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ICAO RESOLUTIONS TO INCREASE SAFETY AND EFFICIENCY OF INTERNATIONAL AIR TRANSPORT AND THE EFFECTIVENESS OF THE ORGANIZATION

MONTREAL, 5 October 1998 – The Assembly of the International Civil Aviation Organization (ICAO) concluded its 32nd Session Friday with the adoption of 28 resolutions dealing with aviation safety, global air navigation, the environment, the Year 2000 problem and many other key issues of international civil aviation.

The resolutions also cover organizational topics such as ICAO's 1999-2000-2001 budget and work programme, measures to increase the Organization's effectiveness and a further strengthening of its technical cooperation programme.

The Assembly, held at ICAO's Headquarters in Montreal from 22 September to 2 October, was attended by 956 participants from 155 Contracting States, observers from 28 international organizations directly involved in civil aviation, and two non-Contracting States.

"The commitment and cooperation of all Contracting States in fulfilling these resolutions will have a determining effect on the level of safety and efficiency of global air transport well into the next century," said Dr. Assad Kotaite, President of the Council of ICAO.

"They will also set the stage for all partners in the world civil aviation community to work together as never before in managing the consequences on air transport of globalization, deregulation and the rapid technological changes that are transforming this industry at an increasing pace," he added.

Safety

In the area of safety, the Assembly endorsed the establishment of a universal Safety Oversight Programme comprising regular, mandatory, systematic and harmonized safety audits, to be carried out by ICAO in all 185 Contracting States, effective 1 January 1999. Under the Programme, Contracting States agree to audits being performed at ICAO's initiative, with the audited State's consent and under a Memorandum of Understanding with the Organization, in order to fully respect the principle of sovereignty.

The Programme features greater transparency and increased disclosure of audit results. The Assembly urged all Contracting States to ensure that audit results are used for safety-related purposes only and directed the Council to apply the appropriate resources to implement the Programme.

The Assembly also endorsed the establishment of an ICAO Global Aviation Safety Plan (GASP) and the concept of concentrating the safety-related activities of ICAO on those safety initiatives, planned or currently under way, that offer the best safety dividend in terms of reducing the accident rate.

The Assembly took note of progress made in implementing the ICAO Programme for the Prevention of Controlled Flight into Terrain (CFIT), particularly the development of the CFIT Education and Training Aid, and amendments to related ICAO Annexes and Procedures.

The Assembly called on Contracting States to reaffirm their commitment to support victims of civil aviation accidents and their family members, by working with ICAO and other States to promptly review, develop and implement regulations and programmes in this area.

Air Navigation

The Assembly invited Contracting States and concerned aviation partners to follow up on the recommendations of the World-wide Communications, Navigation, Surveillance and Air Traffic Management (CNS/ATM) Systems Implementation Conference, held in Rio de Janeiro in May of this year. The Rio Conference clearly identified the needs and examined a range of financing options for the successful implementation of CNS/ATM systems, while recommending the development of a plan of action for the safe and orderly growth of civil aviation well into the 21st century. The Contracting States and aviation partners were encouraged to display the spirit of cooperation enshrined in the Declaration on Global Air Navigation Systems for the Twenty First Century (attached) adopted by the Conference and to commit resources as a matter of priority when following up on its recommendations.

On 26 September 1998, participating Contracting States and ICAO signed the Agreement on the Voluntary Sharing of Costs of the Satellite Distribution System for Information Relating to Air Navigation (SADIS). This system transmits meteorological data which are of critical importance to determining the most cost-efficient route to fly at any given time and its transmissions cover Europe, Africa, the Middle East and the Western part of Asia. The SADIS is a multinational service which the United Kingdom is providing at the request of ICAO.

The Year 2000 Problem

The Assembly took note of the Organization's Year 2000 Programme designed to address potential malfunctions of systems affecting the safety, regularity and efficiency of international civil aviation operations. Considering the responsibility of Contracting States to publish changes in the safety or reliability of air navigation and aerodromes services, the Assembly urged all States to publish by 1 July 1999, with subsequent updates as necessary, appropriate aeronautical information on the compliance status of their aeronautical, air navigation and aerodrome services. It also directed the Secretary General to develop and publish standard Year 2000 assessment criteria on a timely basis and to maintain a database of Year 2000 compliance information.

