



International Civil Aviation Organization

**WORKING PAPER**

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**ASSEMBLY — 39TH SESSION**

**EXECUTIVE COMMITTEE  
ADMINISTRATIVE COMMISSION**

**Agenda Item 10: Contributions in arrears**

**Agenda Item 51: Contributions in arrears**

**FINANCIAL ASPECTS OF THE QUESTION OF CONTRIBUTIONS IN ARREARS**

(Presented by the Council of ICAO)

**EXECUTIVE SUMMARY**

This paper provides information on the status of contributions in arrears and of Member States that had their voting rights deemed suspended as at 19 September 2016. This working paper also deals with the impact of delays in receipt of contributions, measures in dealing with contributions in arrears and the incentive scheme for settlement of arrears.

The list of States that are in arrears is in Appendix A; States that have entered into agreements to settle their outstanding assessments over a period of years are listed in Appendix B; States that have their voting rights deemed suspended are in Appendix C; and the draft Resolution for adoption by the Assembly is in Appendix D.

**Action:** Pursuant to Assembly Resolution A38-24 the Assembly is invited to:

- a) note the progress made in the collection of long outstanding arrears; and
- b) adopt the draft Resolution in Appendix D.

<i>Strategic Objectives:</i>	This working paper relates Supporting Implementation Strategy – Budget and Financial Management.
<i>Financial implications:</i>	The delay in the receipt of contributions impacts the cash resources of the Organization and could impact programme delivery.
<i>References:</i>	A38-WP/43 Doc 10022, <i>Assembly Resolutions in Force (as of 4 October 2013)</i> Doc 7515, <i>The ICAO Financial Regulations</i> Doc 7300, <i>Convention on International Civil Aviation</i> , signed at Chicago on 7 December 1944 and amended by the ICAO Assembly

## 1. INTRODUCTION

1.1 Article 62 of the *Convention on International Civil Aviation* (Chicago, 1944) stipulates that the Assembly may suspend the voting rights in the Assembly and in the Council of any Member State that fails to discharge, within a reasonable period, its financial obligations to the Organization. Assembly Resolution A38-24 contains resolving clauses that, *inter alia*, require Member States to recognize the necessity to pay their contributions in the year in which they fall due, set out the conditions and terms under which Member States may enter into agreements to liquidate long-outstanding arrears, and make reference to the application of the provisions of Article 62 of the Convention relating to the suspension of voting rights. Assembly Resolution A38-24 also directs the Council to further intensify the current policy of inviting States in arrears to make settlement proposals in accordance with the provisions of the Assembly.

1.2 Assembly Resolution A38-25 describes the incentives for the settlement of long outstanding arrears. In addition, Assembly Resolution A38-25, *inter alia*, requests the Council to closely monitor the question of outstanding contributions, the effect of the incentive schemes on payment of arrears by States, and to report to the next ordinary session of the Assembly on the results of their efforts, including other measures to be considered. This paper addresses these requirements.

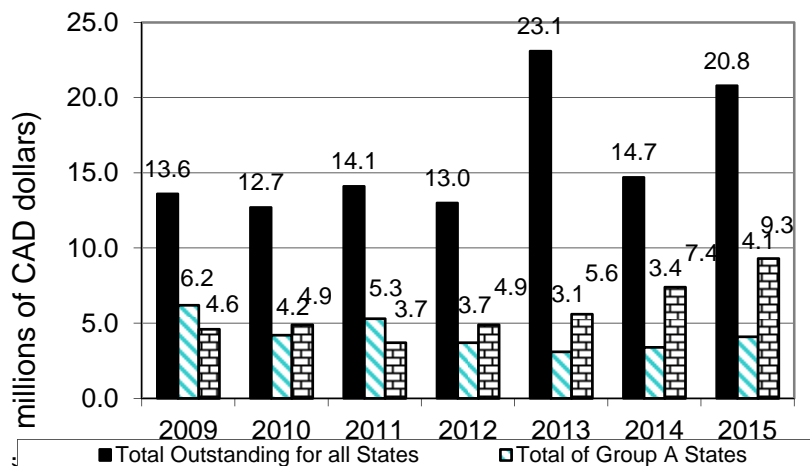
## 2. STATUS OF CONTRIBUTIONS IN ARREARS

### 2.1 Status of Contributions in Arrears since 2009

2.1.1 Figure 1 below shows the comparative position of total outstanding assessments as at 31 December for the years 2009 to 2015. The figure also shows separately the arrears for Group A and Group B States (please refer to the definition in paragraph 2.2).

