that they could accept. He confirmed that the United Kingdom, an ECAC Member State, intended to voluntarily participate in CORSIA from its outset on the basis of the draft Resolution and in accordance with the Bratislava Declaration of 3 September 2016. The Delegate of the

United Kingdom congratulated all States, especially developing States, that had volunteered to participate in CORSIA from the start. Emphasizing that obtaining the agreement of 62 States representing 83 per cent of international aviation activity to voluntarily participate in CORSIA from its outset was a major achievement, he stressed that it should not be put at risk. The Delegate of the United Kingdom encouraged more States to voluntarily participate in the global MBM scheme, supported as necessary by technical assistance and capacity building, in order to give a clear signal of their shared determination to address the environmental impacts of aviation CO<sub>2</sub> emissions on the planet.

17. The Delegate of Norway highlighted that following the Twenty-first Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) (COP21) (Paris, November/December 2015), there were significant expectations on the part of the international community, civil society and the public at large that the current Assembly would deliver a result that would send a clear signal that ICAO and the international aviation sector would do their fair share of the efforts that needed to be done globally to mitigate climate change. It was therefore necessary for Delegates to agree on a credible, robust and effective global MBM scheme for international aviation, CORSIA, which would be the first global sectoral CO<sub>2</sub> emissions offsetting and reduction scheme. That was why it was so important that the proposed CORSIA deliver on the climate objectives. A critical point had been reached and it was necessary to meet this shared challenge in order to preserve the legitimacy of the international aviation sector, as pointed out by many previous speakers.

18. The Delegate of Norway reiterated that the draft Resolution proposed by the Council was the result of intensive discussions, and that all States had worked hard and made concessions in an effort to reach the best common goals for aviation and the environment. She recalled that throughout the negotiations Norway had been flexible in order to address concerns of other States and regions, particularly in order to achieve a fair balance. Norway considered that it was important to ensure clarity in the scheme's coverage, robustness, and the ability to learn and improve the scheme over time. It was also important that subsequent work was consistent with relevant decisions under the UNFCCC in order to ensure a high quantity of emissions reductions. While there clearly was more work to be done, it was necessary to take the first step and to find agreement on the draft Resolution's compromise text. In highlighting that her State, together with the 43 other ECAC Member States, had publicly announced in the Bratislava Declaration of 3 September 2016 their commitment to voluntarily participate in CORSIA from its outset, the Delegate of Norway welcomed the decision by other States to do likewise and encouraged as many other States as possible to do so before the end of the Assembly.

19. Recalling that Mozambique's geographical length stretched approximately 3 000 kms along the south-eastern Indian Ocean coast, the Delegate of Mozambique underscored that due to the effects of climate change, some of its cities were below sea level. Furthermore, flooding in the north of Mozambique and drought in the south were being experienced during the same season. Mozambique therefore fully supported the draft Resolution in view of its envisaged benefits for the environment, which would lead to a better world.

20. The Delegate of the Solomon Islands indicated that, as one of the SIDS, his State supported the continuation of ICAO's leadership in addressing environmental issues relating to international civil aviation, including greenhouse gas (GHG) emissions which gave rise to climate change. He emphasized that although the overall total CO<sub>2</sub> emissions from the Solomon Islands and the Pacific Island States, including from their aviation sectors, were negligible, they were experiencing the severe consequences of climate change brought about by CO<sub>2</sub> emissions from the industrialized countries. While commending the hard work done to develop the proposed global MBM scheme as set forth in the draft Resolution, the Delegate of the Solomon Islands underscored that if fairness and justice were anything that ICAO must go by, then the final details of CORSIA must take into account and accommodate the special needs and circumstances of the Solomon Islands and the Pacific Island States,



where aviation represented the most viable means of international transportation to support tourism, trade and commerce for their economies. The Solomon Islands therefore called for an exemption for all SIDS from the global MBM scheme in order to achieve a balance that would respond to the challenge of ICAO's NCLB initiative and connectivity in SIDS. In that regard, the Solomon Islands' support of the draft Resolution did not mean, in any way, shape or form, that ICAO could ignore its call to accommodate the special needs and circumstances of that State and the other Pacific Island States.

21. While noting that some States had raised concerns regarding the proposed global MBM scheme, questioning its reliability and effectiveness and requesting additional time to carry out studies that would provide proof thereof, the Delegate of the Republic of Moldova affirmed that CORSIA, which was the result of lengthy discussions, already incorporated the necessary elements and reflected both proactive and cautious views thereon. He thus fully supported the draft Resolution.

22. In also expressing support for the draft Resolution, the Delegate of Slovenia underscored that it constituted a good compromise and a good start for the next steps in the long but extremely necessary process to minimize aviation's carbon footprint.

23. The Delegate of Portugal highlighted that the draft Resolution had already received broad support from States all over the world and from the aviation industry through the lengthy bilateral and multilateral consultations that had been held under ICAO's auspices. He also recalled the statement made earlier (EX/3) by the Delegate of the Marshall Islands that meeting the 2015 Paris Agreement's goal of keeping global average temperature increases to 1.5°C was critical to his State's survival. Bearing in mind the Assembly's responsibility to address that matter, as well as all of the work that had already been carried out to develop the proposed global MBM scheme, the Delegate of Portugal strongly emphasized that now was not the time to reopen discussions on its key elements. He therefore moved that the Assembly adopt a credible, robust and effective global MBM scheme and agree on all key elements and the implementation phases for the full course of the scheme, including a roadmap for the development of the remaining elements which were needed for it to start operating in 2020 while ensuring non-discrimination between aircraft operators and equal treatment of all participants.

24. The Delegate of Portugal was fully conscious that, given the scheme's scope, not all States were ready to take early implementation action and that special circumstances and respective capabilities of States must be taken into account to the extent possible and consistent with the 2015 Paris Agreement. In Portugal's view, the scheme's pilot phase and first phase were the path to achieve a fair balance between States in different stages of economic and aviation development. Portugal, as a co-sponsor of WP/414 with the other 43 ECAC Member States, was fully committed to supporting ICAO's efforts to achieve consensus during this 39th Session of the Assembly on a global MBM scheme. In that regard, Portugal had endorsed the Bratislava Declaration of 3 September 2016, whereby all ECAC Member States committed to voluntarily participating in the scheme from its outset. The Delegate of Portugal encouraged those States that had not already done so to join the increasing number of States that had declared their commitment to voluntarily participate in CORSIA from its outset. In concluding, he voiced support for WP/428 (Chile), fully agreeing on the importance of making relevant information related to the CAEP's future technical work on CORSIA available to all Member States, in particular, information related to monitoring, reporting and verification (MRV), emissions unit criteria (EUC), and registries.

25. In emphasizing that his State was at the forefront of global climate change, the Delegate of Maldives stressed that any resultant sea level rise would cause it to disappear from the face of the Earth. The Maldives therefore supported the voluntary part of the draft Resolution on a global MBM scheme. It had concerns, however, regarding other parts of the draft Resolution, and thus endorsed WP/412 (India, China and the Russian Federation), as well as the interventions by the Delegates of China,

Saudi Arabia and India. The Maldives' concerns related mostly to the scheme's mandatory phase, which the draft Resolution did not set forth in sufficient detail. In its view, agreeing to the mandatory phase without prior knowledge of its details would create problems in the future. The Maldives was dependent on air transport, and anything that affected the latter affected its economy. Not wanting to be left behind, including economically, the Maldives considered that it was imperative that a Resolution on a global MBM scheme be reached that was fully in line with saving nature, saving its people, and saving its economy. In agreeing with the Delegate of Singapore that the Assembly could not conclude without the adoption of a Resolution on a global MBM scheme, the Delegate of the Maldives urged all Delegates to take an extra step closer to one another's position so that an understanding could be reached and a Resolution that was acceptable to all could be adopted.

26. The Delegate of Denmark voiced strong support for the draft Resolution as it constituted a fair balance between States with different levels of economic development and aviation development without market distortion and provided for a periodic review of CORSIA's implementation to evaluate its outcomes. He highlighted that Denmark, like the other 43 ECAC Member States, had committed itself, in the Bratislava Declaration of 3 September 2016, to voluntarily participate in CORSIA from its outset. In expressing pleasure that many other States had declared their commitment to do so, the Delegate of Denmark encouraged others to do so as well. He was also pleased to acknowledge the support of the aviation industry as a whole for the draft Resolution.

27. In view of the statement made by the Secretary-General of the United Nations, Mr. Ban Ki-moon, in his pre-recorded video message (P/1) that the world was long past the point of half measures, the Delegate of the Netherlands also voiced support for the draft Resolution as it demonstrated the leadership and responsibility necessary for the future of aviation and for the well-being of future generations. Expressing appreciation to the Delegates of South Africa, Mexico, Sierra Leone, Kenya, Nigeria, Seychelles and Burkina Faso and others for their encouraging interventions in support of the draft Resolution, he reiterated that it represented a fair balance between the various interests and positions of States that had been discussed over the past few years. The Delegate of the Netherlands underscored that it allowed for differentiation, as well as for periodic reviews to enable further improvement of CORSIA as deemed appropriate based on the results.

28. The Delegate of the Netherlands acknowledged the requests of various States to be involved in the development of CORSIA's technical elements, such as Chile's request in WP/428. Noting that the current approach in CAEP allowed for the active participation of all States, even those that were not CAEP Members, he offered the Netherlands' assistance in finding ways to make that approach work in practice. In also recognizing that technical support was an important condition for a number of States to be able to participate in the scheme, as expressed, for example, by Indonesia in WP/211 Revision No. 1, the Delegate of the Netherlands highlighted that his State was looking into practical ways of providing such support (financial and/or in-kind).

29. In concluding, the Delegate of the Netherlands affirmed that the draft Resolution was well-balanced, that the necessary conditions to make the global MBM scheme work had been met and that the information on its impact in terms of costs and environmental effectiveness were clear. He affirmed that there was consequently nothing to prevent the Executive Committee from recommending to the Plenary the adoption of the draft Resolution as presented in WP/52.

30. In joining the United Kingdom, Sweden, Portugal and the many other States that had spoken in support of the draft Resolution, the Delegate of Estonia noted that the fact that 62 States representing 83 per cent of international aviation activity had declared their intention to voluntarily participate in CORSIA from its outset was a clear sign that the Resolution could be adopted without any

changes. He urged all States which had not yet done so to make a similar declaration before the end of the Assembly.

31. The Delegate of Croatia expressed strong support for the adoption of the draft Resolution in its current form as it represented a clear compromise which would enable the achievement of the CO<sub>2</sub> aviation emissions reduction goals. He noted that Croatia was proud to share the commitment made by all ECAC Member States in the Bratislava Declaration of 3 September 2016 to voluntarily participate in CORSIA from its outset. In congratulating all other States that had volunteered to join the scheme from the start, the Delegate of Croatia called upon other States having the capacity to do so to do likewise.

32. Supplementing his previous intervention (EX/3), the Delegate of Argentina expressed support for WP/428 in which Chile requested that relevant information related to the CAEP's future technical work on CORSIA be made available to all Member States, in particular, information related to MRV, EUC, and registries. While aware that the Committee had agreed to suspend consideration of the draft *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change* (WP/49) until discussions on the issue of a global MBM scheme had been concluded, he wished to place on record that he agreed with the Delegates of Peru and Bolivia (Plurinational State of), inter alia, that the *Guiding principles for the design and implementation of market-based measures (MBMs) for international aviation* set forth in the Annex to Assembly Resolution A38-18 should be included, as an Annex, in the draft Resolution on a global MBM scheme contained in WP/52 as they provided conceptual support of CORSIA.

33. The Delegate of Papua New Guinea expressed full support for the said draft Resolution as work continued to achieve the global aspirational goal of carbon neutral growth (CNG) in aviation emissions from 2020. He emphasized that it was the result of a thoughtful, careful and delicately-balanced compromise, particularly for the SIDS in the Pacific which were grappling with climate change. While noting, with appreciation, Operative Paragraph 7 d) of the draft Resolution which exempted SIDS, as well as LDCs and LLDCs, from CORSIA's mandatory second phase, the Delegate of Papua New Guinea underscored that his State nevertheless intended to voluntarily participate in CORSIA from its outset.

34. In emphasizing that climate change was a global concern and that efforts to address it were of paramount importance, the Delegate of the United Republic of Tanzania voiced strong support for the draft Resolution which had been formulated through intensive discussions held with States and the aviation industry in various fora with a view to achieving consensus. Noting that some CORSIA elements were still being developed, he stressed the need to finalize them and to address concerns expressed on the importance of increasing participation in the global MBM scheme. The Delegate of the United Republic of Tanzania congratulated all States which had announced their intention to voluntarily participate in CORSIA from its outset.

35. The Delegate of Slovakia likewise voiced support for the draft Resolution. Noting that it also had the support of the aviation industry, which would be most affected by CORSIA implementation, he emphasized that it was now the responsibility of States to reach consensus thereon.

36. In highlighting the dramatic nature of climate change, the Delegate of Togo cited the rise in temperature, which in some areas exceeded the 1.5°C threshold accepted at COP/21 and embodied in the Paris Agreement. Emphasizing the need for the whole world to acknowledge the importance of limiting the increase in global average temperature to that threshold, he underscored that the draft Resolution on a global MBM scheme presented an opportunity to address climate change and safeguard the environment for future generations that should be seized. The Delegate of Togo commended all those Delegates who had spoken in support thereof, including the Delegates of South Africa, Burkina Faso, Nigeria, and Kenya. He also commended WP/412 (India, China and the Russian Federation).

37. In expressing full support for the draft Resolution as presented in WP/52, the Delegate of Jamaica noted that her State, which was confronted daily with the reality of the impacts of climate change, considered that it was a good basis on which to move forward and that it would be a positive addition to the 2015 Paris Agreement. Furthermore, its adoption would bring certainty to the aviation sector, which was of vital importance to Jamaica since tourism was one of its main income earners.

38. The Delegate of the Russian Federation voiced strong support for the statements made by China, India and Saudi Arabia, as well as for WP/428 in which Chile requested that that relevant information related to the CAEP's future technical work on CORSIA be made available to all Member States, in particular, information related to MRV, EUC, and registries. He then drew attention to WP/412 (India, China and the Russian Federation) which proposed certain changes to the draft Resolution, underscoring that the three co-sponsoring States represented a large proportion of the world's population. In stressing the need to achieve consensus on the draft Resolution in order to be able to effectively continue work on the global MBM scheme, he noted that its current text contained a number of concepts which still required clarification. The Delegate of the Russian Federation assured the Delegates of the Marshall Islands and Mozambique that the changes proposed in WP/412, which placed emphasis on CO<sub>2</sub> emissions reduction requirements rather than on offsetting requirements, would not lead to further increases in the sea level as a result of climate change. He cited, as an example, the proposed changes to Preambular Paragraph 14 of the draft Resolution to reflect the 2015 Paris Agreement, which would be revised to read as follows (cf. paragraph 2.3 of WP/412):

*“Whereas the UNFCCC and the Paris Agreement provide for mechanisms, such as the Clean Development Mechanism (CDM) and the mechanism of implementation of the nationally determined contributions (NDCs) on a voluntary basis established by paragraph 4, Article 6 of the Paris Agreement to contribute to the mitigation of GHG emissions while fostering sustainable development, which benefit developing States in particular;”*

In emphasizing that the proposed changes did not alter the meaning of Preambular Paragraph 14, the Delegate of the Russian Federation affirmed that it should be the basis for proceeding.

39. In expressing his State's unconditional support of the draft Resolution as presented in WP/52, the Delegate of Monaco underscored that its sovereign, Prince Albert II, like many other world leaders represented at the Assembly, was concerned about the future of the planet and expected the adoption of an effective and pragmatic global MBM scheme for international aviation. Observing that the Assembly was facing an historic challenge, he stressed that although the changes to the draft Resolution proposed in WP/412 were not devoid of substance, if the Assembly continued to focus on all of the outstanding issues then it would be shirking its responsibilities, as it had during the 38th Session in 2013. The Delegate of Monaco noted that the current discussion clearly showed that the draft Resolution contained in WP/52 was a consensus text which garnered the support of a very large number of Delegates. He cautioned that a non-decision on a global MBM scheme would be a terrible failure on the part of the Assembly and ICAO to deal with the global problem of aviation emissions which they alone could resolve. The Delegate of Monaco concluded with an appeal to Delegates to be equal to their joint responsibilities and to be ambitious and courageous in tackling the said problem.

40. The Delegate of the Dominican Republic highlighted that his State was committed to protecting the environment and thus supported the draft Resolution as contained in WP/52, which was the culmination of the Organization's efforts over the last three years to develop a consensus text through multilateral and bilateral consultations, the ICAO Global Aviation Dialogues (GLADs) and the recent High-level Meeting on a Global MBM Scheme. Reiterating the need for ICAO to send a positive and clear message to the international community, he underscored that the said draft Resolution offered an

excellent opportunity to do so as it enshrined the Assembly's commitment to protecting the environment through the establishment of a global MBM scheme for international aviation.

41. The Delegate of Sudan commended and supported ICAO's tireless efforts to protect the environment, particularly those relating to combatting climate change. Referring to the said draft Resolution, he indicated that Sudan shared Qatar's position with regard to recognizing early movers in CORSIA's design elements (WP/182) (EX/3), and endorsed the interventions by the Delegates of Saudi Arabia, the United Arab Emirates, Egypt and South Africa.

42. In expressing full support for the draft Resolution, the Delegate of Madagascar reiterated that it constituted a good compromise in order to make progress in addressing climate change through the establishment of CORSIA.

43. Noting that his State also supported the draft Resolution, the Delegate of the Republic of Korea underscored that it intended to voluntarily participate in CORSIA from its outset and invited other States to do so as part of the ongoing efforts to achieve the global aspirational goal of CNG from 2020.

44. The Delegate of Czechia indicated that his State was convinced that it was in everyone's interest that the Assembly adopt an effective global MBM scheme for international aviation and that the draft Resolution embodying the CORSIA concept represented the best solution to achieve that aim as it was the result of difficult but open and honest discussions, and constituted a balanced and reasonable compromise reflecting the interests of the many States and other stakeholders involved. Cautioning that reopening discussion of the Resolution's text could distort the balance and efficiency of the carefully-crafted CORSIA concept, he affirmed that the most appropriate approach for the Assembly to take was to endorse and adopt the draft Resolution as presented in WP/52.

45. In voicing full support for the compromise draft Resolution, the Delegate of Ghana stressed that all States, developed and developing, were responsible for protecting the environment for posterity's sake. He affirmed that with all their capabilities States would contribute towards CORSIA's successful implementation.

46. The Delegate of Latvia also expressed support for the draft Resolution, reiterating that it constituted a balanced compromise between States with different interests and levels of economic development. He took pride in the commitment made by his State and the other 43 ECAC Member States to voluntarily participate in CORSIA from its outset, as expressed in the Bratislava Declaration of 3 September 2016, and noted with pleasure that many other States had committed to do so.

47. In likewise voicing support for the draft Resolution, the Delegate of Romania reiterated that it was in everyone's interest to adopt the proposed global MBM scheme. She emphasized that that was an important and expected decision in aviation history and that Delegates should step together into this new era. Recalling her State's commitment, under the said Bratislava Declaration, to voluntarily participate in CORSIA from its outset, the Delegate of Romania strongly urged other States to do so.

48. The Delegate of Guatemala noted that his State strongly supported the global MBM scheme set forth in the draft Resolution as a compromise solution which could be adjusted during the envisaged periodic reviews of the scheme's implementation, and urged other States to do likewise. He highlighted that Guatemala had expressed its intention to voluntarily participate in CORSIA from its outset as it was committed to achieving the United Nations' Sustainable Development Goals (SDGs), it was a signatory of the 2015 Paris Agreement, and it was ranked as the tenth country most affected by extreme weather events from 1995-2014 in the *Global Climate Risk Index 2016*. The Delegate of

Guatemala emphasized that his State firmly supported all measures that would lead to environmental improvements globally.

49. In addition, the Delegate of Guatemala reiterated the request made in WP/225 (EX/2) for a higher level of representation of LACAC Member States in the CAEP and its various working groups, such as the Global MBM Technical Task Force (GMTF). He noted that, as one of the States which had supported the inclusion of the word “reduction” in the acronym for CORSIA, Guatemala endorsed a proposal made previously by Colombia whereby a percentage of the revenue arising from the purchase by aircraft operator of emissions units generated from that scheme would be specifically earmarked for emissions reduction activities being carried out in the aviation sector. In noting that although international aviation emissions currently accounted for less than 2 per cent of total global CO<sub>2</sub> emissions, they affected the entire international community, the Delegate of Guatemala emphasized that the only way to minimize their impact was to have an efficient carbon offsetting and reduction mechanism i.e. CORSIA, as set forth in the draft Resolution contained in WP/52.

50. The Delegate of Lithuania highlighted that his State welcomed CORSIA as a means to mitigate CO<sub>2</sub> emissions from international aviation in a cost-effective manner and that it was committed, under the Bratislava Declaration of 3 September 2016, to voluntarily participate therein from the outset, as were all of the other ECAC Member States. In stressing the importance of the commitment made by a number of other key aviation States, most notably the United States, Canada, Mexico, Indonesia and Thailand, to voluntarily participate in CORSIA from the start on the basis of the said draft Resolution, the Delegate of Lithuania underscored that it demonstrated that the text was acceptable to many States and therefore should not be re-opened. He stressed that the Assembly had a unique opportunity to take an historic and hopefully long-term sustainable decision on a global MBM scheme for international aviation by adopting the draft Resolution as presented in WP/52, which would contribute to the achievement of the global climate change reduction objectives agreed at COP/21 in Paris in 2015.

51. In expressing strong support for the fairly-balanced draft Resolution as a package deal, the Delegate of Luxembourg emphasized that its adoption by the Assembly would send a strong signal to the international community that it was ambitious and responsible as it constituted the best possible compromise text on the important issue of a global MBM scheme for international aviation.

52. The Delegate of Paraguay noted that her State strongly supported the draft Resolution as it was well-balanced and included a pilot phase for CORSIA, as well as a mechanism for periodically reviewing the results of the scheme’s implementation.

53. In likewise fully supporting the draft Resolution, the Delegate of Cyprus reiterated that it represented a balanced proposal to reach the best common goal for aviation and the environment.

54. The Delegate of Malta likewise expressed support for the draft Resolution as a well-balanced, compromise package.

55. In also endorsing the draft Resolution, the Delegate of Ecuador highlighted that it reflected the principles of non-discrimination and equal and fair opportunities to develop international aviation set forth in the Chicago Convention, and the principle of common but differentiated responsibilities and respective capabilities, in light of different national circumstances set forth in the UNFCCC and the Paris Agreement and emphasized the need for those principles to be duly respected when implementing CORSIA. He also underscored the importance of using phased implementation for CORSIA and of respecting the principle of voluntary participation. The Delegate of Ecuador also stressed that CORSIA was necessary in order to achieve the global aspirational goal of CNG from 2020.

56. The Delegate of Rwanda joined previous speakers in expressing support for the draft Resolution, which reflected the important and difficult work done under ICAO's leadership, and which was in line with the 2015 Paris Agreement, which his State had ratified.

57. In adding his State's strong support for the draft Resolution, the Delegate of Albania observed that a consensus seemed to have been reached thereon.

58. The Observer from ICSA thanked the Chairperson of the Executive Committee for having previously acknowledged (EX/3) the submission by ICSA of WP/206 [*ICAO's global market-based measure (GMBM)*]. He indicated that ICSA was heartened by the commitment being shown by a large number of States and international organizations, including the aviation industry, all of whom considered that an effective agreement on a global MBM scheme was attainable at this Assembly. Recalling that at the Committee's Third Meeting (EX/3) the Executive Secretary of the UNFCCC had stressed the need for every country and every sector to increase its ambition in pursuing efforts to limit global average temperature increases to 1.5°C as agreed at COP/21 in Paris, the Observer from ICSA affirmed that there was a need for a global MBM scheme for international aviation with the highest possible environmental integrity.

59. In noting that the draft Resolution contained in WP/52 was a compromise package that had been developed in a cooperative spirit, the Observer from ICSA underscored that that spirit must avoid compromising environmental integrity. With that in mind, he highlighted the following points:

- ICSA welcomed the envisaged periodic reviews of CORSIA implementation as they were seen as an important element that allowed the opportunity to ratchet down the emissions cap in the future in line with the goals of the 2015 Paris Agreement;
- the integrity of the emissions cap must be protected; there should be no cap-busting price ceilings. ICSA remained concerned about the ability of States to opt-out;
- emissions reductions must not be double-counted towards other obligations;
- any agreement on differentiation needed to be durable, have broad acceptance, and reflect historic emissions from developed States and deliver strong incentives for airlines to pursue in-sector emissions reductions;
- CORSIA should only encourage biofuels that reduced emissions on a net life cycle basis and which would meet sustainability criteria, including low indirect land use change;
- emissions units must deliver real, additional verifiable permanent emissions reductions and support sustainable development, with exclusions for those which could not demonstrate that.

60. The Observer from ICSA noted that, following the adoption of the 2015 Paris Agreement, the world was now watching ICAO, whose credibility was on the line to deliver a successful outcome at the current Assembly in terms of a global MBM scheme for international aviation. He underscored that this opportunity, if seized, would constitute an historic moment, as indicated by previous speakers. Referring to paragraph 2.1 of WP/206, the Observer reiterated ICSA's conclusion that "Now is the time for ICAO to deliver a global MBM [scheme] that meets the goal ICAO has set for itself – carbon neutral growth from 2020 – in a manner that is fair, transparent, and enforceable; has high environmental integrity; and provides a durable platform for strengthening ICAO's ambition over time."

61. The Observer from ACI expressed full support for WP/153 Revision No. 1, in which IATA set forth its views on the cost impact of a global carbon offsetting mechanism, as well as for WPS/155 Revision No. 1 and /413 in which ACI, CANSO, IATA, IBAC and ICCAIA set forth their views on, respectively, a global MBM scheme for international aviation and voluntary participation

therein. He emphasized that the aviation industry was united in favour of the implementation of CORSIA as the global MBM scheme for international aviation. The Observer from ACI was pleased to announce that the 26th meeting of the ACI World Annual General Assembly, held on 27 September 2016, had passed a resolution in support of the implementation of CORSIA. ACI was firm in its belief that CORSIA constituted the best way forward for the aviation industry as a whole. The airport sector was already playing its part by using the airport carbon accreditation programme, which had been recognized by ICAO and by the UNFCCC in the form of a Memorandum of Understanding. More explanation regarding ACI's environmental responsibilities was provided in its information paper WP/429 on the contribution by airports to environmental protection. ACI looked forward to continuing its collaboration with ICAO and with other aviation industry stakeholders to address collective environmental responsibility. In concluding, the Observer from ACI reiterated that the aviation industry was ready, willing and able to do so.

62. In summarizing the discussions, the Chairperson of the Executive Committee observed that 87 Delegates had expressed support for the draft Resolution on a global MBM scheme for international aviation proposed by the Council in WP/52, which they all considered reflected a delicate balance of the different views of States and constituted an acceptable compromise package. Four Delegates had not agreed to the draft Resolution, and four other Delegates were unsure whether to agree to it or not, with their decision resting on possible amendments to its text. He highlighted that 62 States had thus far indicated their intention to voluntarily participate in CORSIA from its outset.

63. The Chairperson of the Executive Committee recalled that some papers presented under Agenda Item 22 proposed amendments to specific provisions of the said draft Resolution or an alternative approach. Observing that some other papers emphasized the importance of capacity building and assistance to States for the implementation of a global MBM scheme, he underscored that there were specific provisions in the draft Resolution that addressed those implementation aspects. In that regard, the Chairperson indicated that the Committee welcomed WP/248 in which the World Bank outlined its intentions to provide support for capacity building activities for the implementation of a global MBM scheme, such as the establishment of the MRV system and registries.

64. Referring to the request made by Chile in WP/428 that relevant information related to the CAEP's future technical work on CORSIA be made available to all Member States, in particular, information related to MRV, EUC, and registries, the Chairperson indicated that it was his understanding that the Council had already decided that more information on the progress of the CAEP's said work would be disseminated and that the Secretariat would explore the best way to facilitate all interested States becoming CAEP observers and nominating their experts to participate in CORSIA-related work. He underscored that as the matter involved CAEP administrative issues it should not be discussed at the Assembly.

65. The Chairperson remarked that the Committee recognized the amount of work that had been done by the Council, its EAG, the High-level Group, the High-level Meeting on a Global MBM Scheme and the Friends of the President Informal Group Meeting, as well as technical inputs by experts, before the Council had finalized the draft Resolution text contained in Appendix B to WP/52. While noting that, as indicated in WP/52, Section 2, there were a few outstanding issues that could still be considered with a view to improving that text, he cautioned that making any drastic changes thereto could damage its delicate balance and its acceptability as a compromise package. The only changes that could be accepted were those that would not impact the overwhelming and wide-ranging support which the draft Resolution had garnered. The Chairperson indicated that he and the President of the Council would therefore consult informally with some States and groups of States on possible improvements to the draft Resolution text that would not impact that support and at a subsequent meeting of the Executive Committee (EX/10) would propose specific changes to the draft Resolution text that should gain general



acceptance. He appealed to Delegates to focus on the essential issues and to support to the maximum extent possible the draft Resolution text as presented in Appendix B to WP/52.

**Agenda Item 16: Aviation Security — Policy**

***Adoption of United Nations Security Council Resolution 2309 (2016)***

66. Consideration of this Agenda Item was prefaced with statements by several Delegates and the Secretary General of ICAO regarding the unanimous adoption of United Nations Security Council Resolution 2309 (2016) on *Threats to international peace and security caused by terrorist acts: Aviation security* at the 7775th Meeting of the Security Council on 22 September 2016.

67. The Delegate of the United Kingdom recalled that Resolution 2309 had been co-sponsored by a wide range of States and had been unanimously adopted by all Members of the United Nations Security Council. Noting that the Secretary General of ICAO had been present at the ministerial meeting to brief the latter on the role and work of ICAO in the area of civil aviation security threats and risks, he indicated that she might wish to present her views to the Executive Committee. Observing that Resolution 2309 set a helpful context for the current discussions, the Delegate of the United Kingdom noted that it had been born out of the need to counter the growing threat to aviation from terrorist activity. Recent events had shown that aviation continued to be an attractive and iconic target for terrorists and that that threat, as evolved, could cover a wider geographical area and a wider range of methods. Terrorist attacks might now be considered the greatest threat to the safety of international civil aviation and to its future development. As such, they threatened the wider prosperity of States, as well as their national security, and no areas were beyond the reach of terrorists who actively searched to find the weakest links in the global aviation security system. Thus the previous week States had gathered together at the United Nations Security Council to register the fact that that was an urgent issue which required urgent attention at the highest levels, both nationally and globally, by adopting Resolution 2309.

68. Drawing attention to the text of Resolution 2309 and the political momentum that lay behind it, the Delegate of the United Kingdom emphasized that the Security Council clearly recognized that ICAO, as the United Nations Specialized Agency concerned, had a key role in addressing terrorist threats to international civil aviation. It called on States to take actions both nationally and through ICAO. He therefore suggested that in discussing ICAO's global framework and strategy for aviation security for the next triennium, the Executive Committee both acknowledge the challenge and take advantage of the political momentum and impetus created by Resolution 2309. The Delegate of the United Kingdom indicated that one action that ICAO needed to take was to develop a new Global Aviation Security Plan (GASeP) that would follow on from, and replace, the ICAO Comprehensive Aviation Security Strategy (ICASS), as proposed by the Council in WPs/14 and /15. That needed to be done with some urgency and with the close involvement of States. The global framework set out in WP/15 provided an indicative way forward, which could be built on, refined and improved upon. The Delegate of the United Kingdom cautioned, however, against becoming overly focused on security-related plans and strategies, as, important though they were, they were only a means to an end. In emphasizing that plans on paper would not, in and of themselves, keep citizens safe, he underscored the need to keep policies and Standards under review to meet the evolving threat. The Delegate of the United Kingdom highlighted that the real issue, as recognized in Resolution 2309, was the gap between having a security plan in place and delivering effective security on the ground. That was the biggest issue to be addressed over the coming triennium, at both the national and global levels, as efforts were made to combat the growing terrorist threat. He emphasized that for a GASeP to be relevant and for it to address the challenge set to States by their political leaders through the United Nations, that question was the one to be stressed above all.

69. In noting that his State supported Resolution 2309, the Delegate of Zealand highlighted that air links were critical to his State as more than 99 per cent of its international visitors arrived by air, and approximately 15 per cent of its exports were transported by air. The security of international civil aviation was therefore of vital importance to New Zealand. The United Nations Security Council had already taken action to address the travel of foreign terrorist fighters, including by restricting their access to aircraft as a means of transport. However, recent attacks had demonstrated that aviation remained an attractive target for terrorists, and advances in technology had made terrorist threats to aviation more difficult to detect. The international community needed to remain vigilant in ensuring that international Standards were responsive to a constantly evolving threat environment.

70. As Delegates from ICAO Member States now gathered for their triennial Assembly, the Delegate of New Zealand encouraged them to reflect on the collective views of the United Nations Security Council in their deliberations. He emphasized that ICAO remained the primary forum to improve aviation security Standards and deserved the support of the international community. New Zealand supported an approach to aviation security that was risk-based and tailored to different circumstances, which was particularly important for States with limited capacities and lower risk profiles, including the many SIDS in the Asia/Pacific region. The Delegate of New Zealand underscored that it would not make sense to expect the same aviation security systems and approach from a SID as were expected from a developed State. In emphasizing that agreeing to Standards was only the first step, he indicated that the more challenging and important task was to ensure that the Standards were effectively implemented. Thus New Zealand welcomed Resolution 2309 which called for international cooperation in addressing threats to international peace and security caused by terrorist acts, including the provision of technical assistance.

71. The Delegate of France highlighted that his State, as a permanent member of the United Nations Security Council, strongly championed Resolution 2309 which condemned acts of terrorism against civil aviation, and extended its full support to ICAO in that area. France strongly believed in decisive action by ICAO to always better protect air transport while ensuring its development and sustainability. Noting that by Resolution 2309 the Security Council had affirmed its support for, and confidence in, ICAO, its Secretary General and her team, the Delegate of France underscored that, as always, the Secretary General would find France by her side her in accomplishing this difficult but rewarding mission.

72. In providing supplementary information, the Secretary General recalled that the President of the United Nations Security Council, the Ambassador of New Zealand, had invited her to deliver the said briefing on 22 September 2016, which fell within the framework of the 1947 Agreement between ICAO and the United Nations, in particular, Article VII: Assistance to the Security Council. She noted that ICAO was one of 38 international entities on the United Nations Counter-Terrorism Implementation Task Force supporting implementation of the UN Global Counter-Terrorism Strategy. The Secretary General's briefing to the Security Council had related to the following: civil aviation security threats and risks; ICAO's leadership through Standard-setting, auditing and assistance; ICAO's aviation security priorities and policies; the importance of coordinating the efforts of all entities having aviation security responsibilities at the national and international levels; and the need for ICAO to continue to provide assistance to States for aviation security enhancement within the framework of its NCLB initiative. In emphasizing that her briefing had been positively received by the Security Council, the Secretary General noted that among its 15 Members, Mr. Boris Johnson, Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom, Mr. Jeh Johnson, Secretary of Homeland Security of the United States, and seven other Ministers as well as other State representatives had all commended ICAO's work. In their statements, Security Council Members had noted that civil aviation remained an attractive target for terrorists and had agreed that cooperation must be increased to continuously strengthen security throughout the global air network, under the framework provided by ICAO and the Chicago Convention.

They had agreed on the importance of information-sharing and cooperation in capacity building and technical assistance.

73. On that same day, 22 September 2016, the United Nations Security Council had unanimously adopted Resolution 2309 (2016) on *Threats to international peace and security caused by terrorist acts: Aviation security*, which, inter alia, called on all States: to work within ICAO to ensure that its security-related Standards were reviewed and adapted to effectively address the threat posed by terrorist targeting of civil aviation; to strengthen and promote the effective application of ICAO Standards and Recommended Practices (SARPs) in Annex 17; and to assist ICAO to continue to enhance audit, capacity development and training programmes in order to support their implementation. Through the said Resolution, the Security Council also urged States with the means to do so to assist in capacity development, including training and technology transfer, to enable other States to fulfil their obligations under the Resolution. It urged all States to ensure cooperation among their domestic departments, agencies and other entities, and encouraged continued close cooperation between ICAO and the Counter-Terrorism Executive Directorate (CTED) on identifying gaps and vulnerabilities in aviation security.

74. The Secretary General's said briefing, as well as the adoption of the United Nations Security Council Resolution 2309 (2016) by the ministerial meeting during the high-level/summit segment of the annual United Nations General Assembly, had been widely reported in the media.

75. The Secretary General emphasized that an important aspect of ICAO's work on aviation security involved mobilizing political will for the improvement of national capacities. The United Nations Security Council's focus would serve to heighten the global community's aviation security-related efforts, and encourage intensified political engagement to effectively implement ICAO security-related Standards and to support ICAO's technical assistance to States in need.

76. Following these declarations of support for United Nations Security Council Resolution 2309 (2016), the Executive Committee commenced consideration of Agenda Item 16 on the basis of four working papers presented by the Council: WP/14 [*ICAO Comprehensive Aviation Security Strategy (ICASS)*]; WP/15 [*Establishment of a Global Aviation Security Plan*]; WP/16 [*Consolidated statement of continuing ICAO policies related to aviation security*]; and WP/17 [*Addressing cybersecurity in civil aviation*].

### ***Global framework***

#### ***ICAO Comprehensive Aviation Security Strategy (ICASS)***

77. The Secretary General introduced WP/14, which outlined key accomplishments under the ICASS framework and highlighted some of the major activities carried out by ICAO under each Strategic Focus Area. It also recognized the importance of taking into account the valuable lessons learned from the implementation of the ICASS when developing the GAsEP. The Assembly was invited to: a) approve continued implementation of the ICASS as the primary ICAO strategy for the aviation security Programme during the 2017-2019 triennium, pending approval of the GAsEP, at which time the GAsEP would replace the ICASS; and b) urge States to continue to provide voluntary contributions to support the ICAO aviation security work programme.

*Establishment of a Global Aviation Security Plan (GASeP)*

78. The Secretary General next introduced WP/15, in which the Council proposed the development of a GASeP to address the needs of States and regions with aviation security enhancement efforts, through a set of internationally-agreed goals and targets. The paper recommended that the future aviation security framework should shift from the ICAO-centred ICASS to an approach where the shared aspirations and responsibilities of all States were defined. The Assembly was invited to: a) direct the Council to continue development of the GASeP based on clear and collective aviation security global goals and targets to be supported by concrete and measurable indicators; b) instruct the Secretariat to consult with Member States to elaborate and refine the elements of the GASeP on the basis of Appendices A, B and C to WP/15; and c) agree on the proposed roadmap and timeframe, as set forth in Appendix D to the paper.

*Consolidated statement of continuing ICAO policies related to aviation security*

79. In then introducing WP/16, in which the Council proposed updates to Assembly Resolution A38-15: *Consolidated statement of continuing ICAO policies related to aviation security*, the Secretary General noted that the proposed changes reflected developments since the 38th Session of the Assembly, and included new text on matters such as: the extension of the ICASS into the 2017-2019 triennium until the GASeP was fully developed and approved for implementation; and the threat and risk of attacks in landside areas, cyberattacks and the potential vulnerability of remotely-piloted aircraft systems (RPAS). The Assembly was invited to adopt the revised Consolidated statement set forth in the Appendix to WP/16.

*Strategic policy priorities for the next triennium*

80. The Delegate of United States presented WP/177 (*Culture of security – Assessing implementation of national civil aviation security programmes*). ICAO Member States had the responsibility to meet ICAO security-related Standards and, in doing so, to continually assess systems to ensure appropriate and effective implementation of security measures. The United States was of the view that providing States with the tools necessary to internally assess implementation of the measures within their national civil aviation security programmes and drive improvements should be paramount to ICAO's security policy priorities for the next triennium. In addition to relying on ICAO's Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA) audit results and other assessments carried out via bilateral and industry engagements, States should build their knowledge and capacity to perform self-assessments and use the information to address systematic deficiencies and vulnerabilities. By doing so, States could become more nimble in addressing evolving threats which would strengthen the current baseline for global aviation security.

81. WP/177 outlined the United States' use of root cause analysis as the fundamental basis for identifying and addressing vulnerabilities in its aviation security system and suggested ICAO prioritize such analytical techniques in its aviation security strategic plans, as well as develop guidance material and training for self-assessments. The United States invited the Assembly to adopt the seven actions proposed in its paper, and committed to sharing its own best practices with ICAO in support of the Organization's effort to provide tools that would assist Member States with meeting ICAO security-related Standards.

82. In concluding, the Delegate of the United States expressed strong support for WP/98 presented by EU and ECAC Member States and the recommendations contained therein.

83. The Delegate of France introduced WP/98 (*Priorities for aviation security*), which was presented by Slovakia on behalf of the EU and its Member States and the other Member States of ECAC. As the terrorist threat against civil aviation was at its highest level, particularly with regard to the landside of airports, the co-presenters highlighted four priorities to respond to that global threat: the first priority was effective implementation and sustainable implementation of Annex 17 which was essential, not only for security of air transport operations, but also for public confidence and the ability of operators to protect citizens and passengers. It was also a pre-condition to harmonizing international security measures and a prerequisite for mutual recognition by States of the equivalence of security measures taken by a State.

84. The second priority was that of international cooperation when assessing a threat. Such cooperation was essential in order to ensure that the threat was understood and that there was an effective and efficient response, and to ensure that the measures adopted were proportionate and realistic. The third priority was capacity building. The tangible results of capacity building initiatives so far had been rather mixed in terms of effectiveness on the ground, with some States having significantly elevated their level of compliance with Annex 17 SARPs, and others having done little and not made any progress. All entities involved needed to do more to improve the effectiveness of their measures. The fourth priority was the effectiveness of the audit process. The purpose of the USAP-CMA should be to provide a reliable picture of the status of implementation of security measures on the ground, and that should be an essential deliverable under the USAP-CMA audit process. The scope and implementation should be reviewed as a consequence of increasing availability of reliable information arising from international audits, and inspections were vital to build confidence in the robustness of the system of States' aviation security.

85. The co-presenters of WP/98 invited the Assembly, when it updated Assembly Resolution A38-15, to: a) reaffirm the responsibility of Member States for the implementation of effective aviation security measures within their territory, taking account of the evolving threat picture; b) urge all Member States, fully and sustainably, to implement Annex 17 SARPs and Annex 9 security-related SARPs and to rectify any gaps as a matter of urgency; c) urge the ICAO Secretariat, Member States, regional organizations, industry partners and all other stakeholders to work collaboratively in order to improve the effectiveness and sustainability of capacity building activities; and d) request the ICAO Secretariat to review the scope and methods of the current ICAO USAP so as to ensure that it represented a reliable means of providing assurance to Member States, the industry and passengers as to the effective implementation of aviation security measures on the ground.

## **Cybersecurity**

86. The Secretary General then introduced WP/17, in which the Council proposed a draft Assembly Resolution on addressing cybersecurity in civil aviation, which had been developed in response to the threat posed by cyberattacks and cyber incidents through a horizontal, cross-cutting and functional approach. Its objectives were to reaffirm the importance and urgency of protecting civil aviation's critical infrastructure systems and data against cyber threats and obtain the global commitment to action by ICAO, its Member States and industry stakeholders, with a view to collaboratively and systemically addressing cybersecurity in civil aviation and mitigate the associated threats and risks. The Assembly was invited to adopt the draft Resolution as set forth in the Appendix to WP/17.

87. It was noted that one working paper on this subject, WP/236 (*Coordinating cybersecurity work*) presented by ICCAIA, had been removed from the Order of Business for the present meeting as it had been revised and would be considered by the Technical Commission rather than by the Executive Committee.

88. The Delegate of Singapore introduced WP/175 which was jointly presented by the following 23 States: Argentina, Belgium, France, Guyana, Lao People's Democratic Republic, Namibia, Nauru, Nepal, the Netherlands, Nigeria, the Republic of Moldova, the Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Switzerland, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, the United Arab Emirates and the United Kingdom. As cyber threats to the civil aviation system were a major concern for all stakeholders globally, it was crucial that ICAO, aviation security authorities, the aviation industry, and other civil aviation stakeholders collaborate to raise awareness of the threats, and develop practical and sustainable policies, approaches and measures, including in the area of training and capacity building, to protect against them and mitigate their impact. Given the inter-dependence of the various parts of the global civil aviation ecosystem, close coordination was essential to address those challenges. The approach recommended by the 23 co-sponsors was in line with the approach put forth in other papers, in particular WP/17 (Council) and WP/99 Revision No. 1 (United States and Slovakia on behalf of EU and ECAC Member States and EUROCONTROL).

89. The Assembly was invited in WP/175 to: note the contents of the paper, especially the possible actions by regulators and stakeholders to address cyber threats to civil aviation operations; urge ICAO to establish a global framework for cybersecurity for civil aviation stakeholders; and identify a body within ICAO to work on the said global framework and for coordination with other relevant ICAO bodies and other stakeholders..

90. The Delegate of Slovakia introduced WP/99 Revision No. 1 on cyber resilience in civil aviation, jointly presented by the United States and by Slovakia on behalf of the EU and its Member States, other Member States of ECAC, and EUROCONTROL. As aviation was constantly exposed to new threats and cyber threat was a growing risk that challenged the safety, security and efficiency of civil aviation operations, it was necessary to act together to address cyber risks, as well as to respond to cyberattacks. This was a global issue that required a global response. It was necessary to overcome a silent mentality and to address cyber risks in a more standardized, consistent and comprehensive manner in order to protect the entire aviation system. The Delegate of Slovakia was pleased to note that many other States were calling for the same comprehensive approach in their papers, notably in WP/175 introduced by the Delegate of Singapore, to which the co-sponsors of WP/99 Revision No. 1 lent their full support.

91. WP/99 Revision No. 1 highlighted the need for all States to understand and address cybersecurity risks in a consistent and systematic manner. It underscored that global awareness of cyber threats and vulnerabilities in the aviation sector could be promoted by adapting existing processes e.g. through the implementation of dedicated training for all stakeholders. In addition, information on any cyber incident, vulnerability, threat, trend or pattern should be shared in a secure manner as that was essential to foster a better understanding of the current cybersecurity risks. Furthermore, a "joint aviation cyber risk management approach" should be promoted. ICAO should define common principles for cyber risk assessment, as well as methods to identify, assess and mitigate those risks. Such guidelines would facilitate the identification of threats and vulnerabilities, support cyber risk assessment and provide tools for their mitigation.

92. The Assembly was invited in WP/99 Revision No. 1 to: a) request that ICAO address cyber resilience in civil aviation in a comprehensive manner; b) request that ICAO and its Member States promote awareness of cyber threats and vulnerabilities in civil aviation, notably through the inclusion of the cyber resilience dimension in relevant processes and activities such as system design, ATM procedures and safety management and aviation security; c) request that ICAO facilitate, in a secure manner, information sharing between States and relevant stakeholders on cyber threats, vulnerabilities and mitigating measures; d) request that ICAO consider necessary steps for the development of guidelines

for managing current and future cyber threats and vulnerabilities, from identification to mitigation, taking into account relevant existing States' measures and industry standards; and e) request that ICAO instruct existing Panels and expert groups to take those guidelines into account, where relevant, while performing their work.

93. In introducing WP/187 (*Cyber Security Defense Strategy*), the Observer from CANSO emphasized that cybersecurity was a growing concern, not only in the civil aviation sector but also in other sectors, worldwide. In the aviation sector, the increasing dependence on information technology in ATM systems, aircraft systems, airport management systems, reservation systems, aeronautical information systems, etc. could be affected. For that reason, the Assembly was invited to: a) consider the content of WP/187 and endorse it, recognizing the relevance and possible impact on civil aviation; b) agree that ICAO develop a new strategy on aviation cybersecurity as a vertical domain within aviation security and issue guidance material aimed at harmonization of current initiatives, both at the regional and national levels; c) recommend to Member States that they focus their attention on vulnerabilities in systems and networks rather than on threats and consider the implications for the entire civil aviation industry; d) recommend that a forum be set up for aviation firms to share best practices in a secure/trusted environment so that effective tools and techniques that enhance security in the current and future technology estates could be shared; e) recommend to Member States that they review recent initiatives presented during the Twenty-seventh Meeting of the Aviation Security Panel (AVSECP/27, March 2016) in order to elevate to a Standard the current Recommended Practices 4.8.1 and 4.8.2 of Annex 17; and f) take note of the CANSO *Cybersecurity and Risk Assessment Guide*. The Observer from CANSO concluded by expressing support for WPs/99 and /175, which also requested that ICAO take an active approach in addressing the issue of cybersecurity in civil aviation.

94. It was noted that the following information papers had also been submitted: WP/337 (*Aircraft certification cybersecurity regulatory efforts*) presented by the United States; WP/415 [*European support to the No Country Left Behind Initiative (NCLB)*] presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL; and WP/446 (*Avances de la República Dominicana en materia de seguridad de la aviación civil*) presented by the Dominican Republic.

### ***Landside security***

95. The Delegate of the Russian Federation introduced WP/310 (*Security measures for the landside areas of airports*), which highlighted the increase in the number and seriousness of terrorist acts perpetrated by suicide bombers in landside areas of airports, citing, as examples, those at the international airports in Brussels and Istanbul in March and July 2016, respectively, and the one at the international airport in Moscow in January 2011. Guaranteeing the safety and security of air transport and passengers was only possible with a clear, smooth security system including in the landside areas of airports. The Russian Federation had introduced in its national legislation mandatory requirements for preliminary screening using technical equipment for all persons, as well as their personal effects, in the terminal facilities. The entrances of those terminals were equipped with around-the-clock screening with x-ray television installations and other highly-sophisticated technical equipment. In order to further reduce the risk and prevent potential acts of unlawful interference with international civil aviation, the Russian Federation was also categorizing its airports and assessing their vulnerability as well as the aviation authorities' approval of airport security plans containing the designation of landside areas and the set of measures related to technical and physical security. The Russian Federation supported the proposed upgrading of Annex 17 Recommended Practices 4.8.1 and 4.8.2 to Standards, which the Council had recently decided to include in draft Amendment 15 to Annex 17, for circulation to States for comments prior to consideration and adoption by the Council (cf. C-WP/14499; 208/3; State letter AS 8/2.1-16/58 Confidential dated 8 June 2016) (cf. WP/310, paragraph 2.7).

96. The Assembly was invited in WP/310 to: a) take note of the contents of the paper; b) support the proposed upgrading to the level of Standards Annex 17 Recommended Practices 4.8.1 and 4.8.2 which relating to security at the landside areas of airports; c) agree to the adoption of proposed new Standard 4.8.3 which regulated the equipping of entrances to the landside areas of airports with equipment in order to conduct the preliminary screening of all persons entering the terminal facilities, as set forth in the Appendix to the paper; and d) concur on the need to develop guidance on security in the landside areas of airports with a view to its inclusion in the *Aviation Security Manual* (Doc 8973 – Restricted), taking into account the experience of the Russian Federation in that field.

97. The Observer from ACI introduced WP/198 on landside security policies, which would help explain a change that he would later suggest (EX/5) to Operative Clause 7 j) of Appendix C to the proposed *Consolidated statement of continuing ICAO policies related to aviation security* (cf. Appendix to WP/16). Reiterating that the security of public areas of airports, not within a security restricted area, had become an increasingly high priority following the terrorist attacks at the international airports in Brussels and Istanbul. ACI World had collected the views of its membership with regard to the practical implementation of landside security measures and concerns with the potential responses to such events. In particular, ACI considered that the screening of all passengers on entry to airport terminals simply moved the target rather than securing it, and might actually create new queues and crowds. There was no evidence that that would prevent an attack nor that it would act as an effective deterrent. ACI was of the view that the two new Standards currently proposed for inclusion in Amendment 15 to Annex 17 with regard to landside security were appropriate as they allowed for a risk-based approach. However, they needed to be supplemented with clear guidance material that identified a range of flexible options for measures to enhance security as dictated by the threat situation. ACI supported the actions being taken by ICAO in that regard and the policy proposed in the said *Consolidated statement of continuing ICAO policies related to aviation security* appended to WP/16. However, there was a need for: clarity between States and airports on roles, responsibilities and scope of measures; better sharing of information and intelligence between agencies and with airport operators; provision of sufficient resources by States to provide visible and effective patrolling of airport landside areas; and clarity of messaging to States to ensure that landside security was not simply interpreted as additional screening.

98. The Assembly was invited in WP/198 to: a) note ACI's report on best practices and policies relating to landside security; b) request States to continue to work with airports to clearly define responsibility, accountability and scope of measures; c) request ICAO to develop further guidance material that clearly identified a recommended scope for landside security along with appropriate measures, and highlight that guidance to States through State letters and other mechanisms; d) request ICAO to review the *Consolidated statement of continuing ICAO policies related to aviation security* (cf. Appendix to WP/16) in light of the points presented by ACI in WP/198; and e) direct the Council to include appropriate policies for landside security in the envisaged GAsEP proposed by the Council in WP/15. In concluding, the Observer from ACI offered ACI's full support in the development of the GAsEP.