The Environment

The Assembly welcomed the recommendation of the Committee on Aviation Environmental Protection (CAEP) for an average reduction of 16 per cent in the levels of nitrogen oxides (NOx) that aircraft engines are currently allowed to emit. It underlined the importance of taking into account the Kyoto Protocol, which recognized ICAO as the global instrument for developed countries to pursue the limitation or reduction of greenhouse gas emissions from international aviation, and called for further work to be done on emission-related levies. In underlying the role of ICAO as the international forum where noise certification standards are established, the Assembly also welcomed the decision to reintroduce the question of standards more stringent than those contained in Annex 16, Chapter 3 of the Convention on International Civil Aviation. Finally, it requested the Council to ensure that CAEP pursue its work programme in the noise and emissions fields expeditiously, in order that appropriate solutions can be developed as quickly as possible.

Security

The Assembly strongly condemned all acts of unlawful interference against civil aviation wherever and by whomsoever and for whatever reason they are perpetrated. It reaffirmed that aviation security must be treated as a matter of highest priority by ICAO and its Contracting States. It called upon those States to confirm their resolute support for the established policy of ICAO by applying the most effective security measures individually and in cooperation with one another, to suppress acts of unlawful interference and to punish the perpetrators of any such acts.

Economics

The Assembly agreed that, in parallel with strengthened action in technical fields, ICAO should take a more active role in financial and organizational aspects of the provision of air navigation services, including the implementation of CNS/ATM, so as to increase efficiency without compromising safety initiatives.

The Assembly reviewed the extensive work carried out by the Organization since the 1994 Worldwide Air Transport Conference in the area of economic regulation, which is now evolving from development of policy guidance to promotion of its implementation. The Assembly concluded that ICAO should adopt a more proactive approach in this area, bearing in mind that the World Trade Organization is currently in the preliminary stages of a review and possible further application to air transport of the General Agreement on Trade in Services.

Budget

The Assembly approved the triennial budget of the Organization as follows:

1999	-	US \$52 683 000
2000	-	US \$53 823 000
2001	-	US \$55 359 000

Legal matters

The Assembly adopted a Charter on the Rights and Obligations of States relating to Global Navigation Satellite Systems (GNSS), as an interim framework, an important document containing a solemn declaration of the fundamental principles which will govern GNSS in the future. The Assembly also instructed the Council and the Secretary General to consider the elaboration of an appropriate long-term framework to govern the operation of GNSS, including consideration of an international convention for this purpose, and to present proposals for such a framework in time for by the 33rd Session of the Assembly. With regard to the modernization of the Warsaw Convention, the Assembly endorsed the convening of a Diplomatic Conference in May 1999. It also requested the Council and the ICAO Secretariat to take appropriate action, such as regional seminars, in order that States may better prepare their positions in anticipation of the Diplomatic Conference.

The Assembly noted the entering into force of Article 3*bis* to the Convention, a protocol which prohibits the use of weapons against civil aircraft in flight. The Protocol, which was adopted in 1984 following the Korean Airlines incident, came into force on 1 October 1998 with the signature by Guinée as the 102nd signatory. The 101st ratification was deposited by Cuba on 28 September 1998.

A Memorandum of Understanding (MOU) was signed by Dr. Assad Kotaite on behalf of ICAO, with the President of the Latin American Civil Aviation Commission (LACAC), Mr. Marcos Meirelles Guizman, on 1 October. The MOU promotes the cooperation between ICAO and LACAC with regard to safety oversight in the American Continent.

Increasing the effectiveness of ICAO

The Assembly recognized that ICAO continues to face rapidly evolving challenges of a technological, economic, social and legal nature, and that the response to these challenges affects the safety of international civil aviation. It endorsed the actions taken by the Council over the past three years and called upon it to intensify efforts to systematically improve effectiveness, transparency and accountability in a number of areas: the working methods and procedures of the Assembly itself; the decision-making processes, working methods and procedures of the Council and its subsidiary bodies; the oversight mechanism which evaluates the Organization's work. The resolution invites the Secretary General to continue to take initiatives to improve the effectiveness and efficiency of the Organization through procedural, managerial and administrative reforms.

