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ASSEMBLY — 39TH SESSION
EXECUTIVE COMMITTEE

DRAFT TEXT FOR THE REPORT
ON
AGENDA ITEMS 20 AND 21

The attached material on Agenda Items 20 and 21 (Section on General Provisions, Noise and Local Air Quality) is submitted for consideration by the Executive Committee.

Agenda Item 20: Environmental Protection – Aircraft Noise – Policy, Standardization and Implementation Support

20.1 At its second meeting, the Executive Committee considered the subject of environmental protection on the basis of progress reports by the Council on the Organization's technical work on aircraft noise, engine emissions and climate change (WPs 28, 51 and 55 and Corrigendum No. 1). Based on these progress reports, the Executive Committee considered the Council's proposals that update Resolution A38-17, *Consolidated Statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality* (WP/48 and Corrigendum No. 1). In addition, there were 11 papers submitted by States and Observers: WPs 91, 152, 156, 170, 210 (Revision No. 1), 223, 225, 250 (Revision No. 1), 429, 430 and 447.

20.2 GENERAL PROVISIONS, NOISE AND LOCAL AIR QUALITY

20.2.1 The Council submitted a report (WP/51) on progress made by ICAO since the 38th Session of the Assembly on issues related to civil aviation and the environment, including Secretariat activities, work conducted by CAEP and cooperation with other organizations. The paper provided details on the CAEP/10 agreement on a proposed new Annex 16, Volume III Aeroplane CO₂ certification Standard and a proposed new Annex 16, Volume II non-volatile Particulate Matter (nvPM) Standard for aircraft engines. WP/51 also included details on the updated Doc 9184, *Airport Planning Manual, Part 2, Land-use and Environmental Control*, a new Circular on community engagement for aviation environmental management, and an overview of the analysis of environmental benefits from the implementation of the Aviation System Block Upgrade (ASBU) Block 0. The paper contained the latest developments on ICAO work on aircraft noise, including the continued work on the development of a new supersonic noise Standard for future aircraft. Details were provided on the intense cooperation with the United Nations Framework Convention on Climate Change (UNFCCC), the International Maritime Organization (IMO), the United Nations Environment Programme (UNEP) and participation in the Sustainable Development Goals (SDGs) development process. It was highlighted that the Council agreed with all recommendations from the CAEP/10 meeting, and States were being consulted on the proposed amendments to Annex 16, Volumes I and II, and the new first edition of Volume III.

20.2.2 The Committee recognized the important progress made by ICAO in addressing the impact of noise, local air quality and global emissions, and emphasized the importance of this technical work.

20.2.3 As requested by the 38th Session of the Assembly, the Council submitted WP/55 and Corrigendum No. 1, which reports on the environmental trends assessment undertaken by CAEP for the present and future impact of aircraft noise and aircraft engine emissions. By 2040, it is expected that despite an anticipated increase of 4.2 times in international air traffic, fuel consumption is projected to increase by only 2.8 to 3.9 times over the same period. Regarding sustainable alternative fuels, significant uncertainties exist in predicting the contribution of their use in the long-term, however based on the scenarios evaluated by CAEP, it is possible that up to 100 per cent of international aviation jet fuel demand could be met in 2050. In this scenario, based on the analysis assumptions, net CO₂ emissions could be reduced by 63 per cent. The future development of alternative fuels will highly depend on the policies and incentives in place for such fuels, and also the ecological and economical effectiveness of their use. CAEP also updated trends for emissions that affect local air quality and aircraft noise. In all cases, the trends show that aircraft engine emissions and aircraft noise, are expected to continue to grow

in the future, but at a rate slower than the growth in traffic. In the case of aircraft noise, by 2030, aircraft noise may no longer grow with an increase in traffic, under an optimistic technology and operational improvement scenario.

20.2.4 The Committee recognized that it is important to have a single, robust information basis for sound discussion and decision-making. The Committee recommended that the environmental trends be endorsed as the basis for decision-making on environmental matters, and that the next Assembly be updated thereon. The Committee also urged States to submit data to support the Assembly request of reporting on aviation emissions.

20.2.5 The Committee also considered WP/28, which reported on activities related to the ICAO Technical Assistance Programme, covering all Strategic Objectives of ICAO including environmental protection. Information on environment-related assistance and capacity-building initiatives, such as the ICAO's partnerships with European Union as well as with United Nations Development Programme (UNDP) and Global Environment Facility (GEF), was included in the paper.

20.2.6 In WP/48 and Corrigendum No. 1, the Council submitted a proposal for the revision of Assembly Resolution A38-17, *Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality*, in light of developments since the 38th Session of the Assembly. The revisions arise mainly from the activities of the Secretariat and work conducted by CAEP.

20.2.7 In WP/91 presented by Switzerland, Slovakia on behalf of the European Union (EU) and its Member States and the other Member States of the European Civil Aviation Conference (ECAC), emphasized that Europe has adopted a comprehensive approach to mitigating the environmental impacts of international aviation, and strongly supports the on-going efforts within ICAO as part of this approach. The paper recognized and supported the important work undertaken by CAEP and the necessity for CAEP to operate a free, inclusive and transparent way. The paper highlighted the importance of prioritizing the implementation of the CAEP/10 recommended standards on aeroplane CO₂ emissions and aircraft engine nvPM mass concentration, as well as the further development of the nvPM mass and number standard.

20.2.8 In WP/225, Guatemala on behalf the Member States of the Latin American Civil Aviation Commission (LACAC), presented information of the developments concerning the environment and civil aviation. This included details on the consolidation of visions and guidelines related to the environment and civil aviation in Latin America from the various civil aviation organizations. The paper invited the assembly to incorporate the Latin American Region's environmental strategies and vision into the documents being prepared by ICAO, and invited the Assembly to require a higher level of representation of LACAC Member States in CAEP.