### ***Annex 17 and related guidance material***

99. The Delegate of India introduced WP/219 on bridging the gap between the USAP-CMA Protocol Questions (PQs) and aviation security regulations/guidance material. It had been noted during India's recent USAP-CMA audit that the basis of some of the PQs in terms of Annex 17 SARPs were not clear. While most of the PQs were extremely relevant, there were some which pertained to areas in which ICAO had not yet arrived at a consensus or position. The paper attempted to bridge the gap between the PQs and the regulations/guidance material by recommending the introduction of four new SARPs, as well as the deletion of PQs relating to In-flight Security Officers since consensus had not yet been reached



regarding the latter. The Assembly was invited to note the information provided in WP/219 and to consider India's recommendations as set forth in Section 2 thereof.

100. The Delegate of the Russian Federation introduced WP/311, which proposed the use of a video surveillance system on board passenger aircraft and at aircraft stands as a means to ensure objective monitoring for the prevention and investigation of acts of unlawful interference against international civil aviation. It was recalled that the current provisions of Annex 6 – *Operation of Aircraft*, Part I – *International Commercial Air Transport – Aeroplanes* already contained provisions that regulated the use of different means to ensure objective monitoring on board aircraft, such as the use of an airborne image recorder (AIR) and airborne image recording system (AIRS) in the cockpit, as well as a video surveillance system outside the cockpit in order to protect against individuals who were acting suspiciously and could pose a potential threat. The use of recording systems for objective monitoring (video surveillance) on board aircraft, on the ground and in flight, would provide monitoring of the security situation and would significantly enhance the effectiveness of security measures, especially in terms of preventing and investigating acts of unlawful interference. Moreover, if passenger check-in areas were monitored it would be possible to observe and prevent unruly/disruptive behaviour. It was advisable to consider installing in aircraft, including in the passenger cabins, video surveillance recording systems that would record the in-flight movements of the crew and passengers, including unruly/disruptive passengers and individuals on board aircraft with malicious intentions. Objective monitoring systems could also monitor the actions of staff from all of the airport services involved in the service system, both on the ground and in the aircraft cabin.

101. The Assembly was invited in WP/311 to: a) take note of the contents of the paper; and b) entrust the Council to consider the relevance of developing requirements to be included in Annex 17 and guidance to be included in the *Aviation Security Manual* (Doc 8973 – Restricted) related to equipping aircraft and aircraft stands with video surveillance recording systems for the prevention and investigation of acts of unlawful interference against international civil aviation.

102. The Delegate of the Russian Federation next introduced WP/312, which outlined the additional regulatory aviation security measures being implemented in his State to improve the level of security for transport infrastructure facilities and air transport vehicles against the persistent threat of acts of unlawful interference, including terrorist acts. The Assembly was invited to: a) take note of the contents of WP/312; and b) entrust the Council to i) urge ICAO Member States to adopt measures to further strengthen the exchange of information in the field of aviation security and ii) ensure that the guidance material took into account the Russian Federation's experience related to assigning categories to facilities and vehicles, carrying out assessments of their vulnerability and aviation security action plans, as well as the professional training of aviation security forces.

### ***Measures to mitigate the insider threat***

103. In introducing WP/180 (*Global strategies for addressing insider risk*), the Delegate of the United States underscored that the value of security controls intended to prevent internal attacks were significantly reduced or negated when insiders with knowledge and capability exploited those security controls, as recent tragic incidents had shown. As the body charged with safeguarding aviation, it was critical that the Assembly understood the nature of the insider threat and recognized that traditional countermeasures might not effectively address it. In order to prevent and identify future would-be attackers and safeguard the global aviation system, that critical vulnerability must first be acknowledged and then acted upon. The nature of the insider threat needed to be better understood, and appropriate risk mitigation tools and capabilities needed to be implemented. WP/180 suggested that ICAO continue to rely on the contributions of Member States to build on its efforts and those of the various working bodies which had led to a greater understanding of the scope of the insider threat and the unique vulnerability

associated with it. As indicated in the paper, the United States remained committed to sharing best practices with ICAO and its partners to mitigate insider vulnerabilities. It recognized that other Member States had identified effective countermeasures and encouraged those States to actively participate in the dialogue and contribute their tools and ideas to the work of ICAO in that area.

104. The Assembly was invited to take note of the actions suggested in WP/180, and to give special attention to action paragraph b) on reflecting the concept of insider risk in documentation outlining ICAO's strategic priorities for the next triennium, including in the GAsEP, in order to ensure that resources would be properly devoted to strengthening global capacity to address insider threats. In concluding, the Delegate of the United States expressed support for WP/145 (AFCAC) and the recommendations contained therein, and pledged his State's support for the proposed work.

105. The Observer from AFCAC introduced WP/145 on behalf of the 54 African States. The paper highlighted that new and emerging threats against civil aviation needed to be proactively mitigated in order to restore the confidence of the general public with regard to safe and secure global air transportation. The African States considered that that could be achieved through, inter alia: the enhancement of Annex 17 SARPs; the updating of the relevant guidance material; and the enhancement of capacity building for effective and sustained implementation. While Amendment 15 to Annex 17 was aimed at addressing the said challenges, it was necessary to expedite its implementation in order to ensure adequate and timely mitigations against the new and emerging threats mentioned in the paper. Updating the existing technical guidance material would also be necessary to enable States to proactively mitigate against such threats, including landside security challenges. The Assembly was invited to: a) urge the Council to accelerate the adoption of new aviation security SARPs relating to the mitigation of new and emerging threats, including landside security and insider threats; b) urge the Council to develop or update relevant guidance material; and c) request ICAO to develop capacity building to mitigate against the new and emerging threats.

106. The Committee agreed to resume consideration of Agenda Item 16 at its next meeting.

107. The meeting adjourned at 1700 hours.

**Minutes of the Fifth Meeting**  
(Friday, 30 September 2016 at 0900 hours)

**SUBJECTS DISCUSSED**

1. Agenda Item 16: Aviation Security – Policy

*Liquids, aerosols and gels*

- Paper presented by Nigeria
- Paper presented by South Africa
- Paper presented by Venezuela (Bolivarian Republic of)

*Other policy issues*

- Paper presented by Brazil, Chile, Colombia, Ecuador, Panama and Paraguay
- Paper presented by Colombia supported by Argentina, Bolivia (Plurinational State of), Brazil, Chile, Ecuador, Guyana, Panama, Paraguay, Peru, Suriname, Uruguay and Venezuela (Bolivarian Republic of)
- Information paper presented by China
- Information paper presented by India
- Information paper presented by Indonesia
- Information papers presented by Spain
- Information paper presented by the World Customs Organization (WCO)

2. Agenda Item 17: Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA)

- *Implementation of the Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA)*
- Paper presented by the Russian Federation
- Paper presented by the African Civil Aviation Commission (AFCAC) on behalf of 54 African States
- Information paper presented by China
- Information paper presented by Indonesia

## 3. Agenda Item 18: Implementation Support and Development – Security (ISD-SEC)

- *Report on the Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa (AFI SECFAL PLAN)*
- *Report on the ICAO Technical Assistance Programme*
- Paper presented by Kazakhstan and the Russian Federation
- *Riyadh Declaration on Aviation Security and Facilitation*
- Paper presented by Slovakia on behalf of the European Union (EU) and its Member States, the other Member States of the European Civil Aviation Conference (ECAC); and by the European Organisation for the Safety of Air Navigation (EUROCONTROL)
- Paper presented by Argentina, Australia, Belgium, Canada, France, Guyana, Lao People's Democratic Republic, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nigeria, Republic of Moldova, the Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Spain, Switzerland, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, the United Arab Emirates, the United Kingdom, the United States, Global Express Association (GEA), International Air Transport Association (IATA), and The International Air Cargo Association (TIACA)
- Paper presented by 54 Contracting States, Members of AFCAC
- Information paper presented by the Dominican Republic

### SUMMARY OF DISCUSSIONS

#### Agenda Item 16: Aviation Security - Policy

1. The Committee resumed (EX/4) and completed its consideration of this Agenda Item on the basis of four working papers presented by the Council: WP/14 [*ICAO Comprehensive Aviation Security Strategy (ICASS)*], WP/15 (*Establishment of a Global Aviation Security Plan*), WP/16 (*Consolidated statement of continuing ICAO policies related to aviation security*) and WP/17 (*Addressing cybersecurity in civil aviation*), as well as related working papers and information papers.

#### *Liquids, aerosols and gels (LAGs)*

2. The Delegate of Nigeria presented WP/254, which called for harmonization of a screening policy for LAGs and stressed the need to share information on the screening technology used for LAGs. Observing that many States currently did not allow the carriage of any form of liquid, aerosol or gel, regardless of the quantity, in cabin baggage because they lacked the necessary equipment to determine whether or not the LAGs were safe, he underscored that non-harmonization of the screening methods of liquids, aerosols and gels was one of the areas that needed to be addressed by ICAO for uniform implementation. Acknowledging that various manufacturers in different States had developed screening equipment for the detection of LAGs, the Delegate of Nigeria observed that, in many cases, that equipment had not been comparatively evaluated for effectiveness and, where it had been evaluated, the information had not been shared. The Assembly was invited to: take note of WP/254; urge the Council to develop guidance material on best practices and risk-based approach to LAGs screening to assist uniform implementation leading to a harmonized approach to the lifting of LAGs restrictions; and encourage

Member States to share information on their evaluation of comparatively effective means of screening LAGs, including the technology being used.

3. The Delegate of South Africa then introduced WP/184, which presented the progress made by her State in the implementation of security measures aimed at combating the threat posed by liquid explosives, and encouraged mutual recognition between States where equivalent security measures were implemented and communication where implemented measures were deemed insufficient. Recognizing the threat posed by liquid explosives to international civil aviation, South Africa commended ICAO for its leadership in ensuring that that threat was mitigated and acknowledged the work done in this respect by the Aviation Security Panel (AVSECP) and its working group, as well as through Assembly Resolutions. The Delegate of South Africa informed the Executive Committee that, while the Security Tamper-Evident Bags (STEBs) used for all liquids sold in her State's duty-free areas were compliant with the provisions set out in the *Aviation Security Manual* (Doc 8973 – Restricted), some States did not recognize these STEBs. South Africa acknowledged the advances that had been made in terms of the development of LAGs and believed that mutual recognition would lead to better acceptance of these technologies. The Assembly was invited to: take note of the content of WP/184; encourage all ICAO Member States to efficiently mitigate the threats posed by liquid explosives; urge Member States to ensure mutual recognition where equivalent measures were implemented; encourage communication between States where measures were deemed insufficient; and urge the AVSECP to expedite the development of guidance material for liquid explosives detection systems. In closing, the Delegate of South Africa voiced her State's support for WP/254 presented by Nigeria.

4. The Delegate of Venezuela (Bolivarian Republic of) presented WP/327, which requested the establishment by ICAO of inspection criteria for the control of liquids, aerosols and gels. He observed that although civil aviation was facing ever more complex threats, no international Standard for mandatory compliance governing the restriction of LAGs existed. The Assembly was therefore invited to establish Standards and Recommended Practices in Annex 17 – *Security* regarding the implementation of control mechanisms and procedures applicable to the screening of LAGs for entry into Security Restricted Areas (SRAs). It was considered that such action would assist States in applying standardized, effective procedures which would, in turn, ensure a secure environment for operations. Drawing a correlation between his State's proposal, which was elaborated upon in Section 4 of WP/327, and Nigeria's initiative (WP/254), the Delegate of Venezuela (Bolivarian Republic of) voiced support for the latter.

#### ***Other policy issues***

5. The Delegate of Brazil presented WP/330 on procedures for the implementation of a one stop security (OSS) system, which was co-sponsored by Chile, Colombia, Ecuador, Panama and Paraguay. The paper recalled that the formulation of procedures for the implementation of an OSS system for the entire NAM/CAR and SAM region had been proposed at various regional events and that, to that end, a working group had been established comprising Brazil and Trinidad and Tobago, with Panama as the Coordinator State. The Assembly was invited to: support the implementation of procedures for the implementation of an OSS system throughout the NAM/CAR and SAM region; and recommend that Member States implement an OSS system as an effective means of improving the quality of commercial air services.

6. In supplementing the above introduction of WP/330, the Delegate of Panama noted that time and increased resources, crucial components in the development of global commercial activity, could be facilitated by the implementation of an OSS system that would improve the quality of aviation security-related services. It was considered that, if endorsed, the said proposal for procedures for the implementation of an OSS system would foster an increase in security systems throughout the NAM/CAR and SAM region.

7. The Delegate of Argentina introduced WP/315 on the implementation of a Civil Aviation Security Management National Programme (CAsEMNP-SeMS), which was presented by Colombia and supported by 12 Member States [Argentina, Bolivia (Plurinational State of), Brazil, Chile, Ecuador, Guyana, Panama, Paraguay, Peru, Suriname, Uruguay and Venezuela (Bolivarian Republic of)]. Recalling that civil aviation security management systems (SeMS) had first been developed in 2014 by a NAM/CAR/SAM interregional working group at the initiative of Argentina, he noted that the results had been so well received at regional meetings that the expansion of SeMS into a Civil Aviation Security Management National Programme was now advocated. The Delegate of Argentina expressed his appreciation for the efforts of all the countries that had cooperated in the development of SeMS and the leadership of Colombia in that regard. The Assembly was invited to: encourage Member States to implement a CAsEMNP-SeMS; offer Member States technical support facilitation through a working group tasked with setting up and implementing a CAsEMNP-SeMS; and consider mechanisms for establishing communication between the AVSEC/FAL regional groups and the panels of experts at Headquarters, so that the work of the regional groups may be reviewed and possibly serve as examples of best practice in ICAO.

8. It was noted that the following six information papers had also been submitted: WP/361 (*Management and control of external security risks by CAAC*), presented by China; WP/136 (*Biometric based access control at airports in India*), presented by India; WP/238 (*Aviation security policies implemented in Indonesia*), presented by Indonesia; WP/131 (*Niveles de protección ante cambios en el nivel de amenaza*) and WP/132 (*Desarrollos de RPAS en España*), presented by Spain; and WP/373 (*Joint WCO-ICAO initiatives to improve air cargo security and facilitation*), presented by the WCO.

9. The Chairperson of the Executive Committee then opened the floor for discussion on all issues related to Aviation Security – Policy.

## **Discussion**

### ***Global framework***

10. The Delegate of the United States acknowledged and thanked the United Kingdom for its leadership and spearheading efforts regarding the unprecedented United Nations Security Council Resolution 2309 (2016) on *Threats to international peace and security caused by terrorist acts: Aviation security*, which had been unanimously adopted on 22 September 2016. In also expressing his appreciation to the Secretary General for her work to bring that effort to fruition, he underscored that the said Resolution recognized that aviation security was a shared responsibility among all States which must cooperate within and through ICAO, as well as other relevant, bilateral and multilateral arrangements, to fulfil that shared responsibility. The United States considered that the Resolution would be a key tool for ICAO and its Member States to point to as they continued to align and evolve their collective aviation security priorities. To that end, while the United States supported continued implementation of the ICASS in the short term, it strongly urged that the timeframe for the development and implementation of a Global Aviation Security Plan (GAsEP) be expedited to the greatest extent possible. The current threat environment demanded that aviation security remain a high priority for all States and the development of a GAsEP had to reflect that prioritization. The United States recognized that the development of such a Plan was a major endeavour and urged the Secretariat to use States' support beyond consultation and feedback, proposing that it bring together subject matter experts from States to draft the GAsEP with the Secretariat. The United States was prepared to engage in that effort as soon as possible with the aim of producing a draft GAsEP for consideration by the AVSECP at its Twenty-Eighth Meeting in May/June 2017. The United States urged States to commit to the same and to work with the Secretariat in developing that strategic plan. It considered that all States must be invested in the GAsEP to ensure clear, meaningful goals, supported by concrete and measurable outcomes, as intended. In concluding, the

Delegate of the United States thanked the Council for WPs/14 and /15 outlining the important work ahead for the Assembly and pledged his State's continued strong support to ICAO in the forthcoming triennium.

11. While noting, from the various papers presented to the Executive Committee and comments made during its discussions, that aviation security efforts were being made by all States and stakeholders to enhance the global aviation security system, the Delegate of Singapore underscored that attacks and threats continued to compromise that system. Singapore thus welcomed the unanimous adoption of United Nations Security Council Resolution 2309 (2016), which it had co-sponsored. It also welcomed the suggestions to support the global effort to strengthen the aviation security system, as proposed by AFCAC (WP/145), the United States (WPs/177 and /180), the Russian Federation (WP/312) and Colombia supported by 12 South American States (WP/315), all of which were in line with the spirit of the said Resolution, which Singapore strongly supported. Singapore further welcomed the development of an ICAO GAsEP, as proposed by the Council in WP/15.

12. Singapore considered that the GAsEP should be developed on the basis of the lessons learned from the implementation of the ICASS from 2011 to 2016 and be implemented in the spirit of United Nations Security Council Resolution 2309 (2016). It urged ICAO to work through the AVSECP, and in consultation with States and all stakeholders, to develop a robust GAsEP. The Delegate of Singapore indicated that his State would propose some amendments to the proposed *Consolidated statement of continuing ICAO policies related to aviation security* appended to WP/16 directly to the Secretariat.

13. The Delegate of Australia expressed support for WPs/14, /15 and /16 presented by the Council. She indicated that as Australia considered that the currently envisaged timeframe of late 2018 for Council approval of a GAsEP did not give sufficient priority to aviation security, it urged ICAO to appropriately resource the development of that Plan. In light of the recent United Nations Security Council Resolution 2309 (2016) on *Threats to international peace and security caused by terrorist acts: Aviation security*, Australia proposed that the timeframe for development be accelerated, with an advance draft of a GAsEP being ready for consideration by the AVSECP at its Twenty-Eighth Meeting in May/June 2017. Viewing a GAsEP as an opportunity to set clear and measurable goals and targets for aviation security globally, Australia considered that the Plan should identify core measures based on Annex 17 – *Security* that were critical to establishing a solid security foundation. Each core measure should be given a clear priority relative to the other measures so that States would have clear direction regarding the goals on which they should focus according to the maturity of their respective aviation security systems. Australia strongly supported ICAO's intention to undertake systematic and comprehensive consultations during the development of a GAsEP to ensure that the Plan was relevant and supported by all States.

14. The Delegate of France voiced support for the Organization's intention to take a more over-arching global approach with respect to USAP-CMA audit results. In cautioning that any national or regional security weakness would affect the security of the entire air transport system, he underscored that ensuring the travelling public's confidence in the latter was a strategic priority. Agreeing with the contents of WPs/14 and /15 with respect to a GAsEP, the Delegate of France suggested that more emphasis be placed on security in proximity to cities, which he deemed to be the most serious current threat, although it only appeared under Strategic Focus Area 1 – *Addressing new and existing threats*. He endorsed the Council's proposal in WP/14 for the continued implementation of the ICASS as the primary ICAO strategy for the aviation security Programme during the 2017-2019 triennium, pending Council approval of a GAsEP. The Delegate of France suggested that the key objectives of the 'transitional' ICASS set forth in the Appendix to WP/14 be revisited to ensure absolute clarity between the current system and the uniform implementation of security mechanisms, and respect for passengers in terms of managing associated costs.

15. Congratulating ICAO on its ICASS-related activities (WPs/14 and /15), the Delegate of Senegal noted that following Council approval the GAsEP would replace the ICASS in 2019. In light of the current security context, he underscored the importance of putting forward a Global Aviation Security Plan as quickly as possible and supported the comment made by the Delegate of Australia on the need to accelerate the timeframe for developing a GAsEP.

16. The Delegate of Portugal supported WP/14 and the extension of the ICASS framework for an additional triennium, pending Council approval of a GAsEP. He acknowledged the importance of strategic objectives adapted to the evolution of civil aviation and of a more global and outcomes-based approach, as well as of the key issue of landside security.

17. The Delegate of South Africa reiterated her support for WPs/14, /15 and /16, presented by the Council, and associated herself with the views expressed by the Delegates of the United States and Senegal regarding expediting the timeframe for the development and implementation of a GAsEP. She underscored that, given the changing aviation security landscape, the AVSECP was best positioned to accelerate work on a GAsEP.

18. The Delegate of the Russian Federation expressed support for the proposed development of a GAsEP. Observing that the Plan would need to take into consideration new and emerging threats, he pledged his State's active participation in its formulation. Turning to the *Consolidated statement of continuing ICAO policies related to aviation security* appended to WP/16, the Delegate of the Russian Federation suggested that Operative Paragraph 7 c) of Appendix C be aligned with Operative Paragraph 9 thereof by introducing into the former text pertaining to respect for State sovereignty.

19. The Delegate of Switzerland voiced full support for the interventions by previous speakers, particularly those of the Delegates of Senegal, Singapore and South Africa, in which they had called for a deeper involvement of the AVSECP in the development of a GAsEP. He supported the proposal by the Delegate of France regarding the key objectives of the "transitional" ICASS set forth in the Appendix to WP/14. Drawing attention to the proposed *Consolidated statement of continuing ICAO policies related to aviation security* (WP/16), the Delegate of Switzerland noted that although reference was made to cyber threat in various provisions, including the second Preambular Clause of Appendix C, no such reference was made in Operative Clause 7 of that same Appendix. He proposed that a reference to cyber threat be introduced in that provision to ensure that the Consolidated Statement was as comprehensive as possible, regardless of the fact that there was a draft Resolution dealing exclusively with cybersecurity in civil aviation that had been presented to the Assembly for approval in WP/17.

20. The Delegate of Brazil expressed support for WPs/14 and /15 presented by the Council, as well as for the previous interventions. Recognizing the irrefutable benefits of developing a GAsEP, he endorsed the proposal to expedite its delivery, and expressed Brazil's interest in participating in a joint effort to develop the Plan. The Delegate of Brazil indicated that while his State recognized the importance of promoting landside security, it considered that the establishment of specific screening procedures should be evaluated by each State based on a risk assessment. His State therefore considered that the two new Annex 17 Standards relating to landside security needed to be followed up with guidance material on landside risk management and studies of possible procedures to mitigate that risk, as proposed by Airports Council International (ACI) in WP/198.

21. The Delegate of Saudi Arabia voiced support for the papers relating to ICASS and GAsEP, in particular WPs/14 and /15, and expressed his State's willingness to support the development and implementation of a GAsEP. He underscored that Saudi Arabia would coordinate its activities in that regard directly with the Secretariat.



22. The Delegate of Argentina expressed support for WPs/15 and /16 and for all of the measures that had been proposed to expedite the development and implementation of a GAsEP.

23. Referring to WPs/14 and /15, the Delegate of the United Arab Emirates voiced appreciation for the aviation security activities carried out by ICAO during the current triennium. She agreed that ICASS should continue to be implemented during the transition period 2017-2019 and indicated that her State would continue to support the development of a GAsEP.

24. The Delegate of Nigeria commended the Council on WPs/14 and /15. He supported the interventions by the Delegates of Senegal, Singapore, South Africa and Switzerland in which they advocated the continued use of the AVSECP's expertise, particularly for the periodic review of the Organization's plans relating to aviation security.

25. Acknowledging the continued relevance of the ICASS as a robust framework for guiding ICAO action on aviation security matters, the Delegate of Malaysia supported the extension of ICASS until such time as a GAsEP was approved for implementation. He highlighted that, as urged in WP/14, Malaysia continued to support ICAO's Aviation Security work programme, as evidenced by that State's participation in regional initiatives, including hosting the 13th Standing Committee Meeting of the Cooperative Aviation Security Programme – Asia Pacific (Kuala Lumpur, 21-22 July 2016) and the third ICAO/WCO Joint Conference on Enhancing Air Cargo Security and Facilitation (Kuala Lumpur, 26-28 July 2016). The Delegate of Malaysia underscored that his State had also made voluntary contributions to support the ICAO Aviation Security Fund. While noting the proposed roadmap and timeframe for the development, approval and implementation of a GAsEP set forth in WP/15, he supported accelerating the said timeframe. In concluding, the Delegate of Malaysia endorsed the spirit of the proposed *Consolidated statement of continuing ICAO's policies related to aviation security* appended to WP/16.

26. Expressing support for WPs/14 and /15 relating to the GAsEP, the Delegate of Sudan indicated that his Government had taken a similar approach, assisted by AFCAC. In underscoring the need to ensure that aviation security was strengthened, he highlighted the importance of training seminars. Observing that positive results had been achieved to-date, the Delegate of Sudan associated himself with the comments made by the Delegates of Saudi Arabia, Senegal, Singapore, the United States and others who had supported the development of a GAsEP and encouraged the AVSECP to continue its work in that regard.

27. In also voicing support for WPs/14 and /15, the Delegate of Japan requested that the transition from the ICASS to the GAsEP take place at the earliest possible date and indicated that Japan would cooperate with other States and the Secretariat to that end. He also expressed support for WP/16 containing the proposed *Consolidated statement of continuing ICAO policies related to aviation security* for the next triennium, highlighting the following provisions: Operative Clause 1, in which the Assembly resolved that "the Appendices attached to this Resolution constitute the consolidated statement of continuing ICAO policies related to the safeguarding of international civil aviation against acts of unlawful interference, as these policies exist at the close of the 39th Session of the Assembly"; Appendix A, Operative Clause 5, in which the Assembly reaffirmed "ICAO's responsibility to facilitate the consistent and uniform resolution of questions which may arise between Member States in matters affecting the safe and orderly operation of international civil aviation throughout the world"; and Appendix A, Preambular Clause 3, which indicated that "the threat of terrorist acts, including those posed ... by the targeting of aircraft by man-portable air defence systems (MANPADS), surface-to-air missile systems, light weapons ... , and other acts of unlawful interference against civil aviation, has a serious adverse effect on the safety, efficiency and regularity of international civil aviation ...". In that connection, the Delegate of Japan stressed that his State's support of the proposed *Consolidated statement*

*of continuing ICAO policies related to aviation security* and a GAsEP was unquestionably strengthened by its conviction that the said Consolidated statement would be adopted on the understanding that compliance with the relevant ICAO Standards by all Member States was of paramount importance for ensuring the safety of international civil aviation, in particular, given the fact that the repeated launches of ballistic missiles by the Democratic People's Republic of Korea represented clear violations of the relevant United Nations Security Council Resolutions, having posed risks to international civil aviation, the safety of which was the foundation for, and the mission behind, ICAO's work.

28. The Delegate of China expressed appreciation and full support for ICAO's aviation security-related activities, particularly in light of new threats. Noting that the Organization was playing a vital role in addressing such threats, including through the proposed development of a GAsEP, he advocated the expeditious formulation and approval of such a Plan with a view to strengthening international cooperation and innovation in the field of aviation security. The Delegate of China stressed the need to have a smooth transition from the ICASS to a GAsEP, using scientific methods, and to avoid any gaps between the aviation security strategies.

29. The Delegate of Canada echoed the support expressed by previous speakers for WPs/14, /15 and /16 on the global aviation security framework. In noting that the ICASS would have to be relied upon a little longer than anticipated, he indicated that Canada would support any efforts to expedite the development of a GAsEP.

30. Stressing the need to ensure that all possible measures were taken to address the various aviation security threats, the Delegate of El Salvador endorsed WPs/14 and /15 presented by the Council. He indicated that the one stop security system (OSS) for the NAM/CAR and SAM region referred to in WP/330 presented by Brazil and co-sponsored by Chile, Colombia, Ecuador, Panama and Paraguay was of particular concern to Ecuador as it passed responsibility from one State to another. Citing the current challenges associated with operationalizing the OSS system in Ecuador and his State's concern that it would generate vulnerabilities in the various areas of aviation security, the Delegate of El Salvador suggested that the OSS system be revisited to determine its practicability and to ensure that the security measures adopted were more direct and all-encompassing.

31. The Delegate of Bahrain endorsed WPs/14 and /15 on the ICASS and GAsEP and expressed his appreciation to ICAO's experts for their work in that regard.

32. The Delegate of the Republic of Korea voiced support for WP/15 regarding GAsEP.

33. Further to his general comments on WPs/14, /15 and /16 during the Executive Committee's Fourth Meeting (cf. A39-Min. EX/4, paragraph 67), the Delegate of the United Kingdom voiced his support for the interventions by the Delegates of France, Singapore, South Africa, Switzerland and the United States, inter alia.

34. The Observer from the Civil Air Navigation Services Organisation (CANSO) expressed full support for WPs/14, /15 and /16 (Council).

### ***Strategic policy priorities for the next triennium***

35. The Delegate of the United Kingdom supported the conclusions in WP/98, presented by Slovakia on behalf of the EU Member States and the other Member States of ECAC, and the emphasis which they placed on improving both the effective implementation of Annex 17 Standards and Annex 9 security-related Standards and its translation into delivery of effective security on the ground, on a

continuing, reliable and sustainable basis. To accomplish that, improvements in the USAP audit process and quality assurance were required, as well as training and oversight in the creation of effective security culture. In that connection, the Delegate of the United Kingdom endorsed WP/177 presented by the United States.

36. With respect to the strategic policy priorities for the next triennium, the Delegate of Canada expressed support for the actions recommended in WP/177 and WP/98, in particular those pertaining to the review of the scope and methodology of the USAP, which he considered would help update that important audit activity and prepare ICAO and its Member States to meet future challenges. Observing that more than thirty papers presented to the Executive Committee related to a risk-based approach to aviation security, he underscored that it was vital that the culture and methodology of the USAP Programme and activities, on which many States relied, evolved with the threat environment.

37. Voicing support for WP/177, the Delegate of the Republic of Korea lauded the establishment by States, pursuant to Chapter 3.4 of Annex 17, of a National Civil Aviation Security Quality Control Programme (NCASQCP) as an effective tool in the identification of deficiencies and vulnerabilities of their respective civil aviation security systems.

38. Referring to WP/177, the Delegate of France thanked the United States for highlighting the existence of NCASQCPs, which he deemed to be a key factor in security. He pointed out that the implementation of such a programme required a dedicated quality control body with the authority to correct any shortcomings that may surface and enforce compliance with the Annex 17 Standards, subject to national and regional regulatory systems. The Delegate of France considered that ICAO should play a key role in that regard by helping States to restructure, providing logistical and material assistance and/or facilitating bilateral assistance programmes.

39. The Delegate of South Africa lent her support to WPs/177 and /98.

### ***Cybersecurity***

40. The Delegate of Romania expressed his gratitude for all of ICAO's efforts to-date to try to resolve the numerous issues related to cybersecurity and offered his State's support for the establishment of a global framework for cybersecurity for civil aviation stakeholders, as proposed in WP/175, presented by 23 Member States. He noted that WP/187, presented by CANSO, addressed the same priorities as those submitted in WP/99 Revision No. 1, presented by the United States and by Slovakia on behalf of the EU Member States, the other Member States of ECAC and EUROCONTROL, albeit from a different perspective. Romania agreed on the need for coordination and supported the concept of a global framework for cybersecurity on civil aviation; however, it considered that cybersecurity, or cyber resilience, needed to be addressed in a comprehensive manner and not solely within the field of aviation security. The Delegate of Romania considered that cybersecurity was an integrated and joint concept, including other domains such as air carriers, airports and air traffic control operators, and safety and security aspects, and that it thus needed to be addressed in a holistic manner.

41. The Delegate of the Republic of Korea supported WP/17 presented by the Council and the draft Assembly Resolution addressing cybersecurity in civil aviation appended thereto. He emphasized the importance of collaboration, harmonization and a global approach that encompassed other relevant areas such as air navigation services (ANS), communications, navigation and surveillance (CNS), aircraft operations (OPS) and airworthiness of aircraft (AIR), in addressing emerging cybersecurity issues in a timely manner. He considered such a strategy to be essential to the determination of obligations and responsibilities in each of the areas concerned, which would contribute to the success of future work.

42. The Delegate of the United Kingdom lent his support to both WP/99 Revision No. 1 and WP/175 as they reflected the need for ICAO to take a leadership role in cybersecurity, working collaboratively with States and industry, and to ensure that that work was effectively harmonized across the Organization's work programme. He further supported the said draft Assembly Resolution addressing cybersecurity in civil aviation (WP/17), with the expectation that, once approved, it would provide an effective basis to advance the work into a realistic and prioritized programme delivering concrete results.

43. Referring to the draft Assembly Resolution, the Delegate of New Zealand noted that cybersecurity was not confined to the aviation sector and emphasized that any cybersecurity-related Resolution needed to emphasize government and cross-sector involvement. He proposed that the issue be framed more broadly as 'cyber threats' rather than 'cybersecurity'.

44. Noting civil aviation's increasing reliance on the availability of information and communication technology (ICT) systems and on the accuracy and confidentiality of data, in order to operate efficiently, safely and securely, the Delegate of the United Arab Emirates supported the guidance on combatting the various cyber threats thereto as embodied in the draft Assembly Resolution appended to WP/17.

45. The Delegate of the United States expressed strong support for WP/99 Revision No. 1, of which his State was a co-sponsor with the Member States of the EU, ECAC and EUROCONTROL. He noted that the paper would also be presented in the Technical Commission to permit a discussion on its technical merits. In noting that coping effectively with cyber incidents required States and stakeholders to share relevant information and harmonize the manner in which the integrity of data and information exchanges were protected and maintained, the Delegate of the United States underscored that the proposals contained in WP/99 Revision No. 1 supported that observation. He supported all similar calls for a comprehensive approach to cyber issues, as well as the said draft Assembly Resolution on addressing cybersecurity in civil aviation (WP/17).

46. The Delegate of Australia supported WP/17 and the draft Assembly Resolution's call for a horizontal approach, the development of a common understanding of cyber threats and risks, and coordinated action. She emphasized that the proposed Assembly Resolution would achieve a global cybersecurity response that was risk-based, appropriately-led and internationally-coordinated. The Delegate of Australia underscored that cybersecurity was a broader issue that applied to other industries and indicated that, in his view, it should not necessarily be regulated by civil aviation authorities. The vast majority of the cyber issues currently faced by the aviation sector were issues that were, and should be, dealt with as part of effective business practices. In light of the foregoing, Australia cautiously supported the proposal contained in WP/175, presented by 23 Member States, for ICAO to develop a comprehensive framework for cybersecurity that provided guidelines and recommended approaches for use by States and industries. Australia held the view that any framework should include guidance on identifying critical systems, how to integrate cybersecurity into existing areas of work and suggest responsibilities for different stakeholders. The Delegate of Australia stressed that the framework should also, wherever possible, integrate with existing cybersecurity standards and approaches used by industry and in other sectors.

47. The Delegate of Nigeria voiced support for a comprehensive approach to addressing the threat posed by cybersecurity and highlighted the need for ICAO to take a leading role, in collaboration with other stakeholders, in protecting critical infrastructure, as that cross-cutting issue affected not only security but also communications, inter alia.

48. The Delegate of Switzerland strongly supported ICAO's cybersecurity initiatives as presented in WP/17, and the draft Resolution on addressing cybersecurity in civil aviation appended

thereto, which called for a horizontal, cross-cutting and functional approach involving all of the safety-related disciplines. Given the broad spectrum of cybersecurity, which not only affected civil aviation but also other domains, he considered that other entities should take the lead in its regulation.

49. The Delegate of South Africa supported WPs/17, /99 Revision No. 1 and /175.

50. In the light of the importance of cybersecurity, the Delegate of Bahrain supported WP/175.

51. The Observer from CANSO thanked the Executive Committee for its support of WP/187 regarding a cybersecurity defence strategy. He drew a correlation between that paper and WPs/175 and /99 Revision No. 1, all of which recognized that cyber threats were present throughout the aviation system. CANSO fully supported the creation of a comprehensive framework by ICAO with a holistic approach. The Observer from CANSO pledged his organization's full support for the work of ICAO in this regard, through CANSO's participation in the Industry High Level Group and the AVSECP and its working groups. CANSO fully supported WPs/17, /175 and 99 Revision No. 1.

### ***Landside security***

52. While acknowledging ACI's concern regarding screening at the entrance to terminal buildings as described in WP/198 (*Landside security policies*), the Delegate of the Russian Federation expressed his view that such screening, by effectively shifting the security threat to another location, reduced the gravity of the threat's consequences. He emphasized that if terrorist acts could not be prevented, then everything possible must be done to mitigate their consequences. Drawing attention to WP/310 (*Security measures for the landside areas of airports*) presented by his State, the Delegate of the Russian Federation highlighted that its experience had demonstrated that apportioning flows of people at the entrance to terminal buildings effectively precluded any queuing, resulting in a substantial increase in security.

53. The Delegate of Saudi Arabia cautioned that the procedure implemented in the Russian Federation regarding screening at the entrance to terminal buildings was not in conformity with current practice, which should be borne in mind when applying such measures. He shared the concern expressed by ACI in WP/198.

54. In endorsing this intervention, the Delegate of Bahrain highlighted the difficulties encountered in deciding which security measures to put in place in the landside areas of airports.

55. The Delegate of the United Kingdom expressed broad support for WPs/198 and /310. Observing that terrorist threats currently focused on soft i.e. vulnerable targets, he underscored that landside areas of airports were consequently at a greater risk of attack than other areas, as had been evidenced by recent events. While it would be impossible to achieve the same level of protection for landside areas as for airside areas unless the security checkpoint were relocated to the outside of the terminal building, in reality such a move would transfer the risk, as queues of people and their associated vulnerabilities would be created at the airport entrance. In light of the security risks that States were primarily trying to address, the Delegate of the United Kingdom welcomed and supported the proposed upgrading of Annex 17 Recommended Practices 4.8.1 and 4.8.2 to Standards, which the Council had recently decided to include in draft Amendment 15 to Annex 17, for circulation to States for comments prior to consideration and adoption by the Council (cf. C-WP/14499; 208/3; State letter AS 8/2.1-16/58 Confidential dated 8 June 2016) and which were referred to in paragraph 2.7 of WP/310. While welcoming the insights provided by the Russian Federation on the basis of its experience, as presented in that paper, he did not support its proposed new Annex 17 Standard 4.8.3, which would make screening at

the terminal entrance mandatory [cf. action paragraph c) of WP/310]. The Delegate of the United Kingdom strongly supported ACI's conclusions in paragraph 3.1 of WP/198, with the exception of the development of a single definition of the term "landside" [cf. paragraph 3.1 b)], which he considered was neither necessary nor helpful as all airports were different. He was of the view that the term "landside" was best defined locally through locally risk-assessed airport security plans.

56. The Delegate of New Zealand reiterated his State's support for the work of ICAO regarding landside security. He highlighted that New Zealand did not support the Russian Federation's proposed new Annex 17 Standard 4.8.3 that would require States to place screening equipment at the entrance to landside areas, largely for the same reasons cited by the Delegate of the United Kingdom.

57. Echoing previous interventions, including those of Delegates of ECAC Member States, the Delegate of Ireland expressed support for the continued focus on landside security. He considered that ACI's paper (WP/198) was a good contribution in that regard. The Delegate of Ireland nevertheless associated himself with the comments made by the Delegate of the United Kingdom with regard to ACI's conclusion on the definition of the term "landside", averring that Annex 17 should require States to define for themselves what "landside" meant for the purpose of aviation security. He underscored that on the basis of risk assessment and within the context of a security management system, airports should provide for security requirements in cooperation and consultation with all other responsible security and enforcement authorities in the State. The Delegate of Ireland indicated that his State very much welcomed draft Amendment 15 to Annex 17 and the proposal to upgrade existing Recommended Practices 4.8.1 and 4.8.2 on landside security to Standards (cf. State letter AS 8/2.1-16/58 Confidential dated 8 June 2016).

58. The Delegate of the United Arab Emirates endorsed WP/310, presented by the Russian Federation. She highlighted that the United Arab Emirates had already advised ICAO of its support for draft Amendment 15 to Annex 17. The Delegate of the United Arab Emirates recalled, in this regard, that in its paper ACI made reference to the said proposal to upgrade existing Recommended Practices 4.8.1 and 4.8.2 to Standards, and indicated, inter alia, that it appreciated their risk-based nature [cf. paragraph 1.3 a)]. While noting that proposed Standard 4.8.2 (upgraded Recommended Practice 4.8.1) permitted States to implement various security measures to mitigate the risk to landside areas, she expressed concern regarding some of the new detection equipment being used.

59. As Turkey was one of the States targeted by recent landside terrorist attacks, the Delegate of Turkey fully agreed that appropriate measures should be implemented, in coordination with all relevant entities at airports, to protect the travelling public in landside areas. However, he was of the view that the effectiveness of terminal entrance security checkpoints, as proposed by the Russian Federation in WP/310, was debatable, as such checkpoints had proven to be insufficient during the landside terrorist attack at Istanbul Atatürk International Airport on 28 June 2016. The Delegate of Turkey emphasized that consideration should also be given to the risks and vulnerabilities associated with terminal entrance security checkpoints. He indicated that Turkey considered that landside attacks could be effectively prevented by intelligence and behaviour detection. The decision regarding the screening of passengers entering airport terminals should be left to individual States, which should decide whether to screen all of them or only a proportion, based on a risk assessment and behaviour analysis, or not to screen at all.

60. The Delegate of the United States strongly supported the call for the development of further guidance material on landside security and looked forward to participating in that work. He recommended that guidance and training material reflect that there was no "one size fits all" approach to landside security and that different approaches may be used to achieve a State's security goals. The Delegate of the United States underscored that an effective approach to landside security at one airport may not be as effective at another and that there were various considerations at play in the airport ecosystem. The United States therefore did not support proposals for Standards requiring prescriptive

measures, such as on-entry terminal screening. In its view, the intention behind landside security Standards should be to establish coordination across entities, especially at the local level, which would enable the implementation of appropriate security measures, response protocols and resiliency efforts.

61. The Delegate of Switzerland agreed that there was no “one size fits all” solution.

62. The Delegate of Canada echoed the comments made by many other Delegates regarding WP/310 (Russian Federation) that while landside security was an important issue that had to be addressed, screening upon entry into the terminal building was not the appropriate method. Although supporting the actions recommended by ACI in WP/198, he agreed with the Delegate of the United Kingdom that defining what was “landside” may not be appropriate as airports varied greatly in nature from country to country.

63. The Delegate of France lent his support to WPs/198 and /310, while nonetheless joining other Delegates in expressing some concerns regarding the Russian Federation’s proposed new Annex 17 Standard 4.8.3 requiring on-entry terminal screening. He underscored that such screening should be dealt with on a State-by-State airport-by-airport basis, bearing in mind the design of each airport, the services provided and the risk assessment.

64. Responding to the concerns expressed regarding WP/310, the Delegate of the Russian Federation clarified that the paper’s intent was to support the Council’s proposal to upgrade to Standards Annex 17 Recommended Practices 4.8.1 and 4.8.2 relating to landside security. With a sense of déjà-vu, he equated the current discussion surrounding open doors in terminal buildings to earlier discussions regarding open cockpit doors, which had led to the tragic events in the United States on 11 September 2001. The Delegate of the Russian Federation noted that after 9/11 all airplanes had been retrofitted with reinforced cockpit doors and cockpit access had been restricted, measures which had already been implemented in his State thirty years earlier.

65. The Delegate of the Russian Federation highlighted that, unlike an act of unlawful interference directed against an aircraft in flight, which could result in some three-four hundred casualties, comprising the passengers and crew on board, an attack on the landside area of an airport due to an unsecured entrance to the airport terminal building could result in many thousands of casualties, comprising not only passengers but also the people accompanying them and airport personnel. He noted that, in view of the recent terrorist attacks at airports, his State had become convinced that new and emerging threats that could not be resolved using the systematic approach taken to traditional acts of unlawful interference. Acknowledging that every State was entitled to adopt its own national aviation security measures to address such new and emerging threats, the Delegate of the Russian Federation reiterated that WP/310 proposed support for the Council’s said proposal to upgrade to Standards Annex 17 Recommended Practices 4.8.1 and 4.8.2 relating to landside security, as well as for his State’s proposed new Standard 4.8.3 regulating the placement of screening equipment at the entrance to the landside areas of airports.

66. The Delegates of Argentina and South Africa expressed support for WP/198 (ACI) regarding landside security.

67. The Observer from ACI expressed gratitude for the broad support that WP/198 had garnered and reiterated that the intention was to produce a system that was flexible and practical, had clearly defined responsibilities, and that avoided the creation of crowds and queues. He also voiced appreciation for the comments made by the Delegates of the Canada, Ireland and the United Kingdom with respect to the definition of the term “landside”. The Observer from ACI consequently suggested that the draft text of Appendix C, Operative Clause 7 j), of the proposed *Consolidated statement of continuing*

*ICAO policies related to aviation security* (cf. Appendix to WP/16) be replaced with the following: “address the risk of attacks in landside areas, including terminal buildings, by working with all stakeholders to: i) maintain a practical balance between the needs of effective and sustainable measures and passenger facilitation; ii) implement a set of risk-based measures that are flexible and practical, with clearly defined responsibilities among relevant actors; iii) avoid the creation of any areas of mass gathering either inside or proximate to the terminal; and iv) sustain a culture of constant vigilance, deterrence, prevention, response and resilience in a coordinated manner in the face of evolving threats.”.

68. Observing from the current discussion that there was an apparent perception that a GAsEP could be progressed much more quickly through the AVSECP, the Observer from ACI affirmed that it essential that industry, as a whole, be involved in the negotiation and discussion of the development of a GAsEP and, in that regard, offered his organization’s considerable expertise through the unique community of airports. Responding to the remarks of the Delegate of the Russian Federation with respect to his State’s experience with landside security, the Observer from ACI informed the Executive Committee that his organization had been working on measures to expedite the flow of people through airport terminals and, in coordination with IATA, had been exploring a programme called *Smart Security*. ACI was extremely conscious of the need to keep people moving in order to avoid creating crowds and queues, and considered that there was a very severe risk that having screening outside airport terminals would transfer the vulnerability elsewhere and increase that vulnerability.

69. With reference to the ACI Observer’s suggested amendment to Appendix C, Operative Clause 7 j), of the proposed Consolidated statement appended to WP/16, the Chairperson of the Executive Committee recalled that, in accordance with Rule 38 of the *Standing Rules of Procedure for the Assembly of the International Civil Aviation Organization* (Doc 7600), “A motion or amendment shall not be discussed until it has been seconded. Motions and amendments may be presented and seconded only by members of delegations of Contracting States.”

70. In this regard, the Delegate of the United Kingdom supported, and the Delegate of Canada seconded, the above-mentioned amendment proposed by the Observer from ACI (cf. paragraph 68).

### ***Annex 17 and related guidance material***

71. The Delegate of Canada expressed support for the contents of WP/219, presented by India, on the subject of bridging the gap between the USAP-CMA Protocol Questions and aviation security regulations/guidance material. He considered, however, that the Protocol Questions should be aligned with the aviation security-related Standards and not *vice versa*.

72. While also supporting WP/219, the Delegate of South Africa shared the views expressed by the Delegate of Canada regarding the Protocol Questions.

73. The Observer from the International Federation of Air Line Pilots’ Associations (IFALPA) commended ICAO for its thorough and comprehensive work in the area of safety information protection and looked forward to seeing significant gains to improve safety through both mandatory and voluntary safety reporting systems. He recalled associated work in the Flight Recorder Specific Working Group (FLIRECSWG) of the Flight Operations Panel (FLTOSP) in the area of recording information for accident investigation purposes. The Observer from IFALPA expressed concern that some of the proposals put forth by the Russian Federation in WP/311 (*The video surveillance system in aircraft as a means to ensure objective monitoring, used in the prevention and investigation of acts of unlawful interference*), particularly those related to the recording of information on an aircraft after a flight had departed from the gate until it arrived at its destination, would have adverse consequences on the positive



safety culture that the work of ICAO has been so careful to foster. He considered that the proposals would require significant financial and human resources to implement in an industry where these resources must be spent in a manner to maximize gains in safety. IFALPA urged the Assembly to take into consideration the natural tie between safety and security and the impact that proposals meant for one might have on the other. The Observer from IFALPA shared his federation's tenet that the matter of recording the events that take place within the flight deck compartment should only be used for accident investigation purposes, as stipulated in Annex 13 – *Aircraft Accident and Incident Investigation*, and that this work should be coordinated by the FLIRECSWG.

***Measures to mitigate the insider threat***

74. The Delegate of Portugal expressed his support for WP/145 (AFCAC) and the development and updating of SARPs and guidance material on the new and emerging threats, including landside security and insider threat, bearing in mind the key objectives of United Nations Security Council Resolution 2309 (2016), in particular, the vital importance of strengthening aviation security measures to secure a peaceful global environment. He stressed the importance of the ICAO *No Country Left Behind* initiative as a key to achieving the required levels of security for all States.

75. Turning to WP/180 (United States), the Delegate of Portugal, speaking on behalf of ECAC Member States, expressed support for the inclusion of insider threat in the ICAO strategic priorities for the next triennium and in the GAsEP, as well as in the review of Annex 17 and the *Aviation Security Manual* (Doc 8973 – Restricted) so that insider threat would be ethically addressed. He noted that since insider threat and human factors were inter-related and constituted a challenge for aviation security, Portugal was committed to cooperating in the development of those key issues through participation in the AVSECP. Portugal also recognized the relevant measures and initiatives on insider threat taken by regional organizations such as AFCAC, EU and ECAC.

76. The Delegate of the Republic of Korea supported WP/180 and the activities of the United States to address insider threat as outlined therein. He assured the Executive Committee of his State's full cooperation in the global effort to prevent future insider attacks.

77. The Delegate of Israel expressed his State's strong support for WP/180. He underscored that while technology played a major role in preventing terrorist attacks, it also encouraged terrorists to look for a soft, human factors target in the system. Seeing a strong and urgent need to set ICAO Standards that would deal with the insider threat, the Delegate of Israel expressed his State's willingness to cooperate with other States in that regard.

78. While concurring with the comments of the Delegate of Singapore and others on the Aviation Security Programme in general, the Delegate of Belgium welcomed and supported the proposals with regard to the mitigation of new and emerging threats, especially insider threats, as presented in WP/180 (United States) and WP/145 (AFCAC), respectively. Recalling that some regional organizations had already taken initiatives in that regard, the Delegate of Belgium considered it appropriate to extend those initiatives to other regions.

79. With reference to WP/145 (AFCAC), the Delegate of Luxembourg highlighted the need for Annex 17 to keep pace with the evolution of threats to the security of international civil aviation. He observed that there were two emerging threats that generated concern throughout the international community due to recent events: threats to landside security and insider threats, which involved the passive or active complicity of insiders in order to circumvent security measures. The Delegate of Luxembourg noted that the security measures being implemented by AFCAC Member States increasingly sought to address those challenges. Luxembourg thus fully supported WP/145, in particular, action

paragraph a) in the executive summary, in which the Assembly was invited to urge the Council to accelerate the adoption of new aviation security SARPs relating to the mitigation of new and emerging threats, including landside security and insider threats.

80. Recognizing the work of AFCAC and African States as reflected in WP/145, the Delegate of France noted that the concerns expressed therein were consistent with those of France, particularly with respect to landside security and insider threat. He considered the paper to be very much in line with United Nations Security Council Resolution 2309 (2016), which highlighted the role of ICAO and the responsibilities of States vis-à-vis the protection of the safety and security of citizens and nationals. The Delegate of France cited the European case project as an initial response to the issue of new and emerging threats, since it proposed to help African States, who so wished it, to prepare their administration to deal with emerging threats. In light of the foregoing, France supported WP/145, which called for the development of appropriate SARPs in order to deal with these emerging threats.

81. As a co-sponsor of WP/145, the Delegate of Nigeria urged ICAO to expedite action on guidance material to address the prevailing threats against civil aviation.

82. The Delegates of Argentina, France, South Africa, Switzerland and the United Kingdom expressed strong support for WP/145 regarding the development and updating of SARPs and guidelines, and for WP/180 regarding global strategies to address insider threat.

#### *Liquids, aerosols and gels (LAGs)*

83. In supporting WP/184 (South Africa) on the above subject, the Delegate of Argentina suggested that all issues related to LAGs be addressed swiftly by ICAO through the AVSECP.

84. The Delegate of Saudi Arabia voiced concern regarding WP/184 as he disagreed with the confiscation of liquids below the maximum allowable 100 ml upon passengers' entry into the terminal building. He averred that that procedure was not in conformity with the current practice, which should be taken into consideration when applying such measures. Due to the difficulty associated with screening passengers for LAGs while in transit, the Delegate of Saudi Arabia considered that all measures relating to landside operations should be applied to domestic flights rather than international flights. His primary concern was the assurance that LAGs were not used illicitly.

85. The Delegate of Bahrain shared this view.

86. With respect to WP/184, the Delegate of Nigeria lent his support to the recognition of STEBs from other States that conformed to those requirements. He considered that that would avoid the duplication of screening efforts and promote communication between States with differing LAG restrictions.

87. While supporting WP/184, the Delegate of Switzerland emphasized that the transfer State maintained the responsibility to screen for LAGs and to ensure that the passengers were not carrying any restricted LAGs when they arrived in another State.

88. The Delegate of South Africa endorsed WP/254 (Nigeria), WP/184 (South Africa) and WP/327 [Venezuela (Bolivarian Republic of)].

89. The Delegate of Senegal voiced support for WP/254 (Nigeria).

***Other policy issues***

90. With respect to WP/330 (*Procedures for the implementation of the one stop security system*), presented by Brazil, Chile, Colombia, Ecuador, Panama and Paraguay, the Delegate of Argentina underscored that all issues related to the OSS system should be expeditiously addressed by ICAO through the AVSECP.

