



ICAO

International Civil Aviation Organization

**Thirteenth Meeting of the Common aeRonautical
Virtual Private Network Operations Group (CRV
OG/13)**

Wellington, New Zealand, 05-08 March 2025

Agenda Item 4:

CRV OG Reference documents

- CRV OG Operations Manual
- CRV Implementation Plan
- Outcomes of Ad-hoc expert Strategy, Design, Transition and, Operations Groups
- Outcomes of Joint CRV OG Ad-hoc Expert and SWIM TF TLs Meetings

DISPUTE RESOLUTION ON CRV MATTERS

(Presented by Fiji/Fiji Airports)

SUMMARY

This paper presents the Proposed Standard Operating Procedure (SOP) for Dispute Resolution on CRV Matters to be adopted in the CRV Operations Manual.

1.0 INTRODUCTION

1.1 The proposed SOP is developed to guide Member States for any dispute resolution on CRV matters for adoption into the CRV Operations Manual.

2. DISCUSSION

2.1 In the CRV OG/11 meeting, Nepal suggested incorporating relevant guidance in the form of Process and Procedures into the CRV OG OM clarifying that Member States can request support of ICAO Secretariat and CRV OG for dispute resolution matters or other significant issues if arises.

2.2 It was agreed in that meeting that the CRV OG Ad-hoc Expert Group would discuss the possibility of adding such provisions and draft relevant clauses to add in CRV OG OM. ACTION ITEM 11-3 Nepal requested that a dispute resolution mechanism to be developed to guide States on dispute resolution on CRV matters.

2.3 Fiji was tasked to develop the SOP for dispute resolution as guidelines for Member States can request support of ICAO Secretariat and CRV OG for dispute resolution matters or other significant issues if arises. This dispute resolution is separate from the service agreement contract that States signed with PCCWG the CRV service provider.

2.4 The draft SOP was discussed and endorsed in the CRV OG Ad-hoc Expert Group and presented in the CRV OG/13 for adoption in the CRV Operations Manual. The proposed SOP for dispute resolution on CRV matters is provided in **Appendix 1** of this Working Paper.

2.5 The meeting is invited to review and adopt the proposed SOP as a document.

Conclusion CRV OG/13/xx Standard Operating Procedures (SOP) for Dispute Resolution on CRV Matters	
What: The CRV OG to adopt the proposed Standard Operating Procedures (SOP) for Dispute Resolution on CRV Matters in the CRV Operations Manual.	Expected impact: <input type="checkbox"/> Political / Global <input type="checkbox"/> Inter-regional <input type="checkbox"/> Economic <input type="checkbox"/> Environmental <input checked="" type="checkbox"/> Ops/Technical
Why: To guide States on any dispute resolutions on CRV matters.	Follow-up: <input type="checkbox"/> Required from States
When: 8-Mar-25	Status: Draft to be adopted by Subgroup
Who: <input checked="" type="checkbox"/> Sub groups <input type="checkbox"/> APAC States <input type="checkbox"/> ICAO APAC RO <input type="checkbox"/> ICAO HQ <input type="checkbox"/> Other: XXXX	

3. ACTION BY THE MEETING

2.1 The meeting is invited to:

- a) note the information contained in this paper;
- b) review drafted SOP and adopt draft conclusion; and
- c) discuss any relevant matter as appropriate

Standard Operating Procedure (SOP) for Engaging Support from ICAO Secretariat & CRV Operations Group (CRV OG) in Dispute Resolution

1. Introduction

This SOP provides a structured process for Member States to engage the support of the ICAO Secretariat and CRV Operations Group (CRV OG) before executing the terms and conditions for dispute resolution, mediation, and arbitration.

The ICAO Secretariat and CRV OG act as third-party advisors to assist Member States in navigating complex disputes, ensuring that all actions taken are in compliance with international standards and best practices.

2. Purpose

The purpose of this SOP is to ensure that member States are adequately supported by the ICAO Secretariat and CRV OG before entering into formal dispute resolution mechanisms. This support is designed to provide expert guidance, facilitate discussions, and offer recommendations that may prevent the escalation of disputes.

3. Applicability

This SOP applies to all Member States engaged in disputes related to the CRV, where the States have agreed in writing to seek guidance from the ICAO Secretariat and CRV OG before initiating formal dispute resolution processes such as mediation or arbitration.

