



C-DEC 222/2
1/03/21

COUNCIL — 222ND SESSION

SECOND MEETING

**(VIRTUAL MEETING ON MONDAY, 22 FEBRUARY 2021, AT 1430 HOURS)
(AND TUESDAY, 23 FEBRUARY 2021, AT 1400 HOURS)**

SUMMARY OF DECISIONS

OPEN MEETING

Welcome to new Representative

1. On behalf of the Council, the President warmly welcomed the newly appointed Representative of Tunisia.

Schedule of meetings

2. It was noted that the meeting of the Working Group on Governance and Efficiency (WGGE), which had originally been scheduled to occur on Tuesday, 23 February 2021, would now be convened on Wednesday, 24 February 2021 instead. It was further noted that the meeting of the Human Resources Committee (HRC), which had originally been scheduled to occur on Thursday, 25 February 2021, would now be convened on Friday, 26 February 2021 instead. In addition, a second meeting of the Air Transport Committee (ATC), would be convened on Monday, 1 March 2021.

3. Regarding the the deferral of the item “Governance of the International Aviation Trust Framework” from the current session to the 223rd Session, it was noted that if need be, an informal briefing of the Council on this topic could also be arranged by the Secretariat.

Election of the Vice-Presidents of the Council

4. The Council considered this item on the basis of C-WP/15178, which in light of the resignation of the First Vice-President (Representative of Argentina), invited the Council to elect a new First Vice-President for the remainder of the 2020-2021 term.

5. Following consideration, the Council:

- a) agreed to suspend paragraph 3 of Appendix B of the *Rules of Procedure for the Council*, related to elections taking place by secret ballot unless waived by unanimous decision by the Members represented at the meeting;
- b) agreed to suspend that part of Rule 9 of the *Rules of Procedure for the Council*, which provides that the term of office of a Vice-President shall extend for one year from the date of his election; and

- c) on the nomination of the Representative of Paraguay, seconded by the Representatives of Peru and the Russian Federation, elected the Representative of Australia as the First Vice-President for the remainder of the period 2020-2021, with effect from the current 222nd Session and pursuant to its rules of procedure.

6. A motion was then agreed to by the Council to immediately elect a new Second Vice-President. In light of the vacancy created in the role of Second Vice-President as a result of the preceding decision, the Council agreed to proceed immediately with election of a Second Vice-President. Accordingly, the Council on the nomination of the Representative of Netherlands, seconded by the Representative of Canada, elected the Representative of Zambia as the Second Vice-President for the remainder of the period 2020-2021, with effect from the current 222nd Session and pursuant to its rules of procedure.

7. A motion was then agreed to by the Council to immediately elect a new Third Vice-President. In light of the vacancy created in the role of the Third Vice-President as a result of the preceding decision, the Council agreed to proceed immediately with the election of a Third Vice-President. Accordingly, the Council on the nomination of the Representative of Malaysia, seconded by the Representatives of Dominican Republic and Peru, elected the Representative of Colombia as the Third Vice-President for the remainder of the period 2020-2021, with effect from the current 222nd Session and pursuant to its rules of procedure.

Draft Charter letter from the President of the Council, on behalf of the Council, to the Secretary General

8. The Council considered this item on the basis of C-WP/15177, which presented a draft Charter letter from the President of the Council, on behalf of the Council, to the Secretary General. The Council also had for consideration a joint oral report thereon from the Human Resources Committee (HRC) and the Working Group on Governance and Efficiency (WGGE).

9. Following consideration, the Council:

- a) approved the draft Charter letter, as revised and appended to the joint oral report from the HRC and WGGE;
- b) took note that in relation to the text in the Charter letter that stated: “As assessed contributions may not increase significantly ...”, a Representative expressed the view that the use of the word “significantly” in this context, was inappropriate; and
- c) agreed to provide the Charter letter to the incoming Secretary General as soon as possible following his appointment.

Appointment of the Secretary General

10. The President of Council recalled that pursuant to the decision taken during the first meeting of the current session (C-DEC 222/1 refers), the secret ballot vote for the appointment of the next Secretary General was scheduled to occur from 1400-1600 hours on Tuesday, 23 February 2021, in the Council Chamber and in accordance with the procedures contained in Appendix A to the *Guidelines for virtual meetings of the Council*.

