

OSG

31 OCT. 2016



REPRESENTATIVE OF THE UNITED STATES OF AMERICA
ON THE COUNCIL OF THE
INTERNATIONAL CIVIL AVIATION ORGANIZATION

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October 31, 2016

Dr. Fang Liu
Secretary General
International Civil Aviation Organization
Suite 12.15

Dear Madame Secretary General:

The U.S. Mission to ICAO has been instructed to convey the attached written reservation of the United States of America to the 39th ICAO Assembly Resolution: Consolidated statement of continuing ICAO policies and practices related to environmental protection -- Climate change.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael A. Lawson".

Ambassador Michael A. Lawson

Attachment: a/s

Statement of Reservation of the United States of America regarding the 39th ICAO Assembly
Resolution: Consolidated statement of continuing ICAO policies and practices related to environmental protection -- Climate change

The United States is committed to fostering the sustainable growth of the aviation sector, including by addressing the climate and environment impacts of civil aviation. We support ICAO's approach to achieving carbon neutral growth from 2020 through a "basket of measures" comprising technical, operational, and infrastructure enhancements; sustainable alternative fuels; an aircraft CO2 standard; and the implementation of the Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) as a gap-filler.

While we continue to make significant investments and advancements on the entire basket of measures, as it did in 2013, the United States reserves on guiding principle (p) in the Annex to the Resolution. The United States objects to the inclusion of (p), because it does not consider that the principles of the international climate change regime apply to ICAO, which is governed by its own legal regime. It also notes that, in any event, the Paris Agreement reflects the referenced principle as "common but differentiated responsibilities and respective capabilities, in the light of different national circumstances."