



## ASSEMBLY — 38TH SESSION

### EXECUTIVE COMMITTEE

#### Agenda Item 17: Environmental Protection

#### PROPOSED AMENDMENTS FOR THE DRAFT CONSOLIDATED STATEMENT OF CONTINUING ICAO POLICIES AND PRACTICES RELATED TO ENVIRONMENTAL PROTECTION – CLIMATE CHANGE

(Presented by Argentina, Brazil, China, Cuba, India, Islamic Republic of Iran, Pakistan, Peru, Russian Federation, Saudi Arabia, South Africa)

#### EXECUTIVE SUMMARY

The Council of ICAO has reached considerable progress in bridging of views on climate change issues. However, the proposed draft of “Consolidated Statement of continuing ICAO policies and practices related to environmental protection – Climate Change” was not approved unanimously due to serious controversy on MBMs issues at the last meeting of the Council before 38<sup>th</sup> session of the Assembly. Delegations of the abovementioned States for the sake of possible compromise would like to invite Assembly to consider amendments in the proposed Draft of the Consolidated Statement in order to align its provisions with ICAO Strategic Objectives.

**Action:** The Assembly is invited to consider proposed amendments to A38-WP/34 of 30 September 2013 in order to amend the text of the Draft of the “Consolidated Statement” for the sake of its conformity with ICAO’s strategic objectives and its broader support by ICAO member States.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objective C – <i>Environmental Protection and Sustainable Development of Air Transport.</i>
<i>Financial implications:</i>	No additional resources required.
<i>References:</i>	Doc 7300, <i>Convention on International Civil Aviation</i> Doc 9958, <i>Assembly Resolutions in Force (as of 8 October 2010)</i> A38-WP/34, <i>Consolidated Statement of continuing ICAO policies and practices related to environmental protection – Climate Change</i> A38-WP/29, <i>Market-based Measures (MBMs)</i>

### 1. INTRODUCTION

1.1 In the period from September 28 to October 1, 2013 Delegations of the Argentina, Brazil, China, Cuba, India, Iran, Pakistan, Peru, Russian Federation, Saudi Arabia, South Africa, had a series of multilateral consultation, as well as consultations with the President of the 38<sup>th</sup> session of Assembly on the proposed draft of “Consolidated Statement of continuing ICAO policies and practices related to environmental protection – Climate Change”. As the result of these consultation and accordance with

Rule 38 of the “*Standing Rules of Procedures of the Assembly of the International Civil Aviation Organization*” (Doc 7600) above-mentioned Delegations came to conclusion to present for consideration of Executive Committee of the Assembly the following amendments presented in the paragraph 2 of this Working Paper.

## 2. PROPOSED CHANGES

2.1 Since there is considerable work to be done and impacts to be evaluated before the global MBM can be developed and views of member States of ICAO has to be factored into the decisions to be taken later, we have the following amendments to present for the paragraphs 20, 21, 22 and 23;

“Revised 20. Decides to work towards developing a global MBM scheme for international aviation, taking into account work mentioned in para 21 below;

Para 21. Requests the Council to:

a bis) (new Para) Assess and evaluate the feasibility and practicability of a global MBM scheme for international aviation with member States, taking into account the views of all States of ICAO, and also address concerns on the impact of such a scheme on all sectors;

a tris) (New Para) Request, in the above context, all States of ICAO to submit their views of the feasibility and practicability to the Council before such assessment and evaluation is completed;

c) in sub-para (c) delete the words “from 2020” from this text.

Revised Para 22. Resolves that an MBM should take into account common but differentiated responsibilities and the special circumstances and respective capabilities of developing States, while minimizing market distortions;”

Para 23. Insert the word “including” after the words “accommodated” and before “through.”

2.2 The concept of Special Circumstances and Respective Capabilities, which was earlier agreed to only for developing countries, is now being expanded to include developed countries also. This goes against the very grain of the agreement reached earlier. We would like this principle to remain without any further amendments since, otherwise, it would adversely affect developing countries.

### Proposal on the entire text

SCRC should be restricted only to ‘developing States’. Textual changes should be made in the entire draft in all such instances as follows: “special circumstances and respective capabilities of developing States.”

## 3. THE ACTIONS OF THE ASSEMBLY

3.1 The Assembly is invited to consider proposed amendments in order to change the text of the Draft of the “Consolidated Statement of continuing ICAO policies and practices related to environmental protection – Climate Change” presented in this paper for the sake of conformity with ICAO strategic objectives and broader consensuses.