2.1.2 The total outstanding assessments for all States increased from CAD 13.6 million as at 31 December 2009 to CAD 20.8 million as at 31 December 2015. The increase of CAD 7.2 million is attributed, in part, to the increase in Assessments to Member States of CAD 19.6 million, from CAD 74.1 million assessed in 2009 to CAD 93.7 million assessed in 2015. In addition, due to the decreasing value of the Canadian dollar, the amount of CAD 20.8 million at 31 December 2015 includes an increase of CAD 2.9 million due to the revaluation of the outstanding assessments in United States dollars. The percentage of receipts of contributions for 2009 in relation to the amount assessed was 96.8 per cent; for the year 2015 the percentage was 93.6.

**FIGURE 1**  
**ASSESSMENTS RECEIVABLE FROM MEMBER STATES**  
**AS AT 31 DECEMBER**



## 2.2 **Status of Contributions in Arrears as at 19 September 2016**

2.2.1 The total contributions in arrears as at 19 September 2016 was CAD 12.5 million of which CAD 10.4 million was for arrears in respect of 2014 and prior years and CAD 2.1 million was related to arrears for 2015. Appendix A contains a schedule of unpaid contributions as at 19 September 2016 for all financial years presented in the following four groups:

**Group A** - States that have concluded agreements with the Council to liquidate their arrears over a period of years in accordance with Assembly Resolution A38-24, Resolving Clauses 3 and 4. (10 States);

**Group B** - States with contributions in arrears equivalent to the assessments of the three preceding years or more and which have not concluded agreements with the Council to liquidate their arrears. (13 States);

**Group C** - States with contributions in arrears for more than one year, but less than three full years. ( 12 States); and

**Group D** - States with contributions outstanding only for the year 2015 ( 6 States).

2.2.2 In accordance with their agreements, Group A States are required to pay the current year assessment and an agreed annual instalment to liquidate long-outstanding prior years' arrears of assessments. Appendix B shows the status of assessments and instalments outstanding for prior years in respect of Group A States as at 19 September 2016.

## 2.3 **Impact of Delays in Receipt of Contributions**

2.3.1 Delays in the payment of contributions by Member States against the current year assessments and arrears, which continue to be a matter of concern, have an adverse impact on the cash position of the Organization and the possible delay in the implementation of the work programmes. Member States have an obligation to ensure that the Organization continues to operate effectively. In previous triennia, accumulated cash surplus covered shortfall in receipt of the current year's dues. However, the Organization is currently in a cash deficit situation and the accumulation of contributions in arrears created serious cash flow difficulties at certain times.

## 3. **MEASURES IN DEALING WITH CONTRIBUTIONS IN ARREARS**

### 3.1 **Advising States of Balances Outstanding**

3.1.1 The Organization follows up on the collection of assessments in accordance with Resolving Clause 2 of Assembly Resolution A38-24, Financial Regulations 6.4 and 6.5, and Financial Rule 106.4. For practical reasons, the State letters have been issued in May (reflecting status at April) upon completion of the External Audit, in August (for status at July) and November (for status at October, as well as to inform of the assessment for the following year). In addition, the status of contributions is published on the ICAO web site, with access restricted to Member States. To further enhance the frequency and timeliness of the information available to Member States a new process of providing electronic monthly statements of account to Member States was instituted in November 2015.

3.1.2 The President of the Council and the Secretary General make every possible effort, not only by means of letters to States, but also through personal contacts during their visits to Member States and when meeting with delegations at ICAO Headquarters, to urge settlement of outstanding contributions. The Regional Offices are also provided periodic updates on the status of outstanding contributions and are requested to communicate this status through their regional contacts.