20.2.9 In WP/170, Canada highlighted the advances in defined performance and functionality of navigation systems that have enabled more efficient aircraft operations resulting in opportunities to both reduce Greenhouse Gas (GHG) emissions and aircraft noise. However, in the vicinity of aerodromes, these improvements usually result in a perceived concentration of noise, due to more aircraft following the same efficient approach profile. The paper encouraged States to contribute data concerning noise impacts in the vicinity of aerodromes, and invited the assembly to direct the Council to develop a pragmatic approach to balancing GHG emissions and noise impacts when implementing PBN procedures.

20.2.10 In WP/250 Revision No. 1, the Republic of Korea related the experience of implementing noise-related charges at its airports, and highlights the lack of standardization of the issue within ICAO Member States. The Republic of Korea considered ICAO current guidelines on noise-related charges to be insufficient and requested that best practices among states be shared on the ICAO webpage, in order to develop enhanced ICAO guidelines in the future. The paper proposed that ICAO review its recommended practices on noise related charges and that ICAO provide Member States with a “Bulletin” board on the official ICAO webpage where Member States can share ideas and polices freely with a view to developing enhanced ICAO guidelines.

20.2.11 In WP/210, Revision No. 1, the United States recognized the progress taken to reduce noise and local air quality impacts through the development of policy and standards, and encouraged States to refrain from setting operational restrictions based on ICAO environmental emissions certification Standards; ICAO Member States were encouraged to follow the Balanced Approach to aircraft noise management. The paper welcomed the CAEP recommendation for the translation of the smoke number certification standard limit line into an engine nvPM emissions Standard, recognizing it as another step towards reducing aviation emissions at the source. The United States encouraged Member States to continue to pursue the development of a more stringent engine nvPM emissions Standard by the CAEP/11 meeting in February 2019, and supported adding nvPM emissions from aircraft engines to CAEP’s technology review and goals setting process.

20.2.12 In WP/152, the International Air Transport Association (IATA) welcomed the adoption by CAEP of recommendations on the first aeroplane CO₂ emissions certification Standard and the first nvPM Standard for aircraft engines. IATA emphasized that ICAO Standards should maintain their original purpose and also urged States to refrain from imposing any operating restrictions or emissions levies based on the CO₂ emissions Standard. On aircraft noise, IATA emphasized the importance of the balanced approach to aircraft noise management and strongly opposed the phase-out of aircraft which comply with Annex 16, Volume I, Chapter 3, as well as supported the request to States not to permit operating restrictions aimed at the withdrawal of aircraft that comply with Annex 16, Chapter 4 and 14.

20.2.13 The Committee acknowledged five working papers (WPs 156, 223, 429, 430, 447) submitted for information purposes. They were not presented to the meeting but are summarized below:

20.2.14 In WP/156, Argentina provided details on their proposal to create a TRANAIR-PLUS course focused on noise abatement procedures for helicopters. The course would be based on the experience gathered by the Argentinian army on operations in the Antarctic, an environmentally protected area, and the benefits of noise abatement procedures for operations in highly populated urban areas. The objective would be to maximize the use of noise abatement procedures by helicopter crews through active practice of such procedures, and would also include the theoretical aspects related to helicopter noise.

20.2.15 In WP/223, Indonesia provided details on the implementation of Annex 16, Volume I certification Standards into their national regulatory framework, by means of a Ministerial decree. It also informed of the ongoing initiative to issue noise certificates for the Indonesian National fleet. So far, 1 119 noise certificates have been issued by the Indonesian Directorate General of Civil Aviation.

20.2.16 In WP/429, the Airports Council International (ACI) provided information on its active collaboration with other entities in the aviation industry and with ICAO related to environmental protection, as contained in the Resolutions agreed by the ACI World General Assembly (WAGA) in September 2016. In addition, it showcased ACI projects to assist member airports to effectively address

the environmental impacts of activities, including, Airport Carbon Accreditation, the Airport Carbon and Emissions Reporting Tool (ACERT), and the use of sustainable renewable energy at airports.

20.2.17 In WP/430, the Republic of Korea based on the guidance in ICAO Doc 9829, Guidance on the Balanced Approach to Aircraft Noise Management, reported that it is currently implementing policies on the reduction of noise at source, land-use planning and management, noise abatement operational procedures and operating restrictions on aircraft. The Republic of Korea has designated six regional airports as those that require reduction of noise at source and need government monitoring, and three of these are implementing noise abatement operational procedures. The government is assisting communities that are affected by aircraft noise and has set up an institution to deal with Stakeholder consultation. The Republic of Korea would like to hear from ICAO Member States on ideas or advice on noise management.

20.2.18 In WP/447, the International Transport Workers' Federation (ITF) presented details on new research on air pollution in airports, pollution sources, employee exposure to ultrafine particles and actions to limit the pollution. The paper suggested incorporating air pollution created by diesel engines into the Consolidated statement of continuing ICAO policies and practices related to environmental protection - General provisions, noise and local air quality. The ITF also offered its expertise and knowledge to the work of ICAO.

20.2.19 The Committee welcomed the progress made by the CAEP/10 meeting, including the agreement on the new Annex 16, Volume III Aeroplane CO₂ certification Standard and a proposed new Annex 16, Volume II non-volatile Particulate Matter (nvPM) Standard. The Committee encouraged the prioritization of the implementation of these Standards, as well as the further development of future nvPM mass and number standards.

20.2.20 The Committee noted the CAEP membership issues raised with regard to increasing the participation of LACAC States, and recommended that as this is related to CAEP administrative issues, it should be addressed by the Council.

