



C-DEC 221/8  
17/11/20

## COUNCIL — 221ST SESSION

### EIGHTH MEETING

(VIRTUAL MEETING ON THURSDAY, 12 NOVEMBER 2020, AT 1430 HOURS)

### SUMMARY OF DECISIONS

#### CLOSED MEETING

*Not available*

#### OPEN MEETING

#### **International interests in mobile equipment (aircraft equipment) – CESAIR/9 and proposal by the Registrar of the International Registry**

9. The Council considered this item on the basis of C-WP/15118, which reported to the Council on the outcome of the Ninth (Virtual) Meeting of the Commission of Experts of the Supervisory Authority of the International Registry established under the Cape Town Convention and Aircraft Protocol.
10. Following consideration, the Council:
  - a) took note of concerns expressed by some Representatives in relation to certain aspects of the draft formula for an expedited procedure to consider and decide on new business activity submissions by the Registrar, Aviareto Limited, as outlined in C-WP/15118;
  - b) agreed to defer further consideration of this item until the next session of the Council; and
  - c) requested the Secretariat to:
    - i. elaborate on the need to adopt an expedited procedure to consider and decide on new business activity submissions from Aviareto and the risks associated with doing so; and
    - ii. propose alternatives to delegating to the Secretary General the authority to decide on certain categories of new business activity submissions by Aviareto.

#### **Trusted Communication Facility (TCF) for COVID-19 recovery**

11. The Council considered this item on the basis of C-WP/15089, which presented a proposal for the establishment and operation of a trusted communication facility for COVID-19 recovery (TCF) by Aviareto Limited, the Registrar of the International Registry for Mobile Assets (Aircraft Equipment).
12. Following consideration, the Council acting in its capacity as the Supervisory Authority of the International Registry:

- a) approved the request by Aviareto Limited to develop and operate the TCF for an interim period of two years, subject to the principles and controls proposed by Aviareto set out in sections 2.3 and 3.4, respectively of the working paper, and the terms, conditions and restrictions recommended by the Commission of Experts of the Supervisory Authority of the International Registry (CESAIR) in Appendix C;
- b) requested that in its communications related to the operation of the TCF, Aviareto ensure that there is no suggestion that ICAO endorses the TCF, or recommends to Member States that they should use the TCF; and
- c) requested that the Proposed Terms, Conditions and Restrictions for Aviareto's Development and Operation of the Trusted Communication facility (TCF), as contained in the Appendix to C-WP/15089, be revised in order to incorporate the principles proposed by Aviareto for the operation of the TCF, as outlined in section 2.3 of the working paper.

### **Progress report on the implementation of the space weather information service**

13. The Council considered this item on the basis of C-WP/15096, which presented a progress report on the implementation by provider States of the space weather information service in accordance with previous decisions of the Council (C-DEC 217/2 refers).

14. Following consideration, the Council:

- a) took note of the work undertaken by the Secretariat and the Meteorology Panel Coordination Group on Initial Coordination and Governance of the Space Weather Information Service and the progress made with respect to the implementation of the space weather information service; and
- b) further took note that ICAO had on 2 October 2019, issued electronic bulletin EB 2019/35, which was intended to increase user awareness about the space weather information service in support of international air navigation, and that additional information in this regard was also recently uploaded to the ICAO Meteorology Panel website.

### **ANC work programme for the 216th Session**

15. The Council considered this item on the basis of C-WP/15100, which presented the proposed work programme for the 216th Session of the Air Navigation Commission (ANC).

16. Following consideration, the Council:

- a) approved the work programme of the Air Navigation Commission for the 216th Session; and
- b) took note of the planned items listed for consideration at the 217th and 218th Sessions of the ANC, as contained in Appendices B and C respectively of the working paper, while at the same time acknowledging that these might be subject to revision pending decisions that will be taken in the context of the High-level Safety Conference (HLSC 2021).

### **Negotiations with the European Civil Aviation Conference (ECAC) on transitional arrangements leading to the separation of ECAC from ICAO**

17. The Council considered this item on the basis of C-WP/15119, which presented a report on the negotiations with ECAC on arrangements regarding the separation of ECAC from ICAO. The Council also had for consideration an oral report thereon from the Working Group on Governance and Efficiency.

18. Following consideration, the Council:

- a) welcomed the conclusion of the separation of ECAC from ICAO within a short timeframe and without financial loss to ICAO;
- b) called upon the good cooperation of the Parties to quickly finalize arrangements on minor pending issues regarding the common use of the EUR/NAT building for 2020; and
- c) requested the Secretariat to present a progress report during the 222nd Session, including on the status of consultations underway with the host country, France, concerning the EUR/NAT premises.

### **Revision of the Charter for EAO**

19. The Council considered this item on the basis of C-WP/15115, which presented a revised and updated Charter for the Evaluation and Internal Audit Office (EAO), reflecting the recommendations of the recently completed independent external assessments. The Council also had for consideration an oral report thereon from the Working Group on Governance and Efficiency (WGGE).

20. Following consideration, the Council:

- a) took note of the comments provided by the WGGE about the absent role of EAO on investigations of a financial nature and the pending establishment of rules and procedures for the handling of complaints of misconduct referred back to ICAO from the United Nations Office of Internal Oversight Services (OIOS);
- b) approved the revised Charter presented in Appendix A of C-WP/15115, with the inclusion of the amendments proposed by the WGGE as outlined in the oral report as well the subsequent amendments to the text as circulated by the Secretary General in her e-mail message of 2 November 2020; and
- c) endorsed the proposal to change the name of the Evaluation and Internal Audit Office (EAO) to the Office of Internal Oversight (OIO).

### **The Evaluation and Internal Audit Office Public Disclosure Policy**

21. The Council considered this item on the basis of C-WP/15116, which presented a proposed *Policy on Public Disclosure of Internal Audit and Evaluation Reports* (Disclosure Policy). The Council also had for consideration an oral report thereon from the Working Group on Governance and Efficiency.

22. Following consideration, the Council approved the proposed policy on public disclosure as contained in Appendix A of C-WP/15116, subject to the inclusion of the following additional provisions:

- a) that Chief, EAO (now OIO), will inform in a timely manner, both the Council and the Evaluation and Audit Advisory Committee (EAAC), of any decision to withhold or redact an internal audit or evaluation report;
- b) that a list of all completed internal audit and evaluation reports will be published on the public website, and in cases where a report has been withheld or redacted, this fact will be clearly stated with reference to the criteria in the disclosure policy;
- c) in cases where there is a disagreement between Chief, EAO (now OIO) and an individual Member State or group of Member States regarding the publication of an internal audit or evaluation report, the specific report will not be publicly disclosed; and
- d) in cases where there is a disagreement between Chief, EAO (now OIO) and the senior management of the Secretariat regarding public disclosure, it was understood that this report would be conveyed to the Council.

— END —