91. In noting the information provided in WP/330, the Delegate of Canada averred that discussions on the OSS system were best left to the AVSECP. Emphasizing that while one stop security arrangements were very important for facilitation and passenger convenience they were not to be taken lightly, he underscored that their effective implementation involved a very comprehensive and rigorous process.

92. The Delegate of Switzerland supported the OSS system initiative set forth in WP/330. Although he also supported State implementation of a Civil Aviation Security Management National Programme (CAsEMNP-SeMS) as proposed in WP/315, presented by Colombia and supported by 12 South American States, he expressed reluctance to make such a Programme mandatory. The Delegate of Switzerland suggested that the ICAO Regional Offices provide assistance to those States in need thereof in introduce a CAsEMNP-SeMS.

93. In summarizing the discussions, the Deputy Director of Aviation Security and Facilitation (DD/ASF) recognized that broad consensus had developed around virtually all points that had been raised in the various working papers presented under Agenda Item 16. He indicated that note had been taken by the Executive Committee of recently-adopted United Nations Security Council Resolution 2309 (2016) on *Threats to international peace and security caused by terrorist acts: Aviation security*, as a lead-in to the discussions on the global framework for aviation security. With respect to that global framework, there was broad support for the actions proposed in the working papers, i.e. extension of the ICASS and development of the GASeP, with the addition of a very clear message from the Executive Committee regarding the need to expedite the development of the GASeP and to engage the AVSECP. Note was taken of the offers to provide direct assistance to the Secretariat in those endeavours.

94. DD/ASF noted the broad support for the *Consolidated statement of continuing ICAO policies relating to aviation security*, amended as proposed by ACI and supported by the Delegates of the United Kingdom and Canada, as well as for the actions proposed in all of the subsequent working papers, with the exception of the proposal regarding an ICAO Standard that would call for screening at the entrance to terminal buildings. To address the concern raised in that regard, that proposal, which concerned a landside security measure, would be consolidated with other proposals to amend Annex 17 and to generate relevant guidance material and would be referred to the Secretariat and the appropriate technical bodies, notably, the AVSECP, for further work. With respect to WP/99 Revision No. 1 regarding cybersecurity, it was noted that only proposed actions a) and c) had been considered by the Executive Committee and that the remainder of the proposed actions would be considered by the Technical Commission.

95. In concluding its discussions on Agenda Item 16, the Executive Committee agreed to recommend to the Plenary for adoption draft Resolution 16/1: *Consolidated statement of continuing ICAO policies related to aviation security* set forth in the Appendix to WP/16, as amended in light of the discussions, and draft Resolution 16/2: *Addressing cybersecurity in civil aviation*, as presented in WP/17.

**Agenda Item 17: Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA)**

96. This Agenda Item was considered on the basis of one working paper presented by the Council, WP/20 Revision No. 1 [*Implementation of the Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA)*] [with Revision No.1 (French only)], and related working papers and information papers.

97. The Secretary General introduced WP/20 Revision No. 1, which presented a report on the overall implementation of the USAP-CMA, together with related developments, since the 39th Session of the Assembly. She recalled that the USAP-CMA incorporated various key parameters to determine the type, scope, priority and frequency of audit and monitoring activities. Between the launch of the USAP-CMA in January 2015 and 3 September 2016, a total of 47 USAP-CMA activities, including 44 audits and 3 validation missions, had been conducted. The USAP-CMA revealed that the overall global level of effective implementation (EI) of the critical elements (CEs) of a State aviation security oversight system had improved slightly when compared to the results of the second cycle of audits, and ICAO expected that trend to continue over the coming years. The Secretary General underscored that, as the Programme matured and more activities were conducted, ICAO would be able to provide further information related to the level of compliance by States with Annex 17 – *Security* Standards and the security-related Standards of Annex 9 – *Facilitation*.

98. The Secretary General noted that feedback received from audited States indicated that USAP-CMA audit results provided an invaluable opportunity to assess the robustness and sustainability of their aviation security oversight systems. She emphasized that the audit reports generated under the USAP-CMA remained confidential and were not available to other States, except with the consent of the audited State. The Secretary General thanked all of the States that had contributed to the implementation of the USAP-CMA and expressed her appreciation to those States that had seconded experts to ICAO to act as USAP auditors or audit team leaders. The Assembly was invited to: note the report on the implementation of the USAP-CMA; and request States to continue their support to the USAP in seconding short- and long-term experts and participating in the training courses and seminars.

99. The Delegate of the Russian Federation presented WP/316, which set out his State's position with respect to raising the level of disclosure of audit results within the framework of the USAP and to publishing information related to Significant Security Concerns (SSeCs) in the field of aviation security on the ICAO secure website. Recalling the prevailing principle of confidentiality and the limited transparency of USAP audit results and SSeCs, the Delegate of the Russian Federation expressed concern that terrorist organizations might be able to indirectly access information regarding any slackening in aviation security measures via the ICAO secure website and use that information to commit acts of unlawful interference against civil aviation. The issue had been considered by the AVSECP at its Twenty-seventh Meeting (AVSECP/27, March 2016). Taking into account the potential threat to civil aviation, the Panel had recommended that the status quo be maintained regarding the level of disclosure of USAP audit results and SSeCs. The Assembly was invited to: take note of the contents of WP/316; agree with the sovereign right of each State to provide information on the results of aviation security audits based on 'limited transparency' and maintain the principle of confidentiality of information; and support the proposal that sensitive information related to ICAO audit results could be placed on the ICAO secure website only if the audited State did not express an objection.

100. The Delegate of Cabo Verde introduced WP/151, which was presented by AFCAC on behalf of 54 African States. The paper reiterated the need to maintain the level of disclosure with regard to USAP audit results in line with Recommended Practice 2.4.5 of Annex 17 – *Security*, having considered the potential risks and benefits associated with the disclosure of such information. The Delegate of Cabo Verde, in keeping with the principle of confidentiality and recalling ICAO Assembly

Resolution A36-20, encouraged all States to share their audit report information on a bilateral or multilateral basis in order to increase confidence in the level of aviation security. He noted that findings and recommendations included in USAP audit reports highlighted both systemic and specific deficiencies in the audited State's aviation security oversight system. Audit-related information regarding specific deficiencies was particularly sensitive as it highlighted vulnerabilities and compromised national security, and unrestricted disclosure of that information could be used by other States for inappropriate or punitive purposes. It was highlighted that the audit information currently disclosed through the USAP secure site could serve a number of purposes beneficial to global aviation security, including to mobilize assistance offers to meet the needs of recipient States. The Assembly was invited to: note WP/151; direct ICAO to maintain the level of disclosure of audit results based on Recommended Practice 2.4.5 of Annex 17; and urge ICAO to continue to provide assistance to States with low levels of compliance with Annex 17 Standards and the security-related Standards in Annex 9 – *Facilitation*.

101. It was noted that two information papers had also been submitted: WP/371 (*China's national civil aviation security audits*), presented by China; and WP/224 [*ICAO Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA) implemented in Indonesia*], presented by Indonesia.

102. The Chairperson of the Executive Committee then opened the floor for discussion regarding the USAP-CMA.

## **Discussion**

103. Commending ICAO for establishing the USAP-CMA, the Delegate of Nigeria recalled that, in 2015, Nigeria had been one of the first States to undergo such an audit, which his State had found to be very useful. He encouraged those Member States that had yet to sign a Memorandum of Understanding (MoU) to enable ICAO to carry out the necessary USAP-CMA audit to do so, and urged ICAO to continue the provision of targeted assistance to States with a low level of compliance with Annex 17 Standards and the security-related Standards in Annex 9. In concluding, Delegate of Nigeria expressed his support for WP/151 (AFCAC).

104. The Delegate of Senegal congratulated ICAO on its efforts under the USAP-CMA, as presented in WP/20 Revision No. 1, and encouraged their continuation. Sharing the positions expressed in WPs/151 and /316 regarding the disclosure of USAP audit results, he underscored that displaying on the USAP secure website a graphical representation of audited States' effective implementation of the CEs of a State aviation security oversight system, as well as graphs and charts showing compliance with Annex 17 Standards and the security-related Standards of Annex 9 and information on SSeCs, could meet the requirements for information and could lead to the provision of implementation assistance to those States in need thereof. The Delegate of Senegal averred that any other disclosure policy could be counter-productive and could have the opposite effect of what was intended by raising the level of disclosure.

105. The Delegate of France affirmed that the USAP-CMA was an essential tool for the implementation of a coherent level of security worldwide. Observing, however, that there was tremendous diversity in the actual level of security at airports around the globe, he questioned the effectiveness and above all, the relevance of the methodology used for USAP-CMA audits. Recalling that the said audits were predicated on the introduction of ICAO security-related Standards into each State's national regulations, the Delegate of France stressed the importance of ascertaining the actual level of implementation and level of security at each international airports. He therefore considered it necessary to review the methodology used for USAP-CMA audits.

106. While expressing appreciation WPs/151 and /316, the Delegate of France indicated that they expressed a position which his State did not entirely share. France considered that terrorist attacks were not planned on the basis of ICAO USAP-CMA audit results; rather, such attacks were planned in response to strategic, tactical and political concerns and took advantage of the presence of a terrorist group in a given region and its direct observations of weaknesses in the security measures implemented at a given airport. The Delegate of France emphasized that maintaining total confidentiality of the USAP-CMA audit results was tantamount to not giving the necessary information to other States so that they, for their part, could take appropriate action. While considering total confidentiality of USAP-CMA audit results to be an obsolete measure, he expressed concern over the fate of those audit results when they highlighted recurring security shortcomings. In light of the difficult balance that needed to be struck between the need for States to know the audit results in order to take their own steps to improve international aviation security and the need for States to be protected by a certain level of confidentiality of audit results, the Delegate of France suggested that the Secretariat, with the support of the AVSECP, work on two issues: how to revise the USAP audits so that the actual level of security in each State could be ascertained; and how to adjust the appropriate level of confidentiality of USAP-CMA audit results without leaving the latter open to the whole world while at the same time ensuring that access thereto was not forbidden to States that required the information.

107. In echoing the comments by the Delegate of France, the Delegate of Germany reiterated that ICAO USAP-CMA audit results were of high importance. In noting that the ability to share such information, on a confidential basis, was a key benefit of being an ICAO Member State, he stressed that there was an urgent need to so do. The Delegate of Germany supported previous interventions in that respect.

108. The Delegate of the United Kingdom commended the Secretariat for the diligent work it had done in introducing the new CMA over recent years as set forth in WP/20 Revision No. 1. He noted, however, that the high-level picture painted in that paper gave him cause for concern, in particular, that: there was only 71 per cent effective implementation of CEs globally; only 56 per cent of States assessed their basic legal obligations as regards quality control measures; and 100 of the 191 Member States had yet to sign the USAP-CMA MoU. Of greatest concern was that those numbers might not represent the actual level of effective security on the ground, as also noted by the Delegate of France. As indicated in WP/98, presented by Slovakia on behalf of the EU and ECAC Member States, there were concerns that deficiencies often did not show up in the ICAO USAP-CMA audit process, for two main reasons: the visits were pre-arranged and pre-prepared, so the auditors saw the airport security in its best possible light and not its day-to-day functioning; and the focus was primarily on auditing a State's aviation security oversight capability, its processes and documentation, and not the actual operational performance. That gap between audit performance and the actual level of effective security raised doubts in many quarters as to the credibility of the USAP-CMA audit process.

109. Building on the comments made by the Delegate of France, the Delegate of the United Kingdom proposed that the priority for the next (2017-2019) triennium be a fundamental review of the USAP-CMA audit approach, revisiting some of the fundamentals and principles of the Programme to ensure that it was driving the enhancement of aviation security-related Standards as effectively as possible. He suggested that the existing Secretariat Study Group on the USAP-CMA or another mechanism explore such matters as operational assessments, greater unpredictability, increased focus on particularly common or critical vulnerabilities, and a peer review process. The Delegate of the United Kingdom emphasized that the process would not be about naming and shaming States, but rather about recognizing the challenges all States faced and working together to resolve them.

110. While agreeing with AFCAC Member States on the importance of targeting assistance to States with low levels of compliance (WP/151), the Delegate of the United Kingdom suggested that that focus be amended to reflect that prioritization focus on low levels of effective security, since compliance on paper needed to be backed up by action on the ground.

111. With regard to the issue of disclosure of USAP-CMA audit results, the Delegate of the United Kingdom acknowledged that sensitive information should not be available in the public domain. In his view, the purpose of providing more information was to provide proper information and disclosure on a bilateral basis to those States that were accepting air services from the airport concerned, to whom they had entrusted the safety of their citizens. Noting that the AVSECP/27 Meeting had reached some sensible conclusions on that point, the Delegate of the United Kingdom voiced preference for the use of the Panel's language rather than the language proposed by the Russian Federation in WP/316.

112. Recalling that his State had recently undergone a USAP-CMA audit, the Delegate of Kenya expressed its support for the Programme's continuation and its willingness to assist other States in the African region with its expertise and experience. In endorsing WP/151 (AFCAC), he reiterated that the level of disclosure of USAP-CMA audit results should be agreed on a bilateral basis and be dependent on approval by each audited State consistent with its sovereignty.

113. The Delegate of the United States affirmed that the USAP-CMA was an integral part of ICAO's aviation security programme. He thanked the Delegates of France and the United Kingdom for their insightful comments and lent the United States' support to their concerns, as well as to their proposals to address them. The United States supported the call from Member States to continue seconding short- and long-term experts to participate in training courses and seminars in support of the USAP-CMA. However, the United States also strongly encouraged more in-depth discussions between Member States and the Secretariat focused on auditing best practices to aid and continue the evolution of the USAP-CMA. The United States considered that while global Standards were critically important, they were only as strong as their implementation. In that regard, the Delegate of the United States emphasized that Member States must ensure consistency in the effective implementation of aviation security measures in order to address the dynamic and evolving terrorist threats. The United States therefore also proposed that Member States and the Secretariat discuss and determine how the USAP-CMA could weigh the importance of implementation alongside its current focus on aviation security oversight capability at the national level. Implementation was the proof of an effective oversight regime. The Delegate of the United States underscored that his State was committed to engaging with the Secretariat on its own lessons learned and urged other Member States to do the same, both bilaterally and through appropriate bodies such as the AVSECP and the Secretariat Study Group on the USAP-CMA. He stressed that there was much to be learned from one another in order to improve progress in aviation security.

114. The Delegate of Saudi Arabia endorsed WPs/20 and /151 (AFCAC). In expressing support for WP/316 (Russian Federation), he emphasized that Saudi Arabia did not agree with non-disclosure of USAP-CMA audit results. It considered that the sharing of such information was highly important for all States and that such information should be made available, albeit on secure sites, for the reasons cited by the Delegates of France, Germany and the United States.

115. The Delegate of Argentina indicated that although the USAP-CMA audit results set forth in WP/20 Revision No. 1 revealed a somewhat alarming situation, it was good to know in order to continue to provide targeted assistance to States. He endorsed the comments made by the Delegates of France and Germany and expressed appreciation for information paper WP/224, in which Indonesia outlined its preparations for its USAP-CMA audit in October/November 2015, as well as the actions which it had taken during and after the audit, and lessons learned.

116. The Delegate of Australia supported the important role of ICAO in maintaining the integrity of the global aviation security network and the part the USAP-CMA played in achieving it. Noting that as the demands on that network increased in magnitude and complexity aviation security measures would become more innovative and sophisticated, she emphasized that it was important that the USAP-CMA audit methodology evolved to match those measures, which included equipping auditors with the ability to assess risk-based approaches and to make judgments regarding the security outcomes being achieved. For that reason, Australia strongly supported the request of EU and ECAC Member States in WP/98 for a review of the scope and methods of the USAP-CMA process to ensure that it provided a reliable and accurate picture of how effectively aviation security measures were implemented. Australia looked forward to continued engagement with ICAO in the matter to ensure that the USAP-CMA retained its status as an important link in the global aviation security chain.

117. The Delegate of South Africa pledged South Africa's continued support to the USAP-CMA, which it considered could be improved continuously, like any other good system. She noted that her State supported WP/151 (AFCAC) regarding the level of disclosure of USAP-CMA audit results as it considered that it was in line with the conclusions of the AVSECP/27 Meeting, as alluded to by the Delegate of the United Kingdom. Furthermore, South Africa shared the view expressed by the latter that USAP-CMA audit results could and should be shared on a bilateral basis, in line with Recommended Practice 2.4.5 of Annex 17.

118. The Delegate of Ethiopia affirmed that the arguments presented in WP/151 (AFCAC) and WP/316 (Russian Federation) were sufficient to retain the existing level of disclosure of USAP-CMA audit results. He underscored that the concern raised in WP/151 regarding unrestricted access to the audit results should be considered in order to safeguard the sovereignty and vulnerability of the audited State. The Delegate of Ethiopia expressed full support for the actions proposed in the executive summary of WP/151.

119. In endorsing WP/20 Revision No. 1, the Delegate of the Republic of Korea noted that through ICAO's efforts, and with limited resources, the USAP had been successfully transitioned in 2015 from the comprehensive systems approach (CSA) to the CMA in order to continuously monitor the soundness of States' aviation security oversight systems. Since serious security threat information was provided in the SSeCs issued by ICAO pursuant to audit results, he also lent his support to WP/151 (AFCAC), which recommended that the level of disclosure of audit results be maintained.

120. The Delegate of Finland supported the work of the Council and the Secretariat to implement the USAP-CMA, as set forth in WP/20 Revision No. 1. In associating himself with the comments made by the Delegates of France, Germany and the United Kingdom, he emphasized that the confidential sharing of security information was extremely important for global security cooperation. The Delegate of Finland highly recommended the modernization of the audit system.

121. Reiterating that the USAP-CMA was an extremely important activity, the Delegate of Canada expressed his State's support for its objectives and its intention to continue seconding short- and long-term experts to ICAO to help achieve them. He underscored that central to ICAO's success was an effective audit regime that assessed States' aviation security performance based on established Standards, a goal envisaged by a future GAsEP. He agreed with the Delegates of France, the United Kingdom, the United States and Australia that the USAP-CMA must be updated to keep pace with the challenges being faced worldwide.



122. The Delegate of Switzerland advocated increased transparency of USAP-CMA audit results since they provided a clear indication of: audited States' aviation security weaknesses, which was of use to other States whose airlines flew into/out of those States; and the audited States' needs for technical cooperation/assistance to address those weaknesses.

123. While acknowledging that it might be difficult for an audited State to reveal its aviation security vulnerabilities as identified during the USAP-CMA audit process, the Delegate of Colombia recognized the value in it sharing that information while maintaining a level of confidentiality. He suggested, as a compromise solution, that a mechanism be developed whereby the USAP-CMA audit results would be shared among States that had bilateral air services agreements.

124. The Delegate of Zimbabwe expressed support for WP/20 Revision No. 1 (Council), as well as for WP/151 (AFCAC) and WP/316 (Russian Federation).

125. The Chairperson of the Executive Committee observed that those three papers had generated considerable interest, particularly with regard to the sharing of USAP-CMA audit results.

126. In summarizing the discussions, DD/ASF indicated that the two actions proposed in the executive summary of WP/20 Revision No. 1 relating to USAP-CMA implementation were supported. With regard to the level of disclosure of USAP-CMA audit results (WPs/316 and /151), a number of differing views had been expressed concerning transparency and, although the issue appeared to be resolvable, a firm conclusion on the matter had not been reached. It had been suggested that a broad review of the scope and methods of the USAP-CMA could be referred to the Secretariat Study Group on USAP-CMA for further consideration, in part to look at more risk-based approaches to the auditing activities. The said question of transparency could be examined in that same review. Finally, the call for ICAO to continue to provide targeted assistance to States with low levels of effective implementation of the CEs of a State aviation security oversight system and low effective implementation of ICAO's security-related Standards was broadly supported by the Executive Committee.

**Agenda Item 18: Implementation Support and Development – Security (ISD-SEC)**

127. This Agenda Item was considered on the basis of two working papers presented by the Council, WP/21 Revised [*Report on the Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa (AFI SECFAL Plan)*] and WP/351 [*Riyadh Declaration on Aviation Security and Facilitation*], and related working papers and an information paper. The Chairperson of the Executive Committee indicated that as WP/28 (*Report on the ICAO Technical Assistance Programme*) presented by the Council had been considered under Agenda Item 14 (Technical Assistance Programme) it would not be revisited.

128. The Secretary General introduced WP/21 Revised, which reported on the progress made in the implementation of the AFI SECFAL Plan and its Work Programme since its inauguration in May 2015 in Maputo, Mozambique, and presented a draft Assembly Resolution designed to promote the implementation of the AFI SECFAL Plan. She noted that although some improvements in compliance had been confirmed by recent audits, the overall level of compliance as recorded by the ICAO USAP-CMA activities confirmed the urgent need to continuously and effectively improve implementation of the Annex 17 – *Security* Standards and the security-related Standards of Annex 9 – *Facilitation* on the African continent. While significant achievements had been made thus far, notably the adoption of the *Windhoek Declaration on Aviation Security and Facilitation in Africa*, the AFI SECFAL Plan continued to face funding challenges that might hinder the ability to achieve all of the Plan's objectives and full implementation of the *Windhoek Declaration* and its targets. States, development partners and industry were strongly urged to contribute financially and/or in-kind and also to provide

political support to the implementation of the important AFI SECFAL Plan. The Assembly was invited to: support the continued implementation of the AFI SECFAL Plan; adopt the related Resolution presented in Appendix A to WP/21 Revised; and urge States to make financial, in-kind and /or other contributions to the implementation of the AFI SECFAL Plan.

129. The Delegate of the Russian Federation then presented WP/258 Revision No. 1, co-sponsored by Kazakhstan, regarding the status of the aviation security (AVSEC) staff in the European and North Atlantic (EUR/NAT) Regional Office. The paper recognized the work that had been carried out to enhance AVSEC staffing in the ICAO regions, which would be further bolstered with the establishment of four new aviation security posts in the Regular Programme Budget of ICAO for the next triennium. It was underscored that there was only one such post in the EUR/NAT Regional Office, and that that post was funded by extra-budgetary sources. Given the geographical expanse of the region, the fact that the EUR/NAT Regional Office coordinated the activities of 56 Member States, and current global events related to increased risks of acts of unlawful interference against civil aviation, the paper highlighted the need to strengthen the AVSEC staff in the EUR/NAT Regional Office. The Assembly was invited to: acknowledge the need to strengthen the AVSEC staff in the EUR/NAT Regional Office; suggest that the ICAO Secretary General make an additional appropriation in the ICAO Regular Programme Budget for the 2017-2019 triennium for a full-time AVSEC post to supplement the EUR/NAT posts funded by the Regular Programme Budget, while keeping the extra-budgetary AVSEC post currently funded by voluntary contributions; and strongly recommend to the ICAO Council that, in the Regular Programme Budget proposal for the 2020-2022 triennium, the aforementioned extra-budgetary AVSEC post be converted to a full-time post under the Regular Programme Budget, with the result that the EUR/NAT Regional Office would have two full time AVSEC staff funded by the Regular Programme Budget.

130. The Secretary General next introduced WP/351, whereby the Assembly was informed of the adoption, on 31 August 2016, of the *Riyadh Declaration on Aviation Security and Facilitation in the Arab Civil Aviation Commission (ACAC) and the ICAO Middle East (MID) Regions*, which demonstrated the political commitment to address aviation security and facilitation priorities within the said regions. The Assembly was invited to: note the adoption of the Riyadh Declaration on Aviation Security and Facilitation; urge States in the ACAC and ICAO MID Regions to implement the Declaration as a matter of priority; encourage organizations named in the Declaration and all civil aviation development partners and organizations to support its implementation through the contribution of resources; and request that ICAO, in coordination with ACAC, support implementation of the Declaration during the 2017-2019 triennium, and report to the 40th Session of the ICAO Assembly in 2019 on progress made in relation thereto.

131. The Delegate of Slovakia informed the Executive Committee that the Delegate of the United Kingdom would present WP/105 (*Addressing challenges in the field of capacity building*) on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL under Agenda Item 28 (*No Country Left Behind Initiative*) rather than under the present Agenda Item 18.

132. The Delegate of Singapore presented WP/185 Revised (*Enhancing air cargo security training*) on behalf of 28 Member States, GEA, IATA and TIACA. Recalling that ICAO currently offered one basic training course to provide air cargo and mail security personnel with a basic understanding of the cargo-related Standards in Annex 17, he emphasized that air cargo continued to be of significant importance. To enhance air cargo security training for all stakeholders globally, the paper called for the development of a new ICAO Air Cargo Security Best Practices Workshop, which would provide opportunities for the said personnel to learn from the best practices in air cargo security that had been implemented by regulators and industry around the world. The Assembly was invited to recommend that ICAO develop the proposed ICAO Air Cargo Security Best Practices Workshop in accordance with

paragraph 2 of WP/185 Revised and to conduct the workshop at ICAO Aviation Security Training Centres (ASTCs).

133. On behalf of the 54 Member States of AFCAC, the Delegate of Zimbabwe presented WP/164 Revised (*Capacity enhancement for regional experts on aviation security*). The 38th Session of the Assembly had resolved to provide technical assistance to States in need, including funding, capacity building and technology transfer to effectively address security threats to civil aviation, in cooperation with other States, international organizations and industry partners. AFCAC, in conjunction with ICAO, had developed the AFI SECFAL Plan, whose overall objective was to enhance aviation security and facilitation in Africa in a sustainable manner. The paper highlighted the progress made in the AFI SECFAL Plan since its inception and invited the Assembly to: urge ICAO to continue to provide its leadership and support to the AFI SECFAL Plan; urge ICAO in collaboration with AFCAC to develop a Work Programme, including a detailed Action Plan, with the aim of achieving the Windhoek Declaration targets and incorporate these into the Work Programme of the AFI SECFAL Plan; urge ICAO in collaboration with AFCAC to enhance capacity of African experts (RASFALG-AFI) to be able to effectively address security threats in collaboration with its partners, donors and regional organizations; direct ICAO high-level missions, in coordination with AFCAC, to States with low progress in the effective implementation of ICAO security-related Standards; and encourage other ICAO regions to emulate this African regional approach – AFI SECFAL Plan – to address aviation security challenges as had been done with the Comprehensive Regional Implementation Plan for Aviation Safety in Africa (AFI Plan).

134. It was noted that one information paper had been submitted: WP/446 (*Avances de la República Dominicana en materia de seguridad de la aviación civil*), presented by the Dominican Republic.

135. The Chairperson of the Executive Committee then opened the floor for discussion on Implementation Support and Development – Security (ISD-SEC).

## **Discussion**

136. The Delegate of Nigeria applauded the work that had been accomplished to date through the AFI SECFAL Plan. He also expressed gratitude to AFCAC for its collaborative efforts with ICAO in the preparation of the AFI SECFAL Plan and commended the achievements made in the establishment of the RASFG-AFI. The Delegate of Nigeria appreciated that a regional approach had been adopted for the enhancement of aviation security in Africa, thereby ensuring that such challenges were addressed through the pooling of African experts to implement the initiatives of AFI SECFAL Plan, and supported AFCAC Member States' related recommendations as set forth in WP/164 Revised.

137. Drawing attention to WP/258 Revision No. 1 which his State had co-sponsored with the Russian Federation, the Delegate of Kazakhstan reiterated the importance of increasing the number of AVSEC staff in the EUR/NAT Regional Office and urged Delegates to provide all possible support to the proposal contained in the paper.

138. While voicing his full support for the continued implementation of the AFI SECFAL Plan, as set out in WP/21 Revised, the Delegate of Switzerland stressed the importance of coordinating the various regional initiatives with ICAO's activities. He noted the progress in the African region, as described in WP/164 Revised. The Delegate of Switzerland suggested, however, that it might be premature to replicate the Plan's concept in other regions, preferring to first analyze the results of the AFI SECFAL Plan's implementation in the African region. Referring to WP/258 Revision No. 1 on the AVSEC staff in the EUR/NAT Regional Office, he recognized the importance of the work done by that

Office. The Delegate of Switzerland considered, however, that the allocation of AVSEC staff to the various Regional Offices was a task better left to the Secretary General, taking into account the results of USAP-CMA audits and the activities of the other Regional Offices.

139. Noting, that as indicated in WP/164 Revised, a number of States were lagging behind in the implementation of Annex 17 Standards, the Delegate of France emphasized that, in line with ICAO's *No Country Left Behind* initiative, the international community was responsible for ensuring that each link in the security chain was so robust that it did not undermine the strength of the chain as a whole. Observing that the AFI SECFAL Plan was consistent with the NCLB initiative, he underscored that the Plan should be fully supported by those African States requesting implementation assistance, which should expend all the political and technical efforts that were required to ensure the Plan's success. In stressing that the Plan should also be fully supported by donor States, the Delegate of France noted that by their actions they would build an air transport system that was more secure for all, including for them. He highlighted that the various activities described in WP/105 (*Addressing challenges in the field of capacity building*) and information paper WP/415 [*European support to the No Country Left Behind initiative (NCLB)*] presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL demonstrated the commitment of those States and organizations to ICAO's NCLB initiative. The Delegate of France underscored that the latter to be fully effective, it was necessary for the Organization to take into account past, current and future implementation assistance activities carried out by other entities. Stressing that such activities should not be duplicated by ICAO, the Delegate of France emphasized that it was important that it coordinate them and not purely and simply integrate them, as seemed to be suggested in WP/21 Revised (Council). He underscored that an ambitious, cohesive NCLB programme was necessary, one that was fully supported and that involved coordination, and not substitution, of implementation assistance activities.

140. In concluding, the Delegate of France indicated that his States applauded, and fully supported, the *Riyadh Declaration on Aviation Security and Facilitation in the Arab Civil Aviation Commission (ACAC) and the ICAO Middle East (MID) Regions (WP/351)*, which called for bold and strong political commitment – an indispensable prerequisite for sustainable improvement in the security of air transport.

141. It was agreed to resume consideration of the Agenda Item 18 relating to Implementation Support and Development – Security at the next meeting.

142. The meeting adjourned at 1215 hours.

**Minutes of the Sixth Meeting**  
(Friday, 30 September 2016 at 1400 hours)

**SUBJECTS DISCUSSED**

1. Agenda Item 18: Implementation Support and Development – Security (ISD-SEC) (continued)
  - *Report on the Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa (AFI SECFAL PLAN)*
  - *Report on the ICAO Technical Assistance Programme*
  - Paper presented by Kazakhstan and the Russian Federation
  - *Riyadh Declaration on Aviation Security and Facilitation in the Arab Civil Aviation Commission (ACAC) and the ICAO Middle East (MID) Regions*
  - Paper presented by Slovakia on behalf of the European Union (EU) and its Member States, the other Member States of the European Civil Aviation Conference (ECAC); and by the European Organisation for the Safety of Air Navigation (EUROCONTROL)
  - Paper presented by Argentina, Australia, Belgium, Canada, France, Guyana, Lao People’s Democratic Republic, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nigeria, Republic of Moldova, the Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Spain, Switzerland, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, the United Arab Emirates, the United Kingdom, the United States, Global Express Association (GEA), International Air Transport Association (IATA), and The International Air Cargo Association (TIACA)
  - Paper presented by 54 Contracting States, Members of the African Civil Aviation Commission (AFCAC)
  - Information paper presented by the Dominican Republic
2. Agenda Item 19: Facilitation and the ICAO Traveller Identification Programme (ICAO TRIP) Strategy
  - *Consolidated statement of continuing ICAO policies related to facilitation*
  - *Developments pertaining to Annex 9 – Facilitation*
  - *Developments pertaining to the ICAO Traveller Identification Programme (TRIP) Strategy*

— *Developments pertaining to the ICAO Public Key Directory (PKD)*

— Paper presented by Brazil

— Paper presented by Indonesia

— Paper presented by South Africa

3. Agenda Item 15: Technical cooperation – Policy and activities on technical cooperation

— *Policy and activities on technical cooperation during the period 2013-2015*

— *The ICAO Programme for Aviation Volunteers (IPAV)*

— Paper presented by the Dominican Republic

— Paper presented by Indonesia

— Paper presented by Peru with the support of Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Ecuador, Guyana, Panama, Paraguay, Suriname, Uruguay and Venezuela (Bolivarian Republic of)

— Information paper presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL

— Information paper presented by the Interstate Aviation Committee (IAC)

4. Agenda Item 28: *No Country Left Behind* initiative

— *No Country Left Behind (NCLB) initiative*

— Paper presented by Brazil

— Paper presented by Egypt

— Paper presented by Cook Islands, Fiji, Kiribati, New Zealand, Papua New Guinea, Samoa, Singapore, Tonga and Vanuatu

— Paper presented by El Salvador with the support of Antigua and Barbuda, Aruba, Bahamas, Barbados, Belize, Canada, Costa Rica, Cuba, Curacao, the Dominican Republic, France (French Antilles), Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Netherlands (Bonaire, Saba and Sint Eustatius), Nicaragua, Saint Kitts and Nevis, Saint Lucia, Sint Maarten, Saint Vincent and the Grenadines, Trinidad and Tobago, the United Kingdom (Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Montserrat and Turks and Caicos Islands) and the United States

— Paper presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL

— Paper presented by the 54 Contracting States, Members of AFCAC

- Information paper presented by the Dominican Republic
- Information paper presented by Japan
- Information paper presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL

## SUMMARY OF DISCUSSIONS

### Agenda Item 18: Implementation Support and Development – Security (ISD-SEC)

1. The Executive Committee resumed and completed consideration of this Agenda Item, documented in: three main working papers presented by the Council – WP/21 Revised [*Report on the Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa (AFI SECFAL Plan)*], WP/28 (*Report on the ICAO Technical Assistance Programme*), and WP/351 [*Riyadh Declaration on Aviation Security and Facilitation in the Arab Civil Aviation Commission (ACAC) and the ICAO Middle East (MID) Regions*]; and related papers presented by States and international organizations.

2. The Delegate of Senegal voiced appreciation for the work carried out by ICAO under its ISD-SEC Programme, in particular, for its efforts in support of the AFI SECFAL Plan. He endorsed: WP/164 Revised (*Capacity enhancement for regional experts on aviation security*), presented by the 54 Member States of the African Civil Aviation Commission (AFCAC), of which Senegal was one; and consequently, WP/21 Revised [*Report on the Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa (AFI SECFAL Plan)*] presented by the Council, including the related draft Assembly Resolution set forth in Appendix A thereto. The Delegate of Senegal affirmed that the AFI SECFAL Plan constituted a mechanism which contributed to improving the effective and sustainable implementation of aviation security and facilitation measures in African States. In addition, he expressed support for WP/185 Revised (*Enhancing air cargo security training*) presented by 28 States (including Senegal) and three international organizations. The Delegate of Senegal availed himself of this opportunity to thank the EU and ECAC for its four-year CASE Project, which had been launched on 1 November 2015 to deliver capacity building activities in the field of aviation security in Africa and the Arabian Peninsula. He underscored that the activities were perfectly tailored to the needs of African States, particularly with respect to the sharing of best practices.

3. In likewise endorsing WP/164 Revised, of which his State was a co-presenter, the Delegate of Cabo Verde associated himself with the comments made by the Delegate of Nigeria (EX/5) and the Delegate of Senegal, applauding the progress made under the ISD-SEC in implementing the AFI SECFAL Plan. He underscored that ICAO's assistance in facilitating the Ministerial Conference on Aviation Security and Facilitation in Africa (Windhoek, Namibia, 4-7 April 2016) and the guidance it had provided in establishing regional targets for aviation security and facilitation had been, and remained, instrumental in enhancing the political commitment of African States and monitoring the implementation status of the said targets. The Delegate of Cabo Verde reiterated his State's support for the regional approach being taken to enhance aviation security and facilitation through the pooling of African experts to provide assistance to States in the region in addressing the six focal areas which had been identified as part of the Terms of Reference of the RASFALG-AFI, namely: establishment of an AVSEC oversight system; security oversight implementation and Significant Security Concerns (SSECs); security risk assessments and new/emerging threats; facilitation; cargo security and AVSEC/FAL infrastructures; and aviation security and facilitation training (cf. paragraph 2.4 of the said paper). He called upon the Executive Committee to endorse the AFCAC Member States' recommended actions as set forth in the

executive summary of WP/164 Revised. Furthermore, the Delegate of Cabo Verde voiced support for WP/21 Revised presented by the Council, and WP/185 Revised presented by 28 States and three international organizations.

4. In also endorsing WP/21 Revised, the Delegate of China reiterated his State's support of the very important AFI SECFAL Plan. Recalling that the Kunming Aviation Security Training Centre (ASTC) in China had hosted some 11 aviation security training courses from 2012 to 2015 for States in the Asia/Pacific region, he emphasized that it would continue its efforts in that regard in support of ICAO's work to enhance aviation security and facilitation worldwide.

5. The Delegates of Egypt and Saudi Arabia voiced full support for WP/164 Revised on capacity enhancement for regional experts on aviation security, of which Egypt was a co-presenter, as well as for WP/351 on the *Riyadh Declaration on Aviation Security and Facilitation in the ACAC and the ICAO Middle East (MID) Regions*.

6. In endorsing WP/21 Revised, the Delegate of Kenya underscored that in light of the AFI SECFAL Plan's ongoing funding challenges, the Assembly was invited to urge States to make financial, in-kind and/or other contributions for its continued implementation. He also lent his support to: WP/185 Revised, presented by 28 States and three international organizations, and WP/164 Revised, in which AFCAC Member States (including Kenya) urged ICAO to, inter alia, continue to provide its leadership and support to the AFI SECFAL Plan.

7. The Delegates of Guinea and Ethiopia expressed wholehearted support for WP/164 Revised, of which their States were co-presenters.

8. In so doing, the Delegate of Ethiopia voiced appreciation to AFCAC for its collaborative work with ICAO in implementing the AFI SECFAL Plan, whose objective was to enhance aviation security and facilitation in Africa in a sustainable manner. He also commended the establishment of the RASFALG-AFI, and the regional approach being taken, through the pooling of African experts, to assist States in the region in addressing the said six focal areas. The Delegate of Ethiopia recalled that that approach had been developed on the basis of the experience gained in successfully implementing the African Cooperative Inspectorate Scheme (AFI CIS) to meet regional safety challenges.

9. The Delegate of Singapore endorsed WP/21 Revised presented by the Council. In then thanking those States and international organizations which supported WP/185 Revised, which he had introduced at the previous meeting (EX/5) on behalf of the other co-presenters, he affirmed that aviation training, technical assistance and capacity building were critical pillars of States' aviation security systems, particularly in terms of enhancing human factors, and that they greatly assisted in addressing current and emerging threats, such as insider threats, cybersecurity threats and landside security threats, inter alia. In expressing the hope that the envisaged Global Aviation Security Plan (GASeP) would place strong emphasis on technical assistance, capacity building and implementation support and training, the Delegate of Singapore underscored that it would bring great benefit to all States and regions.

10. In expressing support for WP/21 Revised and WP/185 Revised, the Delegate of Pakistan stressed that it was imperative that all States support aviation security measures in order to have safer airports, safer travel for passengers and safer transportation for air cargo.

11. The Delegate of Burkina Faso lent his support to WP/21 Revised, WP/28 and WP/351 presented by the Council, as well as to WP/164 Revised, of which his State was a co-presenter.



12. The Chairperson of the Executive Committee observed, from the interventions, that there was a strong call for capacity building in order to enhance aviation security and facilitation in all States.

13. In summarizing the Committee's deliberations, the Deputy Director of Aviation Security and Facilitation (DD/ASF) noted that it commended the progress made in the implementation of the AFI SECFAL Plan. In particular, stressing the importance of having coordination mechanisms in place, it noted the relevance of the set of targets established for aviation security and facilitation in Africa, the creation of a pool of experts, and the efforts made to raise political commitment. There having been broad support for WP/21 Revised presented by the Council and WP/164 Revised presented by the 54 AFCAC Member States, the Committee endorsed all of the actions proposed therein. In particular, it agreed to recommend to the Plenary for adoption the proposed Assembly Resolution on the Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa (cf. Appendix A to WP/21 Revised), which, inter alia, urged Member States of the AFI region to commit to the achievement of the goals and objectives of the AFI SECFAL Plan, and encouraged the international community to support the Pan and work with ICAO and AFCAC for its implementation.

14. With reference to WP/258 Revision No. 1, in which Kazakhstan and the Russian Federation jointly proposed that consideration be given to increasing the staffing level at the ICAO European and North Atlantic Office (EUR/NAT) (Paris), including the source of funding, the Committee observed that the allocation and management of Secretariat resources was the prerogative of the Secretary General.

15. With respect to WP/351 presented by the Council, for which broad support had also been expressed, the Committee welcomed the adoption of the *Riyadh Declaration on Aviation Security and Facilitation* and called upon States in the ACAC and ICAO MID regions to implement it. It further requested that ICAO support the implementation of the Riyadh Declaration through the establishment of a SECFAL Plan for the ACAC and ICAO MID regions based on the experience of the AFI SECFAL Plan.

16. The Committee also supported WP/185 Revised presented by 28 States and three international organizations, in which it was proposed that a new ICAO Air Cargo Security Best Practices Workshop be developed. In taking this opportunity to express the Secretariat's appreciation for the workshop outline presented in the paper, DD/ASF underscored that human competency development was a high priority in air cargo security.

17. DD/ASF indicated that the Committee had also taken note that WP/105 (*Addressing challenges in the field of capacity building*) presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL would be considered under Agenda Item 28: No Country Left Behind initiative.

#### **Agenda Item 19: Facilitation and the ICAO Traveller Identification Programme (ICAO TRIP) Strategy**

18. The Executive Committee considered this Agenda Item on the basis of: four main working papers presented by the Council – WP/41 (*Consolidated statement of continuing ICAO policies related to facilitation*), WP/42 (*Developments pertaining to Annex 9 – Facilitation*), WP/40 [*Developments pertaining to the ICAO Traveller Identification Programme (TRIP) Strategy*], and WP/19 [*Developments pertaining to the ICAO Public Key Directory (PKD)*]; and related papers presented by States.

19. The Director of the Air Transport Bureau (D/ATB) introduced WP/41, which set forth a proposal to amend Assembly Resolution A38-16. He highlighted that the proposed updated *Consolidated statement of continuing ICAO policies related to facilitation* reflected matters of continuing importance, recent developments and the future focus of ICAO's work in the field of facilitation, including the development and implementation of facilitation provisions, key elements of the ICAO TRIP Strategy that were proposed in WP/40, and national and international action and cooperation on facilitation matters. The Committee was invited to review the updated Consolidated statement and recommend it to the Plenary for adoption.

20. In then presenting WP/42, which reported on developments in Annex 9 – *Facilitation* since the last Assembly, D/ATB noted that the table in paragraph 3.3 summarized proposed Facilitation Programme (FAL) priorities, as well as expected outcomes for the next (2017-2019) triennium. Those priorities and outcomes fell under two categories. Under the first category, *Working better with what we have*, it was proposed that the FAL Programme examine issues relating to non-compliance with the Standards and Recommended Practices (SARPs) of Annex 9, consolidate its work, and establish closer links with other bodies relevant to facilitation. The priorities in the second category, *Planning for the future*, involved preparing responses to new and emerging issues and continuous engagement with advances in relevant technologies. Outcomes associated with each of those priorities were also set out in the said table. The Committee was invited to review, and recommend to the Plenary the endorsement, these proposed priorities and expected outcomes for the FAL Programme for the 2017-2019 triennium.

21. D/ATB next introduced WP/40, which reported on developments pertaining to the ICAO TRIP Strategy since the 38th Session of the Assembly. He noted that it described the progress made to date in the five elements of the TRIP Strategy, namely, Evidence of Identity, Machine Readable Travel Documents (MRTDs), Document Issuance and Control, Inspection Systems and Tools, and Interoperable Applications [including Advance Passenger Information (API) and Passenger Name Record (PNR)]. The paper also included an update on: the United Nations Security Council Global Strategy on counter-terrorism matters; the achievement on UN Sustainable Development Goals (SDGs); TRIP-related assistance activities undertaken by ICAO; and the steps taken to promote traveller identification management. Furthermore, an initial report on State responses to the ICAO TRIP Strategy Implementation and Assistance Questionnaire was provided in Appendix C to the paper. The Committee was invited to review, and recommend to the Plenary for endorsement, the proposed priorities for the ICAO TRIP Strategy and expected outcomes for the 2017-2019 triennium as presented in Appendix D to WP/40.

22. The Secretary General then presented WP/19, which presented developments pertaining to the ICAO Public Key Directory (PKD) and its use since the last Assembly. She highlighted that the paper contained an explanation as to the nature of electronic passports and outlined the role of ICAO, and the benefit to States, in validating and authenticating ePassports. Noting that it also provided information on the current status of participation, the Secretary General emphasized that despite the growth of PKD State participation, there remained a significant gap between the number of ePassport issuing States and the number of PKD participants: approximately two thirds of ePassport issuing States were not yet PKD Members. She underscored that it was essential that States issuing ePassports join the ICAO PKD in order to consolidate the added security benefits and enhance border security. It was also imperative that States issue ePassports according to ICAO specifications to ensure their global interoperability and maximize the security and facilitation benefits. The Committee was invited to recommend that the Plenary endorse the Work Programme for the ICAO PKD and to urge all ICAO Member States to join and actively use the ICAO PKD to validate and authenticate ePassports.

23. The Delegate of Brazil introduced WP/326, which proposed the development of mechanisms to promote measurable evaluations of Standard 6.6 of Annex 9 – *Facilitation*, according to

which “each Contracting State shall ensure that airport operators provide adequate facilities to permit embarkation and disembarkation of passengers without delay”. He noted that the proposal was intended to promote technical discussion on how to evaluate the compliance with Standard 6.6 given its current broad meaning and utilize Brazil’s positive experience in evaluating quality of service at major airports. The paper highlighted Brazilian regulations which established a system of Quality of Service Indicators (QSIs) i.e. metrics used to monitor, analyze and assess the quality of service delivered at Brazilian international airports. Those QSIs included objective elements, such as wait times and availability of equipment and facilities, as well as subjective elements related to passenger perception with regard to the quality of service delivered. As facilitation initiatives continued to be implemented, the evaluation of direct impacts could be evaluated through QSIs and future goals could be based on those QSIs. The Assembly was invited to: request the Council to adopt actions to encourage the study and promotion of a Work Programme on facilitation and quality of service at airports within the technical fora of ICAO; and urge Member States to note the relevance of the issue.

24. The Delegate of Indonesia then presented WP/203 Revised on API and PNR standardized system, which underscored that the difference in capability of air carriers and airports resulted in two ways of data exchange. The paper noted that, in Indonesia, some of the operators already had API and PNR systems in place to conduct electronic data exchange on departure, while other air carriers without such systems were using electronic data storage one hour after arrival, at the latest. It pointed out that the PNR data formats reported by air carriers were still varying due to the use of different systems, and that those differences presented difficulties in developing swift and accurate analyzing tools. The paper highlighted that, as a consequence, Indonesia had implemented, since 2015, the PNRGOV standards developed by the World Customs Organization (WCO), the International Air Transport Association (IATA) and ICAO. It noted that air carriers operating to and from Indonesia shall be given an adjustment period to develop a fully compliant system, and that at the end of the adjustment period, the Government of Indonesia could sanction lack of compliance or non-compliance by an air carrier with a form of impediment or even blockage.

25. The Assembly was invited to: promote the full implementation of PNRGOV standards in order to have an accurate and swift analysis tool to address an increase of risk and aviation security threat caused by the growth of air traffic; and request the organizations involved to review the PNRGOV message standards, through the PNRGOV Working Group, in order for them to become more accessible in various systems, including in an open-source environment.

26. The Delegate of South Africa then introduced WP/191, which presented his State’s initiative to include parents’ particulars in children’s passports to address the issue of child trafficking. In emphasizing that the initiative ensured the continuation of passenger facilitation while at the same time ensuring the security of the most vulnerable members of society, he indicated that its introduction in South Africa provided a platform for States to closely monitor its successes and created opportunities for the development of measures to enhance the facilitation of persons at ports of entry. The Assembly was invited to: note South Africa’s initiative; and agree that the issue of inclusion of parents’ particulars in children’s passports be included in the ICAO Plan of Action and be referred to the Facilitation Panel (FALP) for consideration.

## **Discussion**

27. Expressing full support for the orientation developed by ICAO to promote the PKD and for the PKD Work Programme as set forth in WP/19, the Delegate of Japan affirmed that as many States as possible should participate in the PKD. He also endorsed the priorities and expected outcomes for the 2017–2019 triennium for the ICAO TRIP Strategy and the FAL Programme as proposed in WPs/40 and /42, respectively. Referring to the updated *Consolidated statement of continuing ICAO policies related to*

*facilitation* proposed in WP/41, the Delegate of Japan voiced strong support for API and PNR information-sharing, which contributed to the further strengthening of aviation security. He thus welcomed the inclusion in the Consolidated statement of a new Appendix D on passenger data exchange systems.

28. In also endorsing the proposed priorities for the ICAO TRIP Strategy and expected outcomes for the 2017–2019 triennium (WP/40), the Delegate of Austria voiced appreciation for all of the related promotional activities carried out by ICAO over the last few years, such as the organization of workshops/seminars, the publication of the *MRTD Report* magazine, and the establishment of the web-based TRIP platform for the sharing of traveller identification information and practices in a range of key areas, to name but a few. Expressing support for the proposed ICAO PKD Work Programme (WP/19), she recalled that Austria had joined the PKD on 31 December 2010 as the 25th Participating State (cf. Appendix B). Emphasizing that the PKD was a very useful tool for validating and authenticating ePassports which thus strengthened the level of confidence in the biometric data contained in ePassports, the Delegate of Austria recommended it as an added value for border control purposes. She underscored that both the ICAO TRIP Strategy and PKD were of particular importance to secure civil aviation.

29. The Delegate of France likewise voiced support for the proposed priorities and expected outcomes for the ICAO TRIP Strategy (WP/40), as well as for the proposed ICAO PKD Work Programme (WP/19) and the Council's recommendation that all ICAO Member States be urged to join and actively use the ICAO PKD to validate and authenticate ePassports. While supporting the updated *Consolidated statement of continuing ICAO policies related to facilitation* (WP/41), he averred that it would be useful to strengthen the aspect relating to the verification of the integrity of ePassports, in particular by reading their electronic signatures and verifying their validity. The Delegate of France therefore suggested the following two changes to Appendix B (*National and international action in ensuring the security and integrity of traveller identification and border controls*): that existing Preambular Clause 6 be divided into two separate clauses and amended to read along the following lines (new text appears in grey shading):

“Whereas the veracity and validity of machine readable travel documents (MRTDs) depends on the readability and protection of these documents, physical securities contributing to them, and electronic securities guaranteeing them;

“Whereas the limitation of the number of possible civil status for a person depends on the documentation used to establish identity, confirm citizenship or nationality and assess entitlement of the passport applicant (i.e. breeder documentation);”

and that a new Operative Clause 4 be inserted in Appendix B that would read along the following lines:

“Urges Member States to intensify their efforts in establishing and implementing a solid verification system of the integrity of electronic passports, in particular by reading their electronic signatures and verifying their validity;”.

30. Congratulating South Africa on its initiative to protect children from trafficking by including parents' particulars in children's passports (WP/191), the Delegate of Portugal emphasized that human trafficking was an issue of international concern deserving special attention, including in the air transport sector. Affirming that the initiative was relevant, and noting that it involved other parties responsible for travel documentation, he recommended that South Africa submit it to the ICAO Technical Advisory Group on the Traveller Identification Programme (TAG/TRIP) to enable the development of an appropriate technical and operational framework, prior to the initiative's consideration by the FALP.

31. Endorsing the views expressed by Brazil in WP/326 regarding the importance of measuring the quality of service at airport terminals, the Delegate of Portugal underscored that that actions presented in that paper well-reflected the relevance of sharing best practices and promoting a worldwide harmonization of facilitation-related SARPs. He therefore recommended that Brazil submit its proposals to the FALP with a view to the development of provisions that could be included in ICAO's Facilitation Manual (Doc 9957).

32. Noting that his State was an active Member of the ICAO PKD, the Delegate of New Zealand emphasized that it strongly supported the proposed PKD Work Programme as presented in WP/19, in particular the provision of an ICAO Master List through the PKD to further support the global interoperability of ePassport validation. In indicating that New Zealand supported WP/40 on the ICAO TRIP Strategy with the exception of paragraph 2.5, he underscored that it was unlikely to support an ePassport Standard as ePassports, and the prerequisite public key infrastructure, were very expensive to implement and it did not consider that they would be of any significant value to States that only issued a few thousand passports annually or that lacked integrity in terms of the issuance process.

33. The Delegate of New Zealand further indicated that his State did not support WP/191 as it considered that South Africa's initiative to include parents' particulars in children's passports to address the issue of child trafficking would create significant complexity and add costs for States in the passport issuance process and could potentially mean that children could not travel without their natural parents. New Zealand nevertheless recognized that it might be an issue for some States and did not have any strong objection to South Africa's initiative being referred to the FALP for consideration. The Delegate of New Zealand stressed, however, that his State was unlikely to support any moves to make the inclusion of parents' particulars in children's passports an ICAO Recommended Practice or Standard.

34. Echoing the comments made by the Delegate of Austria regarding WP/40, the Delegate of Belgium thanked ICAO for its efforts to promote its TRIP Strategy. In stressing the importance and possibilities of the TRIP, she welcomed the various promotional activities, the assistance offered in support of that Programme, and the increasing outreach to States on API and PNR programmes. With regard to ICAO's Universal Security Audit Programme (USAP), the Delegate of Belgium did not support any additional workload due to the resource constraints that all States were experiencing.