11. In the event that none of the five candidates received the necessary majority of at least 19 votes on the first ballot, the Council decided that in accordance with Appendix C to the *Rules of Procedure for the Council*, a second run-off ballot involving the two candidates who received the largest number of votes on the first ballot, would be held from 1400-1600 hours on Thursday, 25 February 2021.

12. It was noted that the recently elected Third Vice-President of the Council (paragraph 7 above refers), would recuse himself from the role as scrutineer in the voting process to be undertaken due to the fact that one of the five candidates had been nominated by Colombia. It was understood that his scrutineer responsibilities would instead be assumed by the Representative of Paraguay.

13. It was also confirmed that all 36 Member States represented on the Council were eligible to participate in the voting process at this time, and that no Member State was sufficiently in arrears in terms of the payment of their assessed contributions to the extent that it would have rendered a Member State ineligible to vote.

14. The result of the ballot, which was conducted on Tuesday, 23 February 2021, is reflected below in paragraphs 27-29.

Financial situation of the Organization and level of the Working Capital Fund

15. The Council considered this item on the basis of C-WP/15144, which presented the financial situation of the Organization for the period 1 January to 31 December 2020, and any salient developments since the previous report to the Council. The associated documentation also provided preliminary financial information with regard to receipts and disbursements, cash and term deposits, and assessed contributions. The Council also had for consideration an oral report thereon from the Finance Committee.

16. Following consideration, the Council:

- a) expressed its appreciation to the Secretariat for responding to the difficult financial circumstances in an efficient and satisfactory manner;
- b) encouraged Member States to fulfil their obligations to the Organization by paying their assessed contributions in a timely manner;
- c) requested the Secretariat to prepare a graph reflecting the monthly assessment collection trends over the past few years, in order to better facilitate consideration of the carryover, and for this information to be presented during the 223rd Session; and
- d) took note of the request of the Secretary General that the Council provide guidance on the use of the carryover funds and that proposals for the expenditure of the unutilized appropriations of 2020 would be welcome, and in this regard, advised the Secretary General to continue to prioritise activities related to the Information Security Roadmap 2020-2022 as well as the implementation of the Ethics Framework.

Progress report on the implementation of the CART report recommendations

17. The Council considered this item on the basis of an oral report from the Secretary General as well as an oral report from the Air Transport Committee (ATC).

18. Following consideration, the Council:

- a) expressed appreciation to the Secretariat for the information provided and for the comprehensive range of activities and initiatives undertaken by the Organization;
- b) took note of the implementation support activities related to implementation packages (i-Packs), safety operational measures, the Collaborative Arrangements for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA), facilitation, aviation security, economic and financial measures, and resource mobilization efforts; and
- c) further took note of coordination, monitoring and reporting activities, with the information provided by Member States on the COVID-19 Response and Recovery Implementation Centre (CRRIC).

Economic impact of COVID-19 on air transport

19. The Council considered this item on the basis of C-WP/15134, which presented an updated analysis of the economic impact of the COVID-19 on global air transport for the year of 2020, as well as the near- and long- term outlook reflecting the recent pandemic evolution. The Council also had for consideration an oral report thereon from the Air Transport Committee (ATC).

20. Following consideration, the Council:

- a) took note of the information provided on the projections and forecasts, and recommended that this information be used consistently for various planning purposes across the Organization; and
- b) invited the Finance Committee to consider carrying out an evaluation of the potential implications for future assessment scales due to significant changes in air traffic resulting from the COVID-19 pandemic.

Impact of COVID-19 on ICAO's programme activities and related mitigation efforts

21. The Council considered this item on the basis of C-WP/15135, which presented the outcomes of efforts by the Secretariat to re-prioritize projects and activities to be carried out as part of the 2021 Operating Plans in light of the impact on the Organization of the COVID-19 pandemic. The Council also had for consideration oral reports thereon from the Finance Committee as well as the Implementation Strategy Planning Group and the Working Group on Governance and Efficiency.

