

Recognizing that the protection of certain accident and incident records from inappropriate use is essential to ensure the continued availability of all relevant information to accident investigators in future investigations;

Recognizing that the measures taken so far to ensure the protection of certain accident and incident records may not be sufficient, and noting the issuance by ICAO of legal guidance to assist States in this regard;

The Assembly:

1. Urges Contracting States to examine and if necessary adjust their laws, regulations and policies to protect certain accident and incident records in compliance with paragraph 5.2.2 of Annex 13, in order to mitigate impediments to accident and incident investigations, in consideration of the legal guidance for the protection of information from safety data collection and processing systems issued by ICAO, as set out in Attachment E to Annex 13;

2. Instructs the Council to provide a progress report to the next ordinary session of the Assembly on this matter; and

Declares that this resolution supersedes Resolution A35-17.

A36-25: Support of the ICAO policy on radio frequency spectrum matters

Whereas ICAO is the specialized agency of the United Nations responsible for the safety, regularity and efficiency of international civil aviation;

Whereas ICAO adopts international Standards and Recommended Practices (SARPs) for aeronautical communications systems and radio navigation aids;

Whereas the International Telecommunication Union (ITU) is the specialized agency of the United Nations regulating the use of the radio frequency spectrum;

Whereas the ICAO position, as approved by the Council, for ITU World Radiocommunication Conferences (WRCs) is the result of the coordination of international aviation requirements for radio frequency spectrum;

Recognizing that the development and the implementation of the communications, navigation, and surveillance/air traffic management (CNS/ATM) systems and the safety of international civil aviation could be seriously jeopardized unless aviation requirements for allocations of radio frequency spectrum are satisfied and protection of those allocations is achieved;

Recognizing that support from ITU member administrations is required to ensure that the ICAO position is supported by the WRC and that aviation requirements are met;

Considering the urgent need to increase such support due to the growing demand for spectrum and aggressive competition from commercial telecommunications services;

Considering the increased level of ITU WRC preparation activities associated with the growing demand for bandwidth from all users of the radio frequency (RF) spectrum, as well as the increased importance of the development of regional positions by regional telecommunication bodies such as APT, ASMG, ATU, CEPT, CITELE and RCC*;

* APT: Asia-Pacific Telecommunity; ASMG: Arab Spectrum Management Group; ATU: African Telecommunications Union; CEPT: the European Conference of Postal and Telecommunications Administrations; CITELE: Comisión Interamericana de Telecomunicaciones; RCC: Regional Commonwealth in the field of Communications.

Considering Recommendations 7/3 and 7/6 of the Special Communications/Operations Divisional Meeting (1995) (SP COM/OPS/95) as well as Recommendation 5/2 of the 11th Air Navigation Conference (2003);

The Assembly:

1. *Urges* Contracting States and International Organizations to support firmly the ICAO position at WRCs and in regional and other international activities conducted in preparation for WRCs by the following means:
 - a) undertaking to provide for aviation interests to be fully integrated in the development of their positions presented to regional telecommunications fora involved in the preparation of joint proposals to the WRC;
 - b) including in their proposals to the WRC, to the extent possible, material consistent with the ICAO position;
 - c) supporting the ICAO position and the ICAO policy statements at ITU WRCs as approved by Council and incorporated in the *Handbook on Radio Frequency Spectrum Requirements for Civil Aviation* (Doc 9718);
 - d) undertaking to provide experts from their civil aviation authorities to fully participate in the development of States' and regional positions and development of aviation interests at the ITU; and
 - e) ensuring, to the maximum extent possible, that their delegations to regional conferences, ITU study groups and WRCs include experts from their civil aviation authorities or other aviation officials who are fully prepared to represent aviation interests;
2. *Requests* the Secretary General to bring to the attention of ITU the importance of adequate radio frequency spectrum allocation and protection for the safety of aviation; and
3. *Instructs* the Council and the Secretary General, as a matter of high priority within the budget adopted by the Assembly, to ensure that the resources necessary to support increased participation by ICAO in international and regional spectrum management activities are made available.
4. *Declares* that this resolution supersedes Resolution A32-13.

A29-14: Humanitarian Flights

The Assembly:

Considering the growing number and the diversity of flights operated by civil aircraft, in the sense of the Chicago Convention, within the framework of humanitarian relief missions undertaken under the auspices of the United Nations to cope with emergency situations;

Noting the approach made in 1991 to ICAO by the Secretary-General of the United Nations, with a view to facilitating humanitarian relief missions by air;

Noting the actions undertaken and contemplated by the Council and its subsidiary bodies to meet these new requirements;

1. *Encourages* the Council to continue, as a matter of high priority, the review of the Standards, Recommended Practices and Guidance Material in force, with a view to making the amendments thereto which are deemed desirable for flights operated for humanitarian purposes to take place safely;