35. In voicing appreciation for all of ICAO's work in the area of facilitation and the TRIP Strategy, the Delegate of Argentina expressed full support for WPs/19, /40, /41 and /42 presented by the Council. In addition, he strongly endorsed WP/203 Revised presented by Indonesia.

36. The Delegate of the Russian Federation also lent his support to the Council's said four working papers, which were aimed at, inter alia, enhancing implementation of the provisions of ICAO Circular 309 – *Guidelines on Passenger Name Record (PNR) Data*. He affirmed that passenger identification, in particular, the electronic exchange of passenger data as outlined in new Appendix D to the updated *Consolidated statement of continuing ICAO policies related to facilitation* (WP/41), was essential to ensuring secure air travel. The Delegate of the Russian Federation thus endorsed South Africa's initiative (WP/191) as it addressed shortcomings in passenger security.

37. The Delegate of Canada expressed support for WPs/41, /42 and /19. With regard to WP/40, she indicated that while her State endorsed the proposed priorities for the ICAO TRIP Strategy for the 2017–2019 triennium, it suggested that prior to developing a roadmap therefor, the Secretariat seek additional responses to State letter EC 6/8-16/04 dated 27 January 2016 containing the ICAO TRIP Strategy Implementation and Assistance Questionnaire. The Delegate of Canada emphasized that, in light of the objectives of ICAO's NCLB initiative, it was important to have the views and interests of States

with developing civil aviation and travel document issuance practices, reflected in the envisaged roadmap (cf. Appendix D).

38. Referring to WP/191 presented by South Africa, the Delegate of Canada indicated that her State supported investigating the issue of inclusion of parents' particulars in children's passports to determine how travel documents could be used to further protect children from trafficking. She underscored, however, that any modification to travel documents could have an impact on their interoperability and acceptance by other States. Canada therefore joined Portugal in recommending that the issue be referred to the TAG/TRIP and the FALP, for analysis and discussion and subsequent consideration by Member States.

39. With respect to WP/203 Revised presented by Indonesia, Canada supported the PNRGOV message standards and promoting their full implementation by Member States. From the perspective of the Canada Border Services Agency (CBSA), the initiative improved risk management capabilities. Recalling that Canada had implemented the PNRGOV message standards a few years ago, the Delegate emphasized that it would continue to provide support and guidance to Member States and aircraft operators seeking to develop and implement a PNR Programme and the PNRGOV message format.

40. In thanking ICAO for all of the initiatives it had undertaken in the important area of facilitation, the Delegate of Singapore welcomed in particular those described in WP/42, including the proposed priorities for the FAL Programme for the next triennium. He also welcomed Brazil's initiatives relating to the quality of service at airports (WP/326) and Indonesia's initiatives relating to the use of API and PNR. In voicing support for WP/19, the Delegate of Singapore encouraged those States that had not already done so to join the ICAO PKD as expeditiously as possible. He highlighted the strong synergy between facilitation and security and the benefits that it brought to the growth and development of the global civil aviation system.

41. The Delegate of Nigeria noted that, as an ICAO PKD Board Member, his State commended the Organization for its PKD Work Programme (WP/19), which it endorsed, and encouraged all Member States to join and actively use the ICAO PKD to validate and authenticate ePassports. Nigeria also commended ICAO for its work pertaining to the TRIP Strategy and the FAL Programme and endorsed the proposed priorities and expected outcomes therefor for the 2017–2019 triennium as set forth in WPs/40 and /42, respectively.

42. In echoing the concerns raised by New Zealand and Canada regarding WP/191, the Delegate of Australia indicated that his State recognized that child trafficking was an issue of particular concern for South Africa and congratulates the latter for the action it had thus far taken to address that important issue. That being said, Australia urged caution regarding any work that would lead to a Standard relating to the inclusion of parents' particulars in children's passports as it might result in an unintended regulatory burden and unintended consequences, for example, where there were legitimate reasons for children to travel without their natural parents. With reference to WP/326, Australia thanked Brazil for sharing its experience regarding its implementation of Standard 6.6 of Annex 9 – *Facilitation*, and supported efforts to improve and monitor facilitation and quality of service at airports. However, Australia did not consider it necessary, at this stage, to elaborate existing Standard 6.6.

43. Commenting on WP/42, the Delegate of the United Kingdom indicated that his State was very supportive of the new SARP on API systems that had been agreed at the Ninth Meeting of the FALP (FALP/9) (Montréal, 4-7 April 2016). The United Kingdom agreed that ICAO should streamline Annex 9 SARPs to simplify them and make them more performance-based, with a focus on keeping information useful, relevant and targeted. His State also supported the need for new guidance on

unaccompanied minors. However, the United Kingdom remained unconvinced regarding the added value of a Global Aviation Facilitation Plan (GAFP).

44. The Delegate of the United Kingdom noted that his State very much supported initiatives to reduce child trafficking and thanked South Africa for submitting WP/191 on that important issue. He underscored, however, that the United Kingdom, like Canada, Portugal and Australia, saw some potential practical problems with the proposal to require the inclusion of parents' particulars in children's passports. As the United Kingdom was not, at this point, convinced that that would be an effective approach to the problem, it agreed that the issue should be referred to the TAG/TRIP so that it could be examined further by the relevant experts.

45. The Delegate of the United Kingdom indicated that while his State strongly supported the proposed updated *Consolidated statement of continuing ICAO policies related to facilitation* (WP/41), it suggested that Operative Clause 2 of new Appendix D (*Passenger Data Exchange System*) be amended by inserting the words "fair processing and safeguarding" after the word "security" so as to read as follows (new text appears in grey shading):

"Urges Member States, in the use of electronic data interchange systems, to ensure that the passenger data requirements conform to international standards adopted by relevant United Nations agencies for this purpose, and to ensure the security, fair processing and safeguarding of such data; and".

He emphasized that this suggested change would cover the full range of responsibilities for data processing and would bring the text into line with certain other international requirements regarding the collection of passenger data.

46. The Delegate of the United States noted that while her State supported the Plenary's adoption of the said *Consolidated statement* (WP/41), it suggested that Operative Clause 6 b) of Appendix C (*National and international action and cooperation on facilitation matters*) be amended by inserting the words "the spread of" before the words "communicable diseases" so as to read as follows (new text appears in grey shading):

"b) developing cooperative arrangements for the prevention of illicit narcotics trafficking, illegal immigration, the spread of communicable diseases and other threats to national interests;"

She underscored, in this regard, that while the United States supported elevating awareness of the need for cooperation regarding communicable diseases, it wished to clarify in the said text that cooperative arrangements could only help control and contain the spread of disease and could not prevent disease.

47. Referring to WP/42, the Delegate the United States indicated that her State supported the proposed priorities for the FAL Programme for the next triennium with the exception of the development of a GAFP [cf. paragraph 3.3, Category B, Priority 1, Outcome c)]. She recalled that FALP/9 had not reached consensus on the need for a GAFP and had constituted a working group to examine the need for such a Global Plan in light of Member States' needs and resources. Noting that the Council would consider results of FALP/9 during its 210th Session in early 2017, the Delegate of the United States averred that it was therefore premature to include the development of a GAFP as an expected outcome of the FAL Programme for the next triennium. She emphasized that the matter should instead be considered during the upcoming triennium and developed, as determined necessary and appropriate.

48. With regard to WP/40, the Delegate of the United States noted that her State endorsed the proposed priorities and expected outcomes for the TRIP Strategy for the 2017–2019 triennium. The United States strongly supported ICAO as a leader in travel document Standards to prevent the use of fraudulent passports, and promote the adoption of MRTDs and the expansion of the membership of the ICAO PKD for the validation and authentication of ePassports. While the United States supported the Secretariat in establishing and implementing a strategy for the ICAO TAG/TRIP and would support ICAO's strategic objectives in the field of MRTDs and traveller identification, it would not support any effort to develop the TRIP Strategy ePassport issuance into a Standard as there was a prevalent global shift from document fraud to identity fraud. The United States considered that the Programme should instead focus on identity management and ensuring that all MRTDs and eMRTDs were, in fact, issued to the correct person and that the travel document was ICAO-compliant and globally interoperable. The Delegate of the United States emphasized, in this regard, that the issuance an ePassport with all the modern bells and whistles to the wrong person was not what was needed.

49. The Delegate of the United States indicated that while her State noted WP/326 presented by Brazil, it also noted that each concession contract was different and quite likely unique, and that the specific QSIs that would be agreed upon in the contract would depend upon the infrastructure involved. Airport models varied based on the types of airlines that utilized them and their customers' needs and expectations. As IATA and Airports Council International (ACI) had accomplished much work in that area, including the conduct of regional conferences by ACI, the United States did not see a need for ICAO guidance.

50. Referring to WP/191 presented by South Africa, the Delegate of the United States noted that her State supported efforts to combat child trafficking and agreed that the FALP should consider additional measures at its next meeting. However, the United States cautioned against rushing to judgement and making the inclusion of parents' particulars in children's passports a Standard as endorsing a minor's passport with the guardian's name could currently be done by the issuing authority. Her State considered that the critical point was identifying each and every applicant before the travel document was issued and that was part-and-parcel of the ICAO TRIP.

51. In concluding, the Delegate of the United States drew attention to information paper WP/410 (*Compliance with Annex 9, Chapter 5, Standards 5.26 through 5.29*) presented by her State under Agenda Item 31: Other high-level policy issues to be considered by the Executive Committee, which highlighted, and encouraged compliance with, States' obligations regarding inadmissible persons and deportees, in particular the obligations set forth in Annex 9 Standards 5.26 and 5.27 to promptly issue the necessary travel documents for nationals who had been ordered removed from other States.

52. The Delegate of Burkina Faso endorsed the actions proposed by the Council in its four working papers (WPs/19, /40, /41 and /42). In commending South Africa's courage in presented WP/191 on the inclusion of parents' particulars in children's passports to address the issue of child trafficking, he stressed the need to take into consideration the comments made by the Delegates of Portugal and Canada and others with a view to enabling that very serious proposal to be put into practice.

53. The Delegate of South Africa voiced support for all of the papers presented under Agenda Item 19. With regard to WP/191 presented by his State, he agreed with the views expressed by most Delegates who had taken the floor that the inclusion of parents' particulars in children's passports needed to be discussed by the technical experts in the TAG/TRIP and the FALP. The Delegate of South Africa emphasized that while his State was not proposing that there be a corresponding Standard at this point of time, it did wish consideration to be given to the feasibility of such a Standard.



54. The Delegate of Switzerland strongly supported the interventions by previous speakers, in particular, the Delegates of Belgium, Austria and France, and endorsed the latter's suggested amendments to Preambular Clause 6 and Operative Clause 4 of Appendix B to the proposed updated Consolidated statement (WP/41). He also spoke in favour of the actions proposed by Brazil in WP/326.

55. Commending ICAO for its initiatives in the area of facilitation, the Delegate of Sudan voiced support for the four working papers presented by the Council. He also endorsed the actions proposed in WP/326 and for WP/191.

56. Recalling his earlier intervention (cf. paragraph 41 above), the Delegate of Nigeria indicated that he also supported South Africa's efforts relating to the inclusion of parents' particulars in children's passports (WP/191), as well as all of the recommendations made with regard thereto. He affirmed that South Africa was on the right track.

57. Commenting on WP/203 Revised, the Observer from IATA thanked Indonesia for highlighting therein both the value of API and PNR in fighting terrorism and transnational crime and the need to align PNR requirements by States with existing global standards and best practices. She expressed IATA's full support for the paper's conclusion, which called upon all States requesting PNR data to align their national programmes with internationally-agreed PNRGOV Standards. The Observer from IATA clarified that PNRGOV was simply an EDIFACT-based message structure which was used to transmit data contained in the airline systems and that it was not intended to change the way airlines coded or used passenger data in their reservation systems. PNRGOV was simply a way to structure the message and send it to governments. She also highlighted that PNRGOV message structure was already fully open-source and available to all governments that wished to implement PNR data requirements. The Observer from IATA further noted that the maintenance of, and control over, the PNRGOV message structure was the responsibility of the WCO, and that IATA and ICAO contributed to the WCO's related work as part of its API and PNR Contact Committee. She emphasized that any proposed modification of the PNRGOV Standards should be submitted to that WCO forum.

58. In supporting the comments made by the Delegates of Australia, Canada and the United Kingdom on WP/191 presented by South Africa, the Observer from IATA agreed that the issue of the inclusion of parents' particulars in children's passports be referred to the TAG/TRIP and the FALP for further consideration.

59. Recalling his experiences in the aftermath of the tragedies involving Malaysia Airlines Flights MH370 and MH17, which had occurred on 8 March and 17 July 2014, respectively, the Chairperson of the Executive Committee highlighted the problems which had arisen in identifying the victims due to discrepancies in the names and/or nationalities indicated in the said flights' Passenger Manifests. In underscoring that passengers' names could differ, as well as their nationalities, especially if they had dual citizenship, he expressed the hope that ICAO would look into this matter with a view to standardization so as to avoid any future cases of victim misidentification.

60. In offering a summary of the Committee's deliberations, DD/ASF observed that there had been strong support for the actions proposed in all of the working papers presented under this Agenda Item, with some minor qualifications. With regard to the four working papers presented by the Council, he noted that the Committee agreed to recommend to the Plenary that it: endorse the ICAO PKD Work Programme as set out in WP/19 and urge all Member States to join and actively use the ICAO PKD to validate and authenticate ePassports; endorse the proposed priorities and expected outcomes for the 2017–2019 triennium for the ICAO TRIP Strategy and the FAL Programme as set out in WPs/40 and /42, respectively; and adopt the proposed updated *Consolidated statement of continuing ICAO policies related*

to facilitation (WP/41), subject to the amendments suggested by the Delegates of France, the United Kingdom and the United States (cf. paragraphs 29, 45 and 46 above).

61. With regard to WP/191, the Committee noted the initiative taken by South Africa to address the issue of child trafficking through the inclusion of parents' particulars in children's passports, and the view expressed by some Delegates that that might create additional complexity in passport-issuance and border clearance processes. The Committee agreed, however, to recommend to the Plenary that this issue should be further investigated by ICAO's technical experts, and be referred to the TAG/TRIP and the FALP for consideration.

62. With respect to WP/203 Revised presented by Indonesia, the Committee agreed to recommend to the Plenary that the Council should consider promoting the full implementation of PNRGOV Standards. In noting that the maintenance and control of PNRGOV was the responsibility of the WCO, which worked jointly with ICAO and IATA thereon, the Committee also agreed to recommend to the Plenary that the organizations should review the PNRGOV message standards, as required. It also noted that the PNRGOV was fully open-source and available to all States.

63. In addition, with regard to WP/326 presented by Brazil, the Committee agreed to recommend to the Plenary that: Member States be urged to note the relevance of the issue of the quality of service at international airports; and that the Council be requested to encourage the study that issue in the technical for a of ICAO, taking into consideration the work already accomplished in that area by ACI and IATA.

#### **Agenda Item 11: Annual Reports of the Council to the Assembly for 2013, 2014 and 2015**

##### ***Approval of draft text for Report to the Plenary***

64. The Committee reviewed and approved without change, for submission to the Plenary, the draft text of its Report on Agenda Item 11 as contained in WP/470.

#### **Agenda Item 12: Proposal to amend Article 50 a) of the Chicago Convention so as to increase the membership of the Council**

#### **Agenda Item 13: Proposal to amend Article 56 of the Chicago Convention so as to increase the membership of the Air Navigation Commission**

##### ***Approval of draft text for Report to the Plenary***

65. The Committee then examined and approved without change, for submission to the Plenary, the draft text of its Report on Agenda Items 12 and 13 as presented in WP/471. It also agreed to recommend to the Plenary the adoption of the following draft Resolutions: Resolution 12/1: *Amendment to Article 50 a) of the Convention on International Civil Aviation*; Resolution 12/2: *Ratification of the Protocol amending Article 50 a) of the Convention on International Civil Aviation*; Resolution 13/1: *Amendment to Article 56 of the Convention on International Civil Aviation*; and Resolution 13/2: *Ratification of the Protocol amending Article 56 of the Convention on International Civil Aviation*.

#### **Agenda Item 20: Environmental protection – Aircraft noise – Policy, standardization and implementation support**

#### **Agenda Item 21: Environmental protection – Aircraft engine emissions affecting local air quality – Policy, standardization and implementation support (Section on general provisions, noise and local air quality)**

***Approval of draft text for Report to the Plenary***

66. Consideration was then given to WP/460 setting forth the draft text of the Report on these two Agenda Items.

67. The Committee agreed that, as suggested by the Delegate of the United States, the third sentence of paragraph 20.2.11 be amended to read as follows (new text appears in grey shading; deleted text appears in strikethrough):

“The United States encouraged Member States to continue to pursue the development of a ~~more stringent~~ stringency level for the engine nvPM emissions Standard by the CAEP/11 meeting in February 2019, and supported adding nvPM emissions from aircraft engines to CAEP’s technology review and goals setting process.”

68. It also agreed to a further suggestion by the Delegate of the United States that paragraph 20.2.19 be expanded to include, at the end, the following new sentence:

“Several States affirmed their plans to continue supporting the work of CAEP and encouraged others to do the same.”

69. Referring to paragraph 20.2.22, the Delegate of Denmark suggested that the last sentence be expanded to reflect that ICAO’s Recommended Practices for noise-related charges should be brought to CAEP for its consideration in collaboration with the two ICAO panels which dealt with the principles of charges, the Airport Economics Panel (AEP) and the Air Navigation Services Economics Panel (ANSEP),

70. While not having any objection to the proposed insertion of a reference to the AEP and the ANSEP, the Delegate of the United States suggested that as the focus was on an issue related to aircraft noise and its impact, the involvement of the said Panels should be at the level of consultation, rather than collaboration.

71. The Committee accordingly agreed that the last sentence of paragraph 20.2.22 be amended to read as follows (new text appears in grey shading):

“The Committee recommended that the proposal to review ICAO’s Recommended Practices for noise-related charges should be brought to CAEP for its consideration, in consultation with the Airport Economics Panel (AEP) and the Air Navigation Services Economics Panel (ANSEP).”

72. In addition, the Committee agreed that, as suggested by the Delegates of France and the United States, respectively, the second and third sentences of paragraph 20.2.23 be amended to read as follows (new text appears in grey shading; deleted text appears in strikethrough):

“While recognizing this, some States highlighted the usefulness of some level of operational restrictions under specific local circumstances and considered that the proposed resolution text does not prevent States from implementing operating restrictions based on noise certification of aircraft. It was also noted that ~~some~~ assessments of noise restrictions should consider whether operating restrictions may divert noise problems from one State to another.”

73. Subject to the amendments to paragraphs 20.2.11, 20.2.19, 20.2.22 and 20.2.23 recorded above, the Committee approved, for submission to the Plenary, the draft text of its Report on Agenda Items 20 and 21 contained in WP/460. It also agreed to recommend to the Plenary the adoption of Resolution 20/1: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality*.

#### **Agenda Item 15: Technical cooperation – Policy and activities on technical cooperation**

74. This Agenda Item was considered on the basis of: WP/47 (*Policy and activities on technical cooperation during the period 2013–2015*) and WP/45 [*The ICAO Programme for Aviation Volunteers (IPAV)*] presented by the Council; and related papers presented by States and international organizations.

75. The Secretary General introduced WP/47, which provided an update on ICAO's policy and strategy for technical cooperation and technical assistance and reported on the operational performance and the financial results of the Technical Cooperation Programme during the 2013–2015 triennium. She noted that, in the interest of streamlining and strengthening ICAO's Technical support programmes, the Organization provided, on the one hand, technical assistance with Regular Programme Budget resources and contributions to ICAO Voluntary Funds. On the other hand, the Technical Cooperation Programme supported States and other entities in the development and implementation of civil aviation projects funded by governments or donors on cost-recovery basis. The Secretary General underscored that the Technical Cooperation Programme, which had been implemented since 1951 through ICAO's Technical Cooperation Bureau (TCB), enjoyed the continued interest of States, donors and private entities.

76. The Secretary General emphasized that during the current triennium, TCB had: implemented an average of 110 civil aviation projects per year, in 150 States, across all regions; recruited approximately 3 000 international and national experts for field projects; and provided training in a variety of civil aviation disciplines to over 17 000 civil aviation staff worldwide. Programme delivery amounted to a total of USD 389.7 million. Details on the Programme's deliverables and financial performance were provided in Appendix A to WP/47.

77. Highlighting the consolidation of the TCB Quality Management System during this period, the Secretary General underscored that as of October 2014, ISO 9001:2008 compliance certification had been achieved by all TCB sections.

78. The Secretary General further emphasized that from the financial point of view, results of operations for 2015 and the first six months of 2016 demonstrated a positive outlook for the coming triennium. On the operational side, she indicated that it could be safely assumed that, given rapid technological advances in civil aviation, ICAO's Technical Cooperation Programme would continue to play an important role in providing support to States.

79. The Committee was invited to: review, and recommend to the Plenary for endorsement, the actions proposed in the executive summary of WP/47; and to consider the update of Assembly Resolution A36-17 presented in Appendix B to the paper and to recommend it to the Plenary for adoption.

80. The Secretary General then presented WP/45 on the ICAO Programme for Aviation Volunteers (IPAV), which had been approved by the Council under ICAO's *No Country Left Behind* (NCLB) initiative. In noting that the IPAV's objective was to assist ICAO Member States in addressing shortcomings identified during ICAO audits and responding to emergency situations, as well as fostering

self-reliance and growth, she indicated that through the Programme ICAO would make available to interested States skilled and experienced aviation professionals who were willing to provide short-term assistance, as volunteers, in their field of expertise, working closely with government officials. The Secretary General underscored that participation in the IPAV was open to all aviation professionals from the aviation industry, States and the private sector, as well as ICAO retirees, subject to review of their credentials by ICAO, and that a roster of qualified aviation volunteers, in all civil aviation disciplines, was maintained by TCB.

81. Noting that at the request of the Council an IPAV Voluntary Fund had been established to receive contributions in support of the Programme's administration, the Secretary General took this opportunity to invite ICAO Member States, financial institutions, the aviation industry and other stakeholders to participate in the IPAV by providing sustainable financial and human resources. She emphasized that the Secretariat was confident that IPAV's implementation would yield positive results for client States and civil aviation worldwide at a minimal or no cost.

82. The Committee was invited to review, and recommend to the Plenary for adoption, the new draft Resolution on the IPAV appended to WP/45.

83. The Delegate of the Dominican Republic introduced WP/383 (*Improvement of the contracting and purchasing processes carried out with assistance from the Technical Cooperation Bureau*). He noted that, as explained in WP/47 presented by the Council, States faced significant challenges in terms of training the next generation of aviation professionals and establishing the economic and technological platforms needed to achieve ICAO's Strategic Objectives. ICAO's Technical Cooperation Programme consequently played an important role in assisting States in meeting those challenges, in support of the Organization's *No Country Left Behind* (NCLB) initiative.

84. WP/383 highlighted that the success of the procurement processes carried out by States with support from ICAO's TCB was a shared responsibility. It was therefore necessary to keep in mind that harming States' interests caused irreversible damage to the public image and credibility of ICAO, which must be fully protected. The paper concluded: that the guarantee represented by the joint and several liability of the Technical Cooperation Programme in respect of States which were applicants for and/or recipients of assistance or donors was an important element; and that the Programme's reputation should not be tarnished by the non-fulfilment of contractual obligations by third parties, especially considering that States relied on support from the Organization to improve their aviation systems and achieve and/or maintain compliance with the ICAO Standards in force. The Technical Cooperation Programme had achieved ISO 9001:2008 compliance certification, which addressed with a number of key issues, the first of which was continual improvement and the second of which was customer satisfaction. The paper accordingly emphasized that under no circumstances should States' interests be compromised.

85. The Assembly was invited to: a) request that vendors which did not fulfil their contractual obligations and/or were involved in legal action detrimental to States be removed from the ICAO Supplier List and be excluded from active participation in activities sponsored by ICAO; b) request that the identity of vendors which did not fulfil their contractual obligations and/or were involved in legal action detrimental to States be made public; and c) agree on any other action its considered appropriate.

86. The Delegate of Indonesia presented WP/244 Revised (*The value of cooperation and the promotion of financing instruments for environmental protection*), which highlighted the role of international cooperation for the implementation of the Indonesian State Action Plan for greenhouse gas (GHG) emissions reductions in aviation, aiming to showcase a successful model of cooperation which could be suitable for other Member States. The paper also underscored the need to facilitate financing support for the development of environmental programmes in developing economies, including the

realization of technical cooperation, which would be required for an effective implementation of the ICAO global Market-based Measure (MBM) scheme once agreed by the Assembly. The paper underscored that such technical cooperation should be supported by contributions from Member States and stakeholders to the ICAO Environment Fund and be implemented through close cooperation and coordination between the ICAO Environment Branch (ENV) and the ICAO Technical Cooperation Bureau (TCB).

87. The Assembly was invited to: a) note Indonesia's successful cooperation with ICAO, other States and stakeholders in the implementation of environmental protection measures in civil aviation; b) encourage Member States, stakeholders, international organizations, and other UN bodies to provide funding and resources through the existing ICAO Environment Fund, in order to support States with fewer resources to implement environmental programmes in aviation; and c) establish the internal provisions in ICAO for a close coordination between ENV and TCB to provide a Technical Cooperation Environmental Programme.

88. The Delegate of Peru then introduced WP/292 (*Regional technical cooperation projects in the South American region*), which was presented by his State, with the support of Argentina, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Ecuador, Guyana, Panama, Paraguay, Suriname, Uruguay and Venezuela (Bolivarian Republic of). The paper provided detailed information regarding the following three regional technical cooperation projects being carried out with the support of the ICAO South American Regional Office (SAM) (Lima) with the goal of increasing safety in SAM States and their effective implementation (EI) scores under the Organization's Universal Safety Oversight Audit Programme (USOAP): **Project RLA/99/901** – Regional Safety Oversight Cooperation (SRVSOP); **Project RLA/03/901** – Management of the South American Digital Network (REDDIG) and Administration of the Satellite Segment; and **Project RLA/06/901** – Assistance in the implementation of an Air Traffic Management (ATM) regional system according to the ATM operational concept and the corresponding technological support for communications, navigation and surveillance (CNS). It was highlighted that all of the performance-based navigation (PBN) procedures implemented under the third project (RLA/06/901) had led to a reduction of CO<sub>2</sub> emissions. The paper concluded that the three regional projects contributed to the increase of SAM States' USOAP EI scores, which, in turn, had caused the EI of the SAM region to increase to 71.75 per cent – a breakthrough in safety at the regional level. The Assembly was invited to inform Member States of the advantages of working towards common goals through regional projects implemented under the ICAO Technical Cooperation Programme.

89. It was noted that the following two information papers had also been submitted for consideration under this Agenda Item: WP/415 [*European support to the No Country Left Behind initiative (NCLB)*] presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL, which would be discussed under Agenda Item 14: Technical Assistance Programme; and WP/141 [*New directions in the implementation of the ICAO-IAC Project RER/01/901 (COSCAP-CIS) and main outputs of its activities for the last 15 years*] presented by IAC.

## Discussion

90. Referring to WP/383, the Delegate of the Republic of Korea noted that as his State contributed voluntary funds to ICAO's SAFE Fund in support of global capacity building, it requested that the Organization ensure that States' priority needs were managed in the most transparent and cooperative manner.

91. The Delegate of Portugal noted that WP/383 presented by the Dominican Republic raised some important questions regarding the quality of services provided by vendors on the ICAO Supplier List and the Organization's responsibility in that domain. In light of the principles of good governance, he

agreed on the importance of monitoring contractors' performance. The Delegate of Portugal further agreed that transparency should be promoted and that the exchange of information regarding vendors' performance should be encouraged as States' resources were limited and should not be wasted. He emphasized that Member States should be encouraged to give feedback to ICAO on vendors' performance to enable all interested parties to make more informed decisions in future procurement processes. The Delegate of Portugal underscored, however, that WP/383 also raises several legal issues that, in his view, should be referred to ICAO's Legal Affairs and External Relations Bureau (LEB) for further analysis and proposal for a way forward.

92. In endorsing WP/244 presented by Indonesia, the Delegate of the United States noted that his State continued to support Indonesia's successful engagement and cooperation with various civil aviation entities and stakeholders, including its Federal Aviation Administration (FAA), and looked forward to further strengthening its partnerships with Indonesia's DGCA in the future. He emphasized that the United States would be working hard to provide technical assistance to ICAO Member States to ensure that they had the capability to implement all aspects of ICAO's global MBM scheme and would consult with those Member States to determine what type of support was best in each situation. The United States did not consider that a multilateral fund would be the best way to accomplish the necessary support; rather, it was of the view that specific outreach that identified needs would likely be better accomplished through bilateral discussions.

93. Highlighting that his State also had concerns regarding the performance of some vendors, the Delegate of the Russian Federation indicated that it thus supported WP/383 presented by the Dominican Republic. He noted that the Russian Federation also supported WP/244 presented by Indonesia, as it considered it to be similar in nature to its WP/387 [*The Clean Development Mechanism (CDM) for international civil aviation as an alternative to the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA)*], which, inter alia, set forth a proposal to establish a mechanism for mobilizing resources available to international aviation. WP/387 had been discussed earlier by the Committee under Agenda Item 22: Environmental protection – International aviation and climate change – Policy, standardization and implementation support.

94. Referring to WP/383 and the comments made thereon, the Director of TCB (D/TCB) highlighted that as recommended by the Joint Inspection Unit (JIU) in its review entitled *Procurement Reforms in the United Nations System* (cf. JIU/NOTE/2011/1, Recommendation 12), and as part of an Organization-wide effort to ensure integrity in its procurement activities, ICAO was already in the process of developing a Vendor Sanction Policy, which would be presented to the Council for its review and approval during the upcoming (210th) session in February/March 2017. The proposed Policy was based on the Model Policy Framework (MPF) for Vendor eligibility developed by the United Nations High-Level Committee on Management Procurement Network (HLCM-PN), of which ICAO was a Member. It was administrative and not judicial in nature, and would provide the framework within which ICAO would process allegations of proscribed practices and take decisions regarding the ineligibility of Vendors as a result of their engagement in practices such as fraud, corruption, collusion, coercion, unethical conduct or behaviour, or obstruction as defined in the Policy.

95. The Chairperson of the Executive Committee took note of the various technical cooperation activities which were taking place throughout the world.

96. In then offering a summary of the Executive Committee's discussion, D/TCB indicated that it noted the information provided in WPs/47 and /45 presented by the Council on, respectively, the Technical Cooperation Programme's performance in the current triennium and the establishment and promotion of the IPAV, and agreed to recommend to the Plenary the adoption of the related draft Resolutions appended to the said papers.

97. With regard to WP/383 presented by the Dominican Republic, support had been expressed for strengthening ICAO's oversight over its procurement services by means of enhancing transparency and exchange of information over vendors' performance. In particular, it had been recommended to solicit feedback from States on vendors and the quality of the services rendered, consistent with ICAO's obligations towards customer satisfaction and its shared responsibility for projects implemented through its TCB. A recommendation had been made that the legal issues arising from the proposal put forward in WP/383 be examined by LEB. The Committee acknowledged that an ICAO Vendor Sanction Policy was already under development and would be submitted to the Council for review and approval during its next (210th) session in February/March 2017.

98. With respect to WP/244 Revised presented by Indonesia, the Committee agreed that there was a need to facilitate financial support for the establishment of environmental programmes in developing States, including the effective implementation of the ICAO global MBM scheme. In acknowledging the role of international cooperation in the mobilization of resources and the potential avenues of bilateral assistance, the Committee also recognized the benefits offered by the existing ICAO assistance mechanism and Voluntary Funds.

99. With reference to WP/292 presented by Peru with the support of SAM States, the Committee recognized the importance of regional cooperation for the enhancement of civil aviation systems and related infrastructure and human resources, in accordance with the Regional Air Navigation Plans, through the sharing of expertise, harmonization of regulations and capacity building efforts, particularly in view of the tangible achievements by SAM States, which had resulted in the significant improvement of USOAP EI scores in the region.

100. In light of its deliberations, the Committee invited the Assembly to: a) encourage Member States, financial institutions, the aviation industry and other stakeholders to participate in IPAV by providing sustained financial and human resources; b) request the Secretary General to refer the legal issues arising from the proposal put forward by the Dominican Republic in WP/383 to LEB for review; c) request the Secretary General to explore the feasibility of establishing an ICAO Technical Cooperation Environmental Programme, taking into account existing or new partnerships to leverage resources; and d) encourage ICAO Member States to work collaboratively towards the achievement of common goals through the implementation of regional and sub-regional technical cooperation projects.

#### **Agenda Item 28: *No Country Left Behind* initiative**

101. The Executive Committee commenced its consideration of this Agenda Item, which was documented in: WP/23 [*No Country Left Behind (NCLB) initiative*] and WP/24 (*Strategy on disaster risk reduction and response mechanisms in aviation*) presented by the Council; and related papers presented by States and international organizations.

102. The Secretary General introduced WP/23, which presented a report on, and draft Resolution to support, ICAO's *No Country Left Behind* (NLCB) initiative, which had been launched on ICAO's 70th Anniversary in December 2014. The report described the NCLB's objectives and the means to achieve them. It noted that through the NCLB initiative ICAO was working to raise global awareness of the importance of the effective implementation of the Organization's SARPs, policies, Global Plans and programmes which supported a safe, secure, efficient, economically viable and environmentally sound air transport system. It also emphasized that the NCLB initiative was for all States, with a focus on States with prioritized needs under all ICAO Strategic Objectives, and served to improve implementation support delivery to States. The report further underscored that the NCLB initiative highlighted the importance of aviation for socio-economic development in States and the prerequisite effective and



sustainable implementation by States of obligations under the Chicago Convention to support growth and development in civil aviation.

103. The report noted that the NCLB initiative reflected ICAO's mandate, from advocating the benefits of aviation for States to facilitating and coordinating the implementation of capacity building and improvements to cater for aviation growth and development. With the NCLB initiative, ICAO played a more active coordination role. The NCLB initiative also helped generate the political will to support aviation improvements, increase the availability of voluntary funds and build required capacity. The report highlighted that support, collaboration and assistance from States, international organizations, industry and other stakeholders were essential to the success of ICAO's said efforts, and that building partnerships and pooling resources among States, international organizations, development institutions and industry were essential for collaboration on, and contribution to, technical assistance and cooperation for effective implementation by States with sustainable results.

104. The Committee was invited to recommend that the Plenary: endorse the NCLB initiative; encourage States, international organizations, industry and donors to provide support to that initiative; and adopt the new Resolution thereon appended to WP/23.

105. In presenting WP/348 Revision No. 1 (*Human resources development in the context of the No Country Left Behind initiative: Training courses database and Training Resources Management Committee*), the Delegate of Brazil congratulated the ICAO Secretariat for its outstanding efforts towards the improvement of the ICAO Human Resources Development Framework and noted that the paper was an attempt to contribute to such efforts. It was recalled in the paper that Assembly Resolution A38-12, Appendix D, identified one of the scopes of ICAO activities as to assist Member States in achieving and maintaining the competency of aviation personnel through the ICAO Aviation Training Programme. ICAO considered training activities as strategic enablers, which shall be dealt by a coordinated, effective and efficient system for the delivery of aviation-related training and other learning activities supporting the human resources development strategies developed by Member States.

106. The paper noted that the recent ICAO Global Survey Report (2016) outlined the key strategic priorities for Member States, which were in the areas of aviation safety, aviation security and human resources capacity building. It was possible to infer that there were common training needs among States. ICAO was in a very favourable position to identify such needs, as well as to identify States which had developed the best practices and where the best expertise resided. The essential idea of Brazil's proposal was quite simple: map the gaps, map the needs and map the resources and deal with the matter accordingly by means of a centralized database which should be managed by a specific group as deemed adequate to the nature of the task.

107. The Assembly was therefore invited to: a) consider the establishment of a centralized database of existing courses worldwide, as an extension and an improvement of the TRAINAIR PLUS network and correlated initiatives such as the Aviation Training Directory and the Global Aviation Training Course catalogue, aiming at the facilitation of regional and global cooperation at a State level; and b) consider the creation of a Committee within the boundaries of the NCLB initiative aimed at mapping and managing training resources and training needs, in an attempt to address local and regional training gaps, and to foster regional training coordination planning in order to rationalize resources used as well as to support expertise exchange and sharing. The Delegate of Brazil noted that WP/348 Revision No. 1 was also listed for consideration under Agenda Item 23: ICAO civil aviation training policy and capacity building in aviation.

108. The Delegate of Vanuatu then introduced WP/218 Revision No. 1 (*Regional Sub-office in the Pacific*) on behalf of the co-presenters (Cook Islands, Fiji, Kiribati, New Zealand, Papua New Guinea, Samoa, Singapore, Tonga and Vanuatu). Their proposal for the establishment of a Regional Sub-office in the Pacific was based on the following arguments: ICAO's Asia/Pacific (APAC) region constituted the largest airspace of any ICAO region, with the accreditation of 38 Member States covering 50 Flight Information Regions (FIRs). There was an APAC Regional Office in Bangkok, Thailand and a Regional Sub-office in Beijing, China. The APAC region experienced the most extreme diversity in the scale, capacity, security, safety, compliance and volume of security operations of all regions due to the lack of harmonization. Recent EI scores demonstrated that there was a wide discrepancy between Asia and Pacific States: 41 per cent of Asia States and 84 per cent of Pacific States were below the current ICAO USOAP global EI average of 63 per cent. Asia States' EI average was 68 per cent i.e. 5 per cent higher than the global EI average, whereas the Pacific States' EI average was 43 per cent i.e. 20 per cent below the global EI average.

109. It had become quite evident that not even the best efforts of the regional working groups and ICAO's Regional Offices, including bilateral and multilateral efforts, could effectively solve the aviation safety and security compliance challenges faced by the Pacific Island States. As the latter had always been faced with a lack of resources and limited capacity, they had determined that there was a requirement for ICAO to assist the Pacific region. Those sentiments had been echoed by H.E. Niko Lee Hang, the Minister of Works, Transport and Infrastructure of Samoa, in the statement he had delivered to the Assembly during its Third Plenary Meeting on 28 September 2016 (cf. WP/442). In conjunction with the World Bank's *Pacific Aviation Investment Programme* (PAIP), several States, such as Tonga, Samoa and Vanuatu, would have the capability to facilitate long-haul flights to Asia and the American continent with the development and construction of new airports and terminals and equipment systems.

110. There was also the issue of the USOAP's Continuous Monitoring Approach (CMA), which the Pacific Island States advised might be inappropriate for them as their regulatory environments per se were less developed and needed further improvements. The said States therefore urged ICAO to modify its auditing approach towards them and to concentrate more on the development of the eight critical elements of a safety oversight system that highlighted specific target areas needing support services. The Pacific Island States suggested that in so doing ICAO refer to the proposal for a post-implementation review of the USOAP CMA set forth in WP/213 presented by Australia, Bangladesh, Chile, India, Japan, Malaysia, Nepal, New Zealand, the Republic of Korea, the Russian Federation, Singapore, Tonga and Vanuatu under Agenda Item 33: Aviation safety and air navigation monitoring and analysis.

111. The Pacific Island States argued that they did not want to be left behind. In the true spirit of ICAO's NCLB initiative, they proposed that ICAO establish a Regional Sub-office in the Pacific. They wanted ICAO to appreciate the challenges they faced in implementing the Organization's SARPs as *sui generis* specific only to its sub-region, and for ICAO to know that those challenges were more apparent for Pacific Island States when their financial resources were constrained and their aviation capacity, limited. ICAO's NCLB initiative was both challenging and exciting and the Pacific Island States wanted ICAO to explore the merits of a Regional Sub-office as they wanted the benefit and comfort of ICAO's direct partnership, intervention and perhaps more proactive role. They considered that a Regional Sub-office for the Pacific would achieve that by shedding light on a clear pathway and roadmap for the future of their aviation sector that would reverberate ICAO's NCLB initiative, similar to the way in which a pebble dropped in the vast ocean created ripples.

112. The Delegate of El Salvador introduced WP/261 [*Tailored assistance to States: No Country Left Behind strategy in the North American, Central American and Caribbean (NAM/CAR) regions*], which was presented by his State with the support of numerous States of the NAM and CAR

regions. The paper described the implementation of the NACC NCLB strategy in the Central American and Caribbean region with the tailored assistance and the expectations and commitment made by each of the States in that region to improve their effective implementation of ICAO SARPs and safety, air navigation, environment and security objectives. The Assembly was invited to: a) take note of the information provided with respect to the States' commitment and the tailored assistance approach contained in the NACC NCLB Strategy and its evolution to the Multiregional Civil Aviation Assistance Project (MCAAP) concept; b) encourage Member States to provide additional support through secondments, short term detailees and other such mechanisms; and c) encourage funding institutions and industry to note forward movement of the States in the various areas and become partners for continued enhancements and sustainability of the States working in collaboration with ICAO.

113. Speaking on behalf of the co-presenters of WP/261, the Delegate of El Salvador thanked the ICAO Regional Director, NACC (Mexico) for the interest he had demonstrated in ensuring that no country was left behind in the region. He highlighted, in this regard, that El Salvador's USOAP EI score had increased from 68 per cent to 87 per cent during its last audit.

114. The Delegate of the United Kingdom then introduced WP/105 (*Addressing challenges in the field of capacity building*), which was presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL. The paper highlighted that capacity building activities, whether organized by ICAO, individual States, regional organizations or industry, played a crucial role in supporting States' efforts to reach effective and sustainable compliance with ICAO SARPs. They thus contributed to the implementation of ICAO's NCLB initiative, which was strongly supported by Europe. Effective management of such capacity building activities was therefore key in ensuring tangible results.

115. The Assembly was invited to: a) recall Member States' responsibility to comply with ICAO SARPs, and the need for their strong political commitment to ensure the sustainability of measures following capacity building activities; b) reiterate its support for the NCLB initiative and acknowledge its contribution to improve the overall performance of aviation at the global level; c) recognize the added value and complementarity of capacity building activities undertaken by ICAO, individual States, regional organizations and industry; d) invite ICAO to develop an implemental a results-oriented approach when prioritizing capacity building activities, including the use of key performance indicators (KPIs) to measure the effectiveness, efficiency and sustainability of its capacity building activities; and e) recall the importance of sharing information to improve efficiency and invite ICAO, Member States, organizations and industry to use existing tools (e.g. ICAO ISDAL database) to share information on their capacity building activities they respectively benefitted from or conducted with the objectives of achieving maximum efficiency, avoiding the repetition of identical activities, and ensuring the adequate prioritization of States and actions. The co-presenters of WP/105 suggested that the draft Resolution on resource mobilization (WP/26) and the draft Resolution on the NCLB initiative (WP/23) be amended to include the above elements.

116. On behalf of the 54 AFCAC Member States, the Delegate of Nigeria introduced WP/299 [*Progress report on implementation of Human Resources Development Fund (HRDF)*], which reported on progress made in the implementation of voluntary HRDF for the civil aviation sector in Africa. It was recalled that the establishment of the HRDF had been initiated by African States through a Declaration by the Ministers at the Third Session of the Conference of African Ministers in charge of civil aviation held in Malabo, Equatorial Guinea from 7-11 April 2014. Pursuant to the Malabo Declaration, and in accordance with the Resolution of the Plenary of AFCAC on the HRDF formulated during its Twenty-fourth Extraordinary Plenary Session, in Dakar, Senegal from 1-4 July 2014, the AFCAC Secretariat had requested ICAO to develop, in close coordination with AFCAC, modalities to establish the HRDF for Africa. Further to AFCAC's request, and in accordance with the ICAO Policy on the Establishment and

Management of Voluntary Funds, the Council had approved the establishment of the voluntary HRDF on 19 September 2014 in order to assist in providing capacity building opportunities for the civil aviation sector in African States.

117. There was a need to further develop the HRDF through the establishment of additional programmes and activities which would assist in meeting the operational needs of civil aviation in Africa. The Fund was financially independent of the Regular Programme Budget of ICAO and operated under *The ICAO Financial Regulations* (Doc 7515) and other regulations within the purview of the Council and the Secretary General. The success, continuity and sustainability of the HRDF were dependent upon the receipt of voluntary contributions. Member States, international organizations, public and private entities, and all other interested donors were therefore asked to make voluntary contributions to the HRDF and to participate in the strengthening of human capacity in the African civil aviation sector.

118. The Assembly was therefore invited to: a) note the establishment of the HRDF, intended to increase human resources capacity for civil aviation professionals in Africa; b) note the progress made in the implementation of the HRDF; c) request the ICAO Council to provide additional programmes and activities aimed at strengthening human capacity in the African civil aviation sector; and d) call on Member States, industry partners and international organizations, public and private entities to make voluntary contributions to the HRDF, thereby contributing to its success, continuity and sustainability.

119. It was noted that: WP/364 (*Action Plan by Egypt for CO<sub>2</sub> emissions reduction emanating from international aviation*) presented by Egypt under this Agenda Item had been discussed earlier by the Committee under Agenda Item 22: Environmental protection – International aviation and climate change – Policy, standardization and implementation support; and that the following three information papers which had also been submitted under this Agenda Item would be discussed by the Committee under Agenda Item 14: Technical Assistance Programme: WP/415 [*European support to the No Country Left Behind initiative (NCLB)*] presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL; WP/446 (*Avances de la República Dominicana en materia de seguridad de la aviación civil*) presented by the Dominican Republic; and WP/450 (*Supporting implementation of aviation safety and air navigation by Japan*) presented by Japan.

## Discussion

120. Referring to WP/23, the Delegate of South Africa congratulated ICAO for its well thought through NCLB initiative which sought to ensure that no country was left behind in meeting the requirements of the Organization's SARPs. Her State fully endorsed the NCLB initiative and pledged its support to assist it in any manner possible. It likewise endorsed the related draft Resolution appended to the paper. South Africa also fully supported WP/299 presented by the 54 Member States of AFCAC, of which it was one, as well as the actions and conclusions of WP/348 Revision No. 1 presented by Brazil.

121. Commenting on WP/218 Revision No. 1, of which his State was a co-presenter, the Delegate of Singapore reiterated its support for the initiative to study the establishment of a Regional Sub-Office for the Pacific. Affirming that it was aligned with ICAO's NCLB initiative, he emphasized that a Regional Sub-office for the Pacific would provide more customized assistance to address the Pacific Island States' specific technical and operational needs. The Delegate of Singapore stressed the importance of ICAO involving the Pacific Island States in the study to scope activities and support that would be relevant and meaningful. He underscored that the study should also look into ensuring the sustainability of the Regional Sub-office for the longer term, tapping into available channels for funding and resources in ICAO's partnership system, including financial institutions and Member States. Highlighting that his State had a deep friendship and partnership with the Pacific Island States, the

Delegate of Singapore emphasized that it would continue to make available to them resources for technical assistance and capacity building.

122. The Delegate of France noted that for a long time his State had been implementing a voluntary policy of assistance and cooperation at the global level to share its experience and *savoir-faire* and thus enable those States with which France cooperated to improve their implementation of ICAO's SARPs. Highlighting that France had recently announced that it would allocate more than €1 million over the next three years to such cooperation, in particular, to training, he underscored that such action was fully in line with ICAO's NCLB initiative.

123. The Delegate of France indicated that in implementing its said policy his State either acted directly, or through the École Nationale de l'Aviation Civile (ENAC), or through a new assistance structure which drew on the *savoir-faire* of the Directorate General of Civil Aviation. France also acted through the EU, within the framework described in WP/105, which it fully supported, being one of the paper's co-presenters. In addition, France acted within the framework of public-private partnerships, for example, with Airbus or Vinci Airports.

124. The Delegate of France noted that his State had drawn three key lessons from its above-mentioned diverse experience: the importance of ensuring the sustainability of actions through a strong political engagement with all parties concerned; the importance of establishing favourable working conditions so as to retain trained personnel; and the importance of regularly evaluating the actions, with key performance indicators (KPIs), so as to learn lessons therefrom.

125. The Delegate of Jamaica underscored that his State added its voice to the overwhelming support expressed for ICAO's NCLB initiative. In noting, however, that if assistance was requested by a State within six months of an ICAO Coordinated Validation Mission (ICVM) it was not given, Jamaica asked that that time stipulation be reconsidered.

126. The Delegate of Trinidad and Tobago highlighted that his State acknowledged the important work that ICAO was carrying out under its NCLB initiative and commended the Organization's North American, Central American and Caribbean Office (NACC) (Mexico) for its aggressive work in assisting Caribbean Community (CARICOM) States in achieving compliance with ICAO's SARPs.

127. The Delegate of New Zealand underscored that his State, a co-presenter of WP/218 Revision No. 1, strongly applauded ICAO's NCLB initiative and in that context also considered that the issues raised by Pacific Island States in the said paper were quite critical. Thus while as a country New Zealand would continue to support Pacific Island States, it strongly believed that the consideration of the feasibility of a Regional Sub-office for the Pacific lent a useful pathway to build capability and capacity in that part of the world.

128. The Delegate of Australia highlighted that many of the issues raised in WP/218 Revision No. 1 were under examination by the Asia/Pacific Civil Aviation Commission Task Force, in particular, the best means of developing capability across their diverse Asia/Pacific region so that no country was left behind. He suggested that action paragraph c) of the paper be amended so as to read as follows (new text appears in grey shading; deleted text appears in strikethrough):

“recommend that ICAO, in close collaboration with Pacific States, ~~examine the feasibility and~~ consider undertaking a further analysis ~~on~~ of aviation safety and air navigation issues in the Pacific region, including potential means of addressing issues identified, such as the merits of establishing a Regional Sub-office ~~for~~ in the Pacific”.

129. The Delegate of Uruguay underscored that his State fully supported ICAO's NCLB initiative and related WP/23. He highlighted that under that NCLB framework ICAO, through TCB and the SAM Regional Office (Lima), had provided technical assistance to the Uruguayan Civil Aviation Authority, DINACIA (Dirección Nacional de Aviación Civil e Infraestructura Aeronáutica, Ministerio de Defensa Nacional – Uruguay) from 2014-2015. The assistance had been coordinated and overseen by the SAM RO using the Regional Safety Oversight Organization (RSOO) mechanism and through the project financed from ICAO's Safety Fund (SAFE). The Delegate of Uruguay emphasized that ICAO's support had been decisive in building the capacities and work methodologies needed by his State to promptly rectify its two Significant Safety Concerns (SSCs) and to achieve substantive improvements in the great majority of the critical elements of a safety oversight system, which had led to an increase its USOAP EI score. In noting that those very positive results were due to the dedication of the management and staff of the SAM Office and the DINACIA, as well as to the said SAFE-funded project administered by TCB, he expressed Uruguay's sincere appreciation to the SAM Office for having providing such support, and to ICAO and its TCB for having organized and administered the technical assistance project. The Delegate of Uruguay reiterated his State's commitment to continue its efforts to ensure the sustainability of the good results and capacity building achieved with a view to further increasing its EI score in order to enhance the safety and regularity of air transport.

130. In reiterating his State's full support for WP/218 Revision No. 1, of which it was a co-presenter, the Delegate of Papua New Guinea noted that the paper supported the ICAO global strategic plan for the regional safety oversight organizations (RSOOs). He emphasized that the co-presenters were seeking the Assembly's support at the macro level, to further study and analyze their proposal for a Regional Sub-office so that Pacific Island States could improve their EI scores and achieve ICAO's NCLB initiative. While noting the comments made by the Delegate of Australia, the Delegate of Papua New Guinea emphasized that his State supported the actions proposed in the paper in the form presented.

131. In likewise re-emphasizing his State's full support for WP/218 Revision No. 1, as a co-presenter, the Delegate of Fiji acknowledged the contributions made thereto by Singapore and New Zealand, inter alia. He noted that the paper highlighted the disparity in the Asia/Pacific region and the consequent need for a specific focus on providing assistance to Pacific Small Island Developing States (SIDs). Remarking that the proposed feasibility study on the establishment of a Regional Sub-Office for the Pacific would be recognition of the fact that there were some hitherto unaddressed issues and challenges which needed to be dealt with, the Delegate of Fiji emphasized that it could offer the best way forward, as long as it was conducted in an independent manner.

132. The Delegate of the Russian Federation endorsed WP/23 presented by the Council, including the draft Resolution on ICAO's NCLB initiative, as well as for WP/348 Revision No. 1 presented by Brazil and WP/218 Revision No. 1 co-presented by Cook Islands, Fiji, Kiribati, New Zealand, Papua New Guinea, Samoa, Singapore, Tonga and Vanuatu.

133. In joining previous speakers in expressing support for ICAO's NCLB initiative, the Delegate of Solomon Islands emphasized that no stone must be left unturned in implementing it. He also lent support to WP/218 Revision No. 1 on the proposed establishment of a Regional Sub-Office for the Pacific.

134. The Delegate of Mauritius indicated that her State recognized the valuable work carried out by ICAO under its NCLB initiative and thus endorsed related WP/23 and the draft Resolution appended thereto. Mauritius also supported WP/299, of which it was a co-presenter.

135. Emphasizing that his State was very appreciative of ICAO's NCLB initiative, the Delegate of Tonga echoed the comments made by the Delegate of Fiji in support of WP/218 Revision

No. 1, of which Tonga was also a co-presenter. While Tonga considered that it would be more effective and efficient for Pacific SIDs to have a Regional Sub-Office in the Pacific, it would await the findings and recommendations of the proposed feasibility study.