20.2.21 Regarding work balancing GHG emissions and noise impacts when implementing PBN procedures, the Committee recognized the interdependency of various environmental impacts is one of key consideration principles in the work of CAEP, and that CAEP should be encouraged to continue this work with more contribution of data from States.

20.2.22 The Committee noted that information on noise-related charges are included in various ICAO Documents (e.g. Doc 7100 – ICAO Policies on Charges and Taxation, Doc 9082 – Policies on Airports and Air Navigation Services, Doc 9184 – Airport Planning Manual), and that the database of noise-related charges is also accessible from the ICAO Environment website. The Committee recommended that the proposal to review ICAO's recommended practices for noise-related charges should be brought to CAEP for its consideration.

20.2.23 The Committee recommended that the Assembly reaffirm its commitment to the Balanced Approach, recognizing that operating restrictions should not be applied as a first resort and only after consideration of each of the other elements. While recognizing this, some States highlighted the usefulness of some level of operational restrictions under specific local circumstances. It was also noted that some operating restrictions may divert noise problems from one State to another.

20.2.24 The Committee agreed to recommend that the Assembly adopt the following Resolution:

Resolution 20/1: Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality

Whereas in Resolution A38-17 the Assembly resolved to continue to adopt at each ordinary Session a consolidated statement of continuing ICAO policies and practices related to environmental protection;

Whereas Resolution A38-17 consists of an introductory text and a number of Appendices concerning specific but interrelated subjects; and

Considering the need to reflect developments that have taken place since the 38th Session of the Assembly in the field of aircraft noise and engine emissions;

The Assembly:

1. *Resolves* that the Appendices attached to this Resolution and listed below, together with A39-XY: *Consolidated statement of continuing ICAO policies and practices related to environmental protection - Climate change* and A39-XZ: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) Scheme*, constitute the consolidated statement of continuing ICAO policies and practices related to environmental protection, as these policies exist at the close of the 39th Session of the Assembly:

Appendix A — General

Appendix B — Development of Standards, Recommended Practices and Procedures and/or guidance material relating to the quality of the environment

Appendix C — Policies and programmes based on a “balanced approach” to aircraft noise management

Appendix D — Phase-out of subsonic jet aircraft which exceed the noise levels in Volume I of Annex 16

Appendix E — Local noise-related operating restrictions at airports

Appendix F — Land-use planning and management

Appendix G — Supersonic aircraft — The problem of sonic boom

Appendix H — Aviation impact on local air quality

2. *Requests* the Council to submit the ICAO policies and practices related to environmental protection for review at each ordinary session of the Assembly; and

3. *Declares* that this resolution, together with A39-XY *Consolidated statement of continuing ICAO policies and practices related to environmental protection — Climate change*, and A39-ZZ: *Consolidated*

statement of continuing ICAO policies and practices related to environmental protection – Global Market-based Measure (MBM) Scheme, supersede Resolutions A38-17 and A38-18.

APPENDIX A

General

Whereas the preamble to the *Convention on International Civil Aviation* states that “the future development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world . . .” and Article 44 of that Convention states that ICAO should “develop the principles and techniques of international air navigation and . . . foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport”;

Whereas many of the adverse environmental effects of civil aviation activity can be reduced by the application of comprehensive measures embracing technological improvements, more efficient air traffic management and operational procedures, aircraft recycling, the use of clean, renewable and sustainable energy sources, the appropriate use of airport planning, land-use planning and management, and market-based measures;

Whereas all ICAO Member States agreed to continue to pursue all aviation matters related to the environment and also maintain the initiative in developing policy guidance on these matters, and not leave such initiatives to other organizations;

Whereas other international organizations are emphasizing the importance of environmental policies affecting air transport;

Whereas the sustainable growth of aviation is important for future economic growth and development, trade and commerce, cultural exchange and understanding among peoples and nations; therefore prompt action must be taken to ensure that it is compatible with the quality of the environment and develops in ways that alleviate adverse impacts;

Recognizing that the work of the Organization on the environment contributes to ten of 17 United Nations Sustainable Development Goals (SDGs);

Whereas reliable and best available information on the environmental effects of aviation is essential for the development of policy by ICAO and its Member States;

Acknowledging that substantial progress has been achieved in addressing the effects of aviation on the environment, and that aircraft produced today, are 80 per cent more fuel efficient and 75 per cent quieter than they were in the 1960s;

Whereas as far as there are recognized interdependencies of the environmental effects from aviation, such as noise and engine emissions, they need to be considered when defining source control and operational mitigation policies;

Whereas airspace management and design can play a role in addressing the impacts of aviation greenhouse gas emissions on the global climate, and the related economic and institutional issues need to be addressed by States, either individually or collectively on a regional basis;

Whereas cooperation with other international organizations is important to progress the understanding of

aviation's impacts on the environment and in order to develop the appropriate policies to address these impacts; and

Recognizing the importance of research and development in fuel efficiency and alternative fuels for aviation that will enable international air transport operations with a lower environmental impact, both in terms of local air quality and the global climate;

The Assembly:

1. *Declares* that ICAO, as the lead United Nations (UN) Agency in matters involving international civil aviation, is conscious of and will continue to address the adverse environmental impacts that may be related to civil aviation activity and acknowledges its responsibility and that of its Member States to achieve maximum compatibility between the safe and orderly development of civil aviation and the quality of the environment. In carrying out its responsibilities, ICAO and its Member States will strive to:

- a) limit or reduce the number of people affected by significant aircraft noise;
- b) limit or reduce the impact of aviation emissions on local air quality; and
- c) limit or reduce the impact of aviation greenhouse gas emissions on the global climate;

2. *Emphasizes* the importance of ICAO continuing to demonstrate its leadership role on all international civil aviation matters related to the environment and *requests* the Council to maintain the initiative in developing policy guidance on these matters, which recognizes the seriousness of the challenges which the sector faces;