### **3.2 Suspension of Voting Rights under Assembly Resolution A38-24**

3.2.1 The power to suspend voting rights is provided under Article 62 of the Convention. In accordance with Clause 6 of Assembly Resolution A38-24, the voting rights in the Assembly are suspended for States that have failed to discharge their financial obligations to the Organization equivalent to the preceding three years' assessments or more, and which have not concluded an agreement or have not complied with the terms of the agreement. In accordance with Resolving Clause 7 of Assembly Resolution A38-24 the voting rights in the Council are suspended for the Council Member States that have annual assessed contributions or part thereof in arrears for longer than 18 months. Both Clauses 6 and 7 have been applied by the Secretariat through a close monitoring of unpaid assessments.

3.2.2 The Financial Regulations require payment of contributions and advances by the first day of the financial year to which they relate or thirty days from receipt of the notification from the Secretary General concerning assessments, whichever is the later. As of 1 January of the following financial year, any unpaid balance of such contributions, payments under terms of agreements for settlement of arrears, and advances to the Working Capital Fund shall be considered to be one year in arrears. Appendix C presents the arrears of the 15 Member States that fall within Article 62 of the Convention, relating to the suspension of voting rights, as at 19 September 2016.

3.2.3 It should be noted that some States delay paying their obligations until immediately prior to the Assembly, and pay only the minimum amount required to reinstate their voting rights. For States with agreements, the minimum amount needed to reinstate voting rights comprises the assessments and instalments due in accordance with their agreement.

3.2.4 Resolving Clause 6 of Assembly Resolution A38-24 provides that suspension of voting rights will be immediately revoked upon either the payment in full of contributions that are in arrears for at least three years or the conclusion with the Council of an agreement to liquidate arrears over a period of time and compliance with the terms of the agreement. Therefore, Group B States would be required to bring the balance of arrears outstanding below the level of three preceding years' assessments. Group A States would be required to comply with the terms of their agreement irrespective of the amount of arrears outstanding. Resolving Clause 7 of the Assembly Resolution, provides that suspension of voting rights in the Council will be immediately revoked upon payment in full of contributions that are in arrears for 18 months.

3.2.5 The additional measures needed to encourage Member States to pay their contributions when due were approved in previous triennia in Clause 10 of Assembly Resolution A38-24, for application to the Member States whose voting rights have been suspended under Article 62 of the Convention. These measures continue to be applied by the Secretary General and monitored by the Council.

3.2.6 In accordance with Clause 11 of Assembly Resolution A38-24 only those States that have no outstanding annual assessed contributions except for the current year's assessment be eligible for election to the Council, Committees and bodies.

### **3.3 Special Arrangements for payment of arrears**

3.3.1 Resolving Clause 4 of Assembly Resolution A38-24 sets out the pre-conditions for entering into an agreement for repayment of arrears. Since the approval of this C-WP by the Council, one new State, has submitted a proposal to negotiate an agreement which has been approved by the Council. A second State has also submitted a similar proposal which is pending the Council's approval. With the Council's approval the State's voting rights will be restored and Appendix C will be updated.

3.3.2 In order to discourage the practice by some States of only making a token payment during the Assembly to enter into agreement and restore their voting rights, Clause 4 a) of Assembly Resolution A38-24 requires a minimum payment which includes amounts owing to the Working Capital

Fund, the current year contributions in Canadian and United States dollars and a partial settlement of their arrears in the amount of five per cent of the arrears.

### 3.4 **Incentive Scheme for the Settlement of Long-outstanding Arrears**

3.4.1 The 32nd Session of the Assembly approved Assembly Resolution A32-27, creating the Incentive Scheme for the Settlement of Long-outstanding Arrears and a related special account. Its continuation was confirmed by Assembly Resolution A38-25 in Resolving Clause 3. The amounts and movements in the special account are reported separately.