136. The Delegate of Pakistan expressed support for WP/23 and looked forward to its effective implementation in the Asia/Pacific region.

137. The Delegate of Saudi Arabia noted that his State supported ICAO's NCLB initiative and endorsed related WPs/23, /218 Revision No. 1 and /299. Recalling the Committee's earlier consideration, under Agenda Item 14: Technical Assistance, of WP/392 presented by the Council, with set forth the recommendations arising from the Global Ministerial Aviation Summit (Riyadh, Saudi Arabia, 29-31 August 2016) related to the establishment of the Middle East (MID) Implementation Plan (MIDIP) to support regional safety and air navigation initiatives, he highlighted that Saudi Arabia had offered to host RSOOs events during the next two years in order to ensure that no country was left behind.

138. In voicing full support for WP/218 Revision No. 1, the Delegate of Sri Lanka emphasized that the establishment of a Regional Sub-office in the Pacific would help neighbouring States resolve their issues through closer contact with ICAO and enable them to receive the necessary assistance.

139. The Delegate of China underscored that his State appreciated and supported ICAO's NCLB initiative and endorsed related WP/23. In highlighting that China had made voluntary financial contributions to support the NCLB initiative, and had also provided training to many aviation professionals, he emphasized that it would continue its efforts to support other Member States.

140. Referring to WP/218 Revision No. 1, the Secretary General highlighted the need for resources to undertake the proposed feasibility study of the establishment of a Regional Sub-office in the Pacific and called upon Member States, in particular, neighbouring countries, and international financial institutions to provide the required financial and in-kind human resources.

141. In summarizing the Executive Committee's discussion, the Deputy Director, Aviation Safety (DD/SAF) noted that following its review of WP/23 presented by the Council, it agreed to recommend that the Plenary: endorse the NCLB initiative; encourage States, international organizations, industry and donors to provide support to that initiative; and adopt the new Resolution thereon appended thereto. The Committee also noted the work of ICAO under the NCLB initiative in the Central American and Caribbean region as set forth in WP/261, presented by El Salvador with the support of numerous States of the NAM and CAR regions.

142. The Committee also noted WP/348 Revision No. 1 (*Human resources development in the context of the No Country Left Behind initiative: Training courses database and Training Resources Management Committee*) presented by Brazil.

143. With regard to WP/218 Revision No. 1 (*Regional Sub-office in the Pacific*) co-presented by Cook Islands, Fiji, Kiribati, New Zealand, Papua New Guinea, Samoa, Singapore, Tonga and Vanuatu, the Committee supported having the Council consider the conduct of a feasibility study for the establishment of an ICAO Regional Sub-Office in the Pacific region in order to provide more direct support to all twelve Pacific Island States, taking into consideration the existing Pacific Aviation Safety Office (PASO). The Secretary General had, however, noted the need for resources to undertake such a study and had called on the support of States and international financial institutions to provide the required financial and in-kind human resources.

144. The Committee also noted WP/105 (*Addressing challenges in the field of capacity building*), presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL, and that the actions proposed therein were covered by the new Resolution on the NCLB initiative appended to WP/23.

145. With regard to WP/299 presented by the 54 AFCAC Member States, the Committee noted the progress made in the establishment and implementation of the HRDF and HRDF Secondment Programme, which were financed by voluntary contributions and which aimed to strengthen human capacity in the African civil aviation sector. This capacity-building initiative was seen as a welcome development within the overall efforts being made for the NCLB initiative. The need to further develop the HRDF through the establishment of additional programmes and activities was highlighted. It was also emphasized that the success, continuity and sustainability of the HRDF was dependent on the receipt of voluntary contributions.

146. It was agreed to defer presentation and discussion of the papers relating to the Strategy on disaster risk reduction and response mechanisms in aviation and ICAO publications to the next meeting.

147. The meeting adjourned at 1700 hours.



**Minutes of the Seventh Meeting**  
(Saturday, 1 October 2016 at 1430 hours)

**SUBJECTS DISCUSSED**

1. Agenda Item 28: *No Country Left Behind* initiative (continued)
  - *Strategy on Disaster Risk Reduction and Response Mechanisms in Aviation*
  - Paper presented by Japan
  - Paper presented by the United States
  - ICAO publications*
  - Paper presented by Canada
  
2. Agenda Item 14: Technical Assistance Programme
  - *Report on the ICAO Technical Assistance Programme*
  - Paper presented by Slovakia on behalf of the European Union (EU) and its Member States, the other Member States of the European Civil Aviation Conference (ECAC), and the European Organisation for the Safety of Air Navigation (EUROCONTROL)
  - Information paper presented by the Dominican Republic
  - Information paper presented by Japan
  - Information paper presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL
  - *Progress in Africa – Report on the Comprehensive Regional Implementation Plan for Aviation Safety in Africa (AFI Plan)*
  - *Report on the Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa (AFI SECFAL Plan)*
  - Papers presented by 54 African States Member of the African Civil Aviation Commission (AFCAC)
  - Paper presented by the Agency for Air Navigation Safety in Africa and Madagascar (ASECNA), on behalf of the African Air Navigation Services Providers (ANSPs) Steering Group
  - Information paper presented by the International Air Transport Association (IATA)

- *Proposed MID Implementation Plan (MIDIP) to support regional safety and air navigation initiatives*
  - *Riyadh Declaration on Aviation Security and Facilitation*
  - Paper presented by Egypt
3. Agenda Item 23: ICAO Civil Aviation Training Policy and Capacity Building in Aviation
- *ICAO Civil Aviation Training Programme and capacity building in aviation*
  - Paper presented Brazil
  - Paper presented by Cameroon
  - Paper presented by Egypt
  - Paper presented by India
  - Paper presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL
  - Information paper presented by Argentina
  - Information paper presented by Indonesia
  - Information paper presented by Argentina, representing the Member States of the Latin American Civil Aviation Commission (LACAC)
4. Agenda Item 30: Resource Mobilization
- *Report on resource mobilization*
  - Paper presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL
  - Paper presented by the World Bank Group (WBG)
5. Agenda Item 29: United Nations 2030 Agenda - Sustainable Development Goals (SDGs)
- *Aviation's Contribution towards the United Nations 2030 Agenda for Sustainable Development*
  - Paper presented by the Civil Air Navigation Services Organisation (CANSO)
  - Paper presented by the World Bank
  - Paper presented by Airports Council International (ACI), CANSO, IATA, International Business Aviation Council (IBAC), and International Coordinating Council for Aerospace Industries Associations (ICCAIA)

- Information paper presented by the International Coalition for Sustainable Aviation (ICSA)

6. Agenda Item 31: Other high-level policy issues to be considered by the Executive Committee

*Family assistance*

- *Report on the establishment of regulatory requirements for assistance to aircraft accident victims and their families*
- Paper presented by Brazil
- Paper presented by Italy, Malaysia, Mexico and Spain
- Paper presented by the Air Crash Victims' Families' Federation International (ACVFFI)

## SUMMARY OF DISCUSSIONS

### **Agenda Item 28: No Country Left Behind Initiative**

1. The Committee resumed (EX/6) and completed its consideration of this Agenda Item on the basis of one working paper presented by the Council, WP/24 (*Strategy on Disaster Risk Reduction and Response Mechanisms in Aviation*), as well as related working papers.

#### ***Strategy on disaster risk reduction and response mechanisms in aviation***

2. The Secretary General introduced WP/24, which presented a draft Assembly Resolution on the establishment of an ICAO crisis response mechanism and strategy on disaster risk reduction in aviation. The paper highlighted that disasters continued to exact a heavy toll on persons, communities and States. Over the previous decade, 700 000 people had lost their lives, over 1.4 million had been injured and approximately 23 million had been made homeless as a result of disasters. The global economic loss was more than USD 1.3 trillion. It was underscored that civil aviation played an essential role in supporting assistance to States and regions affected by natural disasters, conflicts and pandemics. Air transport was not solely a catalyst for sustainable development: it also served as the main mode of transportation to deliver humanitarian relief, particularly to Least Developed Countries (LDCs), Landlocked Developing Countries (LLDCs) and Small Island Developing States (SIDS). The international community had shifted in its response to emergencies and disasters from a culture of reactive measures to one of disaster risk reduction. The international civil aviation community had made a similar transition from a reactive safety culture to a proactive/predictive approach to safety and security management.

3. The paper recalled that, based upon the experience gained over the previous few decades, States had adopted a series of UN frameworks addressing disaster response, including recently the *Sendai Framework for Disaster Risk Reduction 2015-2030*. Over its more than seventy-year history, ICAO had responded to numerous crises including aviation-specific occurrences, as well as natural and man-made disasters that affected aviation. The existing ICAO Standards addressed States' responsibilities for emergency planning, response and border control management. However, at present, there was no consolidated ICAO mechanism and strategy that specifically addressed the ICAO response to crises including aircraft accidents, natural and man-made disasters, acts of unlawful interference against international civil aviation and pandemics that significantly impacted air transport and affected public

confidence. A systematic approach was therefore needed that addressed the key role of the State affected, the multi-sector nature of any crises and the need for ICAO to engage multiple entities to mobilize the resources needed in both a tactical and strategic fashion. The proposed Assembly Resolution was intended to further the objective of ICAO to “meet the needs of peoples of the world for safe, regular, efficient and economical air transport” and embody the principal concepts of the said Sendai Framework.

4. The Assembly was invited in WP/24 to: note the provisions of Annexes 1 – *Personnel Licensing*, 6 – *Operation of Aircraft*, 9 – *Facilitation*, 11 – *Air Traffic Services*, 14 – *Aerodromes* and 19 – *Safety Management* relating to emergency planning and disaster response; note the adoption of the *Sendai Framework for Disaster Risk Reduction* by UN Member States and the endorsement of the UN Plan of Action on Disaster Risk Reduction for Resilience by the UN System Chief Executives Board for Coordination (CEB); endorse the ICAO strategy on emergency preparedness and response; and adopt the draft Assembly Resolution set forth in the Appendix to the paper.

5. The Delegate of Japan expressed appreciation for the worldwide support that had been offered to victims of the Kumamoto earthquakes on 14 and 16 April 2016 and reported that the devastated areas were steadily advancing in recovery and reconstruction. He then introduced related WP/280 Revision No. 1, which underscored the need for advance measures to combat natural disasters. The paper detailed the best practices for quick response undertaken in Kumamoto after the recent earthquakes in the area and highlighted the importance of air transport in case of natural disasters. The Assembly was invited to: note the information contained in the paper; and encourage States to consider preparing their emergency responses based on the experiences of natural disasters striking Japan.

6. The Delegate of the United States presented WP/264, which proposed the establishment of a crisis management process. He recalled that over the last few years a number of events had impacted civil aviation in an unprecedented manner. As noted by the Council in WP/24, those events included both manmade and natural disasters, which had resulted in large disruptions to the civil aviation system. With the advances in aircraft performance, any disruption had the potential to adversely affect not only the aircraft operator but also those that provided the services. In order to minimize the impact, coordination needed to be swift and robust across numerous regions. Unfortunately, the required processes and systems did not currently exist. Although the Regional Air Navigation Plans included contingency planning, they were not structured to be all-encompassing. The United States therefore saw an urgent need to review the crisis response mechanisms to determine where they could be improved and where new connectivities were needed. The culture of the international aviation community should not be reactive but proactive, with all working together to build a robust, integrated system that included civil aviation authorities (CAAs), air navigation service providers (ANSPs) and operators. The Assembly was invited in WP/264 to: note the provisions of Annexes 1 – *Personnel Licensing*, 6 – *Operation of Aircraft*, 9 – *Facilitation*, 11 – *Air Traffic Services*, 14 – *Aerodromes* and 19 – *Safety Management* relating to contingency planning; and urge ICAO to review existing policies and procedures in order to develop a strategy to institutionalize crisis response within the organization and facilitate the establishment of regional contingency plans and measures that would quickly and effectively activate a network to manage disruptions to civil aviation operations.

## **Discussion**

7. The Observer from IATA recalled that the United Nations (UN) had identified the current need for disaster preparedness, mitigation and management. He considered it essential that the aviation industry, as members of the international community, had a globally coordinated approach to both natural and manmade world events and agreed with the statement in WP/24 that the civil aviation community must transition from reactive responses to strategic proactive management. The Observer from IATA therefore expressed his organization’s strong support for the draft Assembly Resolution relating to

disaster risk reduction and response mechanism for aviation, as set forth in the Appendix to WP/24, and affirmed his organization's commitment to working closely with ICAO and other stakeholders to strengthen the collaborative effort.

8. The Delegate of the Russian Federation expressed wholehearted support for WP/264, presented by the United States.

9. In summarizing the discussion, the Deputy Director, Aviation Safety (DD/SAF) indicated that the Executive Committee noted that the international strategy for disaster reduction, as embodied in the UN *Sendai Framework for Disaster Risk Reduction 2015-2030*, reflected a major shift from the traditional emphasis on disaster response to disaster reduction and sought to promote a culture of prevention already underway in ICAO. The Committee highlighted that any response undertaken by ICAO should be guided by, and done in concert with, the State(s) affected, given that States had the overarching responsibility for responding to those events.

10. Bearing in mind the best practices undertaken in Japan following earthquakes that had caused damage to the buildings and other facilities of the Kumamoto Airport, as outlined in WP/280 Revision No. 1, the Committee agreed that States should be encouraged to prepare their emergency responses to disasters based upon the measures taken and lessons learned by Japan, as well as other Member States that had faced similar crises.

11. DD/SAF noted the support expressed for the draft Assembly Resolution appended to WP/24. He concluded from the discussion that the Executive Committee would support some amendments thereto that would reflect the need for States to take into consideration both the risk reduction priorities as contained in the UN Sendai Framework and the best practices of Member States in their disaster recoveries. Furthermore, additional text could be included to call upon the Council to establish both a policy and a strategy that would institutionalize the Organization's strategic approach and tactical responses to aviation-specific crises that could affect the safety and continuity of international civil aviation. It was agreed that these amendments would be duly reflected in the text of the Assembly Resolution to be included in the Executive Committee's draft Report on Agenda Item 28.

### ***ICAO publications***

12. The Delegate of Canada presented WP/369, which proposed that the Assembly further expand on Council Decision C-DEC 205/7 on the scale of free access to ICAO publications by providing free electronic access to safety-related documents, manuals and Standards in support of the NCLB initiative. Open access to such documents would ensure that States and stakeholders had the same access to a safe and reliable air transport system and would further ICAO's strategic objective of enhancing global civil aviation safety. Canada's proposal addressed the root cause for ICAO SARPs not being well understood and not being easily accessible by all stakeholders by removing the paywall that currently existed. That could be done progressively over the next triennium, with concrete results before the next Assembly in 2019. As a start, priority could be accorded to the ICAO Annexes and Technical Instructions as the first documents to be made available online free-of-charge. The Assembly was invited in WP/369 to: reaffirm the commitment of the Council of ICAO to the NCLB initiative; support efforts to assist States in implementing ICAO SARPs; approve the provision of web access free of charge to documents and manuals that were technical in nature; seek other opportunities for additional revenue generation; and consider amending the Policy on Publications and the ICAO Publications Regulations to reflect the above decision.

## Discussion

13. The Delegate of Finland expressed strong support for Canada's proposal for the provision of free web access to ICAO publications.

14. The Delegate of France underscored that enabling the widest possible availability of ICAO publications to all potential users was a prerequisite for global implementation of ICAO SARPs and thus an essential factor in ensuring aviation safety worldwide. For that reason, he supported Canada's proposal, on the assumption that it would not result in a budgetary imbalance as indicated in paragraph 3.3 of WP/369, and suggested that it be referred to the Council for consideration. The Delegate of France noted, in this regard, that economic models already existed for allowing free access to core documents and software.

15. The Delegate of Venezuela (Bolivarian Republic of) also supported Canada's proposal as he considered that timely access to current ICAO technical documents was of vital importance to the success of ICAO's NCLB initiative. He indicated that it would nevertheless be worthwhile to assess the proposal's possible budgetary implications for the next triennium.

16. Endorsing the previous interventions, the Delegate of the Russian Federation underscored that Canada's proposal for the provision of free web access to ICAO publications was consistent with the NCLB initiative and of key importance for ensuring the safety on international civil aviation.

17. In expressing full support for Canada's proposal, the Delegate of Senegal reiterated that ICAO's technical documents were essential for the global implementation of ICAO SARPs. He encouraged the Organization to make available online all technical reference documents, and to guarantee easy and fair access to all who needed to consult them, within the existing technological limits and with due respect for the rules governing the confidentiality of certain types of ICAO documents. The Delegate of Senegal affirmed that such access would support ICAO's NCLB initiative and States' efforts to implement ICAO SARPs.

18. The Secretary General thanked the Delegate of Canada for raising the issue of free web access to ICAO publications in WP/369 and expressed support for the concept of providing all ICAO documents free-of-charge to Member States, particularly those in need. She recalled, however, that the Administrative Commission had just endorsed (AD/1) the Organization's Regular Programme Budget for the next triennium, which included the revenue generated from the sale of ICAO publications, including those proposed by Canada for free-of-charge availability. Considering the importance of the issue, the Secretary General recommended that the Council be directed to analyze the matter and report back on options for implementation to the next Assembly.

19. The Delegate of China expressed agreement, in principle, with Canada's proposal. He concurred with the Delegate of Venezuela (Bolivarian Republic of) that its budgetary implications warranted consideration.

20. The Delegate of Mexico re-affirmed his State's full support for ICAO's NCLB initiative. In endorsing the Secretary General's comments, he reiterated that while providing all ICAO documents free-of-charge to Member States was a goal that the Organization should strive to achieve, it could have budgetary implications for the next triennium. The Delegate of Mexico recalled, in this context, that the Regular Programme Budget for the 2017-2019 triennium approved by the Administrative Commission was premised on, inter alia, maintaining the status quo vis-à-vis States' assessed contributions and on revenue generated from the sale of ICAO publications. He therefore agreed that the Council should be directed to explore options to attain the said goal in the next triennium and to present a report thereon to

the 40th Session of the Assembly. The Delegate of Mexico shared with the views expressed by the Delegates of China and Venezuela (Bolivarian Republic of) in that regard.

21. The Delegate of Chile likewise supported the Secretary General's intervention.

22. Concluding its discussion on Agenda Item 28, the Executive Committee agreed to recommend to the Plenary for adoption the new Assembly Resolution on the NCLB initiative proposed by the Council in WP/23, as well as the new Assembly Resolution on a Strategy on Disaster Risk Reduction and Response Mechanisms in Aviation proposed by the Council in WP/24, as amended in light of the discussion (cf. paragraph 11 above). The Executive Committee also agreed to recommend that the Assembly request the Council to analyze the proposal for the provision of free web access to ICAO documents contained in WP/369 presented by Canada and to report back on options for implementation to the 40th Session of the Assembly.

#### **Agenda Item 14: Technical Assistance Programme**

23. The Chairperson of the Executive Committee recalled that a number of working papers listed on the Order of Business for this Agenda Item had been previously discussed under other Agenda Items and therefore would not be revisited. Those papers were: WP/28 (*Report on the ICAO Technical Assistance Programme*) presented by the Council and related WP/105 presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL; WP/21 Revised [*Report on the Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa (AFI SECFAL Plan)*] presented by the Council and related WP/164 Revised presented by 54 African States, Members of AFCAC; and WP/351 (*Riyadh Declaration on Aviation Security and Facilitation*) presented by the Council and related WP/364 presented by Egypt. Thus only two working papers presented by the Council remained to be considered under Agenda Item 14, WP/27 [*Progress in Africa – Report on the Comprehensive Regional Implementation Plan for Aviation Safety in Africa (AFI Plan)*] and WP/392 [*Proposed MID Implementation Plan (MIDIP) to support regional safety and air navigation initiatives*], together with related working papers and an information paper.

#### ***Comprehensive Regional Implementation Plan for Aviation Safety in Africa (AFI Plan)***

24. The Secretary General introduced WP/27, which presented the progress made in the implementation of the AFI Plan and its associated work programme. It was recalled that in 2015 the Council had approved the extension of the AFI Plan beyond the current triennium, its scope having been previously expanded in March 2013 to cover all safety-related areas: personnel licensing (PEL), operation of aircraft (OPS), airworthiness of aircraft (AIR), aircraft accident and incident investigation (AIG), air navigation services (ANS) and aerodromes and ground aids (AGA). It was further noted that the AFI Plan had approved four assistance projects covering selected priority States in the areas of aerodrome certification, African Air Navigation Service Providers (ANSPs) peer review mechanism, State Safety Programmes (SSPs) and Safety Management Systems (SMS), and enhancement of search and rescue (SAR) services.

25. The paper underscored that the continued implementation of the AFI Plan in an effective and harmonized manner in all safety-related areas, and in full coordination with the Africa-Indian Ocean Regional Aviation Safety Group (RASG-AFI) and alignment with the Global Aviation Safety Plan (GASP), would contribute to accelerated efforts being made by African States to achieve the GASP objectives and the regional safety targets adopted during the Ministerial Conference on Aviation Safety (Abuja, July 2012). It was highlighted that efforts to attain those aviation safety targets and achieve sustainable safety improvements had already shown tangible results: a number of African States had resolved their Significant Safety Concerns (SSCs) and had achieved significant improvements in their

safety oversight systems as evidenced by the increase in their level of effective implementation (EI) of the critical elements (CEs) of a safety oversight system as determined through audits conducted under ICAO's Universal Safety Oversight Audit Programme Continuous Monitoring Approach (USOAP CMA). Between July 2012 and June 2016, the number of States throughout the AFI region with an EI level of 60 per cent or above had increased from 14 to 24 and the number of States with SSCs had declined from 20 to 4.

26. The paper also elaborated on the other related assistance activities conducted by the Regional Office Safety Teams (ROSTs), the Africa-Indian Ocean Cooperative Inspectorate Scheme (AFI-CIS) of AFCAC, Cooperative Development of Operational Safety and Continuing Airworthiness Programmes (COSCAPs), Regional Safety Oversight Organizations (RSOOs) and similar regional aviation safety programmes, as well as regional economic communities (RECs). It was emphasized that ICAO had played a lead role in coordinating and supporting their activities in order to avoid duplication of effort and ensure the efficient use of resources.

27. The Assembly was invited in WP/27 to: note the continuation of AFI Plan activities beyond 2016 and within the work programmes of the Regional Offices, and its expansion to cover all safety areas; call on States, international and regional organizations, financial institutions, and industry to support the Programme; and direct the Secretary General to promote the best practices of the AFI Plan model for other regional technical assistance programmes to consider and benefit from.

28. The Delegate of Mali next introduced WP/215, presented by AFCAC on behalf of 54 African States, which detailed the progressive achievements in improving aviation safety in Africa attained through the implementation of the AFI Plan. Those achievements included: the development and implementation of specific ICAO Plans of Action in thirty-two priority States; the provision of support for the establishment and operation of RSOOs and Regional Accident and Incident Investigation Organizations (RAIOs); assistance with the establishment of various aviation training organizations to standardize such training in Africa; the conduct of numerous aviation safety-related activities such as seminars and workshops; the launching of aerodrome certification programmes; and the establishment of sustainable SSPs and SMS. The Delegate of Mali re-affirmed the desire of AFCAC and its Member States for a safety culture throughout Africa and their support of all AFI Plan-related initiatives. He confirmed that assistance that had been provided to AFI States had been used to implement the ICAO Plans of Action, thus contributing to the improvement in safety oversight responsibilities in certain States, as evidenced by the increase in their EI levels. On the basis of the aforementioned achievements, AFCAC and its Member States fully supported the objectives of the AFI Plan and were convinced that its continuation would permit those States to further improve aviation safety in Africa and accelerate the progress that had been made thus far.

29. The Assembly was invited in WP/215 to: note the achievements made by the AFI Plan and the commitment of African States to the implementation of the AFI Plan and its objectives; endorse the continuation of AFI Plan activities; call on Member States, international organizations and industry to support the Programme and the associated projects; and encourage other regions to consider adopting an approach similar to the AFI Plan to address safety deficiencies and challenges.

30. On behalf of AFCAC, the Delegate of Côte d'Ivoire presented WP/171 on the AFI-CIS, one of the positive outcomes of the AFI Plan established by AFCAC, in conjunction with ICAO, to assist AFI States with their safety oversight responsibilities and, in particular, with certification and surveillance functions. The AFI-CIS created a pool of qualified inspectors, selected from within the AFI region, to assist AFI States in resolving their safety oversight deficiencies, with special attention to those States with SSCs and/or low EI levels. Given that the AFI-CIS had permitted AFCAC Member States to resolve the said deficiencies and increase their respective EI levels, the Delegate of Côte d'Ivoire invited the



Assembly to collaborate with AFCAC to improve the Programme, in particular by ensuring the appropriate training of inspectors. AFCAC would then ensure that priority assistance under the AFI-CIS was granted to those States with a very low EI level.

31. The Assembly was invited in WP/171 to: note the achievements of the AFI-CIS Programme as a regional safety initiative; request ICAO to continue its support to the AFI-CIS Programme; and encourage Member States, other international organizations and industry development partners to support that initiative.

32. On behalf of the African Air Navigation Service Providers (ANSPs) Steering Group, the Observer from ASECNA presented WP/456 Revision No. 1 regarding the African ANSPs Peer Review Programme, which had been launched in February 2015 at the initiative of the President of the Council in light of the challenges faced by African ANSPs. The aim of the Programme was to establish a regional framework of cooperation and a peer review mechanism to improve air navigation operational performance in Africa. The paper highlighted the benefits of the Programme, which included a reduction in costs due to pooling of monitoring capabilities, and sustainability of the results of the review due to the independence of the system. It also underscored that under the AFI Plan a process had been initiated to support the development and implementation of an efficient regional framework to cover the African ANSPs Peer Review Programme.

33. The Assembly was invited in WP/456 Revision No. 1 to: take note of the information provided in the paper; encourage ICAO to continue to provide its support to the African ANSP Peer Review Programme, in coordination with the African ANSPs Steering Group; recognize the important contribution being provided by the AFI Plan towards the implementation of an effective regional framework for the African ANSPs Peer Review Programme; request African ANSPs to work together to operationalize the African ANSPs Peer Review Programme to enhance safety and efficiency of air transport operations in Africa; and encourage the other ICAO regions to take the benefits of the experience of the African ANSPs Peer Review Programme as a mean of improvement of air navigation services.

34. It was noted that the following information paper had also been submitted: WP/309 (*Safety and air navigation capacity and efficiency: Ensuring that no AFI country is left behind*), presented by IATA.

## **Discussion**

35. The Delegate of Nigeria voiced support for the AFI Plan as elaborated upon in WP/27 (Council).

36. The Delegate of Ethiopia commended ICAO for launching the AFI Plan to assist African States in addressing their aviation safety deficiencies and expressed appreciation for the recommendation made by the Council in WP/27 to continue the AFI Plan beyond the current triennium. He attributed the increase in the number of African States with an EI level of 60 per cent and above and the decrease in the number of such States with SSCs to ICAO's interventions through the AFI Plan. In emphasizing the need for further achievements by African States, the Delegate of Ethiopia stressed that there should not be any SSCs in the AFI region. He underscored that to narrow the gap between the EI level of African States and the global average EI level continued assistance to African States through the AFI Plan beyond 2016 was required. The Delegate of Ethiopia therefore supported WP/27 (Council) and WPs/171 and /215 (AFCAC).

37. The Delegate of South Africa voiced support for the continued implementation of the AFI Plan, the AFI-CIS and the African ANSP Peer Review Programme. She also commended ICAO, AFCAC and African States on the progress made thus far and endorsed the actions proposed in the four papers presented. The Delegate of South Africa thanked the States and organizations that continued to support the said Plan and programmes and urged more States and organizations to do so.

38. The Delegate of Portugal welcomed the Council's report on the implementation of the AFI Plan and its associated work programme (WP/27). He recalled that, in July 2012, the *Abuja Declaration on Aviation Safety in Africa* had recognized safety as a priority for Africa and had defined clear safety objectives. Since that time, the AFI Plan, which had been actively promoted, had contributed to the improvement of safety objectives due to the efforts of ICAO and many African States. The Delegate of Portugal emphasized that his States and other ECAC Member States would continue to support and work with African States, either bilaterally or collectively, as outlined in WP/105 and information paper WP/415 presented by Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL.

39. The Delegate of the United Republic of Tanzania voiced strong support for WP/27 (Council) and called upon States, international and regional organizations, financial institutions and industry to support the important AFI Plan. He also strongly supported WPs/171 and /215 (AFCAC) and advocated the implementation of the actions proposed therein.

40. The Delegates of Cabo Verde, Egypt, Namibia, Somalia, Lesotho, Mauritius, Botswana and Indonesia likewise expressed full support for WPs/27, /171 and /215. In so doing, the Delegate of Cabo Verde emphasized that the AFI Plan could serve as a model for other regions. The Delegate of Egypt underscored that technical assistance should be provided by ICAO upon request by Member States as the latter were in the best position to know their respective requirements. The Delegate of Namibia reiterated the call for multilateral partners to work with African States to address the challenges they faced to build the necessary capacity to ensure the safety of international air transport. The Delegate of Indonesia re-affirmed his State's commitment to support training through the AFI Plan.

41. The Delegates of Egypt and Somalia also endorsed WP/456 Revision No. 1 (ASECNA).

42. The Chairperson of the Executive Committee recognized the very broad support for the AFI Plan, as well as its positive outcomes.

43. In summarizing the discussion, DD/SAF indicated that the Executive Committee noted WP/27 presented by the Council and agreed that to further improve aviation safety in Africa the AFI Plan should be continued beyond 2016, including its expanded work programmes covering the areas of AIG, AGA and ANS. The Committee also noted the progress made in the implementation of the AFI Plan and agreed that there was a need for continued assistance to States through the AFI Plan, in collaboration with aviation safety partners.

44. With regard to WPs/171 and /215 (AFCAC), the Committee recognized that, complementary to the AFI Plan, the AFI-CIS also contributed to the enhanced capacity building of safety oversight systems in AFI States. The Committee therefore encouraged ICAO and partners to continue to support that initiative.

45. With respect to WP/456 Revision No. 1 (ASECNA), the Executive Committee endorsed the African ANSPs Peer Review Programme which was being implemented by a project through the AFI Plan work programme. It noted overwhelming support from States for the AFI Plan and AFI-CIS and encouraged ICAO's continued support for enhanced safety in the African region.

46. In addition, the Committee noted with appreciation information paper WP/309 (IATA).

***Proposed MID Implementation Plan (MIDIP)***

47. The Secretary General introduced WP/392, which presented the recommendations of the Global Ministerial Aviation (GMA) Summit held in Riyadh, Saudi Arabia, from 29-31 August 2016 relating to: six regional safety and air navigation initiatives/projects that had been coordinated with States and regional and international organizations, considering the priorities identified within the framework of the Middle East Air Navigation Planning and Implementation Regional Group (MIDANPIRG) and Regional Aviation Safety Group – Middle East (RASG-MID), as well as the Arab Civil Aviation Commission (ACAC) ongoing initiatives; and the establishment of a Middle East Region Implementation Plan (MIDIP) to foster cooperation of all stakeholders towards the development and implementation of initiatives and projects aimed at the enhancement of safety, capacity and efficiency of the air transport system in the region, in support of ICAO's NCLB initiative, and to provide a framework for the mobilization of resources to support effective implementation of the regional/sub-regional initiatives and projects with adequate funding and staffing. The Assembly was invited to direct the Council to take necessary measures towards the establishment of a MIDIP.

**Discussion**

48. The Delegate of Saudi Arabia noted that his State's support of the MIDIP initiative, as well as of the said regional safety and air navigation initiatives/projects, was evidenced by its hosting of the GMA Summit. In voicing appreciation to the Council for having accepted the Summit's outcomes, he expressed the hope that ICAO would establish the MIDIP. The Delegate of Saudi Arabia underscored, in this regard, that his State would continue to extend its full support to ICAO's NCLB initiative to ensure that no country was left behind.

49. In voicing support for WP/392, the Delegate of Egypt recalled that the Council had been entrusted with implementing the NCLB initiative.

50. The Chairperson of the Executive Committee noted the support expressed for the MIDIP initiative. He indicated that in its report the Committee would recommend: that ICAO be requested to take appropriate action to consider the GMA Summit recommendations presented in WP/392; and that States in the ACAC and ICAO MID regions be encouraged to establish and implement the MIDIP, with support from ICAO.

**Agenda Item 23: ICAO Civil Aviation Training Policy and Capacity Building in Aviation**

51. The Chairperson of the Executive Committee recalled that a number of working papers listed on the Order of Business for this Agenda Item had been previously discussed under other Agenda Items and therefore would not be revisited. Those papers were: WP/348 Revision No. 1 (Brazil), WP/364 (Egypt) and WP/105 (Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL). Thus only one working paper presented by the Council remained to be considered under Agenda Item 23, WP/62 (*ICAO Civil Aviation Training Programme and capacity building in aviation*), together with related working papers and information papers. It was noted that WP/346 (India) would not be introduced due to the absence of that Delegate.

52. The Secretary General presented WP/62, which provided a summary of activities and achievements of the Global Aviation Training (GAT) Office since its establishment on 1 January 2014. It also provided information on: the implementation status of Assembly Resolution A38-12, Appendix D;

the *ICAO Civil Aviation Training Policy*; and the priorities for the next triennium (2017-2019). It was highlighted that in 2015 ICAO had initiated a competency-based training course development plan with internal and external partners, as well as academia to support the human resources capacity building of Member States. Most notably, ICAO had partnered with Concordia University's John Molson School of Business (JMSB) to launch an aviation-centric Management Certificate Programme in September 2016. Over the next triennium, ICAO intended to continue to help Member States to optimize their training development capabilities, as well as oversee the progression on the implementation and delivery of training, human resources development strategies and capacity building. The Assembly was invited in WP/62 to: endorse the GAT Office's plan of work for the next triennium as presented in paragraph 3 of the paper; and encourage Member States to take advantage of, and actively engage in, GAT Office activities and events. The Secretary General thanked Member States and the industry for their continued support of GAT Office's activities.

53. The Delegate of Cameroon next introduced WP/349 Revision No. 1, which outlined the roadmap preparation project for developing aviation competencies initiated by his State and detailed progress to date. Like many Member States, Cameroon faced a shortage of qualified, competent aviation personnel. The expected growth in air transport would likely exacerbate that manpower shortage without proper human resource planning. Cognizant of this situation, mention of which was made in Appendix D to Assembly Resolution A38-12, Cameroon authorities sought to resolve the issue of aviation competencies by involving those players likely to intervene in the training process (aviation professionals as well as academic and vocational training establishments). One of the priorities of the roadmap currently being drawn up included ongoing efforts to open the Training School of the Cameroon Civil Aviation Authority (CAA) to provide regulatory and specific training for CAA personnel. Cameroon had always taken the lead in supporting sub-regional training initiatives. If capacities were enhanced in Cameroon, then other States in the Central African region, as well as other French- and English-speaking States on the continent, stood to benefit, due to the advantage of bilingualism.

54. The Assembly was invited in WP/349 Revision No. 1 to: review the project initiated by Cameroon to prepare a roadmap for aviation competencies development; encourage Member States facing a shortage of personnel qualified to implement SARPs and Procedures for Air Navigation Services (PANS) to prepare roadmaps for enhancing their aviation competencies; request the Council to: continue to support Member States in harmonizing the competency levels of aviation professionals; ensure that ICAO regularly provided Member States with the competencies required to implement SARPs; and ensure that ICAO assisted Member States in implementing a roadmap for capacity development in aviation.

55. It was noted that the following information papers had also been submitted: WP/183 (*Training – Labour of specialized organizations in the Argentine Republic*), presented by Argentina; WP/353 (*Indonesia progress on the implementation of inspector training system*), presented by Indonesia; and WP/354 [*Training – Implementation by the Pan-American Civil Aviation Institute (IPAC)*], presented by Argentina, representing the Member States of LACAC.

## **Discussion**

56. The Delegate of Nigeria commended the GAT Office's achievements as set forth in WP/62 (Council) and encouraged States to endorse its work plan for the next triennium as outlined therein. He also expressed support for WP/349 Revision No. 1 (Cameroon).

57. Referring to WP/62, the Delegate of the Dominican Republic expressed appreciation for ICAO's efforts in the field of training and capacity building, in particular those pertaining to Critical Element 4 (Personnel Qualifications and Training) of a safety oversight system. While acknowledging

that such training and capacity building in all aviation areas was of fundamental importance, he suggested that a periodic review be undertaken of the fees related to the various levels of TRAINAIR PLUS Programme [Associate, Full Member, and Regional Training Centre of Excellence (RTCE)] in order to assess, and work to reduce, the cost for training centres and States to ensure that they were not prohibitive. The Delegate of the Dominican Republic underscored that that would promote the development and use of Standardized Training Packages and prevent States from becoming TRAINAIR PLUS Members solely to display their certificate. He stressed the need for ICAO to avoid centralizing the process for designing training courses and to instead foster the involvement of national experts in their development, review and validation, which would not only enhance the design process but also reduce costs. In concluding, the Delegate of the Dominican Republic voiced support for WP/349 Revision No. 1 (Cameroon).

58. The Delegate of Malaysia congratulated the ICAO GAT Office on its efforts to ensure the efficient, effective and harmonized implementation of the *ICAO Civil Aviation Training Policy*. He noted that the Malaysia Aviation Academy (MAvA), which was a full Member of the ICAO TRAINAIR PLUS Programme, in particular appreciated and actively participated in the TRAINAIR global and regional training events as they provided opportunities to exchange perspectives in aviation training, identify new training tools and techniques, and discuss opportunities for the enhancement of human resources development.

59. Recalling that the ICAO GAT Office conducted regular assessments and re-assessments to maintain validity of the TRAINAIR PLUS membership, to evaluate the operational capacity of training centres, and to assist the centres in strengthening their competency-based training delivery, the Delegate of Malaysia suggested that a link be established between the TRAINAIR PLUS assessments and ICAO Annex 1 – *Personnel Licensing and Training* SARPs to minimize any duplication and to reduce the number of assessments and audits undergone by training centres. In conclusion, he endorsed the GAT Office's work plan for the next triennium as presented in WP/62 (Council) and looked forward to the new tools, such as the Training Needs Assessment tool, which would enable training centres to effectively identify training needs that would provide the basis for improved training plans and the development of competency-based training programmes, which were essential evidence sought by the ICAO USOAP CMA auditors.

60. The Delegate of Somalia expressed full support for WP/62 (Council) on the ICAO civil aviation training programme and capacity building and for WP/349 Revision No. 1 (Cameroon) regarding the preparation of a roadmap for aviation competencies development. He appealed for the provision, under ICAO's NCLB initiative, of more training and capacity building to those States in need thereof so that their aviation personnel would be at the same competency level and would be better able to operate their States' air transport systems in a harmonized manner.

61. While also endorsing WP/62, the Delegate of Egypt highlighted that only four of the 87 Standardized Training Packages currently available were in the field of the environment and reiterated the request made by his State in WP/364 that ICAO include a specialized training course in the TRAINAIR PLUS Programme relating to voluntary State Action Plans on CO<sub>2</sub> emissions reduction emanating from international aviation. In addition, the Delegate of Egypt applauded and supported Cameroon's initiative (WP/349 Revision No. 1).

62. The Delegate of Venezuela (Bolivarian Republic of) expressed support for WP/62 (Council) and voiced appreciation to LACAC for its capacity building efforts, which were important for ensuring the success of ICAO's NCLB initiative. In strongly supporting the intervention by the Delegate of the Dominican Republic, he underscored that the cost/benefit ratio of TRAINAIR PLUS membership and the use of Standardized Training Packages were key benefits to States. The Delegate of Venezuela

(Bolivarian Republic of) emphasized that, while it was important to train aviation personnel, it was also necessary to have in place a human resources management strategy to retain such trained professionals to ensure the robustness of national institutions as they might otherwise seek more lucrative employment in other States.

63. The Delegate of the Republic of Korea voiced support for WP/62 (Council) in view of the significant increase in the global average EI level of the critical elements of a safety oversight system as determined through USOAP CMA audits.

64. The Delegate of the Central African Republic expressed support for WP/349 Revision No. 1 (Cameroon) regarding the preparation of a roadmap for aviation competencies development.

65. Recalling that the Saudi Academy of Civil Aviation (SACA) had become a TRAINAIR PLUS Full Member, the Delegate of Saudi Arabia expressed support for WP/62 (Council). He emphasized that the GAT Office's training and capacity building activities had had a positive impact on all States.

66. While also voicing support for WP/62, the Delegate of Pakistan stressed that the TRAINAIR PLUS Programme should implement training activities in all developing States in order to enhance the capacity of their aviation personnel.

67. Summarizing the deliberations, the Deputy Director, Technical Cooperation Bureau (DD/TCB) noted that the Executive Committee unanimously supported GAT Office activities and endorsed its work plan for the next triennium as set forth in WP/62 (Council). The Executive Committee had also expressed its support for WP/349 Revision No. 1 (Cameroon), which called for the establishment of training and capacity building roadmap by States facing a shortage of qualified competent aviation personnel, and the amendment of Assembly Resolution A38-12, Appendix D, to take into account the need for such a roadmap. In addition, the Executive Committee requested that the TRAINAIR PLUS assessments be linked to ICAO Annex 1 – *Personnel Licensing and Training* SARPs, in order to reduce redundancies of assessments and audits. DD/TCB observed that the Executive Committee had welcomed the Training Needs Assessment tool to allow training centres to effectively identify training needs. DD/TCB confirmed that some of the improvements that had been highlighted during the discussion were already underway and would soon be implemented by the GAT Office.

### **Agenda Item 30: Resource Mobilization**

68. This Agenda Item was considered on the basis of one working paper presented by the Council, WP/26 (*Report on resource mobilization*), as well as a related working paper. It was noted that as WP/105 (Slovakia on behalf of the EU and its Member States, the other Member States of ECAC, and EUROCONTROL) had been previously discussed under Agenda Item 28 (No Country Left Behind initiative), it would not be revisited.

69. The Secretary General presented WP/26, which provided a report on the Organization's resource mobilization activities, including the adoption of an *ICAO Resource Mobilization Policy* aimed at achieving adequate, more predictable and sustainable voluntary contributions to realize the Organization's mission, complement the ICAO Regular Programme Budget and, most importantly, assist States by facilitating access to funds to enhance their air transport systems. The paper underscored that air traffic was projected to double by 2030, placing greater pressure on Member States and industry to ensure ICAO-compliant air transport systems within their territories. This would augment Member States' needs for ICAO assistance, and voluntary contributions might fall short in fulfilling those needs. It was thus key for all stakeholders to recognize the benefits of mobilizing resources for, and investing in, the sustainable

development of air transport systems of all Member States. Without the required investments, the modernization and expansion of aviation infrastructure, as well as the effective implementation of ICAO SARPs, the opportunities for aviation as an economic development enabler might be constrained.

70. Building on the experience of the existing Trust Funds, ICAO had engaged in the establishment of a holistic resource mobilization capacity to address the expected needs of Member States and industry as aviation developed. Furthermore, ICAO was strengthening that initiative by fostering existing and new partnerships with donors, UN bodies, financial institutions and the private sector. The mobilization of all available resources from various sources to support ICAO Member States would respond to their changing and growing funding needs. ICAO highly appreciated the voluntary contributions provided by States to the Organization's Voluntary Funds and encouraged the continuation of such contributions. Furthermore, all States were urged to contribute voluntarily towards this initiative, which was directed to benefit the ICAO community as a whole. The strategic direction taken by ICAO with regard to the mobilization of resources would target assistance projects for States and other non-funded activities already in line with ICAO's mandate and priorities. Consistent with ICAO's NCLB initiative, the funding needs of States would be assessed and prioritized to support air transport system improvements. States were called upon to support the implementation of a strong and consistent resource mobilization capacity within ICAO that would allow the Organization to speak with one voice when mobilizing resources in support of international civil aviation enhancements.

71. The Assembly was invited in WP/26 to: express its appreciation for the voluntary contributions received from Member States, donors and relevant stakeholders; b) direct the Secretary General to foster partnerships with a view to mobilizing all available resources for sustainable aviation development; urge Member States, international organizations, industry, donors and all relevant stakeholders to assist States in enhancing their air transport systems and to contribute to ICAO Voluntary Funds; and adopt the draft Assembly Resolution on resource mobilization set forth in the Appendix to WP/26.

72. On behalf of the WBG, the Observer from IATA presented WP/240 (*Support for the development of air transport in developing countries*). In recognition of the catalytic impact of safe and sustainable development in the air transport sector, the WBG provided financing for the enhancement of air transport systems in client countries, which also supported the achievement of the Sustainable Development Goals (SDGs) set forth in the *UN 2030 Agenda for Sustainable Development*. The WBG currently financed approximately 30 air transport projects in several developing countries. However, the current air transport portfolio of USD 1.5 billion was small when compared to the WBG overall financing in all sectors, which had reached USD 250 billion in the 2016 fiscal year. That was largely due to the perception in many client countries that air transport was not a contributor to socio-economic development. As a consequence, the air transport sector was not included in the national development plans of ICAO and World Bank Member States, nor was it included in the Country Partnership Framework (CPF), which was the development strategy agreed between the World Bank and the client country. The paper detailed how States could access financing by the WBG for their air transport development projects and how the WBG worked with partners to implement such projects. The Assembly was invited in WP/240 to: recognize the importance of elevating the priority of the aviation sector in the national development plans of Member States; and urge Member States to consider the inclusion of the air transport sector in their development strategies through their respective CPFs with the WBG.

73. In the absence of comments, the Deputy Director, Monitoring and Oversight (DD/MO) indicated that the Executive Committee expressed its appreciation for the voluntary contributions received and recommended that the Assembly take the action proposed in WP/26 and: direct the Secretary General to foster partnerships to mobilize resources for sustainable aviation development; urge Member States, international organizations, industry, donors and all relevant stakeholders to assist States in enhancing

their air transport systems and to contribute to ICAO Voluntary Funds; and adopt the new Assembly Resolution on resource mobilization set forth in the Appendix to the paper.

74. The Executive Committee also acknowledged the content of WP/105 presented by Slovakia, on behalf of the EU and its Member States and other Member States of ECAC and EUROCONTROL, noting that it had been discussed under Agenda Item 28 (No Country Left Behind initiative).

75. In addition, the Executive Committee noted the catalytic impact of air transport for development as described in WP/240 (WBG), and recommended that the Assembly urge ICAO Member States to recognize that impact by elevating the priority of the aviation sector in their national development plans and to foster aviation contributions, in support of the achievement of the SDGs of the 2030 *Agenda for Sustainable Development*. In also noting the WBG's support for Member States in the air transport sector along with its funding mechanisms, the Executive Committee further recommended that the Assembly call upon Member States to consider the inclusion of the air transport sector in their development strategies, through their respective CPFs with the WBG, if applicable.

#### **Agenda Item 29: United Nations 2030 Agenda – Sustainable Development Goals (SDGs)**

76. This Agenda Item was considered on the basis of one working paper presented by the Council, WP/25 (*Aviation's contribution towards the United Nations 2030 Agenda for Sustainable Development*), as well as related working papers and an information paper. It was noted that as WP/240 (WBG) had been discussed under the previous Agenda Item 30 (Resource Mobilization), it would not be revisited.

77. The Secretary General introduced WP/25, which presented the contributions enabled by States' safe, efficient, secure, economically viable and environmentally sound air transport systems towards the realization of the UN 2030 *Agenda for Sustainable Development*. It also provided a report on activities undertaken by ICAO aimed at assisting its Member States in enhancing their air transport systems by leveraging the mechanisms in place with a view to contributing, consequently, to the UN SDGs. The aviation community was aware that air transportation was a catalyst for global connectivity, economic growth and social development. That mode of transportation was also vital to bring humanitarian aid throughout the world and to respond to crises and public health emergencies. Furthermore, the industry was cognizant of the need to protect the global environment and ecosystems while addressing climate change.

78. With the adoption of the UN 2030 *Agenda for Sustainable Development*, air transport was considered for the first time as an enabler of sustainable development. It was therefore recognized that improvements in that sector should now be intrinsically related and embedded within global, regional and national development frameworks. At the national level, States were urged to include, and elevate the priority of, aviation in their national development plans. It was necessary that those plans be supported by robust air transport sector strategic and civil aviation master plans to yield the expected results. ICAO was aware of the assistance needed by certain States to develop such plans in order to ensure a healthy air transport system compliant with ICAO requirements. As such, the ICAO NCLB initiative and a resource mobilization strategy had been established to provide support to States in the effective implementation of ICAO SARPs, policies, plans and programmes. That support was expected to bring the enhancements to States' air transport systems necessary for the sustainable development of international civil aviation in the years to come.

79. At the international level, ICAO was actively participating within the platform of the UN 2030 *Agenda for Sustainable Development* so that the significant contributions of aviation to sustainable



development were recognized and prioritized. Those efforts were expected to facilitate the introduction of aviation in development plans by Member States. ICAO was also leveraging the platform provided by the 2030 Agenda to advocate for aviation among multiple partners with the aim of garnering the political will necessary to support aviation improvements that would generate sustainable development benefits for all.

80. Furthermore, ICAO was building and fostering partnerships among Member States, the UN system, international and regional organizations, development and financial institutions, and donors, as well as the industry. Those actions would facilitate an intensive global engagement of actors to mobilize all available resources to support States' air transport systems enhancements so that all could foster sustainable development and benefit from improved air connectivity.

81. The Assembly was invited in WP/25 to: encourage States to implement ICAO SARPs, policies, plans and programmes consistent with ICAO Strategic Objectives with a view to contributing, consequently, to the achievement of the UN SDGs; direct ICAO to further assist its Member States in enhancing their air transport systems and ensure that no country is left behind so that all could foster sustainable development and benefit from improved air connectivity; and adopt the new Assembly Resolution on aviation's contribution towards the UN *2030 Agenda for Sustainable Development* set forth in the Appendix to WP/25.

82. The Observer from CANSO next introduced WP/194 (*Project Loon – Floating cell phone towers in the sky*), which presented an update on Project Loon, a heavy free unmanned balloon network intended to bring the Internet to underserved parts of the world, in direct support of UN SDGs 9 and 17. It also outlined recent achievements and future plans and, further to ICAO State letter AN 13/22.1-16/42 – *High altitude operations of unmanned free balloons* dated 17 June 2016, sought assistance from civil aviation authorities and ANSPs. CANSO supported Project Loon and encouraged States and ANSPs to take a proactive role by lending their support to that initiative. CANSO and its Members were embracing the many changes in air traffic management, which included a number of new entrants into airspace. As a new member of CANSO, Project Loon was a prime example of the next generation of new entrants from the private sector and was committed to being a new aviation citizen. Project Loon was fully compliant with ICAO and Federal Aviation Administration (FAA) Standards for unmanned-free balloons. Its balloons were equipped with a system intended for aviation and communications only, without cameras, surveillance or recording capability, and were launched from the United States and floated around the world as permitted by States. Thus far, the project had launched 1 000 balloons, clocked 800 000 flight hours and flown 24 million flight kilometres.

83. Consistent with the ICAO Chicago Convention's aim of creating and preserving friendship and understanding among the nations and peoples of the world through the peaceful use of aviation, the Assembly was invited in WP/194 to: urge States to encourage their ANSPs to learn more about Project Loon by reviewing ICAO State letter AN 13/22.1-16/42 dated 17 June 2016; request States to join CANSO in supporting Project Loon's operational capability by reviewing their procedures; request States to establish Letters of Agreement with Project Loon to allow Loon balloons to safely overfly States' airspace, which would support the improvement of Internet services to underserved areas of the world; and request States to establish bilateral or multilateral Letters of Agreement with adjacent States and Project Loon to allow Loon balloons to safely transit Flight Information Region (FIR) boundaries.

84. On behalf of ACI, CANSO, IATA, IBAC, and ICCAIA, the Observer from IATA presented WP/374 regarding aviation's contribution towards the UN *2030 Agenda for Sustainable Development*. It was underscored that when the UN finalized the SDGs in 2015, it had set for governments a framework for the delivery of global sustainable progress for the next 15 years, and that business had a fundamental role to play in helping to deliver those goals, no sector more so than the transport and mobility sector. The aviation industry had identified 14 of the 17 SDGs where air transport

could contribute, as described in the paper. The aviation industry was committed to furthering its work in this area and to determining how aviation could assume its role. In that regard, the Observer from IATA was pleased to present the new report by the Air Transport Action Group (ATAG) *Aviation: Benefits Beyond Borders* ([www.aviationbenefits.org](http://www.aviationbenefits.org)), which explored the role aviation and its associated connectivity played in the world and how air transport could support the UN global sustainable development framework. The Assembly was invited in WP/374 to: note the information contained in the ATAG's report *Aviation: Benefits Beyond Borders*; invite States to distribute that report widely amongst their government colleagues and to make use of the data wherever and whenever possible to highlight aviation's contributions to the SDGs; and invite States to recognize the global, regional and national benefits of aviation and to embrace that proactively in policies that encouraged the further development of aviation as a driver of economic, social and other benefits.

85. It was noted that the following information paper had also been submitted: WP/427 (*ICAO's climate change measures and the Sustainable Development Goals*), presented by ICSA.