3. *Requests* the Council to continue to assess regularly the present and future impact of aircraft noise and aircraft engine emissions and to continue to develop tools for this purpose;

4. *Requests* the Council to maintain and update knowledge of the interdependencies and trade-offs related to measures to mitigate the impact of aviation on the environment so as to optimize decision-making;

5. *Requests* the Council to establish a set of aviation environmental indicators which States could use to evaluate the performance of aviation operations and the effectiveness of standards, policies and measures to mitigate aviation's impacts on the environment;

6. *Requests* the Council to disseminate information on the present and future impact and trends of aircraft noise, aircraft fuel consumption, aviation system fuel efficiency, and aircraft engine Particulate Matter (PM) and Oxides of Nitrogen (NOx) emissions, reflecting the work of the Organization, action plans submitted by States, the ICAO Global Air Navigation Plan, ICAO Standards and Recommended Practices, and ICAO policy and guidance material in the environmental field, in an appropriate manner, such as through regular reporting and workshops, including through the coordination with the ICAO Regional Offices;

7. *Invites* States to continue their active support for ICAO's environment-related activities, and urges Member States to support activities not foreseen in the budget by providing a reasonable level of voluntary contributions;

8. *Invites* States and international organizations to provide the necessary scientific information and data to enable ICAO to substantiate its work in this field;

9. *Encourages* the Council to continue to cooperate closely with international organizations and other UN bodies on the understanding of aviation impacts on the environment and on the establishment of policies to address such impacts; and

10. *Urges* States to refrain from environmental measures that would adversely affect the orderly and sustainable development of international civil aviation.

APPENDIX B

Development of Standards, Recommended Practices and Procedures and/or guidance material relating to the quality of the environment

Whereas the problem of aircraft noise in the vicinity of many of the world's airports, which continues to arouse public concern and limit airport infrastructure development, requires appropriate action;

Whereas the scientific community is improving the understanding of uncertainties associated with the environmental impact of aircraft emissions at both the local and global levels, this impact remains a cause of concern and requires appropriate action;

Recognizing that there are interdependencies related to technology, design and operations of aircraft when addressing concerns related to noise, local air quality, and climate change;

Whereas the Council has established a Committee on Aviation Environmental Protection (CAEP) for the purpose of assisting in the further development of Standards, Recommended Practices and Procedures and/or guidance material on aircraft noise and engine emissions;

Whereas the Council has adopted Annex 16, Volume I — *Aircraft Noise*, which comprises noise certification Standards for subsonic aircraft (except short take-off and landing/vertical take-off and landing aeroplanes) and has notified Member States of this action;

Whereas the Council has adopted Annex 16, Volume II — *Aircraft Engine Emissions*, which comprises emissions certification Standards for new aircraft engines and has notified Member States of this action;

Welcoming the recommendation by CAEP on a new standard for non-volatile particulate matter (nvPM) emissions;

Welcoming the recommendation by CAEP on a new global CO₂ emissions certification Standard for aeroplanes that, once adopted, will constitute Annex 16 Volume III - *Aeroplane CO₂ Emissions*;

Recognizing that the CO₂ emissions certification standard is a technical comparison of aviation technologies designed for use in CO₂ emissions certification processes, and was not designed to serve as a basis for operating restrictions or emissions levies;

Whereas ICAO policy guidance on measures to address environmental concerns related to aircraft noise and engine emissions has been developed, amended and published; and

Whereas the Council has adopted medium- and long-term technology goals for reduction of noise and oxides of nitrogen (NO_x), and technology and operational goals for aircraft fuel burn reduction;

The Assembly:

1. *Welcomes* the continuing benefits of the more stringent aircraft noise Standard in Annex 16, Volume I, Chapter 4 that took effect on 1 January 2006;
2. *Welcomes* the adoption by the Council in March 2014 of the new, more stringent Standard for noise to be implemented on or after 31 December 2017 and on or after 31 December 2020 for aircraft less than 55 tonnes Maximum Take-off Mass (MTOM);
3. *Welcomes* the adoption by the Council in March 2014 of the new Standard for noise to be implemented for Tilt-rotors on or after 1 January 2018;
4. *Welcomes* the development of the new aeroplane CO₂ Standard to be implemented on or after 1 January 2020 for new aeroplane types, except those new aeroplane types of less than or equal to 60 tonnes MTOM and with a maximum passenger seating capacity of 19 seats or less, which would have an applicability data of on or after 1 January 2023;
5. *Welcomes* the development of the new aeroplane CO₂ Standard to be implemented on or after 1 January 2023 for in-production aeroplanes with a production cut-off date of 1 January 2028;
6. *Urges States* to recognize that the CO₂ emissions certification Standard was not designed to serve as a basis for operating restrictions or emissions levies;
7. *Welcomes* the development of the new nvPM emissions Standard for all turbofan and turbojet aircraft engines with rated thrust greater than 26.7kN and for which the date of manufacture of the individual engine is on or after 1 January 2020;
8. *Requests* the Council, with the assistance and cooperation of other bodies of the Organization and of other international organizations, to continue with vigour the work related to the development of Standards, Recommended Practices and Procedures and/or guidance material dealing with the impact of aviation on the environment;
9. *Requests* the Council to ensure that CAEP pursues its work programme in the noise and emissions fields expeditiously in order that appropriate solutions can be developed as quickly as possible, and that the necessary resources are made available to do so;
10. *Urges Member States* from regions of the world that are currently under-represented in CAEP to participate in the Committee's work;
11. *Requests* the Council to provide States and International Organizations information on available measures to reduce the impact of aviation operations on the environment so that action can be taken using the appropriate measures;
12. *Urges Member States* to follow, where appropriate, the ICAO provisions developed pursuant to Resolving Clause 8 of this Appendix; and
13. *Requests* the Council to continue the work on developing and employing scenarios for assessing the future environmental impact of aviation emissions and to cooperate with other international organizations in this area.

