

# Session I: Outcomes of the 41st Assembly – Setting the tone for the future

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# ICAO's Work in the legal field after the 41st Assembly

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## ICAO Legal Committee's Current Work Programme

- 1 Review of the **ICAO Rules for the Settlement of Differences**
- 2 International legal aspects of **unmanned (pilotless) aircraft operations** and integration into civil aviation
- 3 Processes and procedures for States to fulfil their obligations under **Article 12 of the Chicago Convention**
- 4 **Acts or offences of concern** to the international aviation community, including **cyber threats**, that may not be adequately covered by the existing air law instruments
- 5 Promotion of the **ratification** of international air law instruments
- 6 Study of the international legal issues relating to **global satellite systems and services** supporting international air navigation services
- 7 Consideration of guidance on **conflicts of interest**
- 8 Implementation of **Article 21 of the Chicago Convention**



# Item 1: Review of the Rules for the Settlement of Differences

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- 2018 (LC37) - Included in Legal Committee's work programme [priority item 2]
- May 2019 - **Working Group for the Review of the ICAO Rules for the Settlement of Differences (WG-RRSD)** commenced
- WG-RRSD held **6 meetings** (4 virtual) between May 2019 & Jan 2022
- WG-RRSD **progress report** presented to LC38 (Mar 2022) - highlighted areas of the Rules identified for possible revision and the status of deliberations (i.e. areas where a high level of agreement has already been attained and areas requiring further consideration) [elevated to priority item 1]
- A-41 welcomed the progress made by the WG-RRSD
- **7th Meeting** held in-person at ICAO HQ (Montreal) in Jan 2023; **8th & 9th** also in 2023
- WG-RRSD aiming for revised rules to be sufficiently mature for consideration by **LC39** (Spring 2024)



# Item 2: International Legal Aspects of unmanned (pilotless) aircraft operations and integration into civil aviation

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- 2013 (A38) – Assembly added Study of RPA legal issues to Legal Committee’s work programme
- 2018 (LC37) - **Working Group** to study pilotless aircraft operations legal aspects and integration issues established but work is on hold due to budgetary constraints
- 2019 (A40) - Assembly supported establishment of **Secretariat Study Group** to provide an interface between ICAO’s legal and technical work on pilotless aircraft
- Aug 2021 – SSG-LIPA’s 1<sup>st</sup> meeting established 2 Sub-groups (i) Subgroup on Compliance with the Chicago Convention (ii) Subgroup on Liability & Security.
- Sub-group (i) met virtually in early 2022 to consider ANB’s proposal for an Assembly resolution like A40-4 on Certificates of airworthiness, certificates of competency and licences of flight crews





# Item 6: Study of the international legal issues relating to global satellite systems and services supporting international air navigation services

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- Previous work led to Assembly Resolutions **A32-19** on a **Charter on the rights and obligations of States relating to GNSS Services** and **A32-20** on the **Long-term legal framework to govern the implementation of GNSS**
- No major legal work within ICAO since & Secretariat continues to observe for new developments relating to this subject
- 2022 (A41 Legal Commission) – Some States requested that work be considered. A suggestion to review previous work and to consider SARPs developed. Secretariat on lookout for concrete proposals from States.



# Item 8: Implementation of Article 21 of the Chicago Convention

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- Article 21 of the Chicago Convention provides the basis for the **exchange of aircraft registration, ownership and control data** between States
- 2017 summer - **LEB questionnaire** distributed to States
- **Article 21 Task Force** held **2 meetings** in September 2017 and April 2018
- March 2022 – Council adopted a **Model Certificate of De-registration of Aircraft** in *Annex 7 – Aircraft Registration and Nationality Marks*