86. With reference to the actions proposed in WPs/194 (CANSO) and /374 (ACI, CANSO, IATA, IBAC and ICCAIA), the Chairperson of the Executive Committee recalled that, in accordance with Rule 38 of the *Standing Rules of Procedure for the Assembly of the International Civil Aviation Organization* (Doc 7600), "A motion or amendment shall not be discussed until it has been seconded. Motions and amendments may be presented and seconded only by members of delegations of Contracting States."

## Discussion

87. The Delegate of Burkina Faso noted that Project Loon demonstrated how Internet service benefited developing States in many areas, including education and health services. In affirming that ATAG's new report *Aviation: Benefits Beyond Borders* was a valuable resource in terms of enhancing awareness and understanding of the benefits of civil aviation for humankind and stimulating political will, he indicated that it would be useful to have it available in multiple languages. The Delegate of Burkina Faso thus called upon the Executive Committee to support the related WPs/194 (CANSO) and /374 (ACI, CANSO, IATA, IBAC and ICCAIA).

88. In underscoring that WP/374 provided useful information to fuel collective thinking on an issue of great importance for both civil aviation and societies at large, the Delegate of Argentina re-affirmed his State's commitment to implement the UN *2030 Agenda for Sustainable Development*. Argentina shared the view that civil aviation had significant potential as a driver of economic and social development, which it considered would be realized as long as governments, international bodies such as ICAO, and the aviation industry acted in accordance with the Agenda's guiding principles. In that context, the Delegate of Argentina emphasized the importance of exploring ways of exposing greater sectors of the global population to the benefits of aviation. He expressed appreciation for the information provided in WP/374 regarding the regional benefits of air transport and regional growth potential. The Delegate of Argentina stressed that the envisaged growth in air transport should also bring about an expansion of world trade, facilitating access to developing States' products in global markets. Recalling that aviation transported over a third of world trade by value, he emphasized that the measures taken in that regard should not distort global markets but rather promote the growth of the aviation sector.

89. In expressing full support for WP/25 (Council) regarding aviation's contribution towards the UN *2030 Agenda for Sustainable Development*, the Delegate of the United Kingdom affirmed that the connection between the effective implementation of ICAO SARPs and the realization of the broader UN SDGs was the most farsighted element of ICAO's NCLB initiative. As an example of such a connection, he cited the recently-adopted United Nations Security Council Resolution 2309 on *Threats to*

*international peace and security caused by terrorist acts: Aviation security*, which had noted the connection between the implementation of aviation security-related SARPs and the NCLB initiative. The Delegate of the United Kingdom underscored that such a connection was just as strong with ICAO's other Strategic Objectives, such as safety and the economic development of air transport. Noting that the adoption of the said Resolution had demonstrated the importance of ICAO's work with other UN organizations, he emphasized that the United Kingdom looked forward to supporting that work, as had been indicated during the second ICAO World Aviation Forum (IWAF2016) held on 26 September 2016, whose theme had been *Aviation partnerships for sustainable development*.

90. The Delegate of the United Kingdom noted that the range of organizations that had submitted papers under this Agenda Item highlighted the need to examine the roles of the aviation industry and of non-governmental organizations in support of sustainable development. He joined the Delegates of Burkina Faso and Argentina in welcoming WP/374 and supporting the actions proposed therein.

91. The Delegate of the United States expressed support for WPs/25 (Council) and 374 (ACI, CANSO, IATA, IBAC and ICCAIA).

92. The Delegate of Venezuela (Bolivarian Republic of) observed that all of the papers presented were consistent with the ICAO Chicago Convention and NCLB initiative, as well as with the UN SDGs. In highlighting that his State supported Project Loon (WP/194), he noted that bilateral meetings could be arranged with CANSO to provide more detailed information on the Project's importance and scope to prospective State supporters. Referring to the statement made by the Secretary General in introducing WP/25, the Delegate of Venezuela (Bolivarian Republic of) reiterated that it was important to highlight the political will and capacity building that that was required to ensure States' effective implementation of ICAO SARPs, policies, plans and programmes and the need to include, and elevate the priority of, aviation in States' national development plans given that it was a tool for their socio-economic development. He voiced support for the comments made by the Delegates of Burkina Faso and Argentina.

93. The Delegates of Sri Lanka and Guatemala expressed full support for WP/374 (ACI, CANSO, IATA, IBAC and ICCAIA), with the latter urging the Secretariat to pursue its work to further aviation's contribution towards the achievement of the UN SDGs.

94. The Delegates of South Africa and Saudi Arabia endorsed WPs/25 and WP/374. While they both supported the intent of WP/194 (CANSO) regarding Project Loon, they emphasized that while such projects should be encouraged in the context of ICAO's NCLB initiative, it should be left to individual States to decide, in accordance with their internal procedures, whether or not to support them, and in the affirmative, how to implement them.

95. Speaking on behalf of ACI, the Observer from the United Nations Framework Convention on Climate Change (UNFCCC) expressed ACI's full support for WP/374 (ACI, CANSO, IATA, IBAC and ICCAIA) regarding aviation's contribution towards the *United Nations 2030 Agenda for Sustainable Development*. Affirming that the industry was an important contributor to the achievement of the UN SDGs, she underscored that the airport sector's sustainability leadership included economic development, social development, environmental protection and operational efficiency. In underscoring that airport operators had a significant beneficial economic impact on the communities they served, the Observer from the UNFCCC highlighted that they directly generated 450 000 jobs worldwide and supporting 5.5 million jobs globally on-site in airports (in retail, government agencies and other services). Airports' social responsibilities were also evidenced by their close work with their communities. They set an exemplary practice of community engagement, as recognized by the ICAO Committee on Aviation

Environmental Protection (CAEP), which had compiled 48 case studies from airports worldwide and published them in Circular 351 (*Community Engagement for Aviation Environmental Management*). In emphasizing that airport activities directly related to the UN SDGs regarding environmental protection, the Observer from the UNFCCC highlighted that airport planning and their management of greenhouse gas emissions, noise, local air quality, energy, waste, water, wildlife, resilience and adaptation to climate change gave airport operators a unique opportunity to contribute towards meeting the UN SDGs and improve the sustainability of the communities they served.

96. The Observer from ICSA welcomed the support of ICAO and the aviation industry for the UN SDGs expressed in WPs/25, /194 and /374. In commenting on the links between the UN SDGs and ICAO's basket of measures to address climate change, he emphasized the need for measures to support sustainable development to also address climate change, stressing that both objectives must succeed together otherwise both would fail together. The Observer from ICSA underscored that ICAO's work on climate change was therefore vital in order to fully align international aviation with sustainable development. Similarly, measures to address climate change must also support sustainable development. In particular, the global market-based measure (MBM) scheme that had been presented to the Assembly for adoption, and any ICAO policies to promote alternative fuels for aviation posed both risks and opportunities to sustainable development beyond the aviation sector. The Observer from ICSA emphasized that with robust eligibility criteria, those measures could and should be a positive force for sustainable development, especially in developing countries. He supported the CAEP's ongoing work to develop those criteria, which must ensure real emissions reduction and support sustainable development. The Observer from ICSA underscored that, beyond 2035, there were considerable uncertainties regarding continued reliance on the current basket of measures alone to meet ICAO's climate change goals. In particular, significant expansion of alternative fuels could be intentioned by several of the UN SDGs, including SDGs 2 and 6 on food and water and security; SDG 12 on responsible consumption and production; and SDGs 14 and 15 on biodiversity. Additional measures would therefore seem necessary in order to ensure that ICAO's climate action was fully consistent with sustainable development over the long term. In conclusion, the Observer from ICSA urged ICAO, through the ongoing work of the CAEP, to recognize positive contributions and guard against any potential harm that its basket of measures to address climate change may make towards wider global goals for sustainable development.

97. In summarizing the discussion, DD/MO indicated that the Executive Committee noted from WP/25 (Council) the important contributions enabled by the delivery of results of ICAO's Strategic Objectives, the NCLB initiative and the ICAO World Aviation Forum (IWAF) towards the realization of the UN *2030 Agenda for Sustainable Development*. It urged States to include, and elevate the priority of, aviation in their national development plans and to support such plans with robust air transport sector strategic and civil aviation master plans and directed ICAO to continue fostering partnerships and assist States to materialize aviation's contributions to sustainable development. The Committee noted the various environmental issues related to the UN SDGs and the progress of work of the ICAO CAEP to the attainment of the UN 2030 Agenda.

98. With regard to WP/194 (CANSO), the Executive Committee noted that Project Loon directly supported UN SDGs 9 and 17 and encouraged the Assembly to endorse the spirit of the paper, extending its coverage to all aviation solutions that were compliant with ICAO SARPs that assisted in the achievement of the SDGs related to bringing the Internet to underserved parts of the world.

99. The Executive Committee noted the information contained in WP/374 (ACI, CANSO, IATA, IBAC and ICCAIA) and encouraged Member States to recognize the global, regional and national benefits of aviation by embracing this notion in development frameworks and policies to promote the sustainable development of the aviation sector as a driver of economic, social and other multiple benefits.

100. The Executive Committee also noted information paper WP/427 (ICSA). It was acknowledged that WP/78 (Council) and WP/140 (IATA), presented under Agenda Items 31 and 39, respectively, as well as information papers WP/294 (India) and WP/305 (IATA) contained a number of important references to the UN SDGs that supported the spirit of the new Assembly Resolution on aviation's contribution towards the UN *2030 Agenda for Sustainable Development* proposed by the Council in WP/25.

101. In conclusion, in light of the discussion the Executive Committee agreed to recommend the said Assembly Resolution to the Plenary for adoption.

**Agenda Item 31: Other high-level policy issues to be considered by the Executive Committee**

102. This Agenda Item was considered on the basis of three working papers presented by the Council: WP/32 (*Report on the establishment of regulatory requirements for assistance to aircraft accident victims and their families*); WP/33 [*The ICAO Next Generation of Aviation Professionals (NGAP) Programme*]; and WP/78 (*ICAO Gender Equality Programme: Promoting the participation of women in the global aviation sector*), as well as related working papers and information papers.

***Family assistance***

103. The Secretary General introduced WP/32, which presented a report on action taken pursuant to Assembly Resolution A38-1 on assistance to victims of aviation accidents and their families. In that Resolution, the Assembly, considering that States should provide a homogenous solution for treatment of victims of civil aviation accidents and their families, urged the Council to give further consideration to the development of SARPs regarding the establishment by States of legislation, regulations and/or policies to support victims of civil aviation accidents and their family members. The Montréal Convention of 28 May 1999, in turn, had mandated that carriers, in case of aircraft accidents, shall provide for assistance to victims and persons entitled to compensation through advance payments, without delay. The Montréal Conference had also adopted Resolution No. 2 urging carriers to pay such advances. In response to Assembly Resolution A38-1, the Council had adopted a Recommended Practice for Annex 9 – *Facilitation* for States to establish legislation, regulations and/or policies in support of assistance to aircraft accident victims and their families. The Assembly was invited to: note the information contained in WP/32; and adopt the draft Resolution appended thereto on assistance to victims of aviation accidents and their families, which would supersede Resolution A38-1.

104. The Delegate of Brazil next introduced WP/247, which contained background information on the consideration given to the issue of assistance to victims of aviation accidents in recent years and outlined the actions taken by the Brazilian Civil Aviation Authority to ensure that all the relevant stakeholders were aware of the critical procedures that had to be followed in order to provide adequate assistance to such victims and their families. Brazil was of the view that passengers were better served when States, air carriers, assistance organizations and other service providers collectively raised awareness of the importance of being prepared to face aviation accidents with victims. The Assembly was invited to consider the establishment of an official forum to share the experiences of Member States concerning family assistance regulations in order to further improve ICAO's related SARPs.

105. On behalf of Italy, Malaysia and Mexico, the Delegate of Spain presented WP/137 Revision No. 1 on the need for an appropriate policy to support aircraft accident victims and their families. He underscored that the consequences of an aircraft accident were first and foremost human consequences and that it was thus necessary for the international aviation community and States to have adequate policies and planning to support victims and their families. As described in WP/32 (Council), the 38th Session of the Assembly, at the suggestion of Spain and other States, had agreed to include a

Recommended Practice in Annex 9 – *Facilitation* concerning the establishment by States of legislation, regulations and/or policies regarding assistance to be provided to aircraft accident victims and their families. Subsequently, a new Recommended Practice 8.46 had been adopted as part of Amendment 25 to Annex 9, which had become applicable as from 25 February 2016. The Delegate of Spain emphasized that while that was an important first step, measures beyond those described in WP/32 were required. Noting that a similar sentiment was expressed by ACVFFI in WP/270, he commended ACVFFI for its hard work in support of aircraft accident victims and their families.

106. The Assembly was invited in WP/137 Revision No. 1 to: urge States to take the appropriate measures to implement the Annex 9 – *Facilitation* provision on assistance to victims, as well as the *ICAO Policy on Assistance to Aircraft Accident Victims and their Families* (Doc 9998); urge the Council, in view of the States' effective implementation of Annex 9 Recommended Practice 8.46 regarding the establishment of legislation, regulations, and/or policies by States to provide assistance to aircraft accident victims and their families, to consider upgrading that Recommended Practice to a Standard; urge the Council to consider the possibility of introducing, in Annex 9, a provision establishing a Recommended Practice so that aircraft and airport operators have appropriate plans to provide timely and effective assistance to aircraft accident victims and their families; and request ICAO to review the USOAP, updating it to include new Protocol Questions that facilitate both identifying the level of implementation of the provisions and policies on assistance to aircraft accident victims and their families and having a better knowledge of their effective implementation.

107. The Observer from ACVFFI prefaced her introduction of WP/270 with an expression of appreciation to the Organization for the leadership it had demonstrated in approving the *ICAO Policy on Assistance to Aircraft Accident Victims and their Families* (Doc 9998) Policy in March 2013 and for the actions subsequently taken to implement it. She stressed the need to continue to make progress and to elevate Annex 9 Recommended Practice 8.46 to a Standard as proposed by her Federation in WP/270, as well as by Italy, Malaysia, Mexico and Spain in WP/137 Revision No. 1. The Observer from ACVFFI emphasized that over and above the actions called for in Assembly Resolution A38-1, States, air operators and airports all had a fundamental role to play in implementing the said ICAO Policy. Noting that IATA and ACI advocated including relevant Protocol Questions (PQs) on family assistance in audits conducted under ICAO's USOAP, she emphasized that that would close the circle and ensure the effective implementation of family assistance policies. The Assembly was invited in WP/270 to urge the Council to: elevate the status of Annex 9 Recommended Practice 8.46 by adopting it as an international Standard; and include PQs in ICAO USOAP audits that allowed for the verification of compliance with Recommended Practice 8.46 in each Member State.

108. The Observer from ACVFFI underscored that investing in aviation safety also meant having a focus on the human consequences of aircraft accidents, which her Federation was able to contribute to by virtue of its knowledge and experience. In memory of the more than six hundred fatalities resulting from recent aircraft accidents in Germany, Spain and Pakistan, and all other such fatalities, she urged the Assembly to support WP/270 and the actions proposed therein.

109. The Observer from ACVFFI also expressed support for WP/137 Revision No. 1 (Spain) and WP/247 (Brazil), as well as updated Assembly Resolution on assistance to victims of aviation accidents and their families proposed by the Council in WP/32, which would supersede Assembly Resolution A38-1.

## **Discussion**

110. The Delegate of Venezuela (Bolivarian Republic of) expressed support for WPs/32 (Council) and /137 Revision No. 1. In reaffirming his State's solidarity with ACVFFI and support for the

latter's initiatives, and commending the Federation for its courage, dedication and commitment to making further progress in order to ensure the provision of assistance to aircraft accident victims and their families, he also endorsed WP/270.

111. The Delegate of Italy voiced support for WP/32, in particular, the draft Assembly Resolution appended thereto. He underscored that it was necessary to provide support to aircraft accident victims and their families in a globally harmonized manner, through States' national regulations, taking into account first and foremost the needs and emotions of the people affected by the accidents. The Delegate of Italy voiced his strong belief that the international aviation community and States should have adequate policies and appropriate planning to support the victims and their families, as highlighted in WP/137 Revision No. 1.

112. The Delegate of the United States recalled that, since 1996, following certain air carrier accidents in the United States, American law had specified the provision of family assistance. For 20 years, the United States had witnessed the growing attention being given to the importance of ensuring proper assistance to the survivors and the families of those involved in aviation disasters. The Delegate of the United States therefore lent his support to WPs/32, /137 Revision No. 1, /247 and /270.

113. With reference to WP/137 Revision No. 1 (Italy, Malaysia, Mexico and Spain) and WP/270 (ACVFFI), the Delegate of the United Kingdom agreed with previous speakers that ICAO and its Member States had a duty to do their best by aircraft accident victims and their families who were affected by such traumatic events and care for them during the course of the investigations, which could be upsetting and unpleasant for them. In particular, he encouraged States to share their experiences in these matters to enable other States to improve their practices, as suggested in WP/247 (Brazil), so that some good could come out of those terrible events.

114. Indicating that his State was willing to assist in that regard, the Delegate of the United Kingdom expressed full support for action paragraph a) in the executive summary of WP/137 Revision No. 1, on urging States to take the appropriate measures to implement the Annex 9 – *Facilitation* provision on assistance to victims, as well as the *ICAO Policy on Assistance to Aircraft Accident Victims and their Families* (Doc 9998). With respect to action paragraphs b) and c), he considered it too soon to upgrade Annex 9 Recommended Practice 8.46 to a Standard and to introduce a new Recommended Practice. As Recommended Practice 8.46 had only recently been incorporated into Annex 9, the Delegate of the United Kingdom considered that it might be better to allow a little more time so that ICAO could carefully review its effectiveness and determine if any improvements thereto were required. Regarding action paragraph c), while he agreed that airports and aircraft operators should develop plans to provide assistance to accident victims and their families, the Delegate of the United Kingdom suggested that the issue of developing a related Annex 9 Recommended Practice be referred to the Facilitation Panel (FALP) for indepth review prior to consideration by the Council.

115. With respect to WP/137 Revision No. 1, action d), the Delegate of the United Kingdom voiced preference for considering the necessity of including in the USOAP new PQs regarding the level of implementation of the provisions and policies on assistance to aircraft accident victims and their families as part of the work that was currently being undertaken on the broader question of how, and whether, Annex 9 non-security-related Standards might be audited in the future. He recalled, in this regard, that a Compliance Checklist approach to the latter had been trialled earlier in 2016.

116. The Delegate of Lebanon endorsed WPs/32, /137 Revision No. 1, /247 and /270. Referring to the draft Assembly Resolution appended to WP/32, which would supersede Assembly Resolution A38-1, he expressed support in particular for the inclusion of new Preambular Clause 6 on Article 28 of the Montréal Convention of 1999 and Resolution No. 2 adopted by the Montréal

Conference, and new Preambular Clause 15 on the inclusion, in 2015, of a provision in Annex 9 for States to establish legislation, regulations and/or policies in support of assistance to aircraft accident victims and their families. The Delegate of Lebanon noted that his State was proud to have participated in the drafting of the said Montréal Convention, which was gaining international acceptance, as it was aimed at meeting the immediate economic needs of aircraft victims and their families through the provision of advance payments, without delay, by the air carriers concerned.

117. In summarizing the discussion, DD/SAF indicated that the Executive Committee highly appreciated the Council's efforts in adopting Annex 9 Recommended Practice 8.46 regarding the establishment by States of legislation, regulations, and/or policies to support aircraft accident victims and their families and agreed to recommend to the Plenary for adoption the new Assembly Resolution on assistance to victims of aviation accidents and their families proposed by the Council in WP/32, which would supersede Assembly Resolution A38-1.

118. With regard to WP/247 (Brazil), the Executive Committee, recalling that the first ICAO SARP addressing the establishment by States of legislation, regulations, and/or policies in support of such assistance had been introduced in Annex 9 on 25 February 2016, agreed to recommend to the Plenary that the Council be invited to consider the convening of a global ICAO meeting on family assistance after 2019, when States would have obtained sufficient experience on the subject.

119. With respect to WP/137 Revision No. 1 (Italy, Malaysia, Mexico and Spain), while the Executive Committee acknowledged the commendable initiatives taken by the Council in recent years, including the adoption of Annex 9 Recommended Practice 8.46, it was supportive that the suffering experienced by aircraft accident victims and their families could be further mitigated with the implementation of appropriate family assistance plans by aircraft and airport operators, as recommended by the *ICAO Policy on Assistance to Aircraft Accident Victims and their Families* (Doc 9998).

120. With reference to WP/270 (ACVFFI), the Executive Committee agreed that the *ICAO Policy on Assistance to Aircraft Accident Victims and their Families* (Doc 9998), the *Manual on Assistance to Aircraft Accident Victims and their Families* (Doc 9973), as well as the introduction of Recommended Practice 8.46 in Annex 9 on 25 February 2016, had significantly advanced the global level of assistance to aircraft accident victims and their families. Recalling that the relevant PQs had been incorporated into the amendment of USOAP PQs (applicable in January 2017), it agreed to recommend to the Plenary that the Council be invited to give further consideration to the proposal to upgrade Annex 9 Recommended Practice 8.46 to a Standard, as well as to develop a Recommended Practice regarding proper implementation of family assistances plan by aircraft and airport operators, following a review of the results of the USOAP audits.

121. The Executive Committee agreed to defer presentation of the papers relating to infectious diseases and aircraft disinfection, the Next Generation of Aviation Professionals, and the *ICAO Gender Equality Programme* to the next meeting, when all of the said high-level policy issues would be discussed.

122. The meeting adjourned at 1720 hours.



**Minutes of the Eighth Meeting**  
(Monday, 3 October 2016 at 0900 hours)

**SUBJECTS DISCUSSED**

1. Agenda Item 31: Other high-level policy issues to be considered by the Executive Committee

*Infectious diseases and aircraft disinsection*

- Paper presented by the United States

*Next Generation of Aviation Professionals*

- *The ICAO Next Generation of Aviation Professionals (NGAP) Programme*
- Paper presented by the Dominican Republic

*ICAO Gender Equality Programme: Promoting the participation of women in the global aviation sector*

- *ICAO Gender Equality Programme: Promoting the participation of women in the global aviation sector*
- Information paper presented by the Dominican Republic
- Information paper presented by the United Arab Emirates
- Information paper presented by the United States
- Information paper presented by the International Air Transport Association (IATA)

2. Agenda Item 24: Human Resources Management

- *Human Resources Management*
- Information paper presented by China

3. Agenda Item 25: Status of the ICAO Workforce

- *Status of the ICAO Workforce*

4. Agenda Item 26: Multilingualism at ICAO

- *Multilingualism at ICAO*
- Paper presented by Colombia on behalf of the Member States of the Latin American Civil Aviation Commission (LACAC)
- Paper presented by the Russian Federation

5. Agenda Item 27: Increasing the efficiency and effectiveness of ICAO

- *Increasing the efficiency and effectiveness of ICAO*
- *Addressing the low response rate by Member States to ICAO State letters*
- Paper presented by Cuba
- Paper presented by the United States
- Information paper presented by the United Arab Emirates
- *The Council's Off-site Strategy Meetings as a mechanism to enhance the efficiency and effectiveness of ICAO*
- Paper presented by the ABIS Group, CERG, Chile and NORDICAO
- Information paper presented by the Interstate Aviation Committee (IAC)

### SUMMARY OF DISCUSSIONS

**Agenda Item 31: Other high-level policy issues to be considered by the Executive Committee**

1. The Committee resumed (EX/7) and completed consideration of Agenda Item 31, commencing with the issue of infectious diseases and aircraft disinsection.

**Infectious diseases and aircraft disinsection**

2. The Delegate of the United States introduced WP/84 (*The need for risk assessment guidance and performance-based criteria in aircraft disinsection*), which highlighted the need for ICAO to work with the World Health Organization (WHO) to develop a performance-based and risk-driven regulatory approach for non-chemical as well as chemical aircraft disinsection. The proposed three-pronged approach to controlling the spread of disease-bearing vectors through international aviation would permit the use of agreed upon performance-based criteria for chemical or non-chemical disinsection methods; the provision of specific guidance provided by WHO on the components of a scientifically-based risk assessment model for States to use to determine the need for aircraft disinsection; and an effective means for the exchange of information regarding vector control and disinsection measures and status at international airports. The Appendix to the paper contained a draft Resolution on performance-based criteria and guidance material on aircraft disinsection and vector control measures, which would supersede Resolution A37-14 (*Non-chemical disinsection of the aircraft cabin and flight deck for international flights*).

**Discussion**

3. In voicing support for the proposed actions and draft Resolution in WP/84, the Delegate of Sweden underscored the need to assess the efficiency of non-chemical methods for aircraft disinsection given the possible ineffectiveness of some chemicals, the restrictions by some States on the use of aerosols, as well potential public health concerns. She also welcomed the ICAO Airport Vector Control

Register which would benefit States in making informed decisions regarding preventive measures against vector-borne diseases and improve the preventive system at an international level.

4. In also voicing support and appreciation for WP/84, the Observer from the International Transport Workers' Federation (ITF) highlighted the effective use of alternative non-chemical methods of disinsection as a solution to the problems faced with the use of insecticides.

5. The Deputy Director, Aviation Safety (DD/SAF) informed the Committee that the Secretariat had begun work on performance criteria for testing non-chemical disinsection. Initial development of the draft model to be used by States to determine the need for aircraft disinsection had commenced and would be advanced in collaboration with WHO under the Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCAs). Additionally, the Airport Vector Control Register was available on the ICAO public website to facilitate information sharing of the measures in place at international airports. The Committee was also apprised that chemical disinsection would continue to be used in cargo aircraft operations.

6. In light of the discussion, the Executive Committee agreed to recommend that the Assembly adopt the draft Resolution on performance-based criteria and guidance material on aircraft disinsection and vector control measures as presented in the Appendix to WP/84.

#### **Next Generation of Aviation Professionals**

7. The Secretary General introduced WP/33, which provided an overview of the work of the ICAO Next Generation of Aviation Professionals (NGAP) Programme. In recognizing the importance of its work, the Organization had elevated the NGAP initiative to an ICAO Programme with its objectives having been incorporated in the ICAO Business Plan, the Global Aviation Safety Plan (GASP) and Global Air Navigation Plan (GANP). However, the success of the NGAP Programme relied on the support from States, international organizations, industry and academia. To this end, the Assembly was invited to adopt the draft Resolution appended to the paper that promoted the NGAP activities and encouraged support for the Programme to ensure that a contingent of highly skilled aviation professionals was available to sustain the international air transport system in the future

8. The Delegate of the Dominican Republic presented WP/329 (*Proposal for the implementation of a plan to promote aviation careers as part of the NGAP Programme*), in which his State: highlighted the need for proper training to meet the expected future demands for highly skilled aviation professionals; and proposed the analysis and design of an action plan, to be supported by ICAO through the NGAP Task Force and participation of TRAINAIR Plus Members' centres, for use by States as a model for the development of strategies to link civil aviation authorities with educational institutions that would help ensure capacity-building of aviation professionals.

9. It was noted that two information papers had been submitted: WP/458 (*Aportes de la República Dominicana a las iniciativas NCLB y NGAP en materia de formación de personal y asistencia a los Estados de la región*) presented by the Dominican Republic; and WP/457 (*UAE international cooperation*) presented by the United Arab Emirates.

#### **Discussion**

10. In expressing supporting for WP/33, the Delegate of Pakistan affirmed that the NGAP offered the best approach for meeting the anticipated demands for highly skilled aviation professionals. He emphasized Pakistan's willingness to contribute human resources to the NGAP Programme.

11. The Delegate of Ethiopia underscored the crucial need for ICAO assistance in the development and expansion of aviation training centres, especially in developing States, in order to meet training needs. In expressing appreciation for ICAO's efforts to tackle this serious challenge by incorporating its NGAP Programme in the Organization's Business Plan, he endorsed WP/33 and the associated draft Resolution.

12. Congratulating the Dominican Republic on its initiative (WP/329), the Delegate of Spain voiced support for its proposed action plan, NGAP Task Force initiatives and participation of the TRAINAIR PLUS Programme (TPP). She emphasized the need for the action plan to encompass not only existing aviation disciplines but also new and emerging ones, such as data analysis, and to be linked to related proposals put forward by the EU, ECAC and EUROCONTROL in other papers, such as WP/105 (*Addressing challenges in the field of capacity building*).

13. In strongly supporting the actions proposed by the Dominican Republic in WP/329, as well as the views expressed by the Delegate of Spain, the Delegate of Venezuela (Bolivarian Republic of) underscored the importance of promoting new aviation professions that were not necessarily in the technical sphere and yet were also required for aviation's safe and orderly development. He cited, as examples, aviation lawyers, statisticians and economists

14. Noting that his State fully supported the actions proposed in WP/33 and the associated draft Resolution, the Delegate of Malaysia emphasized that his State would continue to provide capacity building assistance to States through its Technical Cooperation Programme.

15. Also fully supporting WP/33, the Delegate of the Republic of Korea highlighted the need to address the impending shortage of pilots through the NGAP Programme.

16. In the absence of further comments, the Committee agreed to recommend that the Assembly be invited to take the actions proposed in the executive summary of WP/33, as follows: a) note the developments of the ICAO NGAP Programme; b) encourage States, international organizations, industry, academia and the TRAINAIR PLUS Programme (TPP) network to participate therein and support ICAO by providing resources (human, financial and data) to support the NGAP Programme as the latter was not included in the ICAO Regular Programme Budget for the next triennium; c) instruct the Secretary General to update the *Global and Regional 20-year Forecasts* (Doc 9956), considering gender equality, and make the document easily accessible to all; and d) adopt the draft Resolution as presented in the Appendix to the paper.

17. The Committee also noted WP/329 and that additional financial and human resources would be required to undertake the actions proposed.

### **ICAO Gender Equality Programme: Promoting the participation of women in the global aviation sector**

18. The Secretary General introduced WP/78, in which the Council proposed the establishment of an ICAO Gender Equality Programme, building on past achievements. Taking into account recent global gender-related developments, such as the United Nations Sustainable Development Goal (SDG) 5 on *Gender Equality and Empowerment of Women*, this important initiative involved ICAO and States in actively working towards the establishment of a framework that would raise awareness of the issue and intensify efforts to enhance gender equality and empowerment of women in ICAO and the global aviation sector. An updated and enhanced Resolution to supersede Resolution A36-27 (*Gender equality*) was presented in Appendix A to the paper.

19. The Committee noted that the following two information papers had been submitted under this item: WP/410 (*Compliance with Annex 9, Chapter 5, Standards 5.26 through 5.29*), presented by the United States; and WP/305 (*Prevention of illegal wildlife trafficking via commercial aviation*), presented by IATA.

## **Discussion**

20. Strongly supporting WP/78, the Delegate of Argentina congratulated ICAO on its initiative, which was aimed at, inter alia, increasing the percentage of women professionals in the aviation public and private sector. In emphasizing the importance of the Secretariat monitoring the progress being made in gender equality at all levels in ICAO, its Member States and industry, he stressed the need for the following measures to be taken: encourage Member States to select women representatives to ICAO's governing and technical bodies based on their technical and policy qualifications and expertise; optimize the collection of data from Member States and industry on gender issues in aviation and establish gender key performance indicators (KPIs) based on the statistics provided; and organize and facilitate training courses for women by granting scholarships targeted at the latter. The Delegate of Argentina underscored that by contributing to the achievement of UN SDG 5, ICAO, through its Gender Equality Programme, would achieve "No Woman Left Behind".

21. In also expressing support for the proposed Programme, the Delegate of Norway emphasized that gender equality was one of the pillars upon which a modern society was built and affirmed that that equally applied to the aviation sector.

22. Recalling that she was one of the Council Representatives who had drafted the proposed Resolution, the Delegate of Poland endorsed it and affirmed that it could be supported by all as its aim was to achieve UN SDG 5 and accelerate the momentum from previous actions taken by ICAO with regard to the empowerment of women and gender equality.

23. Highly appreciating the work of the ICAO Council on this subject and fully supporting the actions proposed in WP/78, as well as the comments made by the Delegate of Argentina, the Delegate of Sweden emphasized that an organization was more efficient and successful when it benefited from the full potential of women in fulfilling its tasks and in addressing future challenges. In noting the proactive actions and initiatives being taken to attract women to the aviation sector at the national and regional levels, he underscored that it was necessary for ICAO to do likewise by not only promoting opportunities for women to participate in its work but also increasing the number of qualified women applying for ICAO positions.

24. The Delegate of Venezuela (Bolivarian Republic of) congratulated the Council Representatives of Australia, Portugal, Japan, the United Arab Emirates, Nicaragua, Kenya and in particular, Poland, on developing the said draft Resolution on the ICAO Gender Equality Programme and on pushing forward with that initiative. In enthusiastically supporting the actions proposed in WP/78, he underscored the obligation of all to meet the goals laid out in the said Resolution. The Delegate of Venezuela (Bolivarian Republic of) highlighted, in this regard, the establishment by his Government of a Ministry for Women and Gender Equality.

25. Noting that a gender equality policy that had been put in place within his State's civil aviation sector, the Delegate of El Salvador congratulated the Council on its proposal to establish an ICAO Gender Equality Programme and voiced support therefor, with the hope that other Member States would pursue that initiative.

26. The Delegate of Nicaragua drew attention to the need to link WP/78 to WP/74 (*Human Resources management*) presented by the Council under Agenda Item 24, in order to ensure equal participation of men and women in the aviation sector.

27. In voicing support for WP/78, the Delegate of Peru emphasized that the establishment of the ICAO Gender Equality Programme and the monitoring of its implementation in ICAO, Member States and industry were very relevant measures in promoting the importance of gender equality in all aspects of the aviation sector. She highlighted Peru's public policy of gender equality and the elimination of discrimination.

28. Recognizing that there would be a severe skill shortage in some aviation technical disciplines in the coming years given the expected growth of aviation, coupled with a very high retirement rate, the Delegate of the United Kingdom welcomed WP/78. Noting that only 0.6 per cent of airline pilots worldwide were women, he underscored that it was incumbent upon all States to rectify that situation. The Delegate of the United Kingdom noted, in this regard, that his State supported UN General Assembly Resolution A/RES/69/151 relating to gender equality and the UN's *2030 Agenda for Sustainable Development*. While the United Kingdom was also very supportive of ICAO's Gender Equality Programme, it accepted that the Organization's gender profile was, to a large extent, reflective of those within the States that supplied ICAO with talent. Emphasizing that it was incumbent upon States and industry partners to make concerted efforts to recruit women for the aviation workforce and to put in place measures to retain them, the Delegate of the United Kingdom stressed that it was essential to build a competent and resilient workforce to sustain safe aviation growth. He thus supported the points raised by the Delegate of Argentina in that regard. The Delegate of the United Kingdom considered that one of the more beneficial aspects of the ICAO Gender Equality Programme was the exchange of best practices in States and industry to attract, recruit and retain women in the aviation technical disciplines with a view to closing both the gender gap and the skills gap in aviation.

29. Likewise welcoming WP/78, the Delegate of Austria lent full support to the proposed actions and draft Resolution. In agreeing that it would be worthwhile to exchange best practices on gender equality, she suggested that the envisaged platform for the exchange of workforce data could be used for that purpose. Underscoring the importance of role models in addressing gender issues, the Delegate of Austria expressed confidence that, with a woman as Secretary General, ICAO would achieve its objectives. She endorsed the interventions by all previous speakers, in particular, that by the Delegate of Argentina.

30. In also voicing support for the paper, the Delegate of Saudi Arabia indicated that he considered that gender equality was an achievable objective as it was part of social justice. Highlighting the need for skilled experts, he underscored that once that requirement had been met, then gender equality could be achieved.

31. Sharing this view, the Delegate of Sudan emphasized the importance of a competency-based approach to the recruitment of personnel, rather than simply increasing the number of positions filled by women.

32. In lending full support to WP/78, the Delegate of South Africa noted that his State had benefitted from the leadership of women, especially in the aviation sector, where the posts of Minister and Deputy Minister of Transport and Director of Civil Aviation were currently occupied by women. Recalling the comments made by the Delegate of the United Kingdom, he called upon ICAO and its Member States to take concrete steps to ensure that the many remaining imbalances were addressed and gender equality was achieved.

33. Thanking the ICAO Council for all its efforts to promote gender equality, the Delegate of Belgium also voiced full support for WP/78. In sharing the views expressed by the Delegate of Argentina and all other speakers, she reiterated the importance of sharing best practices and role models.

34. The Delegates of Monaco, Nigeria, Paraguay, Sri Lanka, Turkey and Swaziland endorsed WP/78, with the latter underscoring the importance of promoting aviation careers to girls from the very start of schooling.

35. In likewise lending full support to WP/78, the Observer from IATA reiterated that it was the responsibility of all to achieve gender equality in the global aviation sector.

36. Thanking all speakers for their full support for gender equality and the empowerment of women, the Secretary General agreed that by working together to promote gender equality and the participation of women in the global aviation sector ICAO, its Member States and industry could make substantial achievements. In underscoring that gender equality and the empowerment of women would be part of the NGAP Programme, she indicated that ICAO would work with other UN organizations, such as UNESCO, to promote aviation careers in educational institutions with a view to attracting the younger generation, in particular, girls, and thus enhance the talent pool. The Secretary General emphasized that it was possible for both men and women to have aviation careers.

37. The Committee recognized the important initiative of establishing an ICAO Gender Equality Programme as a framework through which gender equality and women's empowerment could be addressed, not only within ICAO but also in the global aviation sector, and that it would help support UN SDG Goal 5. The Committee also noted the actions outlined in WP/78 on gender equality were inter-related with the priority initiatives and future actions identified for the next triennium for human resources management in WP/74, and were also linked with activities foreseen for the ICAO NGAP in WP/33. The principles of equal access to education, skills and competency development and career opportunities in the global aviation community for all girls and boys, women and men, were highlighted. It was also noted that the paramount consideration in the appointment of staff to ICAO shall be the necessity for securing the highest standards of efficiency, competence and integrity.

38. In light of the discussion, the Committee agreed to recommend that the Assembly approve the proposed ICAO Gender Equality Programme and related actions outlined in Section 2 of WP/78 and adopt the draft Resolution as presented in the Appendix to the paper, which would supersede Resolution A36-27.

**Agenda Item 24: Human Resources management**

39. The Secretary General introduced WP/74, which reported on the ongoing initiatives to improve human resources management and to promote ethics, efficiency and transparency throughout the Organization. The paper also identified priority areas to be pursued that would focus on workforce diversity, talent management, staff motivation and retention, performance management, succession planning, staff welfare and automation of the human resources processes, to further improve human resources management and greatly assist ICAO in meeting its Strategic Objectives and organizational requirements. The Assembly was invited to: a) note the reforms undertaken and achievements made by the Organization to enhance the management of its human resources; and b) endorse the priority initiatives and future actions identified for human resources management for the next triennium, as presented in paragraph 9.1 of WP/74 and in accordance with the operating plan for human resources management and its associated deliverables.

40. The Committee noted that information paper WP/423 (*CAAC's support for ICAO in human resources*) had been submitted by China.

### **Discussion**

41. The Delegate of China voiced support for the various measures taken by ICAO to improve human resources management as set forth in WP/74.

42. Recognizing the importance of continuity at the senior management level, the Delegate of Ukraine recommended a more efficient appraisal system be introduced for the senior level positions, referenced in paragraph 2.4 of WP/74, as term limits for positions at that level could unfavourably impact the continuity of ICAO's work, as well as the Organization's institutional memory.

43. The Delegate of the United Republic of Tanzania voiced strong support for WP/74.

44. In also expressing support for that paper, the Delegate of Georgia thanked ICAO, the Council and Secretariat for the tremendous work undertaken to improve human resources management. In sharing the view of the Delegate of Ukraine, she emphasized that it would be beneficial for ICAO to increase the number of terms permitted for senior management positions or to re-examine the issue presented in paragraph 2.4.

45. The Delegate of Turkey fully supported WP/74, as well as the comments made by the Delegates of Ukraine and Georgia.

46. In also endorsing the paper, the Delegate of Saudi Arabia affirmed that it would be beneficial to carry out technical cooperation projects in all regions of the world.

47. While likewise supporting the paper, the Delegate of Malaysia highlighted the importance of including succession planning in the actions proposed for the next triennium.

48. In response to the concerns raised by the Delegates of Ukraine, Georgia and Turkey, the Secretary General suggested that the issue of term limits for senior management level positions be referred back to the Council for consideration.

49. As there were no further comments, the Executive Committee agreed to recommend that the Assembly: take the actions proposed in WP/74 and a) note the reforms undertaken and achievements made by the Organization to enhance the management of its human resources; and b) endorse the priority initiatives and future actions identified for human resources management for the next triennium, as presented in paragraph 9.1 of WP/74 and in accordance with the operating plan for human resources management and its associated deliverables; and c) refer to the Council the said issue of term limits at the management level.

### **Agenda Item 25: Status of ICAO workforce**

50. The Secretary General introduced WP/73 [with Corrigendum No. 1 (English, French and Arabic only)], in which the Council reported on the composition of the ICAO workforce as of 31 December for 2013, 2014 and 2015. Also included was information on the status of equitable geographical representation (EGR) and gender, with an analysis of the Professional and higher category appointments and their impact on EGR and gender, as well as demographic human resources data on age, length of service and retirement projections. The Assembly was invited to: a) note the status report



presented in WP/73; and b) urge Member States to collaborate with the ICAO Secretariat in the attainment and maintenance of a diverse, flexible and motivated workforce.

## Discussion

51. In welcoming the paper, the Delegate of South Africa suggested that consideration be given to seeking Member States' endorsement of ICAO appointees as they had a vested interest in achieving EGR and gender equality within the Organization.

52. Expressing appreciation for the information provided in WP/73, the Delegate of Venezuela (Bolivarian Republic of) emphasized that ICAO should strive for an appropriately balanced distribution of Professional and higher category posts. He suggested that ICAO find ways to regulate the financing of posts, especially AOSC posts, from extra-budgetary funds as that could have a detrimental impact on the work of ICAO should funding be reduced.

53. Reiterating the point raised by the Delegate of Venezuela (Bolivarian Republic of), the Delegate of Spain suggested the discrepancy in the ratio between D-1 and D-2 level posts and Professional posts be reviewed by the Assembly to ensure ICAO was recruiting the best expertise for the positions in its various programmes while limiting the number of posts at the senior management level.

54. In the absence of further comments, the Executive Committee agreed to recommend that the Assembly take the action proposed in WP/73 and: a) note the status report presented therein; and b) urge Member States to collaborate with the ICAO Secretariat in the attainment and maintenance of a diverse, flexible and motivated workforce.

## Agenda Item 26: Multilingualism at ICAO

55. The Secretary General presented WP/43 whereby the Council reported on the implementation of policies and decisions to promote multilingualism in ICAO while enhancing the efficiency and effectiveness of language services. Recognizing the importance of multilingualism for the world-wide dissemination of ICAO documentation and proper functioning of the Organization and its standing bodies, language services provided in ICAO's six working languages were based on the principles of language parity, service quality and simultaneous distribution and adherence to UN best practices related to language services. In order to address the significant reduction in funding since 2008 and resulting challenges faced by the Secretariat in translation, interpretation and publication services, efficiencies through optimization of available resources and introduction of enhanced technological tools had allowed the language services to cope with a steady increase in demand for its services. Additionally, further measures were proposed as a result of the draft Regular Programme Budget proposed for the next (2017-2019) triennium. The Assembly was invited to: a) note ICAO activities supporting multilingualism at ICAO; and b) urge Member States to actively collaborate with the ICAO Secretariat in the promotion of multilingualism as an integral part of the Organization's programmes and activities.

56. On behalf of the 23 LACAC Member States, the Delegate of Colombia introduced WP/355 (*ICAO policy on language services*), which highlighted the need for an adequate level of language services in ICAO's official working languages to support safety and security and other areas of the Organization's work. To ensure that ICAO continued to provide quality language services to its Member States, especially as the proposed zero nominal growth Budget for the 2017- 2019 triennium posed a risk to multilingualism, the LACAC Member States invited the Assembly to: a) reaffirm the need to uphold multilingualism in the work of ICAO of concern to the Spanish-speaking region; b) further explore new methods and procedures to enhance efficiency and ensure that ICAO can continue to provide

quality services to its Member States; and c) request that the Regional Offices be empowered to develop cost-recovery mechanisms enabling them to produce official ICAO translations.

57. The Delegate of the Russian Federation presented WP/357 (*Multilingualism – One of the fundamental principles to achieve the goals of ICAO as a Specialized Agency of the United Nations*), which drew attention to the impact that the reduction of language services had on the work of the Organization and its Member States, especially on the participation of non-English-speaking Member States in the development and implementation process of ICAO Standards and Recommended Practices (SARPs) and on the Organization's related *No Country Left Behind* (NCLB) initiative. In accordance with Assembly Resolutions A22-29, A24-21 and A37-25 as well as the report of the Joint Inspection Unit entitled *Multilingualism in the United Nations system organizations: Status of implementation* (JIU/REP/2011/4), the Russian Federation invited the Assembly to: agree to the proposed actions set forth in paragraph 5 of WP/357 to ensure that multilingualism, as one of the fundamental principles of the Organization, was upheld to facilitate fair access to, and participation in, all of the Organization's legislative bodies, in compliance with Article 37 of the Chicago Convention, which underscored the collaboration of Member States in securing uniformity in regulations and SARPs. The Delegate of the Russian Federation also took the opportunity to endorse WP/355 presented by LACAC.

## Discussion

58. In voicing support for WP/43, the Delegate of Argentina announced his State's commitment to actively collaborate with ICAO in the promotion of multilingualism as an integral part of the Organization's programmes and activities through its continued work to develop a Spanish version of the ICAO public website. He also reiterated support for WP/355, of which his State was a co-presenter.

59. The Delegate of Spain expressed appreciation for Argentina's commitment. In likewise endorsing WP/43, he emphasized that multilingualism was an integral part – the DNA – of all UN organizations and was of key importance to ICAO's work. Also lending support to WP/355, the Delegate of Spain suggested that LACAC's proposal to empower Regional Offices to develop cost-recovery mechanisms for the production of official ICAO translations be referred to the Council for review. While voicing agreement with the principles expressed in WP/357, the Delegate of Spain suggested that the actions proposed by the Russian Federation in paragraph 5 thereof be addressed to ICAO as a whole rather than to the Secretary General. Referring to paragraph 5 d), he reiterated the importance of providing interpretation services, to the extent possible, to at least all high-level meetings, panel meetings and international symposia. With regard to paragraph 5 h), the Delegate of Spain stressed the need for the Council to monitor the level of outsourced translation and interpretation services taking into account the average level within other UN organizations.

60. In support of the action proposed in WP/43 and the views expressed by all previous speakers, the Delegate of Saudi Arabia re-emphasized the importance of multilingualism in the dissemination of ICAO documentation to Member States to assist in SARPs implementation, especially in the areas of safety and security.

61. Underscoring that his State attached a high degree of importance to multilingualism in international organizations, the Delegate of France reiterated that multilingualism was the DNA of multilateralism and cautioned that any adverse effect on linguistic diversity would impoverish collective thought. In emphasizing that France would remain vigilant in guarding against any such adverse impact on multilingualism in ICAO, he expressed support for the proposals presented in WPs/355 and /357. The Delegate of France stressed that the active promotion of multilingualism should be the shared objective of the Secretariat, Member States and other partners as it improved the efficiency and effectiveness of

ICAO, facilitated the understanding and implementation of SARPs, and was fully consistent with the Organization's NCLB initiative.

62. The Delegate of Venezuela (Bolivarian Republic of) endorsed the papers presented by the Council, LACAC (of which his State was a Member) and the Russian Federation. In also expressing appreciation for Argentina's development of a Spanish version of the ICAO public website, he affirmed that it was a valuable contribution and encouraged other States and regions to follow suit. Underscoring the importance of high quality and timely SARPs-related documentation, the Delegate of Venezuela (Bolivarian Republic of) pointed out that the language services should not just be considered as an expenditure, but also as an investment in achieving ICAO's goals. He stressed that pursuant to WP/357, which was aligned with ICAO's NCLB initiative, and the comments made by the Delegate of Argentina, "no language should be left behind" in order to ensure that ICAO efficiently and effectively contributed to the safe and orderly development of international civil aviation.

63. In fully supporting WPs/355 (of which his State was a co-presenter) and /357, as well as the views expressed by the Delegate of Venezuela (Bolivarian Republic of), the Delegate of Nicaragua underscored that delays in the translation of SARPs-related documentation created the risk that States would have insufficient time in which to properly analyze and implement the SARPs. He emphasized that there was no point in ICAO promoting its NCLB initiative if States did not have access to the necessary technical documentation in the appropriate language to enable SARPs implementation.

64. The Delegate of Canada emphasized that, as an officially bilingual and culturally diverse State, Canada was strongly supportive of policies that sustained multilingual communications within ICAO and with Member States, but within the confines of prudent and efficient budgeting. Canada encouraged ICAO to ensure equal and consistent access by Member States to its communications in all six official working languages of the Organization and the release of official ICAO documentation simultaneously in those languages as any delay in the issuance of SARPs or other ICAO documentation for one or more languages might create disparities and confusion among Member States in the implementation of essential aviation policies.

65. Associating himself with the comments made by previous speakers on the importance of multilingualism, the Delegate of Côte d'Ivoire expressed strong support for the intervention by the Delegate of France. He noted, in this regard, that Côte d'Ivoire, whose official language was French, was a full Member of the Organisation internationale de la francophonie (OIF).

66. In also endorsing the Delegate of France's intervention, the Delegate of Monaco underscored that the reason why multilingualism was a recurring subject was not that its importance was being called into question but rather that it constituted a substantial budgetary problem for ICAO. He therefore suggested, as a pragmatic way forward, that the Secretariat present to the ICAO Council for consideration, a study clarifying the real costs of providing language services so that Member States could determine the impact on their respective assessed contributions to ICAO.

67. Voicing support for WPs/43, /355 and /357, the Delegate of Burkina Faso affirmed that the actions proposed therein would enable ICAO to meet its objectives under its NCLB initiative, as highlighted by the Delegate of France.

68. In also endorsing the said three papers, the Delegate of Mozambique pointed out that although Portuguese was ranked as the seventh most widely used language in the world, being used by some 330 million people globally to communicate, and was an official working language of, inter alia, the UN, the African Union (AU) and the EU, it was not an official working language of ICAO. Underscoring the difficulties arising from the translation into Portuguese, by non-aviation experts, of ICAO safety- and

security-related documents, he proposed that the ICAO Council give future consideration to having such documents translated into Portuguese.

69. Supporting the intervention by the Delegate of Mozambique, the Delegate of Portugal affirmed that ICAO's *No Country Left Behind* (NCLB) initiative and "No language left behind" were two sides of the same coin. He nevertheless understood the position expressed by the Delegate of Monaco regarding budgetary restrictions and suggested that this issue be discussed further.

70. In endorsing WPs/43 and /355 (of which her State was a co-presenter), the Delegate of Mexico highlighted her State's support for the Organization's proposed Regular Programme Budget for the 2017-2019 triennium, as well as for multilingualism in ICAO and throughout the UN system. Recalling that there had been a significant reduction in funding for language services in ICAO since 2008, and a consequent decrease in the number of translators and interpreters, to the detriment of multilingualism, she stressed the need for the Assembly and the Secretariat to ensure that that did not happen again in the future.

71. The Committee recognized that language services: were an integral part of every ICAO programme; were essential to all Strategic Objectives of the Organization and to the global implementation of SARPs and PANS; and were a key requirement of ICAO's NCLB initiative. The Committee also acknowledged the support provided by Argentina, China and Saudi Arabia for the translation of the ICAO public website into Spanish, Chinese and Arabic, respectively.

72. In light of the discussion, the Committee agreed to recommend that the Assembly: a) request the Council to closely monitor the implementation of the policies and decisions it had adopted to enhance efficiency and effectiveness in language services matters, recognizing multilingualism as a fundamental principle to achieve ICAO goals; and b) request the Council to further analyze and reassess the resources required to ensure that ICAO documentation related to the implementation of Standards is available on a timely basis in all ICAO working languages, and to further review the level of outsourcing required for these objectives, while taking into consideration the best practice of other similar UN organizations.

**Agenda Item 27: Increasing the efficiency and effectiveness of ICAO**

73. The Director of the Bureau of Administration and Services (D/ADB) introduced WP/75, in which the Council reported on achievements and progress made by the Governing Bodies and the Secretariat to improve the Organization's efficiency and effectiveness. It also presented on-going actions and identified measures for further improvements during the 2017-2019 triennium. In highlighting the on-going initiatives, D/ADB emphasized that they demonstrated ICAO's commitment to enhance efficiency and effectiveness and to continue its efforts to address Member States' recommendations. The Assembly was invited to note the progress made in improving the efficiency and effectiveness of the Organization, as well as to endorse the measures for further improvements during the 2017-2019 triennium identified in the paper.

74. The Secretary General then presented WP/22, whereby the Council reported on the subject of increasing the response rates to State letters by Member States and presented actions to address that issue, which was supported by an analysis of the status of, and reasons for, the low response rate. The measures incorporated findings of ICAO's Universal Safety Oversight Audit Programme (USOAP), as well as feedback received from Member States on challenges faced in responding to State letters. The Secretary General emphasized that the advice provided by Member States, regional groups, international organizations and others was invaluable to the Governing Bodies and the Secretariat as it provided comprehensive feedback that helped ensure that ICAO addressed the real issues and that limited resources

were prioritized to real needs. She further underscored that ICAO remained committed to increasing the response rate to State letters, while at the same time taking measures to minimize the accompanying administrative burden on Member States. In referring to the actions proposed in paragraph 2.3 of WP/22, the Secretary General stressed that the cooperation of Member States was required, particularly with respect to responding to State letters within the indicated deadlines, in order for ICAO to resolve the issues identified in the paper. The Assembly was invited to adopt the related draft Resolution contained in the Appendix thereto.