APPENDIX C

Policies and programmes based on a “balanced approach” to aircraft noise management

Whereas a goal of ICAO is to promote the highest practicable degree of consistency in international civil aviation, including environmental regulations;

Whereas the uncoordinated development of national and regional policies and programmes for the alleviation of aircraft noise could hinder the role of civil aviation in economic development;

Whereas the severity of the aircraft noise problem at many airports has given rise to measures which limit aircraft operations and has provoked vigorous opposition to the expansion of existing airports or construction of new airports;

Whereas ICAO has accepted full responsibility for pursuing a course aimed at achieving maximum compatibility between the safe, economically effective and orderly development of civil aviation and the quality of the environment, and is actively pursuing the concept of a “balanced approach” for the reduction of aircraft noise and guidance on how States might apply such an approach;

Whereas the balanced approach to noise management developed by ICAO consists of identifying the noise problem at an airport and then analysing the various measures available to reduce noise through the exploration of four principal elements, namely reduction at source, land-use planning and management, noise abatement operational procedures and operating restrictions, with the goal of addressing the noise problem in the most cost-effective manner;

Whereas the assessment of present and future impact of aviation noise is an essential tool for the development of policy by ICAO and its Member States;

Whereas the process for implementation and decisions between elements of the balanced approach is for Member States and it is ultimately the responsibility of individual States to develop appropriate solutions to the noise problems at their airports, with due regard to ICAO rules and policies;

Whereas the ICAO guidance developed to assist States in implementing the balanced approach [Guidance on the Balanced Approach to Aircraft Noise Management (Doc 9829)] has been subsequently updated;

Recognizing that solutions to noise problems need to be tailored to the specific characteristics of the airport concerned, which calls for an airport-by-airport approach, and that similar solutions could be applied if similar noise problems are identified at airports;

Recognizing that measures to address noise may have significant cost implications for operators and other stakeholders, particularly those from developing countries;

Recognizing that States have relevant legal obligations, existing agreements, current laws and established policies which may influence their implementation of the ICAO “balanced approach”;

Recognizing that some States may also have wider policies on noise management;

Considering that the improvements in the noise climate achieved at many airports through the replacement of Chapter 2 compliant aircraft (aircraft which comply with the noise certification standards in Volume I, Chapter 2 of Annex 16 but which exceed the noise levels in Volume I, Chapter 3 of

Annex 16) by quieter aircraft should be safeguarded by taking account of the sustainability of future growth and should not be eroded by incompatible urban encroachment around airports; and

Take note that the CAEP analysis of Trends in aircraft noise show that, under an advanced technology improvements scenario, an increase in aircraft operations may no longer result in an increase in noise contour area after 2030;

The Assembly:

1. *Calls upon* all ICAO Member States and international organizations to recognize the leading role of ICAO in dealing with the problems of aircraft noise;

2. *Welcomes* the progress achieved to date in addressing aircraft noise and encourages States, manufacturers and operators to continue to engage in the work of ICAO in addressing aircraft noise, and to continue to pursue technologies and policies that reduce the impact of aircraft noise in the communities that surround airports;

3. *Urges* States to:

a) adopt a balanced approach to noise management, taking full account of ICAO guidance (Doc 9829), relevant legal obligations, existing agreements, current laws and established policies, when addressing noise problems at their international airports;

b) institute or oversee a transparent process when considering measures to alleviate noise, including:

1) assessment of the noise problem at the airport concerned based on objective, measurable criteria and other relevant factors;

2) evaluation of the likely costs and benefits of the various measures available and, based on that evaluation, selection of measures with the goal to achieve maximum environmental benefit most cost-effectively; and

3) provision for dissemination of the evaluation results, for consultation with stakeholders and for dispute resolution;

4. *Encourages* States to:

a) promote and support studies, research and technology programmes aimed at reducing noise at source or by other means taking into account interdependencies with other environmental concerns;

b) apply land-use planning and management policies to limit the encroachment of incompatible development into noise-sensitive areas and mitigation measures for areas affected by noise, consistent with Appendix F to this Resolution;

c) apply noise abatement operational procedures, to the extent possible without affecting safety and considering interdependencies with other environmental concerns; and

d) not apply operating restrictions as a first resort but only after consideration of the benefits to be gained from other elements of the balanced approach and in a manner which is consistent with Appendix E to this Resolution and taking into account the possible impact of such restrictions at other airports;

5. *Requests* States to:

a) work closely together to ensure the harmonization of programmes, plans and policies to the extent possible;

b) ensure that the application of any measures to alleviate noise are consistent with the non-discrimination principle in Article 15 of the Chicago Convention; and

c) take into consideration the particular economic conditions of developing countries;

6. *Invites* States to keep the Council informed of their policies and programmes to alleviate the problem of aircraft noise in international civil aviation;

7. *Requests* the Council to:

a) assess continuously the evolution of the impact of aircraft noise;

b) ensure that the guidance on the balanced approach in Doc 9829 is current and responsive to the requirements of States; and

c) promote the use of the balanced approach, for example through workshops; and

8. *Calls upon* States to provide appropriate support for this work on ICAO guidance and any additional work on methodologies, and for the assessment of the impact or effectiveness of measures under the balanced approach as necessary.