22. Following consideration, the Council:

- a) took note of the Secretariat's ongoing reprioritisation efforts vis-à-vis the Organization's Operating Plans for 2021, due to the need to implement unplanned COVID-19 activities, and in this connection, requested the Secretariat to prepare a detailed report on the reprioritized activities, while taking into account the need to maintain sufficient flexibility in this regard, and for this to be presented during the 223rd Session;

- b) underscored that high-priority items such as cybersecurity and information security would need to be funded as a priority in the event of a cash surplus from the carryover;
- c) took note of the potential impact on the 2021 Operating Plans associated with the hypothetical scenario of a 15 per cent reduction in funding, and in this connection, requested the Secretariat to consider additional scenarios associated with 10 per cent and 20 per cent funding reductions, should future developments warrant reductions to programmes;
- d) requested the Secretariat to prepare recommendations to the Council on work items pertaining to the Assembly Resolutions and decisions that may need to be reprioritized as a result of the COVID-19 pandemic, and for these to be incorporated in the mid-triennial report of Assembly Resolutions and decisions that will be presented during the 223rd Session;
- e) took note that a delay in the payment of assessments by Member States may affect the ability of the Organization to deliver on the 2021 Operating Plans;
- f) urged all Member States to continually abide by their legal obligations in line with Articles 61 and 62 of the Chicago Convention and pay their assessments as soon as possible, in line with Article 6.5 a) of the Financial Regulations as outlined in Appendix B to C-WP/15135; and
- g) took note that the COVID-19 pandemic and related crises may also have an impact on extra-budgetary activities.

Report of Relations with Host Country Committee on COVID-19 related matters

23. The Council considered this item on the basis of an oral report presented by the Relations with Host Country Committee (RHCC), as well as an update presented by the Representative of Canada on behalf of the Host State.

24. Following consideration, the Council:

- a) took note of the information presented by the RHCC; and
- b) welcomed the positive assurances provided by the Host State and relevant federal authorities pertaining to the inclusion of the diplomatic community as well as employees of the United Nations system in applicable vaccination programmes arranged by provincial authorities, and expressed sincere appreciation for the ongoing assistance, support and cooperation that had been proffered by the Host State to the Organization since the outbreak of the pandemic.

Suspension of meeting

25. In accordance with rule 41 a) of the *Rules of Procedure for the Council*, the Council agreed at 1735 hours on Monday, 22 February 2021 to suspend the meeting until 1400 hours on Tuesday, 23 February 2021, at which time a secret ballot vote would be undertaken in relation to the Appointment of the Secretary General.

26. Prior to the suspension of the meeting as per the preceding paragraph, the Council also decided that in accordance with rule 55 of the *Rules of Procedure for the Council*, full interpretation services would not be required for the secret ballot vote portion of this meeting.

Appointment of the Secretary General

27. Upon reconvening on Tuesday, 23 February 2021, and pursuant to Article 54 h) of the *Convention on International Civil Aviation*, as well as in accordance with Appendix C of the *Rules of Procedure for the Council*, the Council proceeded by secret ballot to the appointment of the Secretary General, as documented in C-WP/15133. In accordance with paragraph 5 of Appendix C to the rules of procedure, it was determined that in order to satisfy the requirement for a majority of the Members of the Council, a candidate would need to gain at least 19 votes to be appointed as Secretary General.

28. The result of the ballot was as follows:

Mr. Ary Rodriguez Bertolino (Brazil)	4 votes
Mr. Melvin Cintron (Dominican Republic)	2 votes
Mr. Gilberto López Meyer (Mexico)	11 votes
Mr. Habib Mekki (Tunisia)	2 votes
Mr. Juan Carlos Salazar (Colombia)	17 votes

29. Since none of the candidates gained the necessary majority of at least 19 votes in order to be appointed, it was determined that in accordance with paragraph 6 of Appendix C to the rules of procedure, a second ballot would be held on the two candidates who received the largest number of votes in the first ballot (i.e. Mr. López Meyer and Mr. Salazar). As indicated in paragraph 11 above, the second run-off ballot was scheduled to occur on Thursday, 25 February 2021 at 1400 hours with the outcome of the ballot to be reflected in C-DEC 222/3.

Any other business

Amendment to Technical Instructions for the Safe Transport of Dangerous Goods by Air (Doc 9284)

30. The Council noted a memorandum from the President of the Air Navigation Commission seeking approval of a second addendum to the 2021-2022 Edition of the *Technical Instructions for the Safe Transport of Dangerous Goods by Air* (Doc 9284) related to the transport of COVID-19 pharmaceuticals. In this connection, the Council agreed that given the nature of the proposed addendum, the fast track amendment procedure should be applied and the authority was therefore delegated to the President of the Council to approve the amendment.

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