75. The Delegate of Cuba introduced WP/119 (*Cuba's experience with the receipt, assessment, and processing of ICAO State letters*), which described the internal procedure of the Cuban Civil Aviation Institute (IACC) to effectively respond to ICAO State letters in a timely manner. The Assembly was invited to share the best practices mentioned in the paper with other Member States and to consider including some of elements of those practices in the communications tracking procedure to be established by ICAO.

76. The Delegate of the United States presented WP/86 (*Enhancing the implementation of international aviation provisions*), which: proposed enhancements to the SARPs development and review process; encouraged States to respond to State letters on proposed amendments to Annexes and PANS; and encouraged ICAO Regional Offices to take an active role in that regard, as well as in the regional implementation process. The Appendix to the paper contained a proposed updated text of Resolution A38-11: *Formulation and implementation of Standards and Recommended Practices (SARPs) and Procedures for Air Navigation Services (PANS) and notification of differences*, which it would supersede. The Delegate of the United States noted that in view of the Technical Commission's substantive discussion of WP/86 under Agenda Item 35: *Aviation safety and air navigation standardization*, his State now wished to propose that Operative Clauses 19 and 20 of the draft Resolution appended to its paper be revised to clarify the intent for communication through Member States in those provisions. The amended text would read as follows (new text appears in grey shading; deleted text appears in strikethrough):

“19. ~~Instructs ICAO~~ **Urges** Member States to review ~~existing SARP development processes and implement changes intended to encourage the inclusion of inputs from a broader set of stakeholders in the aviation industry~~ their procedures related to the development of SARPs with a view to enhance the involvement of a broader set of aviation stakeholders;

“20. ~~Directs Requests~~ ICAO to consider ~~the~~ development of a transition and communication strategy throughout planning and implementation phases **for Member States, who in turn should facilitate** ~~which should include~~ outreach to stakeholders **groups**.

77. It was noted that the United Arab Emirates had submitted information paper WP/320 (*Volume of ICAO Correspondence*).

## **Discussion**

78. The Delegate of China expressed support for the various measures taken by ICAO to increase its efficiency and effectiveness as described in WP/75.

79. The Delegate of Cuba remarked that her State also welcomed the progress made in improving the Organization's efficiency and effectiveness. However, with regard to the Conflict Zone Information Repository (CZIR) (cf. paragraph 2.3.1 of WP/75), Cuba wished to recall the existing mechanism under the Chicago Convention and Annex 15 – *Aeronautical Information Services*, whereby

States published *Notices to Airmen* (NOTAMs) advising other States of risks to international civil aviation within their respective airspaces. In Cuba's view, that mechanism, which had been accepted by States, was valid and States were required to comply therewith. ICAO's responsibility was to monitor States' compliance.

80. Cuba thus considered that it was inappropriate for ICAO to have established a parallel mechanism, the CZIR, which was being used to disseminate unreliable and non-transparent information on risks to civil aviation arising from conflict zones. Cuba was also of the view that the CZIR did not "create and preserve friendship and understanding among the nations and peoples of the world", as referred to in the Preamble of the Chicago Convention, and that it could be used in a way that had a negative impact on both the sovereignty and economies of States. For those reasons Cuba had been opposed to participating in the CZIR. It considered that the subject fell more within the purview of the UN Security Council, and that the definition of "conflict zones" used for the purpose of the CZIR ("airspace over areas where armed conflict is occurring or is likely to occur between militarized parties, and is also taken to include airspace over areas where such parties are in a heightened state of military alert or tension, which might endanger civil aircraft"), should be assessed by the ICAO Legal Committee prior to the subject's consideration within the framework of Annex 17 — *Security* SARPs and civil/military cooperation.

81. In sharing this view, the Delegate of Venezuela (Bolivarian Republic of) recalled that during the Technical Commission's consideration of Agenda Item 33: *Aviation safety and air navigation monitoring and analysis*, his State had similarly maintained that the subject of conflict zones should not be dealt with by ICAO as it went against the spirit of Article 1 (*Sovereignty*) of the Chicago Convention and Annex 15.

82. Also supporting the Delegate of Cuba's position, the Delegate of Nicaragua emphasized that having the CZIR as a parallel mechanism would result in duplication of efforts on the part of ICAO and States.

83. The Delegate of Pakistan noted that his State supported enhancing the response rate to ICAO State letters in view of the importance of States' feedback for SARPs development. It thus endorsed WPs/22, /75 and /320.

84. The Delegate of the United Kingdom fully supported WP/22 as State letter responses provided the opportunity for States to influence ICAO's decision-making process, especially for those States not currently represented on the ICAO Council. In line with WPs/119 and /320, he urged that: all States review their own systems and contribute their ideas, as Cuba had done, on how to improve the system end-to-end; and ICAO continue to monitor the response rate in order to determine whether States' efforts were yielding the necessary improvements.

85. The Delegate of the Russian Federation sharing this view regarding WP/22. He also wholeheartedly supported the concerns expressed by the Delegates of Cuba, Venezuela (Bolivarian Republic of) and Nicaragua regarding the CZIR.

86. In likewise sharing the said concerns regarding the CZIR, the Delegate of Iran (Islamic Republic of) reiterated that the Repository undermined State sovereignty as it was used to disseminate information from some States on airspace that fell under the sovereignty of other States. He recalled, in this context, that two NOTAMs had been issued by some European States regarding Iran's Flight Information Region (FIR). The Delegate of Iran (Islamic Republic of) emphasized that his State was responsible for its own FIR and would share information regarding safety and security issues with other Member States, as well as with international organizations such as IATA.

87. Referring to WP/119, the Delegate of Spain commended Cuba's best practices as a means to address the low response rate to State letters and encouraged other States to implement them. In also lending support to WPs/22 and /86, he reiterated that a holistic approach to SARPs development and review process would result in improved SARPs implementation and communications between ICAO and Member States.

88. The Delegate of the United States echoed the comments by the Delegate of the United Kingdom regarding WP/22. In also reiterating the comments made by the United States during the Technical Commission's said discussion of conflict zones, he acknowledged the differences of opinion and sensitivities regarding that subject and accepted the proposed solution, namely, that the points raised be considered by the Council in its further deliberations concerning the future status and operation of the CZIR.

89. The Executive Committee noted with appreciation the progress made by the Organization in improving its efficiency and effectiveness as highlighted in WP/75 and agreed to recommend that the Assembly request the Council to continue with that ongoing process.

90. The Committee supported the actions recommended in WPs/86 and 119. In also agreeing with the proposed actions outlined in paragraph 2.3.1 of WP/22 which were aimed at increasing the response rate to State letters, it noted the Secretariat's intention to incorporate the information contained in the various papers, as enhanced by the discussion, when it developed and implemented the said proposed actions.

91. In addition, the Committee recommended that the Assembly adopt: the draft Resolution on addressing the low response rate by Member States to ICAO State letters as presented in the Appendix to WP/22; and the draft Resolution on the *formulation and implementation of SARPs and PANS and notification of differences* appended to WP/86, subject to the amendments to Operative Clauses 19 and 20 recorded in paragraph 76 above.

92. The Committee noted that the subject of conflict zones was not part of Agenda Item 27 and left it to the Council to deliberate thereon. It was recalled, in this regard, that the Council had directed the Secretariat to consider further improvements to the CZIR and to prepare appropriate proposals for consideration during its 209th Session.

***The Council's Off-site Strategy Meetings as a mechanism to enhance the efficiency and effectiveness of ICAO***

93. The Secretary General introduced WP/79 Revised, in which the Council reported on its three Off-site Strategy Meetings (COSMs) held each year since 2014 that allowed it the opportunity to use a different setting to reflect on and plan for ICAO's direction and strategy, while strengthening relationships between Council Representatives, the ANC and the Secretariat and benefitting from the participation of industry partners. A number of important COSM recommendations had led to the development and implementation of various policies, initiatives and activities, including the NCLB initiative, the ICAO World Aviation Forum (IWAF) and global partnerships for aviation development, as outlined in paragraph 5.1 of the paper. The Organization continued to enhance its outreach to the regions with visits by the President of the Council and Council Representatives, whereby first-hand information on regional implementation challenges was obtained for assessment and appropriate support. The Assembly was invited to: a) note the contribution of the COSMs to enhancing the efficiency and effectiveness of the Organization; and b) request Member States to support the conduct of COSMs as a mechanism for furthering the Organization's strategic planning process. In conclusion, the Secretary

General underscored the need for the continued support of the Assembly and Member States for future COSMs and regional visits.

94. On behalf of the ABIS Group, CERG, Chile and NORDICAO, the Delegate of Portugal then introduced WP/325 Revised (*Representation of States on the ICAO Council by Members of a rotation group*), which highlighted the effectiveness and benefits of rotation groups on the ICAO Council for the Organization and for States, including, inter alia: a decrease in the need for a continuous enlargement of the number of Council seats; and continuity of positions and a wider range of expertise by means of close coordination within rotation groups. The Assembly was invited to: a) take note of the information contained in the paper; b) express appreciation for the existence of current rotation groups as an effective means of ensuring a greater number of Member States have an opportunity to serve on the Council; c) encourage Member States seeking to serve on the ICAO Council to create new rotation groups or join rotation groups already in existence; and d) request the Council to consider the adoption of written procedures that would formally recognize rotation groups and the function they serve for the purposes of electing Member States to the Council. It was noted that the list of existing rotation groups annexed to the paper should be amended to reflect that the name of the group comprising Cuba, Dominican Republic and Jamaica was “CARIBI” and not “CARICOM”.

95. The Executive Committee noted that information paper WP/308 (*Strengthening ICAO and RAIO roles in international investigations of major aviation accidents*) had been submitted by IAC.

## Discussion

96. In thanking the Secretariat for WP/79 Revised, the Delegate of Venezuela (Bolivarian Republic of) highlighted the importance of the COSMs and outreach to the regions while bearing in mind the budgetary impact for Member States. In lending support to the proposed actions in WP/325 Revised, given the lengthy time some Member States waited to have the opportunity to serve on the ICAO Council, he underscored the need for coordination with regional groups, taking into account established bilateral and multilateral agreements when considering the role and status of rotation groups.

97. The Delegate of China also expressed support for WP/79 Revised and all of the various measures taken by ICAO to enhance its efficiency and effectiveness. While voicing appreciation to the co-presenters of WP/325 Revised, he highlighted that in certain regions, owing to cultural diversity, no State rotation groups had been formed. The Delegate of China therefore suggested that the Assembly request the Council to take that into account when formally recognizing rotation groups so as to ensure that those States’ interests were not adversely affected thereby.

98. The Delegate of Croatia fully supported WP/325 Revised and strongly encouraged non-aligned States to deeply investigate the benefits of rotation groups in light of his State’s extremely positive experience as the newest member of the ABIS rotation group.

99. Also supporting WP/325 Revised, of which his State was a co-presenter, the Delegate of Norway affirmed that rotation groups served as an effective means to ensure a greater number of Member States had an opportunity to serve on the ICAO Council. Citing Norway’s excellent experience as a member of the NORDICAO rotation group, he encouraged Member States which were seeking to serve on the ICAO Council to create new rotation groups or join an existing one, as proposed in action paragraph c) of the paper.

100. While endorsing action paragraphs a) to c) of WP/325 Revised (cf. paragraph 94 above), the Delegate of Saudi Arabia expressed a reservations regarding action paragraph d) regarding the adoption by the Council of written procedures that would formally recognize rotation groups and the



function they serve for the purposes of electing Member States to the Council. He emphasized that it was the right of each Member State to submit its candidature for election and the function of the Assembly, under Article 50 a) of the Chicago Convention, to elect the Council based on the candidatures put forward by Member States. The Delegate of Saudi Arabia further underscored the need for coordination with regional groupings, which should decide which of their Member States should submit their candidatures for election to the Council.

101. This position was shared by the Delegate of the Russian Federation, as well as by the Delegates of Nicaragua and Paraguay, both of whom also supported the comments made by the Delegate of Venezuela (Bolivarian Republic of) regarding WP/325 Revised.

102. The Committee noted the contribution of the Council's Off-site Strategy Meetings (COSMs) and regional visits to enhancing the efficiency and effectiveness of the Organization and expressed support for those meetings as a mechanism for furthering the Organization's strategic planning process.

103. In light of the discussion, the Committee recommended that the Assembly take the actions proposed in a) b) and c) of the executive summary of WP/325 Revised and: take note of the information contained in the paper; express appreciation for the existence of current rotation groups as an effective means of ensuring a greater number of Member States have an opportunity to serve on the Council; and encourage Member States seeking to serve on the ICAO Council to create new rotation groups or join rotation groups already in existence and that the Council be requested to study further the role and status of rotation groups in the work of the Organization. The Committee further recommended that the Assembly refer to the Council, for further study, the issue of the role and status of rotation groups in the work of the Organization, taking into account the comments made by Delegates.

104. In light of time constraints, the Committee agreed to defer consideration of the remaining items on the Order of Business to its next meeting, and the meeting adjourned at 1715 hours.



**Minutes of the Ninth Meeting**  
(Tuesday, 4 October 2016 at 0900 hours)

**SUBJECTS DISCUSSED**

1. Agenda Item 16: Aviation security – Policy  
— Approval of draft text for the Report to the Plenary
2. Agenda Item 17: Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA)  
— Approval of draft text for the Report to the Plenary
3. Agenda Item 18: Implementation Support and Development – Security (ISD-SEC)  
— Approval of draft text for the Report to the Plenary
4. Agenda Item 19: Facilitation and the ICAO Traveller Identification Programme (ICAO TRIP) Strategy  
— Approval of draft text for the Report to the Plenary
5. Agenda Item 15: Technical Cooperation – Policy and activities on technical cooperation  
— Approval of draft text for the Report to the Plenary
6. Agenda Item 28: *No Country Left Behind* initiative  
— Approval of draft text for the Report to the Plenary
7. Agenda Item 23: ICAO Civil Aviation Training Policy and Capacity Building in Aviation  
— Approval of draft text for the Report to the Plenary
8. Agenda Item 29: United Nations 2030 Agenda – Sustainable Development Goals (SDGs)  
Agenda Item 30: Resource mobilization  
— Approval of draft text for the Report to the Plenary
9. Agenda Item 14: Technical Assistance Programme  
— Approval of draft text for the Report to the Plenary
10. Agenda Item 31: Other high-level policy issues to be considered by the Executive Committee  
— Approval of draft text for the Report to the Plenary

11. Agenda Item 24: Human resources management  
 Agenda Item 25: Status of ICAO workforce  
 — Approval of draft text for the Report to the Plenary
12. Agenda Item 26: Multilingualism at ICAO  
 — Approval of draft text for the Report to the Plenary
13. Agenda Item 27: Increasing the efficiency and effectiveness of ICAO  
 — Approval of draft text for the Report to the Plenary
14. Approval of draft text for the General Section of the Executive Committee's Report

### SUMMARY OF DISCUSSIONS

#### **Agenda Item 16: Aviation security – Policy**

##### *Approval of draft text for the Report to the Plenary*

1. The Committee had for consideration WP/483 (with Corrigendum No. 1 – Russian only) setting forth the draft text of the Report on Agenda Item 16, which included draft Resolution 16/1: *Consolidated statement of continuing ICAO policies related to aviation security.*
2. The following changes were agreed to:
  - that, as suggested by the Delegate of the United States, the second sentence of paragraph 16.4 be amended by replacing the words “useful reference document” with the words “key tool”, and that the following new third sentence be added:  
  
 “Several Member States referenced Resolution 2309 when asserting the need to expedite development of the Global Aviation Security Plan (GASeP).”;
  - that, as suggested by the Delegate of the Russian Federation, the third sentence of paragraph 16.12 be amended by inserting the phrase “the development of additional guidance material and” before the words “capacity-building activities”;
  - that, as suggested by the Delegate of Singapore, the first sentence of paragraph 16.13 be amended by replacing the figure “22” with “23” and by deleting the word “pre-established” before the word “framework”;
  - that, as suggested by the Delegate of the Russian Federation, the second sentence of paragraph 16.21 be amended by inserting, at the end, the phrase “, and for additional guidance material to be developed” and the second sentence of paragraph 16.22 be amended by inserting the words “and aircraft stands” after the words “equipping aircraft”;

- that, as suggested by the Delegate of the United States, paragraph 16.33 be amended by inserting the word “short-term” before the words “continuation of the ICASS”, and paragraph 16.34 be amended to read as follows (new text appears in grey shading; deleted text appears in strikethrough):

“As the current threat and risk environment demands that aviation security remain a high priority for States, and in line with comments by several Member States citing Resolution 2309 as a key tool to aid in driving aviation security priorities, the Committee supported the accelerated development of the GAsEP based on the concepts outlined in WP/15, ~~while gratefully acknowledging~~. The Committee also acknowledged support and contributions by States and industry to ensure the timely development of the Plan, including calling together experts to aid in drafting. The Delegates supported proposals for a draft Plan to be available for review by the Twenty-eighth Meeting of the Aviation Security Panel scheduled in 2017.”.

- that, as suggested by the Delegate of Canada, the first sentence of paragraph 16.36 would be amended by inserting the words “and anticipated traffic growth” after the words “risk environment”;
- that, as suggested by the Delegate of France on behalf of EU and ECAC Member States, paragraph 16.36 c) be amended to read as follows (new text appears in grey shading; deleted text appears in strikethrough):

“building knowledge, ~~and~~ capacity and a culture of security in developing and utilizing; analytical tools and techniques necessary to conduct self-assessments for the effective implementation of security-related SARPs; additional guidance; training; and other tools to support the enhanced implementation of effective security measures and quality control systems;”;

- that, as suggested by the Delegate of the Russian Federation, the second, third and fourth sentences of paragraph 16.39 be amended to read as follows (new text appears in grey shading; deleted text appears in strikethrough):

“To that end, ~~the Committee~~ many States and Airports Council International (ACI) cautioned against the displacement or creation of vulnerabilities when implementing landside security measures, ~~and~~. The Committee agreed that those measures should be supported by risk assessments carried out by relevant authorities. The Committee was therefore of the view that the identification of landside areas and the development of guidance and training materials in that regard should be consistent with the approaches and principles ~~discussed above~~ contained in ICAO SARPs, taking into consideration existing practice.”;

- that, further to suggestions by, respectively, the Delegates of the Russian Federation and the United Kingdom, paragraph 16.44 be amended to read as follows (new text appears in grey shading; deleted text appears in strikethrough):

“A proposal for inclusion of video surveillance recording systems in aircraft ~~on~~ and at aircraft stands in Annex 17 – *Security* was noted by the Committee, while recognizing that this issue is currently being considered by the Aviation Security Panel (AVSECP) and remains relevant for other ICAO Panels.”;

- that, as suggested by the Delegate of Turkey, paragraph 16.45 be amended by adding, at the end of the second sentence, the phrase “and other principles as elaborated in the ICAO *Aviation Security Manual* (Doc 8973 – Restricted)”;
- that, as suggested by the Delegate of Greece, paragraph 16.46 be amended by deleting the word “broad” before the word “support”;
- that, as suggested by the Delegates of Canada and Singapore, the last line of Preambular Clause 2 of Appendix C of draft Resolution 16/1 be amended by replacing the words “of facilitated by terrorists” with the words “or facilitated by insiders”
- that, as suggested by the Delegate of Canada, Operative Clause 4 of Appendix E of draft Resolution 16/1 be amended by inserting the following new phrase at the end: “, and that the methodology takes into consideration a risk-based approach for the implementation of aviation security measures”;
- that, as suggested by the Delegate of Mexico, Operative Clause 1 of Appendix H of draft Resolution 16/1 be amended to also refer to the Latin American Civil Aviation Commission (LACAC); and
- that, further to a suggestion by the Delegate of the United Kingdom, the words “(as adopted by the 37th Session of the Assembly) be inserted below the title of the *Declaration on Aviation Security* to reflect that the latter was a historical document.

3. Subject to the above amendments, the Committee approved, for submission to the Plenary, the draft text of its Report on Agenda Item 16 contained in WP/483. In addition, it agreed to recommend to the Plenary the adoption of draft Resolution 16/1: *Consolidated statement of continuing ICAO policies related to aviation security*.

4. It was later noted that although the Executive Committee, at its Sixth Meeting on 30 September 2016 (EX/6), had unanimously supported the new Resolution 16/2: *Addressing cybersecurity in civil aviation* proposed by the Council in WP/17, the text of that Resolution had been inadvertently omitted from its draft Report (WP/483), as well as from its final Report (WP/493), which the Plenary approved at its Sixth Meeting on 5 October 2016 (P/6). Resolution 16/2 was subsequently presented to the Plenary for adoption at its Seventh Meeting on 6 October 2016 (P/7) in WP/493 Revision No. 1.

### **Agenda Item 17: Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA)**

#### ***Approval of draft text for the Report to the Plenary***

5. The Committee then reviewed WP/484 containing the draft text of its Report on this Agenda Item.

6. It was agreed that, pursuant to a suggestion made by the Delegate of Canada, the following new sentence would be inserted at the end of paragraph 17.8: “The Membership of the SSG should be reviewed and updated, as appropriate, to ensure adequate representation of all interested parties.”.

7. It was also agreed that further to a suggestion put forward by the Delegate of the United Kingdom and supported by the Delegate of France, a new sentence would be added at the end of paragraph 17.9, as follows: “Many Members also noted that such information should, in any case, be available to States receiving flights from other States on a bilateral basis, and recalled the conclusions of the Aviation Security Panel in this regard.”.

8. Subject to these amendments, the Committee approved, for submission to the Plenary, the draft text of its Report on Agenda Item 17 presented in WP/484.

### **Agenda Item 18: Implementation Support and Development – Security (ISD-SEC)**

#### ***Approval of draft text for the Report to the Plenary***

9. The Committee examined WP/485 setting forth the draft text of its Report on Agenda Item 18.

10. It was agreed that, as suggested by the Delegate of the Russian Federation, paragraph 18.3 would be amended to read as follows (new text appears in grey shading; deleted text appears in strikethrough):

“Kazakhstan and the Russian Federation, in WP/258 Revision No. 1, proposed that the ICAO European and North Atlantic Regional Office be strengthened in the area of aviation security and facilitation by including a an additional staff position funded by the Regular Programme Budget ~~as well as an~~ while preserving the aviation security position funded by voluntary contributions. This latter position would be converted in the subsequent triennium to a position funded by the ICAO Regular Budget.”.

11. With respect to a suggestion then made by the Delegate of the Russian Federation that paragraph 18.10 be amended to indicate that the Committee had supported the proposal made in WP/258 Revision No. 1 to increase the staffing level in the EUR/NAT Regional Office, the Deputy Director of Aviation Security and Facilitation (DD/ASF) underscored that that would be in conflict with the Committee’s overall position that the allocation and management of Secretariat resources was the prerogative of the Secretary General and that it was therefore not the Assembly’s place to give directives in that regard. The Committee consequently agreed to retain paragraph 18.10 in its present form.

12. It further agreed that, as suggested by the Delegate of Singapore, paragraph 18.5 would be amended to read as follows (new text appears in grey shading; deleted text appears in strikethrough):

“Singapore, in WP/185, proposed on behalf of ~~34~~ 28 Member States and three international organizations, that ICAO develop and deliver an air cargo security best practices workshop to provide opportunities for personnel ~~that require more operational training~~ who are actively involved in air cargo and air cargo security work to learn from best practices in air cargo security that are being implemented by regulators and industry from across the world.”.

and the first sentence of paragraph 18.12 would be amended to read as follows (deleted text appears in strikethrough): “The Committee ~~broadly~~ supported Singapore’s proposal for the development of an ICAO Air Cargo Security Best Practices workshop.”.

13. Subject to the above amendments, the Committee approved, for submission to the Plenary, the draft text of its Report on Agenda Item 18 presented in WP/485.

**Agenda Item 19: Facilitation and the ICAO Traveller Identification Programme (ICAO TRIP) Strategy**

*Approval of draft text for the Report to the Plenary*

14. The Committee then reviewed and approved without change, for submission to the Plenary, the draft text of its Report on Agenda Item 19 as presented in WP/486. In addition, it agreed to recommend to the Plenary the adoption of draft Resolution 19/1: *Consolidated statement of continuing ICAO policies related to facilitation*.

**Agenda Item 15: Technical Cooperation – Policy and activities on technical cooperation**

*Approval of draft text for the Report to the Plenary*

15. The Committee next considered WP/491 setting forth the draft text of the Report on this Agenda Item.

16. Further to a suggestion by the Delegate of Paraguay, it was agreed to reverse the order in which reference was made to “technical cooperation” and “technical assistance” in the first sentence of paragraph 15.2 to ensure consistency with draft Resolution 15/1: *Consolidated statement of ICAO policies on technical cooperation and technical assistance*. The amended sentence would thus read: “In A39-WP/47, the Council provided an update on ICAO’s policy and strategy for technical cooperation and technical assistance.”.

17. It was also agreed that, pursuant to a suggestion made by the Delegate of Indonesia and supported by the Delegate of France, the second sentence of paragraph 15.13 would be amended to read as follows (new text appears in grey shading; deleted text appears in strikethrough):

“In acknowledging the role of international cooperation in the mobilization of resources and the potential avenues of bilateral assistance, the Committee also recognized the benefits offered by the existing ICAO assistance ~~technical cooperation~~ mechanism and ~~Environment~~ Voluntary Funds.”.

18. It was further agreed, as suggested by the Delegate of the United States in light of concerns expressed by the Delegates of Indonesia and France and shared by the Delegates of Spain and Sweden: to delete the last sentence of paragraph 15.13 [“On this basis, the Executive Committee recommended that the Assembly request that a Technical Cooperation Environmental Programme be established in close coordination between the ICAO Environment Branch and the Technical Cooperation Bureau.”]; and to amend paragraph 15.15 c) to read as follows (new text appears in grey shading; deleted text appears in strikethrough):

“request the Secretary General to explore the feasibility of establishing an ICAO that a Technical Assistance Cooperation Environmental Programme, taking into account existing or new partnerships to leverage resources ~~be established in close coordination between the ICAO Environment Branch and the Technical Cooperation Bureau;~~”



19. It was noted that pursuant to an editorial point raised by the Delegate of Portugal, paragraph 15.12 and paragraph 15.15 b) would be amended to refer to WP/383 instead of to WP/244.

20. Subject to the above amendments, the Committee approved, for submission to the Plenary, the draft text of its Report on Agenda Item 15 contained in WP/491. In addition, it agreed to recommend to the Plenary the adoption of draft Resolution 15/1: *Consolidated statement of ICAO policies on technical cooperation and technical assistance* and draft Resolution 15/2: *ICAO Programme for Aviation Volunteers*.

### **Agenda Item 28: No Country Left Behind initiative**

#### ***Approval of draft text for the Report to the Plenary***

21. The Committee then reviewed WP/494 containing the draft text of its Report on this Agenda Item.

22. Further to suggestions put forward by, respectively, the Delegates of the Marshall Islands and Vanuatu on behalf of the co-presenters of WP/218 Revision No. 1, it was agreed to amend the first sentence of paragraph 28.4 by inserting the words “all twelve” before the words “Pacific Island States” and to amend the second sentence thereof by adding the words “and international financial institutions” after the word “States”.

23. Pursuant to a suggestion made by the Delegate of Japan, it was also agreed to amend the first sentence of paragraph 28.10 by replacing the words “an earthquake” with the word “earthquakes”.

24. In addition, as suggested by the Delegate of Canada, it was agreed: to insert a new phrase at the beginning of the second sentence of paragraph 28.13 so as to read as follows (new text appears in grey shading):

“The Committee voiced strong support for this initiative; however, the Committee noted also that this proposal could have budgetary implications for the next triennium.”

and to amend paragraph 28.14 by inserting the words “on options for implementation” after the word “back” so as to read “.... and to report back on options for implementation to the 40th Session of the Assembly.”.

25. Subject to these amendments, the Committee approved, for submission to the Plenary, the draft text of its Report on Agenda Item 28 presented in WP/494. In addition, it agreed to recommend to the Plenary the adoption of draft Resolution 28/1: *No Country Left Behind (NCLB) Initiative*.

### **Agenda Item 23: ICAO Civil Aviation Training Policy and Capacity Building in Aviation**

#### ***Approval of draft text for the Report to the Plenary***

26. The Committee then examined WP/487 setting forth the draft text of its Report on this Agenda Item.

27. It was agreed that, as suggested by the Delegate of Egypt, the second sentence of paragraph 23.8 would be amended by replacing the word “team” by the word “course” so as to read “... include a specialized training course in the TRAINAIR PLUS Programme ...”.

28. Further to a suggestion made by the Delegate of the Dominican Republic and supported by the Delegates of Burkina Faso, Venezuela (Bolivarian Republic of) and Paraguay, it was also agreed to replace the existing text of paragraph 23.12 with the following (new text appears in grey shading; deleted text appears in strikethrough):

~~“Furthermore, Member States called for ICAO to revisit TPP fees, in order to improve the cost-benefit ratio of the Programme. Member States proposed a periodic review of the fees related to the various levels of the TRAINAIR Plus Programme (Associate, Full Member, and RTCE), in order to assess and work to reduce the cost for training organizations and States in the development, revision and delivery of standardized training, managed by the GAT Office.”~~

29. It was noted that pursuant to an editorial point raised by the Delegate of Egypt, paragraph 23.9 would be amended to refer to WP/105 instead of to WP/364.

30. Subject to the above amendments, the Committee approved, for submission to the Plenary, the draft text of its Report on Agenda Item 23 presented in WP/487.

**Agenda Item 29: United Nations 2030 Agenda – Sustainable Development Goals (SDGs)**

**Agenda Item 30: Resource mobilization**

*Approval of draft text for the Report to the Plenary*

31. Consideration was then given to WP/496 setting forth the draft text of the Report on these two Agenda Items.

32. Further to a suggestion made by the Observer from Airports Council International (ACI), it was agreed to insert the following new sentence at the end of paragraph 29.1:

“The Committee further noted that airports had demonstrated the value of community engagement in their sustainability practices, specifically with regard to SDGs 8, 16 and 17, as stated by ACI.”

33. Subject to this amendment, the Committee approved, for submission to the Plenary, the draft text of its Report on Agenda Items 29 and 30 contained in WP/496. It also agreed to recommend to the Plenary the adoption of draft Resolution 29/1: *Aviation’s contribution towards the United Nations 2030 Agenda for Sustainable Development* and draft Resolution 30/1: *Resource Mobilization*.

**Agenda Item 14: Technical Assistance Programme**

*Approval of draft text for the Report to the Plenary*

34. The Committee then reviewed and approved without change, for submission to the Plenary, the draft text of its Report on Agenda Item 14 as presented in WP/495.

**Agenda Item 31: Other high-level policy issues to be considered by the Executive Committee**

*Approval of draft text for the Report to the Plenary*

35. The Committee considered and approved without change, for submission to the Plenary, the draft text of its Report on Agenda Item 31 as presented in WP/505. It also agreed to recommend to the Plenary the adoption of the following draft Resolutions: Resolution 31/1: *Assistance to victims of aviation accidents and their families*; Resolution 31/2: *Performance-based criteria and guidance material on aircraft disinsection and vector control measures*; Resolution 31/3: *Next Generation of Aviation Professionals*; and Resolution 31/4: *ICAO Gender Equality Programme promoting the participation of women in the global aviation sector*.

**Agenda Item 24: Human resources management**  
**Agenda Item 25: Status of ICAO workforce**

*Approval of draft text for the Report to the Plenary*

36. The Committee then reviewed and approved without change, for submission to the Plenary, the draft text of its Report on Agenda Items 24 and 25 as presented in WP/508.

**Agenda Item 26: Multilingualism at ICAO**

*Approval of draft text for the Report to the Plenary*

37. The Committee considered and approved without change, for submission to the Plenary, the draft text of its Report on Agenda Item 26 as presented in WP/509.

**Agenda Item 27: Increasing the efficiency and effectiveness of ICAO**

*Approval of draft text for the Report to the Plenary*

38. The Committee then reviewed and approved without change, for submission to the Plenary, the draft text of its Report on Agenda Item 27 as presented in WP/510. In addition, it agreed to recommend to the Plenary the adoption of the following draft Resolutions: Resolution 27/1: *Addressing the low response rate by Member States to ICAO State letters*; Resolution 27/2: *Formulation and implementation of Standards and Recommended Practices (SARPs) and Procedures for Air Navigation Services (PANS) and notification of differences*.

**Approval of the General Section of the Executive Committee's Report**

39. The Committee considered and approved without change, for submission to the Plenary, the draft text of the General Section of its Report as presented in WP/511.

40. It was noted that the Executive Committee would return to Agenda Item 22 (*Environmental protection – International aviation and climate change – Policy, standardization and implementation support*) at its next meeting.

41. The meeting adjourned at 1115 hours.



**Minutes of the Tenth Meeting**  
(Wednesday, 5 October 2016 at 1500 hours)

**SUBJECTS DISCUSSED**

1. Agenda Item 22: Environmental Protection – International Aviation and Climate Change – Policy, Standardization and Implementation Support (*Section on Global Market-based Measure Scheme*) (continued)
  - *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global market-based measure (MBM) scheme*
2. 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 Scheme*) (continued)
  - *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change*

**SUMMARY OF DISCUSSIONS**

**Agenda Item 22: Environmental Protection – International Aviation and Climate Change – Policy, Standardization and Implementation Support (*Section on Global Market-based Measure Scheme*)**

*Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global market-based measure (MBM) scheme*

1. The Executive Committee resumed (EX/3 and /4) consideration of the draft *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global market-based measure (MBM) scheme* set forth in Appendix B to WP/52, presented by the Council.
2. Recalling the overwhelming support expressed previously for the said draft Resolution, the Chairperson took pleasure in informing the Committee that to date, 63 States, representing approximately 84 per cent of international aviation activity, had communicated their intention to voluntarily participate in the proposed global MBM scheme, CORSIA, from its outset. He underscored that many of those States had indicated that their intention was conditional on the existing provisions of the draft Resolution.
3. The Chairperson noted that, in keeping with the spirit and tradition of ICAO, he and the President of the Council had undertaken informal consultations with specific States and groups of States with the aim of finding ways to build bridges between different points of view and overcome difficulties, thus ensuring that those States could support the proposed scheme. At the same time, they had wanted to make sure that the outcome of the informal consultations did not jeopardize the overwhelming support expressed for the current text of the draft Resolution (WP/52). For that very reason, the Chairperson and the President of the Council had consulted on very specific issues that would not result in drastic changes to the draft Resolution regarding the nature, design and implementation features of the proposed scheme.

The Chairperson emphasized that in the case where the States' concerns had not been about the text of the draft Resolution, consideration had been given to reflecting them in the Committee's draft Report.

4. Highlighting that he and the President of the Council had subsequently consulted the representatives of the various ICAO regional groups regarding the resultant proposed textual changes, the Chairperson was pleased to report that the latter, in principle, had not had any objections thereto.

5. In reiterating that the draft Resolution as set forth in WP/52 enjoyed the support of the vast majority of ICAO Member States and was the default proposal, the Chairperson presented the proposed amendments thereto arising from the said informal consultations, as follows:

- a) a new Preambular Paragraph to be added: "*Recognizing* that this Resolution does not set a precedent for or prejudice the outcome of negotiations under the UNFCCC, the Paris Agreement, or other international agreements, nor represent the position of the Parties to the UNFCCC, the Paris Agreement, or other international agreements;"; and
- b) a new Paragraph 7 c) to be added: "All States are strongly encouraged to voluntarily participate in the pilot phase and the first phase, noting that developed States, which have already volunteered, are taking the lead, and that several other States have also volunteered;".

6. The Chairperson also presented the following proposed texts for inclusion in the draft Report of the Executive Committee that addressed additional concerns of some States:

- a) "States expressed a range of views on what should be a Standard, a Recommended Practice or guidance material regarding MRV and EUC. In this respect, the Committee requested that the Council, while undertaking the work for the development of the Standards and Recommended Practices (SARPs) and related guidance material for the implementation of the MRV system under the CORSIA, provide clear guidance on what should be a Standard or a Recommended Practice and what should be in guidance material.";
- b) "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.";
- c) "The Committee noted that the Council, while undertaking work on emission units criteria, would foster the development of methodologies for, and the implementation of, emission reduction projects that would generate emission units arising from the aviation sector. The Committee emphasized that States are encouraged to develop domestic-aviation related projects."; and
- d) "The Committee noted that the management and overall governance of the scheme, following the Assembly decisions, is under the responsibility of the Council.".

## Discussion

7. During the ensuing discussion, all Delegates who took the floor reiterated (EX/3 and /4) their appreciation to the Chairperson of the Executive Committee and the President of the Council for their leadership and tireless efforts to achieve consensus on the draft Resolution on a global MBM scheme (CORSA).

8. While underscoring that his State was deeply concerned about the global challenge of climate change, and that the reduction of CO<sub>2</sub> aviation emissions was one of its priorities, the Delegate of the Russian Federation indicated that unfortunately its concerns regarding the consequences of implementing CORSA remained, despite the informal consultations which had taken place and the resultant proposed amendments to the draft Resolution. He noted that the Russian Federation considered that the proposed way of implementing CORSA would actually lead to an increase in the absolute rate of CO<sub>2</sub> emissions globally and contribute to a reduction in flight safety, particularly in developing countries as money flowing out of the industry would slow technological development. The Delegate of the Russian Federation indicated that his State was not in agreement with, and wished to express a reservation regarding, 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 draft Resolution, and consequently did not see a way to announce its participation in the proposed version of GMBM implementation. The Russian Federation thus proposed the following changes to the draft Resolution (new text appears in grey shading; deleted text appears in strikethrough):

### A. Preamble (Paragraph 14)

Recognizing that the Resolution welcomes ‘the adoption of the Paris Agreement under the UNFCCC’, the Russian Federation considered 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;”*

### B. Operative Paragraph 5

Since CORSA implementation wasn'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, the Russian Federation considered that the pilot and first phases of CORSA 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, it believed that 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 CO<sub>2</sub> 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, the Russian Federation thought 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 CORSIA 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.”.

#### C. Operative Paragraph 9 g)

It was clear that a periodic analysis of CORSIA 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 the draft Resolution. 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 CORSIA 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;”.

#### D. Operative Paragraph 11

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

“11. *Decides* that the amount of CO<sub>2</sub> 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 CORSIA is calculated every year on the basis of each participating State’s individual nationally determined contribution, or is calculated as follows:”.

#### E. 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 the draft Resolution. In this connection, in the Russian Federation’s 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:”.

#### F. 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 did not relate to “aircraft, personnel, airways and auxiliary



services” and therefore were not captured by international Standards and Recommended Practices. Therefore, the Convention did 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.

#### G. Operative Paragraph 21

The Russian Federation noted that the ICAO Council had 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” was 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 draft Resolution.

9. In conclusion, the Delegate of the Russian Federation once again emphasized his State’s concern regarding the global aspirational 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. He indicated that the text of the Russian Federation’s above reservation would be transmitted to the Secretariat so that it could be duly recorded in the Report and Minutes of the Executive Committee and other relevant Assembly documents.

10. While congratulating ICAO on its tremendous efforts to formulate the proposal for a global MBM scheme as embodied in the draft Resolution, the Delegate of Brazil recalled that during the said informal consultations her State had very strongly objected to some of the proposed amendments thereto. She underscored that, contrary to the spirit of inclusiveness alluded to by the Chairperson, many of Brazil’s concerns had not been met, despite the fact that it had actively and constructively negotiated on the proposed scheme over the last three years. To that end, Brazil was now negotiating with other States to introduce suitable UNFCCC-related text in the draft Resolution and draft Report, with a view to presenting a proposal to the Committee for its consideration. The Delegate of Brazil reserved her right to comment on the amendments proposed by the Delegate of the Russian Federation once she had seen them in writing.

11. Highlighting that the impressive groundswell of support for the draft Resolution (WP/52) emanated from all continents and from a wide diversity of States in terms of geographical origin and level of development, the Delegate of France voiced strong support for the Chairperson’s proposed amendments. He cautioned against re-opening the discussion and accepting further changes as that would pose a great risk to the extremely fragile balance that had been struck.

12. Recalling the good news for the climate that had been announced by the UNFCCC earlier in the day, namely, that the Paris Agreement would enter into force on 4 November 2016, the Delegate of France stressed the need for ICAO to announce a similar significant achievement for the climate as soon as possible in the form of the Assembly’s adoption of the draft Resolution on a global MBM scheme (CORSIA). He affirmed that the Chairperson’s proposed amendments were leading States down the right path towards that goal.

13. Endorsing the comments made by the Delegate of France, the Delegate of the United Kingdom emphasized that the draft Resolution appended to WP/52 represented a reasonable compromise and had the overwhelming support of the vast majority of ICAO Member States and regions, from both the developed and the developing world. In thanking the Chairperson and the President of the Council for their efforts to resolve the few remaining concerns, he voiced support for the proposed amendments to the

draft Resolution and draft Report and called for them to be submitted, with further changes, to the Plenary for adoption, which would mark an historic moment in ICAO's history.

14. The following Delegates echoed the views expressed by the Delegates of France and the United Kingdom: the Delegates of Argentina, Australia, Austria, Belgium, Bulgaria, Burkina Faso, Cameroon, Canada, Czechia, Denmark, the Dominican Republic, Egypt, Estonia, Ethiopia, Finland, Germany, Ghana, Greece, Guatemala, Guyana, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Malta, Marshall Islands, Mexico, Namibia, the Netherlands, New Zealand, Nigeria, Norway, Poland, Portugal, the Republic of Korea, Romania, Samoa, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Arab Emirates, the United Republic of Tanzania and the United States, as did the Observer from the from the Caribbean Aviation Safety and Security Oversight System (CASSOS).

15. The Delegate of Denmark affirmed that a global solution, in the form of CORSIA, was necessary in order to reach the ambitious global aspirational goal of CNG from 2020. He also emphasized that it was the best way to reduce the risk of having a patchwork of regional and national schemes, which would certainly not benefit the aviation sector.

16. The Delegate of Spain noted that his State supported the proposed amendments to the Resolution and draft Report as the Assembly could instruct the Council to clarify certain outstanding issues and the scheme's review clause would enable its further refinement to increase its effectiveness.

17. The Delegate of Guatemala underscored that his State was committed to meeting the objectives of sustainable development, including as they applied to international civil aviation, and was a signatory of the Paris Agreement and the United Nations Framework Convention on Climate Change. Noting, from the *Global Climate Risk Index 2016*, that Guatemala was ranked as the tenth country most affected by extreme weather events from 1995-2014, he emphasized that it firmly supported the draft Resolution and draft Report contained in WP/52, with the amendments proposed by the Chairperson, and was committed to working with ICAO and its Member States to ensure CORSIA's successful implementation.

18. The Delegate of Guyana highlighted that the draft Resolution was the result of hard work and many compromises made over the last three years in refining its text to cater to the national circumstances of both developed and developing States. She noted that Guyana, as a small developing State, considered that the draft Resolution was historic and unprecedented in establishing a platform for the creation of a global MBM scheme (CORSIA) to address CO<sub>2</sub> emissions from international aviation, the first such scheme for any sector of the economy.

19. The Delegate of India expressed his State's appreciation to the Council for the draft Resolution on a global MBM scheme (CORSIA), which it considered would avoid the risk of a patchwork of regional and national schemes, and to the Chairperson of the Executive Committee for incorporating in the draft Resolution some of the concerns expressed by many States. He underscored that India was willing to participate in the proposed scheme and to fulfil its commitment towards the global community provided that its concerns were addressed. In further noting that his State supported the intervention by the Delegate of the Russian Federation, the Delegate of India reiterated its serious reservations regarding the sectoral cap of emissions proposed under CORSIA. It considered that such a measure was against the spirit of the Paris Agreement and that it would exert a downward pull on the aviation sector. India also considered that it would reduce the ability of developing countries such as India to follow the path of a growth paradigm enjoyed by developing countries by demanding a greater economic burden. India's concern stemmed from the fact that it was based on CNG from 2020 and that the global MBM scheme (CORSIA) would tax all growth in international aviation beyond 2020, with a

potential devastating effect on aviation development in developing countries, where aviation activities were just taking off and were on a high growth path. India considered that there would be unforeseen outcomes of testing and evaluating such a global MBM scheme as no such scheme had ever been implemented before in any other sector of the economy. The potential environmental and economic impacts of the proposed scheme were not known. All would be relying on predictions and speculations in the absence of any reliable data and without much analysis and discussion and the transparent presentation of the facts and figures. Additionally, the role of MBMs in emissions reduction had yet to be proven through scientific means, hence the importance of participation being on a voluntary basis for the pilot and first phases of CORSIA implementation, as proposed.

20. The Delegate of India noted that his State fully supported the proposal for the said two phases as contained in WP/52. It was its understanding, however, that much further work was still required by ICAO before the exact design of the global MBM scheme, which was proposed to be made mandatory in the second phase, could be finalized. India considered that the ICAO Council should continue to work on the robust design elements of the scheme to be implemented in the second phase based on the evaluation of the pilot and first phases and present the results to the 42nd Session of the Assembly in 2025. India thus had serious reservations regarding the specific design elements of the second phase, and alternatively suggested that the opt-out provision be extended to the second implementation phase as well, so that any Member States that were not comfortable with the Scheme at any stage would have the option to exit therefrom. That would not only be consistent with the Paris Agreement but would also provide the required comfort to Member States like India and would encourage their participation in the scheme at an early date. The Delegate of India requested that if his State's concerns could be not be taken into consideration in the draft Resolution text, then they be reflected in the Committee's draft Report to the Plenary.

21. Noting that his State had participated in the ICAO Council Environment Advisory Group (EAG) over the last three years, despite its limited resources, the Delegate of Burkina Faso voiced regret that regardless of its efforts, and those made by other States, as well as by the President of the Council, the Secretary General, the Secretariat and now by the Chairperson of the Executive Committee, discussions on the draft Resolution on CORSIA had not yet concluded. While recognizing that the text was imperfect and did not fully meet everyone's needs, he emphasized that it was high time for it to be adopted, given all those efforts and the good will evinced by States in negotiating, as well as the loss of life and economic losses arising from climate change. The Delegate of Burkina Faso highlighted, in this regard, the damage currently being caused by Hurricane Matthew in the Caribbean region.

22. In also underscoring the effects of increased temperatures on the people, flora and fauna of his State, the Delegate of Burkina Faso noted that it was consequently very concerned by the phenomena of climate change and aware of the need to reduce greenhouse gas emissions. In its efforts to counter climate change, Burkina Faso had, with the assistance provided under the ICAO-European Union Project *Capacity Building for CO<sub>2</sub> Mitigation from International Aviation*, developed an Action Plan for reducing CO<sub>2</sub> emissions from international aviation. The Delegate of Burkina Faso was pleased to announce that, as an act of good faith, his State was prepared to voluntarily participate in the CORSIA from its outset, even though it had a very low volume of international aviation activity. In appealing to all States to adopt the draft Resolution, with the Chairperson's proposed amendments, he emphasized that it had attained an honourable level of maturity even if no State was entirely satisfied with it.

23. The Delegate of the Marshall Islands noted that although the draft Resolution was not perfect, it embodied the first credible scheme to reduce aviation emissions, one that would help the Marshall Islands to survive the effects of climate change. He emphasized that the Resolution's provisions reflected a very carefully balanced set of ideas to achieve the global aspirational goal of CNG from 2020. The Delegate of the Marshall Islands further underscored that during the Committee's previous

consideration of WP/52 (EX/3 and /4), support for the draft Resolution had been expressed by, inter alia, a vast majority of developing countries and a number of the smallest, poorest, most vulnerable and most isolated island nations of the world, including the Marshall Islands and Papua New Guinea, which would voluntarily participate in CORSIA from its outset, i.e. the pilot phase, as yet another demonstration of their climate leadership. He expressed confidence that the Chairperson's proposed amendments would not undermine the environmental integrity of the draft Resolution. The Delegate of the Marshall Islands indicated that although his State and the other States Members of the High Ambition Coalition which were working to deliver even more support for the proposal would have preferred to have more of their concerns reflected, they were all aware that: the new post-Paris Agreement reality involved all States continuing to take the lead; and the proposed global MBM scheme (CORSIA) could be improved over time, as it must.

24. Underscoring that the Committee could not afford to go backwards and that it had no more time to spare, the Delegate of the Marshall Islands noted how the tragic events unfolding in the Caribbean highlighted the very urgent need for an agreement on CORSIA. Emphasizing that Hurricane Matthew had already claimed lives in Haiti and the Dominican Republic and that many more island nations were under threat, he reiterated that without the said agreement, the droughts that all were experiencing would become more frequent, the storms would become more intense, and the "king" tides, more severe. Being from one of the most vulnerable developing countries, the Delegate of the Marshall Islands stressed that it was time to reach agreement on CORSIA. He expressed support for the Chairperson's two proposed amendments to the draft Resolution, with the hope that the latter would be quickly adopted by the Plenary.

25. The Delegates of Belgium, Cameroon, Canada, Czechia, Finland, Ghana, Greece, Kenya, Mexico, Namibia, Nigeria, Norway, Poland, the Republic of Korea, Slovakia, South Africa, and the United Republic of Tanzania applauded and endorsed the views expressed by the Delegates of Burkina Faso and the Marshall Islands, as did the Observer from CASSOS.

26. Affirming that combating climate change was a common concern for humankind as it touched upon the survival and development of the human race, the Delegate of China underscored that his government was making unremitting efforts to promote the process of climate change management. He highlighted, in this regard, that China had made a historical contribution to the conclusion of the Paris Agreement and that it had formally deposited its instrument of ratification thereof with the United Nations Secretary-General on 3 September 2016, just prior to the start of the summit of the Group of Twenty (G20) (Hangzhou, China, 4-5 September 2016), thus taking a practical step to ensure that the Agreement would enter into force on an early date. Having actively participated in the entire process of international cooperation on the issue of aviation emissions reduction, China was willing to assume the responsibilities commensurate with its specific national circumstances and capabilities. Based on the principle of common but differentiated responsibilities (CBDR) and the principles of inclusiveness, fairness, appropriateness and feasibility, China was willing to continue to make its contribution to the reduction of emissions from international civil aviation. China welcomed the draft Resolution on a global MBM scheme (CORSIA) being agreed upon at the current Assembly session and appreciated the leadership role played by the President of the Council and the Chairperson of the Executive Committee in achieving that end.

27. In emphasizing that his State was not only a participant in the negotiating process but also a promoter thereof, the Delegate of China noted it had participated in all consultations and negotiations relating to this issue since the 36th Session of the Assembly in 2007. It had positively contributed its programmes and Chinese wisdom in order to promote the formation of a global MBM scheme on the basis of consensus. China had also demonstrated the maximum possible flexibility in that regard, thereby greatly contributing to the achievement by ICAO of such a scheme (CORSIA) during the

current Assembly. China had always stressed that the solution to aviation emissions should be based on consensus and should take into account, in the best manner possible, all of the concerns expressed by all parties. While that was a challenge for ICAO, it was also the Organization's important responsibility. China thus considered that the views expressed by the Delegates of the Russian Federation, Brazil and India should be adequately taken into account and properly addressed in order to ensure that the current Assembly session achieved positive results based on the broadest possible consensus.

28. Highlighting that a relatively large number of issues would have to be addressed in ICAO's future efforts to amend the global MBM scheme, the Delegate of China stressed the need for the Organization to respect State sovereignty and to take into account the special circumstances and respective capabilities of developing countries, particularly when dealing with the CORSIA-related issues of MRV and registries, as those would be deciding factors for developing countries on their participation in CORSIA as soon as possible and would ultimately determine the success or failure of the scheme.

29. The Delegate of China highlighted the need for the Executive Committee and the Assembly to take into account the fact that not only European and North American States but also other States, including China, were promoting the formation of domestic carbon markets, and that the UNFCCC and other entities were also carrying out negotiations on market-based mechanisms. He averred that the standards for qualification should be more inclusive and should ensure that the credits or allowances for those States could be easily applied and that the process could be integrated within other negotiation processes so that favourable conditions would be created for more countries to participate. The Delegate of China emphasized that his State was opposed to any *de facto* discriminatory practices or rules against developing countries on the pretext of enhanced technical thresholds. China disagreed with the global aspirational goal of CNG from 2020 as in its view it would increase the responsibility of developing countries in terms of emissions reductions, which it considered was neither fair nor feasible. ICAO's ability to solve that problem in an appropriate manner would determine whether or not its global MBM scheme (CORSIA) would succeed.

30. The Delegate of Mexico, Mr. R. Kobeh González, a former President of the ICAO Council who had since been appointed the *Lifetime Goodwill Ambassador of ICAO*, joined the many previous speakers who had expressed support for the Chairperson's proposed amendments to the draft Resolution and draft Report in WP/52. In underscoring the high degree of solidarity which ICAO Member States had demonstrated, and continued to demonstrate, in addressing the issue of civil aviation and the environment, he cited: the voluntary submission of over 100 State Action Plans for CO<sub>2</sub> emissions reductions activities which were based on the basket of measures comprising, inter alia, technical, operational and infrastructure enhancements and sustainable alternative fuels; and more recently the expressed intention by 63 States, representing approximately 84 per cent of international aviation activity, to voluntarily participate in CORSIA from its outset. The Delegate of Mexico emphasized that these actions showcased that a voluntary approach was more successful than a compulsory one.