Technical Co-operation Policy

The Assembly noted the Organization's progress in implementing its new policy on technical cooperation, particularly the progressive implementation of the core staff concept and the related integration of the Technical Co-operation Bureau (TCB) into the Organization's structure. It urged the Secretary General to further promote the TCB and its role in the implementation of ICAO Standards and Recommended Practices (SARPs), including the CNS/ATM and Safety Oversight Programmes. It also encouraged Contracting States to

make use of the Technical Co-operation Programme and to contribute to the ICAO Objectives Implementation Funding Mechanisms, of which all funds are mainly intended for SARPs implementation, including the Safety Oversight and the CNS/ATM Programmes.

Council

The Assembly elected a new 33-member Council, the governing body of the Organization, for a three-year term. Its members are Algeria, Argentina, Australia, Botswana, Brazil, Cameroon, Canada, China, Columbia, Cuba, Egypt, France, Germany, India, Indonesia, Italy, Japan, Kenya, Lebanon, Mexico, Kingdom of the Netherlands, Nigeria, Norway, Panama, Pakistan, Russian Federation, Saudi Arabia, Senegal, Spain, Slovakia, United Kingdom, United States, and Uruguay.

Officers

The Assembly elected as its President Mr. H.S. Khola, Delegate of India. First Vice-President was Mr. L.F. de la Torre, Chief Delegate of Spain. Second Vice-President was Mr. N. Compaore, Delegate of Burkina Faso. Third Vice-President was Mr. R. Guerra Benitez, Chief Delegate of Paraguay. Fourth Vice-President was Mr. A. Rozakberdiev, Chief Delegate of Uzbekistan.

Diplomatic Conference

In conjunction with the Assembly, a Diplomatic Conference adopted a Protocol on the Authentic Chinese text of the Convention on International Civil Aviation. The Protocol, which will amend the Final Clause of the Convention on International Civil Aviation, will enter into force upon ratification by 124 Contracting States.

ICAO was created in 1944 to promote the safe and orderly development of civil aviation in the world. A specialized agency of the United Nations, it sets international standards and regulations necessary for the safety, security, efficiency and regularity of air transport and serves as the medium for cooperation in all fields of civil aviation among its 185 Contracting States.

**World-wide CNS/ATM Systems Implementation Conference
Rio de Janeiro, 11 – 15 May 1998**

**DECLARATION ON GLOBAL AIR NAVIGATION SYSTEMS
FOR THE TWENTY-FIRST CENTURY**

Wishing to inform the world community about the results of its work for the 21st Century,

THE CONFERENCE DECLARES:

- its **awareness** that increasing levels of co-operation will be necessary at the national, sub-regional and global levels to ensure transparency and interoperability between CNS/ATM system elements so that the goal of a seamless, global air traffic management system can be achieved;
- its **belief** that, at the national level in some States, the operation of air navigation services by autonomous entities may contribute to significant economies and increased efficiency and transparency, as well as facilitate the raising of loans to finance the procurement and implementation of CNS/ATM systems components;
- its **consideration** of the fact that, in most cases, the financing and subsequent operation of CNS/ATM systems, in particular in the developing world, can be of common benefit to lenders, borrowers, and users alike;
- its **observation** that demonstrated sound financial management is critical to securing financing for CNS/ATM projects; in this context, and in addition to the existing financing methods, new innovative ways of financing should continue to be studied;
- its **support** for the role of ICAO's planning and implementation regional groups (PIRGs) which provide a platform for formal recognition of new air navigation facilities and services in concert with the *Global Air Navigation Plan for CNS/ATM Systems*;
- its **belief** that planning and implementation of CNS/ATM systems should be on the basis of homogeneous air traffic management areas and major international traffic flows, taking into account the diversity of technology;
- its **support** for the adoption of the draft *Charter on the Rights and Obligations of States Relating to GNSS Services* as an interim framework for the short term, while consideration is given to the long-term legal framework, including consideration of the development of a draft international convention for this purpose;
- its **support** of further work on the complex legal aspects of the implementation of CNS/ATM systems, including GNSS, which should be carried out by ICAO, with the objective to develop and build mutual confidence among States regarding CNS/ATM, and to support the implementation of CNS/ATM systems which should not be delayed by such further work; and
- its **desire** that the co-operative spirit of the conference be enshrined in this Declaration, and that this spirit form the foundation for future work by all who are involved in implementing CNS/ATM systems within ICAO's global framework.