APPENDIX D

Phase-out of subsonic jet aircraft which exceed the noise levels in Volume I of Annex 16

Whereas certification standards for subsonic jet aircraft noise levels are specified in Volume I of Annex 16;

Whereas for the purpose of this Appendix, a phase-out is defined as withdrawal of a noise-based category of aircraft from international operations at all airports in one or more States;

Whereas the Committee on Aviation Environmental Protection has concluded that a general phase-out of Chapter 3 aircraft operations by all the countries which imposed a phase-out on operations of Chapter 2 aircraft is not supported on cost-benefit grounds and had undertaken the work that led to the recommendation of a new noise certification standard in Volume I, of Annex 16 on the understanding that a new phase-out should not be considered;

Whereas some States have implemented or initiated phase-outs of aircraft which exceed the noise levels in Volume I, Chapter 3 of Annex 16, or are considering so doing;

Recognizing that the noise standards in Annex 16 are not intended to introduce operating restrictions on aircraft;

Recognizing that operating restrictions on existing aircraft may increase the costs of airlines and could impose a heavy economic burden, particularly on aircraft operators which may not have the financial resources to re-equip their fleets, such as those from developing countries; and

Considering that resolution of problems due to aircraft noise must be based on the mutual recognition of the difficulties encountered by States and a balance among their different concerns;

The Assembly:

1. *Urges* States not to introduce any phase-outs of aircraft which exceed the noise levels in Volume I, Chapter 3 of Annex 16 before considering:

- a) whether the normal attrition of existing fleets of such aircraft will provide the necessary protection of noise climates around their airports;
- b) whether the necessary protection can be achieved by regulations preventing their operators from adding such aircraft to their fleets through either purchase, or lease/charter/interchange, or alternatively by incentives to accelerate fleet modernization;
- c) whether the necessary protection can be achieved through restrictions limited to airports and runways the use of which has been identified and declared by them as generating noise problems and limited to time periods when greater noise disturbance is caused; and
- d) the implications of any restrictions for other States concerned, consulting these States and giving them reasonable notice of intention;

2. *Urges* States which, despite the considerations in Resolving Clause 1 above, decide to phase out aircraft which comply with the noise certification standards in Volume I, Chapter 2 of Annex 16 but which exceed the noise levels in Volume I, Chapter 3 of Annex 16:

- a) to frame any restrictions so that Chapter 2 compliant aircraft of an individual operator which are presently operating to their territories may be withdrawn from these operations gradually over a period of not less than 7 years;
- b) not to restrict before the end of the above period the operations of any aircraft less than 25 years after the date of issue of its first individual certificate of airworthiness;
- c) not to restrict before the end of the period the operations of any presently existing wide-body aircraft or of any fitted with engines that have a by-pass ratio higher than 2 to 1; and
- d) to inform ICAO, as well as the other States concerned, of all restrictions imposed;

3. *Strongly encourages* States to continue to cooperate bilaterally, regionally and inter-regionally with a view to:

- a) alleviating the noise burden on communities around airports without imposing severe economic hardship on aircraft operators; and

- b) taking into account the problems of operators of developing countries with regard to Chapter 2 aircraft presently on their register, where they cannot be replaced before the end of the phase-out period, provided that there is proof of a purchase order or leasing contract placed for a replacement Chapter 3 compliant aircraft and the first date of delivery of the aircraft has been accepted;
4. *Urges* States not to introduce measures to phase out aircraft which comply, through original certification or recertification, with the noise certification standards in Volume I, Chapters 3, 4 or any more recent Chapter of Annex 16;
5. *Urges* States not to impose any operating restrictions on Chapter 3 compliant aircraft, except as part of the balanced approach to noise management developed by ICAO and in accordance with Appendices C and E to this Resolution; and
6. *Urges* States to assist aircraft operators in their efforts to accelerate fleet modernization and thereby prevent obstacles and permit all States to have access to lease or purchase aircraft compliant with Chapter 3, including the provision of multilateral technical assistance where appropriate.

APPENDIX E

Local noise-related operating restrictions at airports

Whereas certification standards for subsonic jet aircraft noise are specified in Volume I of Annex 16;

Whereas for the purposes of this Appendix an operating restriction is defined as any noise-related action that limits or reduces an aircraft's access to an airport;

Whereas Appendix C to this Resolution calls for States to adopt a balanced approach to noise management when addressing noise problems at their international airports;

Whereas further reductions in noise at source are expected as a result of the adoption of new noise certification standards in Volume I of Annex 16 and through the assimilation of noise reduction technology in the fleet;

Whereas at many airports, land-use planning and management and noise abatement operational procedures are already being used and other noise mitigation measures are in place, although urban encroachment continues in certain cases;

Whereas implementation of the phase-out of aircraft which comply with the noise certification standards in Volume I, Chapter 2 of Annex 16 but which exceed the noise levels in Volume I, Chapter 3 of Annex 16 (as provided for in Appendix D to this Resolution) has been completed in some States and, assuming continued growth in aviation activity, without further action the number of people exposed to aircraft noise at some airports in those States may increase;

Whereas there are significant regional differences in the extent to which aircraft noise is expected to be a problem over the next two decades and some States have consequently been considering placing operating restrictions on certain aircraft which comply with the noise certification standards in Volume I, Chapter 3 of Annex 16;

Whereas if operating restrictions on Chapter 3 aircraft are introduced at certain airports, this should be

based on the balanced approach and relevant ICAO guidance (Doc 9829) and should be tailored to the specific requirements of the airport concerned;

Whereas these restrictions could have a significant economic impact on fleet investments of aircraft operators from States other than those in which the restrictions are imposed;

Recognizing that these restrictions go beyond the policy established in Appendix D to this Resolution and other relevant policy guidance developed by ICAO;

Recognizing that ICAO places no obligation on States to impose operating restrictions on Chapter 3 aircraft;

Recognizing that the noise standards in Annex 16 were not intended to introduce operating restrictions on aircraft and, specifically, that the standards contained in Annex 16, Volume I, Chapter 4 and Chapter 14, and any further stringency levels adopted by the Council, are based on the understanding that it is for certification purposes only; and