31. In agreeing with the Chairperson (EX/4) on the need to take into account the substantial work done by the Council, with the support of the EAG and technical experts, in formulating the draft Resolution in WP/52, the Delegate of Mexico highlighted ICAO's tradition of reaching agreement by consensus. While recognizing the difficulties currently being faced in reaching consensus on the draft Resolution, he expressed confidence that Delegates would, once again, in the same spirit of cooperation that they had shown over many years, achieve the desired consensus on the basis of the Chairperson's proposed amendments to the draft Resolution. The Delegate of Mexico expressed much satisfaction that the Committee's Report to the Plenary would reflect that it requested the Council to consider a number of issues with a view to resolving many of the concerns expressed during the negotiations on the draft Resolution. Noting that, as a former President of the ICAO Council, he was well-aware of the latter's

great responsibility to ensure the safe, orderly and sustainable development of international civil aviation, he voiced confidence that the Council would continue to fulfil that responsibility.

32. Recalling the interventions by the Delegates of Burkina Faso and the Marshall Islands, the Delegate of Mexico reiterated the urgent need to reach agreement on CORSIA and appealed to all Delegates, when presented with the draft Resolution in the Plenary, to adopt it by consensus and, if possible, by acclamation, while respecting the sovereign right of Member States to express their disagreement.

33. The Delegates of Cameroon and the Dominican Republic endorsed this appeal.

34. While noting that the current draft Resolution text struck a very delicate balance and represented many compromises and concessions, the Delegate of Argentina supported the Chairperson's proposed amendments thereto and suggested that various ways be explored to incorporate any pending amendment proposals, such as the one to be presented by the Delegate of Brazil, that were compatible with the general lines of the draft Resolution.

35. Thanking the Chairperson and President of the Council for their informal consultations over the last few days to address the concerns of some States, the Delegate of the United States voiced strong support for the proposed amendments to the draft Resolution. With regard to the comments made by the Delegate of Brazil on an issue pertaining to proposed paragraph 17bis, presented in WP/52 and the further informal consultations undertaken thereon, she indicated that, in the interest of achieving the broadest consensus possible, she was agreeable to one final change to the draft Resolution as long as it quickly garnered broad support and did not alter the careful balance achieved in the currently tabled text. Underscoring that her State was particularly grateful to the 63 countries which had thus far volunteered to participate in CORSIA from its outset, the Delegate of the United States congratulated Burkina Faso, the Marshall Islands and Papua New Guinea on the announcements of their voluntary participation in the scheme.

36. In endorsing the Chairperson's proposed amendments, the Delegate of the United Arab Emirates emphasized the need to take into consideration her earlier interventions during the forthcoming implementation phase of CORSIA.

37. The Delegate of the Republic of Korea expressed support for the proposed global MBM scheme (CORSIA) as set forth in the draft Resolution, with the Chairperson's proposed amendments. With a view to reaching the final goal, he encouraged all States to be patient and to show more commitment and compromise, especially given that those States with some reservations had committed to much more forward-looking positions than during previous stages of the negotiations. The Delegate of the Republic of Korea highlighted, in this context, the old adage "With great power comes great responsibility".

38. In also voicing support for the amended text of the draft Resolution, the Delegate of Samoa reiterated the vulnerability of the Pacific Islands to the devastating effects of climate change, underscoring that whenever a disaster hit, it destroyed years of socio-economic development, including people's livelihoods. He therefore called for the resolute support of the current Assembly in providing an answer to this environmental issue by adopting the said draft Resolution.

39. Likewise lending support to the amended text of the draft Resolution, the Observer from CASSOS highlighted that the Caribbean Community and Common Market (CARICOM) States fully supported the decisions taken at the Paris Conference, notably to adopt the Paris Agreement. As a body representing the aviation arm of the small island developing States of the Caribbean, CASSOS

congratulated the Council and all involved in the negotiations which had resulted in the said draft Resolution.

40. Noting that discussions on this Agenda Item could have concluded the previous week, the President of the Council underscored that in an effort to address individual State's concerns, additional informal consultations had been undertaken so as to garner more support and consensus. The resulting proposed amendments presented by the Chairperson would be included in the draft Resolution and draft Report for review by the Executive Committee at its next meeting. Realizing that a number of States had outstanding concerns, the President of the Council identified a window of opportunity for further consultations in order to increase the majority support prior to the Plenary's review of the Committee's Report. He underscored, however, that it was necessary to maintain the delicate balance and overwhelming majority support for the text of the draft Resolution on a global MBM scheme (CORSA).

**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 Scheme*)

*Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change*

41. The Committee resumed (EX/2) consideration of draft Resolution A39/xx: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change* contained in the Appendix to WP/49, presented by the Council. The Chairperson recalled that consideration of the draft Resolution on climate change had been suspended until discussions on WP/52 had been concluded due to the concerns expressed by some States regarding the link between the ICAO global aspirational goals and the proposed global MBM scheme for international aviation (CORSA).

42. In follow-up to the informal consultations which he and the President of the Council had held with States and groups of States regarding the said global MBM scheme, the Chairperson presented the following proposed amendments to the draft Resolution on climate change appended to WP/49:

- a) to insert a new Preambular Paragraph: “*Recognizing* that this Resolution does not set a precedent for or prejudice the outcome of negotiations under the UNFCCC or the Paris Agreement, nor represent the position of the Parties to those agreements;”
- b) to delete from Operative Paragraph 9 the text “, in particular by assessing the share of international aviation in the global carbon budget in light of the 2°C and 1.5°C temperature goals”;
- c) to reproduce the guiding principles listed in the Annex to Resolution A38-18 in the Annex to the draft Assembly Resolution text. In addition to also reproduce and update the related Preambular Paragraph in Resolution A38-18 as follows: “*Recalling* that Assembly Resolution A37-19 requested the Council, with the support of Member States, to undertake work to develop a framework for market-based measures (MBMs) in international aviation, including further elaboration of the guiding principles listed in the Annex to A37-19, and that the guiding principles were elaborated as listed in the Annex to Assembly Resolution A38-18, which are reproduced in the Annex to this Resolution;” .

## Discussion

43. In the course of the discussion, all Delegates who took the floor reiterated (EX/2) their appreciation to the Chairperson of the Executive Committee and the President of the Council for their efforts to reach a consensus on the draft Resolution on climate change.

44. While voicing support for the draft Resolution with the Chairperson's proposed amendments, the Delegate of China re-emphasized that his State disagreed with the global aspirational goal of CNG from 2020 as in its view it would increase the responsibility of developing countries in terms of emissions reductions, which it considered was neither fair nor feasible.

45. The Delegate of the Russian Federation indicated that although he had previously suggested that the said *Guiding principles for the design and implementation of market-based measures (MBMs) for international aviation* be included as an Annex to the draft Resolution on a global MBM scheme, he had no firm objection to their inclusion in the Resolution on climate change as proposed by the Chairperson as in future the periodic analysis of CORSIA implementation would include an assessment of the compliance with the said Guiding principles. He thus supported the draft Resolution with the Chairperson's said amendments. In endorsing the intervention by the Delegate of China, the Delegate of the Russian Federation reiterated his State's reservation regarding CNG from 2020, which it considered was unrealistic, given the lack of any scientific justification for the need to reach that global aspirational goal, and would be detrimental to the achievement of ICAO's environmental goals.

46. While also expressing support for the amended draft text of the Resolution, the Delegate of Saudi Arabia reiterated his State's reservation regarding CNG from 2020, which it had first made at the 37th Session of the Assembly in 2010 in connection with Assembly Resolution A37-19 and had repeated at the subsequent session in 2013 in connection with Assembly Resolution A38-18. Recalling that at the 38th Session of the Assembly Saudi Arabia had requested that the said global aspirational goal be scientifically and practically proven, he underscored that it would maintain its same reservation regarding CNG from 2020 until that had been done.

47. The Delegate of India indicated that although his State supported the Chairperson's proposed amendments to the draft Resolution, it still had one major concern remaining which it expected the Committee to consider and address. He recalled that during the last Assembly 53 States, including India, had expressed their reservation regarding Operative Paragraph 7 of Assembly Resolution A38-18 on the global aspirational goal of CNG from 2020. Despite their reservations, ICAO had developed a global MBM scheme based on that global aspirational goal. India continued to have reservations on that aspect of the draft Resolution on climate change in WP/49 and thus endorsed the interventions by the Delegates of China, the Russian Federation and Saudi Arabia. India recalled, in this context, that the Paris Agreement did not mandate CNG specifically for a particular sector and certainly not from 2020 as proposed under CORSIA. Furthermore, the Paris Agreement recognized that it would take longer for developing countries to reach their peak emissions. India therefore considered that CNG from 2020 would be regressive and hurt the aviation sector in developing countries, and therefore proposed the deletion of related Operative Paragraph 6 of the draft Resolution.

48. In expressing the hope that the Committee would not re-open the debate on the targets that had been discussed in depth three years earlier, at the 38th Session of the Assembly, the Delegate of Mexico, Mr. R. Kobeh González, a former President of the ICAO Council who had since been appointed the *Lifetime Goodwill Ambassador of ICAO*, recalled that they were global aspirational goals which did not attribute specific obligations to individual States, as clearly indicated in Resolution A38-18, Operative Paragraph 7, and in Operative Paragraph 6 of the proposed draft Resolution. In underscoring that it was not possible to reach a destination without aspirations and a flight plan, he underscored that CNG from



2020 was a goal that was aspirational and global in nature and that was applicable to the international civil aviation system as a whole and not to any one particular State. The Delegate of Mexico thus supported the draft Resolution on climate change appended to WP/49, with the Chairperson's proposed amendments.

49. The Delegates of Austria, Canada, France, Guatemala, Italy, the Netherlands, Nigeria, Portugal, Spain, Sweden, Switzerland and the United States also expressed support for the draft Resolution, including the global aspirational goal of CNG from 2020 set forth in Operative Paragraph 6 thereof, and for the Chairperson's proposed amendments. In so doing, the Delegate of Canada indicated that although the said changes were difficult for her State to accept, it wished to show flexibility by accepting them as other States had done.

50. In endorsing the concepts mentioned by the Delegate of Mexico, the Delegate of Spain quoted Leonardo Da Vinci, who had stated that "Life is movement and there is no movement without aspirations." and that "We cannot arrive at a destination without aspirations." In reiterating that CNG from 2020 was a global aspirational goal, he underscored that although the route to achieving it had been set out there was no obligation for States to follow it.

51. The Delegate of Switzerland emphasized that CNG from 2020 was not only a goal inscribed in Resolution A38-18 but also a widely-accepted goal by industry. He therefore advocated accepting it as a meaningful basis for future action to address climate change.

52. Noting, from the discussion, that a majority of States agreed with the draft Resolution on climate change presented in WP/49, together with the additional changes he had proposed, the Chairperson indicated that the draft Resolution would be revised accordingly and that the concerns expressed by some States regarding ICAO's global aspirational goal of CNG from 2020 would be reflected in the draft Report, to be presented for the Committee's approval at its next meeting prior to submission to the Plenary.

53. The meeting adjourned at 1715 hours.



**Minutes of the Eleventh Meeting**  
(Thursday, 6 October 2016 at 1000 hours)

**SUBJECTS DISCUSSED**

1. Agenda Item 22: Environmental Protection – International Aviation and Climate Change – Policy, Standardization and Implementation Support
  - Approval of draft texts for the Report to the Plenary  
*(Section on Climate Change without the subject of a Global Market-based Measure Scheme and Section on Global Market-based Measure Scheme)*
2. Delegation of authority for the approval of minutes of the Executive Committee’s meetings

**SUMMARY OF DISCUSSIONS**

**Agenda Item 22: Environmental Protection – International Aviation and Climate Change – Policy, Standardization and Implementation Support**

***Approval of draft text for the Report to the Plenary***  
***(Section on Climate Change without the subject of a Global Market-based Measure Scheme)***

1. The Committee had for consideration WP/461, which contained its draft Report on Agenda Item 22 relating to the Section on Climate Change without Global Market-based Measure Scheme, as well as revised draft Resolution 22/1: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change.*
2. In thanking all Delegates for their support and cooperation, the Chairperson of the Executive Committee emphasized that their hard work and spirit of compromise had enabled the Assembly to now reach a very historic moment in the work of the Organization. He noted that the draft Report contained in WP/461 reflected: that a majority of States had expressed their support for draft Resolution 22/1 (WP/49) as revised to include the suggested changes resulting from the informal consultations which he and the President of the Council had held with some States; and that some States had raised concerns regarding ICAO’s global aspirational goal of carbon neutral growth (CNG) from 2020. On a procedural matter, the Chairperson advised that States could only express reservations on a Resolution following its adoption by the Plenary. He then invited the Committee to approve, for submission to the Plenary, the draft Report on Agenda Item 22 relating to the Section on Climate Change, including revised draft Resolution 22/1, as presented in WP/461.
3. The Delegate of the United States proposed that the following sentence be inserted at the end of paragraph 22.2.28 of the draft Report: “The Conference should build on the ongoing work within CAEP”. Referring to Preambular Paragraph 19 of draft Resolution 22/1, she commended the work being undertaken to consider the environmental aspects of aircraft end-of-life such as through aircraft recycling but questioned why reference was made thereto in a resolution on climate change.

4. The Delegate of the Russian Federation suggested that the following text be added at the end of paragraph 22.2.34 to explain some States' concerns regarding ICAO's global aspirational goal of CNG from 2020: "in the light of the unrealistic nature of this goal and the absence of a scientific basis for it".

5. Drawing attention to CNG-related Operative Paragraph 6 of draft Resolution 22/1, the Delegate of China underscored that international aviation was rapidly growing and that in future, that growth would mainly come from developing countries. He averred that the said global aspirational goal of CNG from 2020 lacked a sound scientific basis, and that it was not fair or feasible without clarification and recognition that developed countries would significantly reduce their emissions and provide technical assistance to developing countries. In asserting that it was unrealistic for a global aspirational goal to require emission reduction efforts by States, the Delegate of China suggested that Operative Paragraph 6 be amended to refer to "making endeavours towards this goal".

6. Supporting the interventions by the Delegates of the Russian Federation and China, the Delegate of India indicated that his State was not in agreement with CNG from 2020 primarily for two reasons: developing countries were on a faster growth path and the said global aspirational goal would be detrimental to their growth in international aviation; and the 2015 Paris Agreement achieved under the United Nations Framework Convention on Climate Change (UNFCCC) during the Twenty-first Session of the Conference of the Parties (COP/21) did not mandate CNG specific to any particular sector and certainly not by 2020.

7. The Delegate of Spain recalled that during the Committee's previous meeting (EX/10) it had been emphasized that related Operative Paragraph 6 of draft Resolution 22/1 was aspirational in nature and did not entail any commitments by States.

8. During the ensuing discussion, full support for WP/461 was expressed by the Delegates of Belgium, Botswana, Chile, Colombia, Cyprus, Czechia, Egypt, Estonia, Finland, France, Germany, Greece, Indonesia, Ireland, Italy, Japan, Kenya, the Netherlands, Nigeria, Norway, Peru, Romania, Saudi Arabia, Slovakia, Slovenia, Somalia, South Africa, Spain, Turkey, the United Kingdom and the United Republic of Tanzania.

9. The Delegate of Saudi Arabia indicated that, pursuant to the Chairperson's above-mentioned directive, the reservation which he had expressed during the Committee's previous meeting (EX/10) regarding Operative Clause 6 of draft Resolution 22/1 would be formally presented after that Resolution was adopted by the Plenary.

10. Affirming that climate change was of great importance to humanity, the Delegate of Colombia highlighted the high death toll and catastrophic damage resulting from Hurricane Matthew, which had hit the eastern Caribbean on 30 September 2016 and was continuing to spread devastation along the south-eastern coast of the United States. In calling upon all States to strive to achieve the said global aspirational goal of CNG from 2020 for the sake of the environment and future generations, he reiterated the need for more ambitious goals.

11. In light of the overwhelming support for WP/461, the Delegate of the United States withdrew her earlier proposal (cf. paragraph 3 above).

12. The Delegate of Bolivia (Plurinational State of) underscored the importance of reflecting in the draft Report the concern expressed by his State, as well as other States, regarding the need for developed countries to transfer technology to developing countries and to build the latter's capacities so as to enable them to effectively meet their commitments. The Chairperson of the Executive Committee indicated that his intervention would be included in the minutes instead.

13. In response to a request by the Delegate of the Russian Federation for confirmation that his proposed text for paragraph 22.2.34 would be included in the draft Report (cf. paragraph 4 above), the President of the Council explained that the minutes of the meeting would capture all of the views expressed. In order to move forward, he suggested that the phrase "as in their views it was not a realistic goal" be added at the end of paragraph 22.2.34 so that it would read as follows: "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." Although the Delegate of the Russian Federation requested the addition of the words "and the absence of a scientific basis for it" as it reflected the previous meeting's discussion and supported his State's view that there was no scientific basis for the said global aspirational goal, the Chairperson of the Executive Committee indicated that the proposed amendment by the President of the Council would be retained.

14. While regretting that his proposal had not been taken on board, the Delegate of the Russian Federation accepted this course of action, with a request that his views be reflected in the minutes.

15. The Chairperson of the Executive Committee observed that an overwhelming majority of States had expressed support for WP/461. He therefore concluded that the Committee approved, for submission to the Plenary, the draft text of its Report on Agenda Item 22 (*Section on Climate Change without Global Market-based Measure Scheme*) contained in that paper, as amended during the discussion; and agreed to recommend that the Plenary adopt draft Resolution 22/1: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change* as presented in WP/461.

***Approval of draft text for the Report to the Plenary  
(Section on Global Market-based Measure Scheme)***

16. Consideration was next given to WP/462 (with Revision No. 1 – French only), which contained the Committee's draft Report on Agenda Item 22 relating to the Section on a Global Market-based Measure Scheme, as well as revised draft Resolution 22/2: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global market-based measure (MBM) scheme*.

17. The Chairperson of the Executive Committee highlighted that the draft Report reflected the overwhelming support of States for draft Resolution 22/2 (WP/52), as revised to include the suggested amendments resulting from the informal consultations which he and the President of the Council had held with some States regarding the proposed global MBM scheme. He noted that revised draft Resolution 22/2 contained in WP/462 reflected the proposal which he had outlined at the previous meeting (EX/10). Recalling that the President of the Council had allowed additional time for further informal consultations to ensure that the text of the draft Resolution put forward to the Plenary for adoption garnered the widest possible consensus, the Chairperson of the Executive Committee presented the following resultant changes to the draft Report and revised draft Resolution 22/2:

- a) In paragraph 22.3.31 of the draft Report, insert the following third bullet:

“— 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;’ ”

- b) As a consequence of the above amendment, paragraph 22.3.33 of the draft Report would be deleted, with the subsequent paragraphs being renumbered accordingly, and the following new Operative Paragraph 21 would be added to revised draft Resolution 22/2:

“*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;”

- c) As a consequence of this amendment, existing Operative Paragraphs 21 to 24 of revised draft Resolution 22/2 would be renumbered 22 to 25, respectively.

18. In voicing support for these proposed amendments, the Delegate of the Russian Federation suggested that the following additional text be inserted at the end of existing paragraph 22.3.37 of the draft Report so as to concisely reflect the discussion: “and also will contribute to a reduction in the overall global level of aviation safety and will increase the absolute rate of growth of CO<sub>2</sub> emissions at the overall global level”. The Chairperson of the Executive Committee, with the support of the Secretariat, proposed to add “in their views” at the beginning of the new text, to which the Delegate of the Russian Federation agreed.

19. The Delegate of India also endorsed the Chairperson’s said proposed amendments, as well as the above amendment to paragraph 22.3.37.

20. Speaking on behalf of the Member States of the EU and the Member States of ECAC, the Delegate of Sweden: thanked the Chairperson, the President of the Council and the Secretariat for their efforts in bringing this Assembly to a broad consensus on revised draft Resolution 22/2; and in the prevailing spirit of cooperation, voiced full support for WP/462, including the Chairperson’s proposed amendments [cf. paragraph 17 a) to c) above], and called for the Committee to approve the draft Report, including revised draft Resolution 22/2. In addition, the Delegate of Sweden indicated that the above intervention by the Delegate of the Russian Federation should instead be reflected in the minutes of the meeting. The Delegates of Italy, Austria, France and the Netherlands shared this view.

21. The Delegate of Canada congratulated the Chairperson of the Executive Committee and the President of the Council on having enabled a broad consensus to be reached. In expressing support for the Chairperson’s proposed amendments to the draft Report and revised draft Resolution 22/2, he pointed out that the second line of Preambular Paragraph 14 should be amended to refer to a new market “mechanism” instead of “mechanisms”. This editorial amendment was noted.

22. In advocating the Committee's approval of the draft Report, including revised draft Resolution 22/2, with the Chairperson's proposed amendments, the Delegate of Argentina highlighted the need to align the Spanish version of Operative Paragraph 9 e) of the said Resolution with the English version so as to refer to "the year 2018" in the second line. This editorial amendment was likewise noted.

23. The Delegate of Guatemala expressed gratitude for the efforts made by the Chairperson and the President of the Council to reach a consensus on draft Resolution 22/2, which he affirmed was fair, equitable and respectful of State sovereignty. He trusted that the newly-elected Council would take that all the work that had been done on a global MBM scheme forward in making every effort to ensure that international civil aviation was efficient, safe, sustainable and harmonious. In thus supporting the draft Report and revised draft Resolution 22/2, with the amendments proposed by the Chairperson, the Delegate of Guatemala called upon all other Delegates to do likewise in the prevailing spirit of cooperation.

24. On behalf of the 54 AFCAC Member States, the Delegate of Egypt congratulated the Chairperson, the President of the Council and all Delegates on reaching consensus on the global MBM scheme (CORSA). He underscored that the said States supported revised draft Resolution 22/2 as amended by the Chairperson, and pledged to work with the Council to implement it.

25. Also expressing thanks to the Chairperson and the President of the Council, the Delegate of the United States enthusiastically endorsed the Chairperson's proposed amendments to both the draft Report and revised draft Resolution 22/2.

26. Voicing support for WP/462, including the said proposed amendments, the Delegate of Mexico thanked the Chairperson, the President of the Council, the Secretariat and States for their efforts, which had yielded these very positive results.

27. In likewise thanking the Chairperson and the President of the Council, the Delegate of the United Arab Emirates endorsed, for submission to the Plenary, the draft Report and the revised draft Resolution 22/2, together with the amendments introduced by the Chairperson.

28. The Delegate of Singapore commended the spirit of flexibility exercised by the Chairperson, the President of the Council and Delegates and expressed satisfaction with the draft Report and revised draft Resolution 22/2, including the Chairperson's proposed amendments.

29. The Delegate of China also thanked the Chairperson and the President of the Council for their unremitting efforts and their leadership and voiced support for the resultant consensus text, including the Chairperson's proposed amendments.

30. Warmly thanking all Delegations and especially the Chairperson and the President of the Council for their unfailing support and willingness to reach a consensus with the broadest possible inclusion of all States, the Delegate of Brazil took pleasure in announcing that her State supported revised draft Resolution 22/2, with the Chairperson's proposed amendments.

31. The Chairperson of the Executive Committee indicated that, in light of the discussion, the proposal by the Delegate of the Russian Federation to amend paragraph 22.3.37 of the draft Report would instead be reflected in the minutes (cf. paragraph 18 above).

32. The Chairperson of the Executive Committee observed that an overwhelming majority of States had expressed support for WP/462, with his proposed amendments [cf. paragraph 17 a) to c) above]. He therefore concluded that: the Committee approved, for submission to the Plenary, the draft text of its Report on Agenda Item 22 (*Section on Global Market-based Measure Scheme*) contained in that paper, as amended; and agreed to recommend that the Plenary adopt revised draft Resolution 22/2: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) Scheme*, as amended.

***Delegation of authority to the President of the Assembly for the approval of minutes of the Executive Committee's meetings***

33. The Executive Committee delegated to the President of the Assembly, as its Chairperson, authority to approve the minutes of its meetings.

34. The meeting adjourned at 1100 hours.



**APPENDIX**

**LIST OF WORKING PAPERS CONSIDERED BY THE EXECUTIVE COMMITTEE**

**Item 10: Contributions in arrears**

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A39-WP/61                      FINANCIAL ASPECTS OF THE QUESTION OF CONTRIBUTIONS IN  
Revision No. 1                ARREARS  
EX/34; AD/5                 (20/09/2016)

A39-WP/61                      FINANCIAL ASPECTS OF THE QUESTION OF CONTRIBUTIONS IN  
Revision No. 1                ARREARS  
Addendum No. 1              (27/09/2016)  
EX/34; AD/5

A39-WP/61                      FINANCIAL ASPECTS OF THE QUESTION OF CONTRIBUTIONS IN  
Revision No. 1                ARREARS  
Addendum No. 2              (30/09/2016)  
EX/34; AD/5

**Item 11: Annual Reports of the Council to the Assembly for 2013, 2014 and 2015**

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A39-WP/470                    DRAFT TEXT FOR THE REPORT ON AGENDA ITEM 11  
EX/181                         (28/09/2016)

**Item 12: Proposal to amend Article 50 (a) of the Chicago Convention so as to increase the membership of the Council**

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A39-WP/18                      PROPOSAL TO AMEND ARTICLE 50 a) OF THE CONVENTION ON  
EX/6                              INTERNATIONAL CIVIL AVIATION SO AS TO INCREASE THE  
MEMBERSHIP OF THE COUNCIL  
(31/05/2016)

A39-WP/179                    PROPOSAL TO AMEND ARTICLE 50 a) OF THE CONVENTION ON  
EX/66                              INTERNATIONAL CIVIL AVIATION  
(09/08/2016)

A39-WP/471                    DRAFT TEXT FOR THE REPORT ON AGENDA ITEMS 12 AND 13  
EX/182                         (29/09/2016)

**Item 13: Proposal to amend Article 56 of the Chicago Convention so as to increase the membership of the Air Navigation Commission**

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A39-WP/13                      PROPOSAL TO AMEND ARTICLE 56 OF THE CONVENTION ON  
EX/1                                INTERNATIONAL CIVIL AVIATION SO AS TO INCREASE THE  
MEMBERSHIP OF THE AIR NAVIGATION COMMISSION  
(31/05/2016)

A39-WP/471 DRAFT TEXT FOR THE REPORT ON AGENDA ITEMS 12 AND 13  
EX/182 (29/09/2016)

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**Item 14: Technical Assistance Programme**

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A39-WP/21 REPORT ON THE COMPREHENSIVE REGIONAL IMPLEMENTATION  
Revised PLAN FOR AVIATION SECURITY AND FACILITATION IN AFRICA (AFI  
EX/9 SECFAL PLAN)  
(31/08/2016)

A39-WP/27 PROGRESS IN AFRICA REPORT ON THE COMPREHENSIVE REGIONAL  
EX/15 IMPLEMENTATION PLAN FOR AVIATION SAFETY IN AFRICA (AFI  
PLAN)  
(17/06/2016)

A39-WP/28 REPORT ON THE ICAO TECHNICAL ASSISTANCE PROGRAMME  
EX/16 (09/06/2016)

A39-WP/105 ADDRESSING CHALLENGES IN THE FIELD OF CAPACITY BUILDING  
EX/44 (25/08/2016)

A39-WP/164 CAPACITY ENHANCEMENT FOR REGIONAL EXPERTS ON AVIATION  
Revised SECURITY  
EX/62 (07/09/2016)

A39-WP/171 AFRICA AND INDIAN OCEAN REGION – COOPERATIVE  
EX/121 INSPECTORATE SCHEME TO SUPPORT IMPROVEMENT OF AVIATION  
SAFETY  
(25/08/2016)

A39-WP/215 SUPPORT TO THE CONTINUATION OF THE COMPREHENSIVE  
EX/83 REGIONAL IMPLEMENTATION PLAN FOR AVIATION SAFETY IN  
AFRICA (AFI PLAN)  
(29/08/2016)

A39-WP/309 SAFETY AND AIR NAVIGATION CAPACITY AND  
EX/112; TE/68 EFFICIENCY:ENSURING THAT NO AFI COUNTRY IS LEFT BEHIND  
(01/09/2016) \*Information Paper

A39-WP/351 RIYADH DECLARATION ON AVIATION SECURITY AND  
EX/136 FACILITATION  
(08/09/2016)

A39-WP/364 ACTION PLAN BY EGYPT FOR CO<sub>2</sub> EMISSIONS REDUCTION  
EX/144 EMANATING FROM INTERNATIONAL AVIATION  
(07/09/2016)

A39-WP/392 PROPOSED MID IMPLEMENTATION PLAN (MIDIP) TO SUPPORT  
EX/153 REGIONAL SAFETY AND AIR NAVIGATION INITIATIVES  
(15/09/2016)

A39-WP/415 EUROPEAN SUPPORT TO THE NO COUNTRY LEFT BEHIND

EX/159; TE/198	INITIATIVE (NCLB) (16/09/2016) *Information Paper
A39-WP/446 EX/168	AVANCES DE LA REPÚBLICA DOMINICANA EN MATERIA DE SEGURIDAD DE LA AVIACIÓN CIVIL (16/09/2016) *Information Paper
A39-WP/450 EX/172	SUPPORTING IMPLEMENTATION OF AVIATION SAFETY AND AIR NAVIGATION BY JAPAN (20/09/2016) *Information Paper
A39-WP/456 Revision No. 1 EX/174	AFRICAN AIR NAVIGATION SERVICES PROVIDERS (ANSPS) PEER REVIEW PROGRAMME (26/09/2016)
A39-WP/495 EX/190	DRAFT TEXT FOR THE REPORT ON AGENDA ITEM 14 (03/10/2016)

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**Item 15: Technical Cooperation - Policy and activities on technical cooperation**

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A39-WP/45 EX/23	THE ICAO PROGRAMME FOR AVIATION VOLUNTEERS (16/05/2016)
A39-WP/47 EX/24	POLICY AND ACTIVITIES ON TECHNICAL COOPERATION DURING THE PERIOD 2013 – 2015 (16/05/2016)
A39-WP/105 EX/44	ADDRESSING CHALLENGES IN THE FIELD OF CAPACITY BUILDING (25/08/2016)
A39-WP/141 EX/53	NEW DIRECTIONS IN THE IMPLEMENTATION OF ICAO-IAC PROJECT RER/01/901 (COSCAP-CIS) AND MAIN OUTPUTS OF ITS ACTIVITIES FOR THE LAST 15 YEARS (04/08/2016) *Information Paper
A39-WP/244 Revised EX/96	THE VALUE OF COOPERATION AND THE PROMOTION OF FINANCING INSTRUMENTS FOR ENVIRONMENTAL PROTECTION (22/08/2016)
A39-WP/292 EX/108	REGIONAL TECHNICAL COOPERATION PROJECTS IN THE SOUTH AMERICAN REGION (16/08/2016)
A39-WP/383 EX/151	IMPROVEMENT OF THE CONTRACTING AND PURCHASING PROCESSES CARRIED OUT WITH ASSISTANCE FROM THE TECHNICAL COOPERATION BUREAU (07/09/2016)
A39-WP/415 EX/159; TE/198	EUROPEAN SUPPORT TO THE NO COUNTRY LEFT BEHIND INITIATIVE (NCLB) (16/09/2016) *Information Paper

A39-WP/491 DRAFT TEXT FOR THE REPORT ON AGENDA ITEM 15  
EX/188 (30/09/2016)

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**Item 16: Aviation Security - Policy**

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A39-WP/14 ICAO COMPREHENSIVE AVIATION SECURITY STRATEGY (ICASS)  
EX/2 (30/05/2016)

A39-WP/15 ESTABLISHMENT OF A GLOBAL AVIATION SECURITY PLAN  
EX/3 (30/05/2016)

A39-WP/16 CONSOLIDATED STATEMENT OF CONTINUING ICAO POLICIES  
EX/4 RELATED TO AVIATION SECURITY  
(03/06/2016)

A39-WP/17 ADDRESSING CYBERSECURITY IN CIVIL AVIATION  
EX/5 (30/05/2016)

A39-WP/98 PRIORITIES FOR AVIATION SECURITY  
EX/43 (25/07/2016)

A39-WP/99 CYBER RESILIENCE IN CIVIL AVIATION  
Revision No. 1 (26/07/2016)  
EX/45; TE/26

A39-WP/131 NIVELES DE PROTECCIÓN ANTE CAMBIOS EN EL NIVEL DE  
EX/48 AMENAZA  
(03/08/2016) \*Information Paper

A39-WP/132 DESARROLLOS DE RPAS EN ESPAÑA  
EX/49 (03/08/2016) \*Information Paper

A39-WP/136 BIOMETRIC BASED ACCESS CONTROL AT AIRPORTS IN INDIA  
EX/50 (04/08/2016) \*Information Paper

A39-WP/145 DEVELOPMENT AND UPDATING OF STANDARDS AND GUIDANCE  
EX/54 MATERIAL ON NEW AND EMERGING THREATS  
(10/08/2016)

A39-WP/175 CIVIL AVIATION CYBER-SECURITY: POSSIBLE ACTIONS BY  
EX/64 REGULATORS AND STAKEHOLDERS  
(09/08/2016)

A39-WP/177 EX/65	CULTURE OF SECURITY – ASSESSING IMPLEMENTATION OF NATIONAL CIVIL AVIATION SECURITY PROGRAMS (10/08/2016)
A39-WP/180 EX/67	GLOBAL STRATEGIES FOR ADDRESSING INSIDER RISK (10/08/2016)
A39-WP/184 EX/70	RECOGNITION OF EQUIVALENT SECURITY MEASURES – RECOGNITION OF SECURITY TAMPER-EVIDENT BAGS (10/08/2016)
A39-WP/187 EX/72	CYBER SECURITY DEFENSE STRATEGY (10/08/2016)
A39-WP/198 EX/74	LANDSIDE SECURITY POLICIES (10/08/2016)
A39-WP/219 EX/85	BRIDGING THE GAP BETWEEN THE UNIVERSAL SECURITY AUDIT PROGRAMME – CONTINUOUS MONITORING APPROACH PROTOCOL QUESTIONS AND AVIATION SECURITY REGULATIONS/GUIDANCE MATERIAL (11/08/2016)
A39-WP/238 EX/94	AVIATION SECURITY POLICIES IMPLEMENTED IN INDONESIA (08/08/2016) *Information Paper
A39-WP/254 EX/100	HARMONIZATION OF THE SCREENING TECHNOLOGY FOR LIQUIDS, AEROSOLS AND GELS (12/08/2016)
A39-WP/310 EX/113	SECURITY MEASURES FOR THE LANDSIDE AREAS OF AIRPORTS (09/08/2016)
A39-WP/311 EX/114	THE VIDEO SURVEILLANCE SYSTEM IN AIRCRAFT AS A MEANS TO ENSURE OBJECTIVE MONITORING, USED IN THE PREVENTION AND INVESTIGATION OF ACTS OF UNLAWFUL INTERFERENCE (09/08/2016)
A39-WP/312 EX/115	STATE REGULATORY AVIATION SECURITY MEASURES FOR TRANSPORT INFRASTRUCTURE FACILITIES AND AIR TRANSPORT VEHICLES IMPLEMENTED BY THE RUSSIAN FEDERATION (09/08/2016)
A39-WP/315 EX/116	IMPLEMENTATION OF THE NATIONAL CIVIL AVIATION SECURITY MANAGEMENT (CAsE MNP-SeMS) NATIONAL PROGRAMME (09/08/2016)
A39-WP/327 EX/125	CONTROLS FOR LIQUIDS, AEROSOLS AND GELS (LAGS) (09/08/2016)

A39-WP/330 EX/127	PROCEDURES FOR THE IMPLEMENTATION OF THE ONE STOP SECURITY SYSTEM (09/08/2016)
A39-WP/337 EX/130; TE/145	AIRCRAFT CERTIFICATION CYBERSECURITY REGULATORY EFFORTS (02/09/2016) *Information Paper
A39-WP/361 EX/142	MANAGEMENT AND CONTROL OF EXTERNAL SECURITY RISKS BY CAAC (12/09/2016) *Information Paper
A39-WP/373 EX/147	JOINT WCO-ICAO INITIATIVES TO IMPROVE AIR CARGO SECURITY AND FACILITATION (07/09/2016) *Information Paper
A39-WP/415 EX/159; TE/198	EUROPEAN SUPPORT TO THE NO COUNTRY LEFT BEHIND INITIATIVE (NCLB) (16/09/2016) *Information Paper
A39-WP/446 EX/168	AVANCES DE LA REPÚBLICA DOMINICANA EN MATERIA DE SEGURIDAD DE LA AVIACIÓN CIVIL (16/09/2016) *Information Paper
A39-WP/483 EX/183	DRAFT TEXT FOR THE REPORT ON AGENDA ITEM 16 (30/09/2016)
A39-WP/483 Corrigendum No. 1 (RU only) EX/183	DRAFT TEXT FOR THE REPORT ON AGENDA ITEM 16 (02/10/2016)

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**Item 17: Universal Security Audit Programme – Continuous Monitoring Approach (USAP-CMA)**

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A39-WP/20 Revision No. 1 EX/8	IMPLEMENTATION OF THE UNIVERSAL SECURITY AUDIT PROGRAMME – CONTINUOUS MONITORING APPROACH (USAP-CMA) (22/06/2016)
A39-WP/151 EX/55	LEVEL OF DISCLOSURE OF UNIVERSAL SECURITY AUDIT PROGRAMME – CONTINUOUS MONITORING APPROACH (USAP-CMA) AUDIT RESULTS (08/08/2016)
A39-WP/224 EX/88	ICAO UNIVERSAL SECURITY AUDIT PROGRAMME — CONTINUOUS MONITORING APPROACH (USAP-CMA) IMPLEMENTED IN INDONESIA (12/08/2016) *Information Paper

A39-WP/316 EX/117	LEVEL OF DISCLOSURE OF AUDIT RESULT INFORMATION WITHIN THE FRAMEWORK OF THE UNIVERSAL SECURITY AUDIT PROGRAMME (USAP) (09/08/2016)
A39-WP/371 EX/146	CHINA'S NATIONAL CIVIL AVIATION SECURITY AUDITS (09/08/2016) *Information Paper
A39-WP/484 EX/184	DRAFT TEXT FOR THE REPORT ON AGENDA ITEM 17 (30/09/2016)

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**Item 18: Implementation Support and Development – Security (ISD-SEC)**

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A39-WP/21 Revised EX/9	REPORT ON THE COMPREHENSIVE REGIONAL IMPLEMENTATION PLAN FOR AVIATION SECURITY AND FACILITATION IN AFRICA (AFI SECFAL PLAN) (31/08/2016)
A39-WP/28 EX/16	REPORT ON THE ICAO TECHNICAL ASSISTANCE PROGRAMME (09/06/2016)
A39-WP/105 EX/44	ADDRESSING CHALLENGES IN THE FIELD OF CAPACITY BUILDING (25/08/2016)
A39-WP/164 Revised EX/62	CAPACITY ENHANCEMENT FOR REGIONAL EXPERTS ON AVIATION SECURITY (07/09/2016)
A39-WP/185 Revised EX/71	ENHANCING AIR CARGO SECURITY TRAINING (22/08/2016)
A39-WP/258 Revision No. 1 EX/102	STATUS OF THE AVSEC STAFF IN THE EUR-NAT REGIONAL OFFICE (22/09/2016)
A39-WP/351 EX/136	RIYADH DECLARATION ON AVIATION SECURITY AND FACILITATION (08/09/2016)
A39-WP/446 EX/168	AVANCES DE LA REPÚBLICA DOMINICANA EN MATERIA DE SEGURIDAD DE LA AVIACIÓN CIVIL (16/09/2016) *Information Paper
A39-WP/485 EX/185	DRAFT TEXT FOR THE REPORT ON AGENDA ITEM 18 (30/09/2016)

**Item 19: Facilitation and the ICAO Traveller Identification Programme (ICAO TRIP) Strategy**

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A39-WP/19 EX/7	DEVELOPMENTS PERTAINING TO THE ICAO PUBLIC KEY DIRECTORY (PKD) (31/05/2016)
A39-WP/40 EX/19	DEVELOPMENTS PERTAINING TO THE ICAO TRAVELLER IDENTIFICATION PROGRAMME (TRIP) STRATEGY (06/06/2016)
A39-WP/41 EX/20	CONSOLIDATED STATEMENT OF CONTINUING ICAO POLICIES RELATED TO FACILITATION (06/06/2016)
A39-WP/42 EX/21	DEVELOPMENTS PERTAINING TO ANNEX 9 — FACILITATION (06/06/2016)
A39-WP/191 EX/73	INCLUSION OF PARENTS' DETAILS ON CHILDREN'S TRAVEL DOCUMENTS TO ADDRESS CHILD TRAFFICKING (10/08/2016)
A39-WP/203 Revised EX/75	ADVANCE PASSENGER INFORMATION (API) AND PASSENGER NAME RECORD (PNR) STANDARDIZED SYSTEM (22/08/2016)
A39-WP/326 EX/124	THE EFFECT OF SERVICE QUALITY REGULATION ON BRAZIL'S AIRPORT INFRASTRUCTURE (26/08/2016)
A39-WP/351 EX/136	RIYADH DECLARATION ON AVIATION SECURITY AND FACILITATION (08/09/2016)
A39-WP/486 EX/186	DRAFT TEXT FOR THE REPORT ON AGENDA ITEM 19 (30/09/2016)

**Item 20: Environmental Protection – Aircraft Noise – Policy, Standardization and Implementation Support**

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A39-WP/28 EX/16	REPORT ON THE ICAO TECHNICAL ASSISTANCE PROGRAMME (09/06/2016)
A39-WP/48 EX/25	CONSOLIDATED STATEMENT OF CONTINUING ICAO POLICIES AND PRACTICES RELATED TO ENVIRONMENTAL PROTECTION – GENERAL PROVISIONS, NOISE AND LOCAL AIR QUALITY (21/06/2016)



A39-WP/48 Corrigendum No. 1 EX/25	CONSOLIDATED STATEMENT OF CONTINUING ICAO POLICIES AND PRACTICES RELATED TO ENVIRONMENTAL PROTECTION – GENERAL PROVISIONS, NOISE AND LOCAL AIR QUALITY (08/07/2016)
A39-WP/51 EX/28	CIVIL AVIATION AND THE ENVIRONMENT (30/06/2016)
A39-WP/55 EX/32	PRESENT AND FUTURE AIRCRAFT NOISE AND EMISSIONS TRENDS (17/06/2016)
A39-WP/55 Corrigendum No. 1 EX/32	PRESENT AND FUTURE AIRCRAFT NOISE AND EMISSIONS TRENDS (09/09/2016)
A39-WP/91 EX/42	EUROPEAN COMPREHENSIVE APPROACH TO ENVIRONMENTAL PROTECTION (18/07/2016)
A39-WP/152 EX/56	ICAO STANDARDS AND POLICIES RELATED TO ENVIRONMENTAL PROTECTION (09/08/2016)
A39-WP/156 EX/60	ENVIRONMENTAL PROGRAMME ON HELICOPTER NOISE MITIGATION BY OPERATIONAL PROCEDURES (15/08/2016) *Information Paper
A39-WP/170 EX/63	PERFORMANCE BASED NAVIGATION (PBN) AND ENVIRONMENTAL OPPORTUNITIES (09/08/2016)
A39-WP/210 Revision No. 1 EX/80	ADDRESSING AIRCRAFT NOISE AND LOCAL AIR QUALITY IMPACTS (22/08/2016)
A39-WP/223 EX/87	PROGRESS ON THE IMPLEMENTATION OF AIRCRAFT NOISE POLICY AND STANDARDIZATION (17/08/2016) *Information Paper
A39-WP/225 EX/89	CIVIL AVIATION DEVELOPMENTS IN LATIN AMERICA IN SUPPORT OF AIR TRANSPORT SUSTAINABILITY IN THE REGION (17/08/2016)
A39-WP/250 Revision No. 1 EX/99	PROPOSAL FOR ESTABLISHMENT OF A PLATFORM FOR NOISE- RELATED CHARGES (22/09/2016)
A39-WP/429 EX/164	AIRPORTS CONTRIBUTION TO ENVIRONMENTAL PROTECTION (14/09/2016) *Information Paper
A39-WP/430 EX/165	PROPOSAL TO SHARE BEST PRACTICE ON ICAO BALANCED APPROACH

(14/09/2016) \*Information Paper

A39-WP/447  
EX/169

AIRPORT AIR POLLUTION: A SERIOUS HEALTH RISK FOR  
AIRPORT WORKERS

(16/09/2016) \*Information Paper

A39-WP/460  
EX/177

DRAFT TEXT FOR THE REPORT ON AGENDA ITEMS 20 AND 21  
(29/09/2016)

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**Item 21: Environmental Protection – Aircraft Engine Emissions affecting Local Air Quality –  
Policy, Standardization and Implementation Support**

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A39-WP/28  
EX/16

REPORT ON THE ICAO TECHNICAL ASSISTANCE PROGRAMME  
(09/06/2016)

A39-WP/48  
Corrigendum No. 1  
EX/25

CONSOLIDATED STATEMENT OF CONTINUING ICAO POLICIES  
AND PRACTICES RELATED TO ENVIRONMENTAL PROTECTION –  
GENERAL PROVISIONS, NOISE AND LOCAL AIR QUALITY  
(08/07/2016)

A39-WP/51  
EX/28

CIVIL AVIATION AND THE ENVIRONMENT  
(30/06/2016)

A39-WP/55  
EX/32

PRESENT AND FUTURE AIRCRAFT NOISE AND EMISSIONS  
TRENDS  
(17/06/2016)

A39-WP/55  
Corrigendum No. 1  
EX/32

PRESENT AND FUTURE AIRCRAFT NOISE AND EMISSIONS  
TRENDS  
(09/09/2016)

A39-WP/91  
EX/42

EUROPEAN COMPREHENSIVE APPROACH TO ENVIRONMENTAL  
PROTECTION  
(18/07/2016)

A39-WP/152  
EX/56

ICAO STANDARDS AND POLICIES RELATED TO  
ENVIRONMENTAL PROTECTION  
(09/08/2016)

A39-WP/210  
Revision No. 1  
EX/80

ADDRESSING AIRCRAFT NOISE AND LOCAL AIR QUALITY  
IMPACTS  
(22/08/2016)

A39-WP/225  
EX/89

CIVIL AVIATION DEVELOPMENTS IN LATIN AMERICA IN  
SUPPORT OF AIR TRANSPORT SUSTAINABILITY IN THE REGION  
(17/08/2016)

A39-WP/429  
EX/164

AIRPORTS CONTRIBUTION TO ENVIRONMENTAL PROTECTION  
(14/09/2016) \*Information Paper

A39-WP/460  
EX/177 DRAFT TEXT FOR THE REPORT ON AGENDA ITEMS 20 AND 21  
(29/09/2016)

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**Item 22: Environmental Protection – International Aviation and Climate Change – Policy, Standardization and Implementation Support**

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A39-WP/28  
EX/16 REPORT ON THE ICAO TECHNICAL ASSISTANCE PROGRAMME  
(09/06/2016)

A39-WP/49  
EX/26 CONSOLIDATED STATEMENT OF CONTINUING ICAO POLICIES  
AND PRACTICES RELATED TO ENVIRONMENTAL PROTECTION –  
CLIMATE CHANGE  
(23/06/2016)

A39-WP/51  
EX/28 CIVIL AVIATION AND THE ENVIRONMENT  
(30/06/2016)

A39-WP/52  
EX/29 CONSOLIDATED STATEMENT OF CONTINUING ICAO POLICIES  
AND PRACTICES RELATED TO ENVIRONMENTAL PROTECTION –  
GLOBAL MARKET-BASED MEASURE (MBM) SCHEME  
(01/09/2016)

A39-WP/52  
Corrigendum No. 1  
(SP only)  
EX/29 CONSOLIDATED STATEMENT OF CONTINUING ICAO POLICIES  
AND PRACTICES RELATED TO ENVIRONMENTAL PROTECTION –  
GLOBAL MARKET-BASED MEASURE (MBM) SCHEME  
(21/09/2016)

A39-WP/54  
EX/31 STATES' VOLUNTARY ACTION PLANS ON CO<sub>2</sub> EMISSIONS  
REDUCTION ACTIVITIES  
(17/06/2016)

A39-WP/55  
EX/32 PRESENT AND FUTURE AIRCRAFT NOISE AND EMISSIONS TRENDS  
(17/06/2016)

A39-WP/55  
Corrigendum No. 1  
EX/32 PRESENT AND FUTURE AIRCRAFT NOISE AND EMISSIONS TRENDS  
(09/09/2016)

A39-WP/56  
EX/33 SUSTAINABLE ALTERNATIVE FUELS FOR AVIATION  
(17/06/2016)

A39-WP/91  
EX/42 EUROPEAN COMPREHENSIVE APPROACH TO ENVIRONMENTAL  
PROTECTION  
(18/07/2016)

A39-WP/138  
EX/52 CLIMATE CHANGE & AVIATION GROWTH IN INDIA  
(04/07/2016) \*Information Paper

A39-WP/152 EX/56	ICAO STANDARDS AND POLICIES RELATED TO ENVIRONMENTAL PROTECTION (09/08/2016)
A39-WP/153 Revision No. 1 EX/57	COMMENTS ON THE COST IMPACT OF A GLOBAL CARBON OFFSETTING MECHANISM (16/08/2016)
A39-WP/154 Revision No. 1 EX/58	PHASED IMPLEMENTATION UNDER THE GLOBAL MBM (16/08/2016)
A39-WP/155 Revision No. 1 EX/59	INDUSTRY VIEWS ON A GLOBAL MARKET-BASED MEASURE FOR INTERNATIONAL AVIATION (31/08/2016)
A39-WP/163 EX/61	A GLOBAL MARKET-BASED MEASURE FOR INTERNATIONAL AVIATION – MONITORING, REPORTING AND VERIFICATION (MRV), EMISSIONS UNIT CRITERIA (EUC) AND REGISTRIES CONSIDERATIONS (09/08/2016) *Information Paper
A39-WP/170 EX/63	PERFORMANCE BASED NAVIGATION (PBN) AND ENVIRONMENTAL OPPORTUNITIES (09/08/2016)
A39-WP/181 EX/68	KENYA - RECENT DEVELOPMENTS IN THE COLLECTION, MONITORING AND REPORTING OF CO <sub>2</sub> EMISSIONS FROM INTERNATIONAL AVIATION (09/08/2016)
A39-WP/182 EX/69	RECOGNIZING EARLY MOVERS IN THE DESIGN ELEMENTS OF A GLOBAL MARKET- BASED MEASURE ON THE EFFECT OF INTERNATIONAL AVIATION ON CLIMATE CHANGE (09/08/2016)
A39-WP/206 EX/76	ICAO'S GLOBAL MARKET-BASED MEASURE (GMBM) (18/08/2016) *Information Paper
A39-WP/207 EX/77	ICAO'S CO <sub>2</sub> STANDARD FOR NEW AIRCRAFT (18/08/2016) *Information Paper
A39-WP/208 EX/78	INCREASED TRANSPARENCY IN ICAO DECISION MAKING (18/08/2016) *Information Paper
A39-WP/209 EX/79	ADDRESSING INTERNATIONAL AVIATION EMISSIONS IN THE CONTEXT OF THE PARIS AGREEMENT (18/08/2016) *Information Paper
A39-WP/211 Revision No. 1 EX/81	INDONESIA'S POSITION REGARDING GLOBAL MARKET BASED MEASURES (GMBM) FOR INTERNATIONAL AVIATION (22/08/2016)

- A39-WP/212  
Revision No. 1  
EX/82 THE NEED FOR POLICY GUIDANCE FOR THE PROMOTION OF SUSTAINABLE ALTERNATIVE FUELS FOR AVIATION  
(22/08/2016)
- A39-WP/222  
EX/86 PROGRESS IN THE IMPLEMENTATION OF STATE ACTION PLAN FOR REDUCING EMISSIONS FROM INTERNATIONAL AVIATION  
(17/08/2016) \*Information Paper
- A39-WP/227  
EX/90 ASSISTANCE AND CAPACITY BUILDING IN AVIATION TO ADDRESS THE CO<sub>2</sub> EMISSION FROM INTERNATIONAL AVIATION  
(09/08/2016) \*Information Paper
- A39-WP/232  
EX/91 VIEWS OF THE UNITED STATES ON ICAO'S BASKET OF MEASURES TO ADDRESS CLIMATE CHANGE FROM INTERNATIONAL CIVIL AVIATION  
(18/08/2016)
- A39-WP/233  
EX/92 KEY DESIGN ELEMENTS OF THE GLOBAL MARKET-BASED MEASURES FOR INTERNATIONAL CIVIL AVIATION: BRAZIL'S POSITION  
(16/08/2016)
- A39-WP/234  
EX/93 THE DISTRIBUTION OF OFFSETTING OBLIGATIONS UNDER THE GMBM  
(16/08/2016)
- A39-WP/248  
EX/98 SUPPORT FOR ADOPTION OF THE GLOBAL MARKET-BASED MEASURE BY THE ICAO 39TH ASSEMBLY  
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- A39-WP/262  
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