3.4.2 Noting that States' Assessment cannot be spent twice, the transfer of the arrears of contributions to a separate account in accordance with Assembly Resolution A38-25 is conditional upon there being an unspent cash surplus at the time of transfer. No transfer of funds to this separate account has been made in this triennium due to the negative cash surplus of the Organization.

3.4.3 Therefore, it is proposed to have a periodic review of the incentive scheme throughout the triennium and monitor the status to ensure proper action is taken in the event that the Organization is no longer in a negative cash surplus situation.

## 4. **CONCLUSION**

4.1 The progress made in the collection of long outstanding arrears since the last Assembly Session continues at a gradual pace. It is essential that we continue to pursue the States with arrears and encourage them to settle their dues in accordance with the ICAO Financial Regulations. States are urged to conclude agreements for the repayment of their arrears in instalments as indicated in Assembly Resolution A38-24 Clause 4. During the previous Assembly Session, fourteen States had agreements to settle their arrears with ICAO. Currently there are ten States with agreements to settle their arrears. Two States have settled their agreements in full and two States have had their agreements expire without complying to the terms of the agreements and have moved to Group B. There remains one State with repayment terms of more than twenty years while all other agreements have repayment terms of twenty years or less.

4.2 It is proposed to continue to monitor the long outstanding arrears and to apply the measures adopted by the Assembly during the next triennium, and to report on the financial aspects of the question of contribution in arrears at the next ordinary session of the Assembly.

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**APPENDIX A**  
**STATUS OF CONTRIBUTIONS IN ARREARS FOR THE FINANCIAL YEARS 1988-2015**  
**AS AT 19 SEPTEMBER 2016**  
(in Canadian dollars)

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Appendix A

Member States	2015	2014	2013	2012	2011	2010	2009-1988	Years	Working Capital Fund	Total Amount Outstanding
<b>Group A</b>										
Cambodia							89 117	(2000-1998)		89 117
Cook Islands							28 093	(1998)		28 093
Gambia	58 959	57 657	45 235				136 353	(2002-1996)	1 567	299 771
Georgia							172 763	(2005-2001)		172 763
Guinea							133 568	(1997-1994)		133 568
Iraq							473 747	(2009-1999)		473 747
Kyrgyzstan	58 959	57 657	58 012				61 389	(2000-1999)	1 567	237 584
Liberia							183 157	(2003-1993)		183 157
Sao Tome and Principe	58 959	57 657	58 012	55 143	53 678	49 312	600 280	(2009-1989)	1 567	934 609
Sierra Leone							200 110	(2003-1993)		200 110
<b>Total Group A</b>	<b>176 878</b>	<b>172 972</b>	<b>161 258</b>	<b>55 143</b>	<b>53 678</b>	<b>49 312</b>	<b>2 078 576</b>		<b>4 701</b>	<b>2 752 519</b>
<b>Group B</b>										
Antigua and Barbuda	58 959	57 657	58 012	55 143	53 678	49 312	800 700	(2009-1989)	2 848	1 136 310
Djibouti	58 959	57 657	58 012	55 143	53 678	49 312	703 190	(2009-1990)		1 035 952
Grenada	58 959	57 657	58 012	55 143	53 678	49 312	198 825	(2009-1996)		531 587
Kiribati	58 959	57 657	58 012	55 143	47 828	5 129				282 728
Malawi	58 959	57 657	58 012	55 143	53 678	49 312	402 531	(2009-1996)	1 567	736 860
Marshall Islands	58 959	57 657	58 012	55 143	34 203					263 974
Micronesia, Federated States of	58 959	57 657	58 012	53 407						228 035
Nauru	58 959	57 657	58 012	55 143	53 678	49 312	614 009	(2009-1995)	1 567	948 338
Palau	58 959	57 657	58 012	55 143	53 678	49 312	66 158	(2009-2008)		398 920
Saint Vincent and the Grenadines	58 959	57 657	58 012	55 143	897					230 668
Suriname	58 959	57 657	58 012	55 143	53 678	49 312			1 567	334 329
Syrian Arab Republic	58 959	57 657	58 012	55 143	53 678	49 312	48 914	(2009-2008)	1 567	383 243
Turkmenistan	58 959	57 657	58 012	55 143	53 678	14 990			1 567	300 007
<b>Total Group B</b>	<b>766 471</b>	<b>749 546</b>	<b>754 150</b>	<b>715 123</b>	<b>566 034</b>	<b>414 617</b>	<b>2 834 327</b>		<b>10 683</b>	<b>6 810 950</b>
<b>Group C</b>										
Afghanistan	58 959	57 657	52 471						1 567	170 655
Burundi	58 959	52 324								111 284
Democratic Republic of the Congo	58 959	41 166								100 125
Eritrea	58 959	57 657	32 700							149 317
Ethiopia	137 572	34 101								171 673
Guatemala	58 959	57 657							1 567	118 184
Haiti	58 959	57 657							1 567	118 184
Iran, Islamic Republic of	294 796	288 288	182 381							765 465
Libya	117 919	14 975								132 894
Papua New Guinea	58 959	57 657							1 567	118 184
South Sudan	58 959	57 657	41 702						1 567	159 886
Yemen	58 959	284								59 243
<b>Total Group C</b>	<b>1 080 920</b>	<b>777 082</b>	<b>309 254</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>7 835</b>	<b>2 175 092</b>
<b>Group D</b>										
Angola	21 525									21 525
Barbados	8 511									8 511
Bhutan	607									607
Jordan	7 453									7 453
Namibia	8 435									8 435
Pakistan	30 464									30 464
<b>Total Group D</b>	<b>76 995</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>-</b>	<b>76 995</b>
The former Socialist Federal Republic of Yugoslavia*							667 212			667 212
<b>Grand Total</b>	<b>2 101 264</b>	<b>1 699 600</b>	<b>1 224 662</b>	<b>770 266</b>	<b>619 712</b>	<b>463 930</b>	<b>5 580 115</b>		<b>23 219</b>	<b>12 482 767</b>