Recognizing in particular that States have legal obligations, laws, existing arrangements and established policies which may govern the management of noise problems at their airports and could affect the implementation of this Appendix;

The Assembly:

1. *Urges* States to ensure, wherever possible, that any operating restrictions be adopted only where such action is supported by a prior assessment of anticipated benefits and of possible adverse impacts;
2. *Urges* States not to introduce any operating restrictions at any airport on aircraft which comply with Volume I, Chapter 3 of Annex 16 before:
 - a) completing the phase-out of aircraft which exceed the noise levels in Volume I, Chapter 3 of Annex 16, at the airport concerned; and
 - b) fully assessing available measures to address the noise problem at the airport concerned in accordance with the balanced approach described in Appendix C;
3. *Urges* States which, despite the considerations in Resolving Clause 2 above, permit the introduction of restrictions at an airport on the operations of aircraft which comply, either through original certification or recertification, with Volume I, Chapter 3 of Annex 16:
 - a) to base such restrictions on the noise performance of the aircraft, as determined by the certification procedure conducted consistent with Annex 16, Volume I;
 - b) to tailor such restrictions to the noise problem of the airport concerned in accordance with the balanced approach;
 - c) to limit such restrictions to those of a partial nature wherever possible, rather than the complete withdrawal of operations at an airport;
 - d) to take into account possible consequences for air transport services for which there are no suitable alternatives (for example, long-haul services);

- e) to consider the special circumstances of operators from developing countries, in order to avoid undue hardship for such operators, by granting exemptions;
- f) to introduce such restrictions gradually over time, where possible, in order to take into account the economic impact on operators of the affected aircraft;
- g) to give operators a reasonable period of advance notice;
- h) to take account of the economic and environmental impact on civil aviation; and
- i) to inform ICAO, as well as the other States concerned, of all such restrictions imposed; and

4. *Further urges* States not to permit the introduction of any operating restrictions aimed at the withdrawal of aircraft that comply, through either original certification or recertification, with the noise standards in Volume I, Chapter 4 and Chapter 14 of Annex 16 and any further stringency levels adopted by the Council.

APPENDIX F

Land-use planning and management

Whereas land-use planning and management is one of the four principal elements of the balanced approach to noise management;

Whereas the number of people affected by aircraft noise is dependent on the way in which the use of land surrounding an airport is planned and managed, and in particular the extent to which residential development and other noise sensitive activities are controlled;

Whereas activity may increase significantly at most airports and there is a risk that future growth may be constrained by inappropriate land use near airports;

Whereas the phase-out of subsonic jet aircraft which comply with the noise certification standards in Volume I, Chapter 2 of Annex 16 but which exceed the noise levels in Volume I, Chapter 3 of Annex 16 has succeeded at many airports in reducing the size of the noise contours depicting the areas where people are exposed to unacceptable noise levels as well as in reducing the total number of people exposed to noise;

Considering it essential that these improvements should be preserved to the greatest extent practicable for the benefit of local communities;

Recognizing that the standard contained in Annex 16, Volume I, Chapter 4 has increased the opportunities for operators to replace aircraft in their fleets by quieter aircraft;

Recognizing that the standard contained in Annex 16, Volume I, Chapter 14, when implemented, will increase the opportunities for operators to replace aircraft in fleets by quieter aircraft;

Recognizing that while land-use management includes planning activities that may primarily be the responsibility of local authorities, it nevertheless affects airport capacity, which in turn has implications

for civil aviation; and

Recognizing that the update of the guidance material on appropriate land-use planning and noise mitigation measures is included in the *Airport Planning Manual* (Doc 9184), Part 2 — *Land Use and Environmental Control*;

Recognizing that the ICAO Circular Community Engagement on Aviation Environmental Management complements the current policy of aircraft noise management at and around airports;

The Assembly:

1. *Urges* States that have phased out operations of Chapter 2 aircraft at their airports as provided for in Appendix D to this Resolution, whilst preserving the benefits for local communities to the greatest extent practicable, to avoid inappropriate land use or encroachment whenever possible in areas where reductions in noise levels have been achieved;
2. *Urges* States to ensure that the potential reductions in noise levels to be gained from the introduction of quieter aircraft, particularly those complying with the Chapter 4 standard, are also not avoidably compromised by inappropriate land use or encroachment;
3. *Urges* States, where the opportunity still exists to minimize aircraft noise problems through preventive measures, to:
 - a) locate new airports at an appropriate place, such as away from noise-sensitive areas;
 - b) take the appropriate measures so that land-use planning is taken fully into account at the initial stage of any new airport or of development at an existing airport;
 - c) define zones around airports associated with different noise levels taking into account population levels and growth as well as forecasts of traffic growth and establish criteria for the appropriate use of such land, taking account of ICAO guidance;
 - d) enact legislation, establish guidance or other appropriate means to achieve compliance with those criteria for land use; and
 - e) ensure that reader-friendly information on aircraft operations and their environmental effects is available to communities near airports; and
4. *Requests* the Council to:
 - a) ensure that the guidance on land use in Doc 9184 is current and responsive to the requirements of States; and
 - b) consider what steps might be taken to promote land-use management, particularly in those parts of the world where the opportunity may exist to avoid aircraft noise problems in the future.

APPENDIX G

Supersonic aircraft — The problem of sonic boom

Whereas since the introduction of supersonic aircraft in commercial service action has been taken to avoid creating unacceptable situations for the public due to sonic boom, such as interference with sleep and injurious effects to persons and property on land and at sea caused by the magnification of the sonic boom; and

Whereas the States involved in the manufacture of such supersonic aircraft, as well as other States, continue to carry out research into the physical, physiological and sociological effects of sonic boom;

Recognizing the ongoing work to develop a new supersonic noise Standard for future aircraft, and the work to understand the current state of sonic boom knowledge, research and supersonic aeroplane projects.