4. Process for Engaging Support

4.1 Request for Support

- i. **Initiation:** Any member State involved in a dispute may initiate a request for support from the ICAO Secretariat and CRV OG. The request should be made in writing and should include a brief description of the dispute, the specific issues requiring guidance, and any relevant documentation.
- ii. **Submission:** The written request should be submitted to the designated contact point within the ICAO Secretariat and CRV OG.

4.2 Evaluation of Request

- i. **Review:** Upon receipt of the request, the ICAO Secretariat and CRV OG will review the details of the dispute and determine the appropriate level of support required.
- ii. **Assignment of Advisors:** If necessary, the ICAO Secretariat and CRV OG will assign subject matter experts to assist the Member State. These experts may include legal advisors, technical specialists, or other relevant professionals.

4.3 Provision of Support

Guidance and Recommendations: The assigned advisors will provide the member State with guidance and recommendations based on the specific issues raised.

This may include:

1. **Legal Guidance:** Advising on the interpretation of contractual terms and conditions, relevant laws, and international regulations.
2. **Dispute Avoidance Strategies:** Recommending strategies to prevent the escalation of the dispute and encourage amicable resolution.
3. **Facilitation of Discussions:** Assisting in the facilitation of discussions between the disputing parties to achieve a mutual understanding and potentially avoid formal dispute resolution processes.
4. **Documentation:** All guidance and recommendations provided by the ICAO Secretariat and CRV OG will be documented and shared with the requesting member State.

4.4 Follow-Up and Feedback

- i. **Monitoring:** The ICAO Secretariat and CRV OG will monitor the progress of the dispute following the provision of support. The Member State may be required to provide updates on the status of the dispute and the effectiveness of the guidance received.
- ii. **Feedback:** The Member State will be asked to provide feedback on the support received, which will be used to improve future assistance provided by the ICAO Secretariat and CRV OG.

4.5 Facilitation and Advisory Support in Negotiation

- i. **Facilitation Role:** While ICAO and CRV-OG will not directly act as negotiators, they may facilitate negotiations by providing logistical support, organizing discussions, and offering technical and legal guidance as needed.
- ii. **Advisory Support:** ICAO and CRV-OG will remain available to offer expert advice during negotiations, ensuring that all parties have access to the information required to make informed decisions. This support will be provided in a manner that maintains their neutrality and impartiality.

5. Confidentiality

- i. **Confidentiality Assurance:** All communications and documents shared during the support process will be treated as confidential. Both the ICAO Secretariat and CRV OG, as well as the member State, are required to adhere to strict confidentiality protocols.
- ii. **Non-Disclosure Agreements (NDAs):** All parties involved in the support process, including any advisors assigned by the ICAO Secretariat and CRV OG, shall sign an NDA to ensure that all information remains confidential.

6. Escalation and Settlement of Dispute

- i. **Settlement of Dispute:** In cases where the dispute is resolved through the support process or formal dispute resolution, the settlement should be documented in a written agreement. This settlement should include:
 - a) **Resolution Terms:** A clear outline of the terms agreed upon by the parties involved, including any actions to be taken or changes to be implemented.
 - b) **Implementation Plan:** A plan for implementing the agreed-upon terms, including timelines and responsibilities for each party.
 - c) **Monitoring and Compliance:** Procedures for monitoring compliance with the settlement terms and resolving any issues that may arise during implementation.
 - d) **Confidentiality and Non-Disclosure:** Assurance that all aspects of the settlement and related documents remain confidential, with appropriate non-disclosure agreements in place.

The settlement should be signed by all parties involved and shared with the ICAO Secretariat and CRV OG for record-keeping and oversight purposes.
- ii. **Escalation Process:** If the dispute remains unresolved after the support provided by the ICAO Secretariat and CRV OG, the Member State may escalate the matter to the next stage of formal dispute resolution, including mediation or arbitration.

7. Conclusion

This SOP ensures that Member States have access to expert guidance and support from the ICAO Secretariat and CRV OG before engaging in formal dispute-resolution processes. By following this procedure, States can make informed decisions that align with international standards, reduce the likelihood of disputes escalating, and preserve relationships between parties.