\* The devolution of the amount owing by the former Socialist Federal Republic of Yugoslavia is to be ascertained.

\*\* Details may not add to totals due to rounding.

**APPENDIX B**

CONTRIBUTIONS AND INSTALMENTS PAYABLE FOR PRIOR YEARS  
UNDER AGREEMENTS FOR SETTLEMENT OF ARREARS  
AS AT 19 SEPTEMBER 2016

(in Canadian dollars)

Contracting States	Year of Agreement	Due in 2015		Due in 2014		Due in 2013		Total Currently Overdue	Total Prior Years Overdue	Due in 2016 and Future Years	Total Due
		Assessment	Instalment	Assessment	Instalment	Assessment	Instalment				
CAMBODIA	2001									89 117	89 117
COOK ISLANDS	1999									28 093	28 093
GAMBIA	2003	58 959	27 294	59 224	27 177	45 235		217 889		81 882	299 771
GEORGIA	2006									172 763	172 763
GUINEA	2006									133 568	133 568
IRAQ	2010									473 747	473 747
KYRGYZSTAN	2001	58 959		59 224		58 012		176 195		61 389	237 584
LIBERIA	2006									183 157	183 157
SAO TOME AND PRINCIP	2000	58 959	21 319	59 224	21 319	58 012	21 320	240 161	609 172	85 276	934 609
SIERRA LEONE	2006									200 110	200 110
<b>TOTAL</b>		<b>176 877</b>	<b>48 613</b>	<b>177 672</b>	<b>48 496</b>	<b>161 259</b>	<b>21 320</b>	<b>634 245</b>	<b>609 172</b>	<b>1 509 102</b>	<b>2 752 519</b>

NOTE: The amount due each year includes the current year's assessment plus an agreed instalment.