Recognizing that the airworthiness certification of a supersonic aeroplane could occur in the 2020-2025 timeframe.

The Assembly:

1. *Reaffirms* the importance it attaches to ensuring that no unacceptable situation for the public is created by sonic boom from supersonic aircraft in commercial service;
2. *Instructs* the Council, in the light of the available information and availing itself of the appropriate machinery, to review the Annexes and other relevant documents, so as to ensure that they take due account of the problems which the operation of supersonic aircraft may create for the public and, in particular, as regards sonic boom, to take action to achieve international agreement on measurement of the sonic boom, the definition in quantitative or qualitative terms of the expression “unacceptable situations for the public” and the establishment of the corresponding limits; and
3. *Invites* the States involved in the manufacture of supersonic aircraft to furnish ICAO in due course with proposals on the manner in which any specifications established by ICAO could be met.

APPENDIX H

Aviation impact on local air quality

Whereas there are growing concerns about the impact of aviation on the atmosphere with respect to local air quality and the associated human health and welfare impacts;

Whereas the evidence of this impact from emissions of NO_x and particulate matter (PM) from aircraft engines on local surface and regional air quality is now more compelling;

Recognizing that the scientific community is improving the understanding of uncertainties associated with the impact from emissions of NO_x and PM from aircraft engines on the global climate;

Recognizing that there are interdependencies related to design and operations of aircraft when addressing concerns related to noise, local air quality, and climate change;

Recognizing that ICAO has established technical Standards and fostered the development of operational procedures that have reduced significantly local air quality pollution from aircraft;

Whereas many pollutants such as soot and unburned hydrocarbons from aircraft engines affecting local and regional air quality, have declined dramatically over the last few decades;

Whereas progress in operational procedures such as continuous descent operations has resulted in further reduction of emissions from aircraft;

Whereas an assessment of trends in aviation emissions of NO_x, PM, and other gaseous emissions shows increasing global emissions values;

Whereas the impacts of aviation emissions of NO_x, PM, and other gaseous emissions need to be further assessed and understood;

Recognizing the robust progress made in understanding impacts of non-volatile components of PM emissions while the scientific and technical work continues on better assessment of volatile components of PM emissions;

Whereas the impacts of aviation emissions on local and regional air quality is part of the total emissions in the affected area and should be considered in the broader context of all sources that contribute to the air quality concerns;

Whereas the actual local air quality and health impacts of aviation emissions depend on a series of factors among which are the contribution to the total concentrations and the number of people exposed in the area being considered;

Whereas Article 15 of the *Convention on International Civil Aviation* contains provisions regarding airport and similar charges, including the principle of non-discrimination, and ICAO has developed policy guidance for Member States regarding charges (*ICAO's Policies on Charges for Airports and Air Navigation Services*, Doc 9082) including specific guidance on noise-related charges and emissions-related charges for local air quality;

Whereas the ICAO Council had adopted on 9 December 1996 a policy statement of an interim nature on emissions-related charges and taxes in the form of a resolution wherein the Council strongly recommends that any such levies be in the form of charges rather than taxes, and that the funds collected should be applied in the first instance to mitigating the environmental impact of aircraft engine emissions;

Whereas such charges should be based on the costs of mitigating the environmental impact of aircraft engine emissions to the extent that such costs can be properly identified and directly attributed to air transport;

Whereas the ICAO Council has adopted policy and guidance material related to the use of emissions-related charges to address the impact of aircraft engine emissions at or around airports;

Noting that the ICAO Council has published information on environmental management systems (EMS) that are in use by aviation stakeholders; and

Noting that the ICAO Council has developed an Airport Air Quality Guidance Manual which has been subsequently updated;

The Assembly:

1. *Requests* the Council to monitor and develop its knowledge of, in cooperation with other relevant international organizations such as WHO, the effects of aviation emissions of PM, NO_x and other gases on human welfare and health, and to disseminate information in this regard;
2. *Requests* the Council to continue its work to develop technologically feasible, environmentally beneficial and economically reasonable standards to further reduce the impact of local air pollution from aircraft;
3. *Requests* the Council to continue to develop certification requirements for non-volatile PM emissions while continuing to monitor progress in scientific and technical understanding of volatile and non-volatile components of PM emissions;
4. *Encourages* action by Member States to aid the development of certification requirements for nvPM emissions;
5. *Requests* the Council to ensure that the interdependencies between measures to reduce aircraft noise and engine emissions that affect local air quality as well as global climate are given due consideration;
6. *Requests* the Council to continue its work to develop long-term technology and operational goals with respect to aviation environmental issues, including NO_x emissions from aircraft;
7. *Requests* the Council to continue to foster operational and air traffic improvements that reduce the impact of local air pollution from aircraft;
8. *Encourages* action by Member States, and other parties involved, to limit or reduce international aviation emissions affecting local air quality through voluntary measures and to keep ICAO informed;
9. *Welcomes* the development and promotion of guidance material on issues related to the assessment of airport-related air quality;
10. *Requests* the Council to work with States and stakeholders in promoting and sharing best practices applied at airports in reducing the adverse effects of aviation emissions on local air quality;
11. *Welcomes* the development of the guidance on emissions charges related to local air quality and *requests* the Council to keep up-to-date such guidance and *urges* Member States to share information on the implementation of such charges; and
12. *Urges* Member States to ensure the highest practical level of consistency and take due account of ICAO policies and guidance on emissions charges related to local air quality.

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Agenda Item 21: Environmental Protection – Aircraft Engine Emissions affecting Local Air Quality – Policy, Standardization and Implementation Support

21.1 No working papers were submitted uniquely under Agenda Item 21. Therefore, the draft text of the report on Agenda Item 21 is included in the report on Agenda Item 20.

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