



ASSEMBLY — 39TH SESSION

REPORT OF THE EXECUTIVE COMMITTEE ON AGENDA ITEM 31

(Presented by the Chairman of the Executive Committee)

The attached report on Agenda Item 31 has been approved by the Executive Committee. Resolutions 31/1, 31/2, 31/3 and 31/4 are recommended for adoption by the Plenary.

Note.— After removal of this covering sheet, this paper should be inserted in the appropriate place in the report folder.

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, 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.

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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.

— END —