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## APPENDIX C

## ARREARS OF CONTRACTING STATES THAT HAVE THEIR VOTING RIGHTS DEEMED SUSPENDED AS AT 19 SEPTEMBER 2016

(in Canadian dollars and United States dollars)

Group	State	CAD				Total CAD	USD				Total USD	CAD Requested*	USD Requested*
		2015	2014	2013	Over 3 Yrs		2015	2014	2013	Over 3 Yrs			
A	Gambia	33 888	33 115	34 736		101 739	19 197	19 992	8 039	104 405	151 633	101 739	88 936
	Kyrgyzstan	33 888	33 115	34 736		101 739	19 197	19 992	17 822	47 005	104 016	101 739	57 011
	Sao Tome and Principe	33 888	33 115	34 736	187 974	289 713	19 197	19 992	17 822	436 784	493 795	289 713	428 499
B	Antigua and Barbuda	33 888	33 115	34 736	187 974	289 713	19 197	19 992	17 822	591 226	648 237	187 975	592 427
	Djibouti	33 888	33 115	34 736	187 974	289 713	19 197	18 792	17 822	574 230	630 041	187 975	515 583
	Grenada	33 888	33 115	34 736	187 974	289 713	19 197	18 792	17 822	169 785	225 596	187 975	129 392
	Malawi	33 888	33 115	34 736	187 974	289 713	19 197	19 992	17 822	285 368	342 379	187 975	286 569
	Marshall Islands	33 888	33 115	34 736	64 706	166 445	19 197	18 792	17 822	18 867	74 678	64 707	18 868
	Micronesia, Federated States of	33 888	33 115	34 736	32 779	134 518	19 197	18 792	17 822	15 795	71 606	32 780	15 796
	Nauru	33 888	33 115	34 736	187 974	289 713	19 197	19 992	17 822	447 296	504 307	187 975	448 497
	Palau	33 888	33 115	34 736	165 186	266 925	19 197	18 792	17 822	45 257	101 068	165 187	45 258
	Saint Vincent and the Grenadines	33 888	33 115	34 736	33 676	135 415	19 197	18 792	17 822	17 124	72 935	33 677	17 125
	Suriname	33 888	33 115	34 736	99 028	200 767	19 197	19 992	17 822	45 257	102 268	99 029	46 458
	Syrian Arab Republic	33 888	33 115	34 736	147 942	249 681	19 197	19 992	17 822	45 257	102 268	147 943	46 458
Turkmenistan	33 888	33 115	34 736	64 706	166 445	19 197	19 992	17 822	45 257	102 268	64 707	46 458	
Total Outstanding		508 320	496 725	521 040	1 735 867	3 261 952	287 955	292 680	257 547	2 888 913	3 727 095	2 041 096	2 783 335

Group A: States that have concluded agreements with the Council to liquidate their arrears over a number of years, but are not in compliance with the terms of the agreement

Group B: States with contributions in arrears for three full years or more which have not concluded agreements with the Council to liquidate their arrears.

\*Minimum payment necessary in both currencies to restore voting rights.

## APPENDIX D

### DRAFT ASSEMBLY RESOLUTION FOR ADOPTION BY THE 39TH SESSION OF THE ASSEMBLY (to supersede A38-24)

#### **Resolution 10/1: Discharge by Member States of financial obligations to the Organization and action to be taken in case of their failure to do so**

*Whereas* Article 62 of the *Convention on International Civil Aviation* provides that the Assembly may suspend the voting power in the Assembly and in the Council of any Member State that fails to discharge, within a reasonable period, its financial obligations to the Organization;

*The Assembly:*

*Considering* that Article 6.5 a) of the *ICAO Financial Regulations* provides that contributions from Member States shall be considered due and payable in full as of the first day of the financial year to which they relate and Article 6.5 b) which stipulates that as of 1 January of the following financial year, any unpaid balance due shall be considered to be one year in arrears;

*Noting* that the delays in payment of current year contributions have constituted an obstacle to the implementation of the work programme and created serious cash flow difficulties;

*Urges* that all Member States in arrears make suitable arrangements for liquidating their arrears;  
and

*Urges* all Member States and, in particular, the States elected to the Council, to take all necessary measures to pay their contributions on time;

