



ASSEMBLY — 38TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 25: Other high-level policy issues to be considered by the Executive Committee

**POLICY ON THIRD-PARTY ENDORSEMENTS AND MEMORANDA
OF UNDERSTANDING (MOUs)**

(Presented by Colombia)

EXECUTIVE SUMMARY

The aim of this working paper is to analyse the importance of interactions between ICAO and other international organizations, industry and academia, in the form of endorsements and memoranda of understanding, based on principles that prevent conflicts of interest and guarantee transparency, fairness, and objective selection in such interactions.

Action: The Assembly is invited to:

- a) request the Council to provide guidelines and adopt policies for the interactions of ICAO with third parties in the form of endorsements and memoranda of understanding; and
- b) request the Council, in the interests of transparency, to publish the list of MOUs and endorsements in force.

<i>Strategic Objectives:</i>	This working paper is related to all the Strategic Objectives.
<i>Financial implications:</i>	It does not have any financial implications.
<i>References:</i>	Doc 7300, <i>Convention on International Civil Aviation</i> <i>Guidelines on Cooperation between the United Nations and the Business Sector</i>

¹ The Spanish version was provided by Colombia.

1. INTRODUCTION

1.1 ICAO, as an organization of States, must respond to the challenges of globalization and the increase in air traffic by applying new technologies and methodologies. For this purpose, it should engage in cooperation with other international organizations, industry and academia.

1.2 Interaction brings about changes in the parties. For this reason, the Assembly, and, by delegation, the Council, should provide guidance and determine the general policies on this matter.

2. ANALYSIS

2.1 In accordance with the provisions of the Convention on International Civil Aviation, ICAO must develop principles and techniques for air navigation and air transport.

2.2 In view of this fact, the States consider that ICAO is a reliable source for the generation of Standards and Recommended Practices (SARPs) and procedures. They allow the organization to check the implementation of these SARPs through a range of tools, which include auditing the States.

2.3 To ensure that international civil aviation can continue to make significant progress, a dynamic interaction between ICAO and third parties (international organizations, industry and academia) should be established.

2.4 These interactions are basically implemented through Memoranda of Understanding (MOUs) or by granting endorsements.

2.5 We can distinguish the types of institutions or organizations with which ICAO interacts based on their defining interests and activities: **International organizations are engaged in promoting the common good; Industry** produces goods and services with the aim of obtaining an economic return; and **Academia is concerned with increasing knowledge.**

2.6 Promoting cooperation between international organizations, academia and industry is the key to generating innovation and revitalizing economic activity.

2.7 These environments require conditions and regulations to prevent conflicts of interest and ensure respect for the principles of transparency, equality of opportunity through fair and equitable competition and objective selection. These guiding principles must be developed through policies adopted by the Council in order to comply with the objectives set out in the Chicago Convention.

2.8 With a mandate from the Assembly, the Council may determine general rules, including policies for all types of agreements into which the organization may enter. Conflicts of interest must be avoided.

2.9 Special attention should be paid to establishing general rules and policies in relation to commercial interests pursued by third parties or even the organization itself when an agreement is established.

2.10 Policies on third-party endorsements and MOUs must, at a minimum, cover the following issues:

- a) Requirements for obtaining an endorsement and selection criteria.
- b) Equal opportunity and due representation of the different regions and stakeholders.
- c) Fair competition.
- d) Standards and guidelines governing the use of the name and logo of ICAO by third parties.
- e) Measures to avoid conflicts of interest between ICAO principles and objectives and activities, goods or services related to an endorsement.

3. **CONCLUSIONS**

3.1 The ICAO Member States must face the challenges of increased air traffic and globalization. To face these challenges, ICAO should interact with other international organizations, industry and academia. Any interaction with third parties must comply with the guidelines and policies explicitly adopted by the Council by mandate, and the guidelines of the Assembly.

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