*Resolves that, with effect from 1 January 2017:*

1. all Member States should recognize the necessity to pay their contributions at the beginning of the year in which they fall due, in order to avoid the need for the Organization to draw on the Working Capital Fund to make good the shortfall;
2. the Secretary General be directed to dispatch to all Member States, at least three times in the year, schedules showing the current amounts due for the current year and up to 31 December of the previous year;
3. the Council be authorized to discuss and conclude arrangements with Member States, whose contributions are in arrears for three or more years, for the settlement of accumulated arrears to the Organization, any such settlements or arrangements to be reported to the next session of the Assembly;

4. all Member States that are three years or more in arrears in the payment of their contributions should:

- a) effect without delay payment of the amounts outstanding with respect to advances to the Working Capital Fund, the current year contribution, and partial settlement of their arrears in the amount of 5 per cent of the arrears; and
- b) conclude within six months of the date of the payment referred to in sub-paragraph a) above, if they have not already done so, an agreement with the Organization for the settlement of the balance of their arrears, such agreement to provide for the payment annually, in full, of their current contributions and the balance of the arrears in instalments over a period of no more than ten years, which period may, at the discretion of the Council, be extended, to a maximum of twenty years in respect of special cases, i.e. those Member States which are classified by the United Nations as Least Developed Countries;

5. the Council should further intensify the current policy of inviting Member States in arrears to make settlement proposals for the liquidation of long-outstanding arrears of contributions in accordance with the provisions of Resolving Clause 4 above, taking full account of the economic position of the States concerned including the possibility of accepting other currencies in accordance with the provisions of Article 6.6 of the Financial Regulations, to the extent that the Secretary General can use these currencies;

6. the voting power in the Assembly be suspended for those Member States in arrears for an amount equal to or in excess of the total assessments for the three preceding financial years and of those Member States not in compliance with agreements entered into in accordance with Resolving Clause 4 b) above, such suspension to be revoked immediately upon the settlement of outstanding amounts due and amounts due under agreements; and

7. the voting power in the Council be suspended for those Council Member States that have annual assessed contributions or part thereof, in arrears for longer than 18 months, such suspension to be revoked immediately upon the settlement of outstanding amounts due; and

8. the voting power of a Member State suspended under Resolving Clause 6 may also be restored by action of the Assembly or the Council provided:

- a) it has already concluded with the Council an agreement that provides for the settlement of its outstanding obligations and for the payment of current contributions and has complied with the terms of that agreement; or
- b) the Assembly is satisfied that the State's willingness to reach an equitable settlement of its financial obligations to the Organization has been demonstrated;

9. any State whose voting power has been suspended by the Assembly under Article 62 of the Convention may have it restored by the Council under the conditions stipulated in Resolving Clause 8 a) above, provided that a willingness on its part to reach an equitable settlement of its financial obligations to the Organization has been demonstrated;

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10. the following additional measures be applied to those Member States whose voting rights have been suspended under Article 62 of the Convention:

- a) lose eligibility to host meetings, conferences, workshops and seminars which are funded, in whole or in part, by the Regular Programme;
- b) receive only the same free documentation as that provided to non-Member States, including those available in electronic media, and any other documents that are essential for safety, regularity or efficiency of international air navigation;
- c) Nominees or Representatives lose eligibility to be voted into any office;
- d) for purposes of recruitment to posts in the Secretariat, if all other circumstances are equal, candidates from States in arrears would be considered as having the status of candidates from a State that has already achieved the desired level of representation (under equal geographical representation principles), even if it has not achieved that level; and
- e) lose the right to participate in the ICAO Familiarization course;

11. only those States which have no outstanding annual assessed contributions except for the current year's assessment will be eligible for election to the Council, Committees, and bodies;

12. the Secretary General be directed to report to Council any voting rights deemed to be suspended and suspension revoked under Clauses 6 and 7, as well as any non-eligibility for election to the Council, Committees and bodies under Clause 11, and to apply measures stipulated in Clause 10 accordingly; and

13. this Resolution supersedes Assembly Resolution A38-24.

- END -