



COUNCIL — 223RD SESSION

FIRST MEETING

(VIRTUAL MEETING ON MONDAY, 26 APRIL 2021, AT 1430 HOURS)

SUMMARY OF DECISIONS

OPEN MEETING

Condolences

1. The Council expressed condolences at the recent passing away of the President of Chad, Mr. Idriss Déby, to the peoples of the United Kingdom and the Commonwealth at the recent passing away of His Royal Highness, Prince Philip, and to the family of Mr. Yves Lambert, who recently passed away and who had served as ICAO Secretary General from 1976 to 1988.

Revised ICAO Ethics Framework — Adoption of Appendices G, H and I

2. Pursuant to decisions taken on this item during the previous 222nd session, the Council resumed consideration of the proposed Appendices G, H, and I, as prepared by the Small Group on Ethics (SGE). It was noted that following the conclusion of the 222nd Session, the President of the Council circulated copies of the Appendices in all languages via an e-mail message dated 6 April 2021, in compliance with Rule 63 b) of the *Rules of Procedure for the Council*.

3. Following consideration, having noted the concerns expressed by the Representatives of China, Russian Federation, Saudi Arabia, South Africa and Zambia, and following a "preliminary informal vote" in accordance with Rule 53 of the *Rules of Procedures for the Council*, the Council by a majority decision:

- a) recalled the decisions that it had taken during the previous session on this item (C-DEC 222/9 and C-DEC 222/12 refer), including the in-principle approval of the proposed Appendices G, H, and I to the *Rules of Procedure for the Council*;
- b) agreed to formally approve the proposed Appendices G, H, and I and for these to be incorporated into the *Rules of Procedure for the Council*;
- c) took note of the content of the e-mail message from the Secretary General dated 23 April 2021, which identified a number of potential issues of concern associated with the adoption of Appendices G, H, and I, as well as the observations of the Small Group on Ethics thereon, and in this connection, requested the Secretary General to review the relevant provisions of the *ICAO Service Code* with the purpose of introducing consequential amendments thereto; the intention being to ensure that the *ICAO Service Code* would be aligned and consistent with the newly-approved Appendices, and for these consequential amendments to the *ICAO Service Code* to then be presented for approval by the Council at a subsequent meeting of the current session;
- d) requested that in relation to the proposed Memoranda of Understanding (MOU)

between ICAO and both the United Nations Office of Internal Oversight Services (OIOS) and the UN Ethics Office, the Secretary General should:

- i. prioritize the conclusion of negotiations for the finalization of the proposed MOUs, especially given the stated role of both external entities in the context of the newly-adopted Appendices;
 - ii. ensure that the text of the proposed MOUs provides adequate safeguards for the principle of diplomatic immunity and the privileges of the Delegations of Member States as conferred by relevant international treaties; and
 - iii. finalize the MOUs in consultation and coordination with the Small Group on Ethics, while recalling previous decisions taken in this regard concerning the timeline for completion of this task (paragraph 2 e) of C-DEC 222/9 refers), and with the aim that this process would be definitively concluded before the end of the current session.
- e) recalled the decisions it had taken during the 221st Session concerning the efficiency of the working methods of the Council and its subsidiary bodies (C-DEC 221/11 refers), and in this connection, requested the Secretary General to arrange for an updated version of the *Rules of Procedure for the Council* (Doc 7559) to be prepared and published as soon as practicable, which reflected these revisions as well as the newly incorporated Appendices G, H, and I; and
- f) requested the Secretariat to prepare a report reviewing the first year of operation of the new arrangements established as a result of the formal approval of Appendices G, H, and I, including information on experiences, lessons learned, issues of concern, and recommendations thereon, and for this report to be presented to the Council during the 227th Session.

4. At the conclusion of the consideration of this item, the Representative of South Africa requested that his reservation be recorded in relation to provisions regulating the conduct of staff being located in the *Rules of Procedure for the Council*. It was also noted that certain apparent editorial inconsistencies and use of potentially ambiguous phrases in the Chinese language version of the Appendices would be rectified before publication. In addition, it was noted that the Secretary General delivered a statement in which she outlined her concerns and in this regard, it was recalled that this statement was consistent with her previous statement on the same item (C-DEC 222/12 refers).

Report of the Small Ad Hoc Group — High-level Conference on COVID-19 — Adoption of agenda

5. The Council considered this item on the basis of an oral report from the Small Ad Hoc Group on the High-level Conference on COVID-19 (HLCC).

6. Following consideration, the Council:

- a) approved the agenda for the proposed Conference as presented in the Appendices to the oral report, including Appendix A (plenary), Appendix B (safety stream), and Appendix C (facilitation stream), while at the same time taking note that the agenda may need to be further adjusted and refined in the course of preparations for the event and should there be significant unforeseen issues arising as a result of the evolution of the COVID-19 pandemic;
- b) agreed to invite Member States and international organizations through a State letter on 20 May 2021 to participate in the proposed Conference, and to convey information

concerning a timetable, the agenda, administrative arrangements, as well as guidelines for the preparation of documentation and deadlines for submission;

- c) requested the Secretariat to closely monitor how the situation unfolds and maintain timely and regular consultation with the Host State in order to make a decision as early as possible on a format of the Conference, including whether the event would be either hybrid or virtual, and in this connection, agreed to again review the situation at a subsequent meeting of the current session;
- d) reiterated the decision taken during the previous session (C-DEC 222/10 refers) that the meeting schedule of the Conference, including the timing of the daily sessions, should be staggered in such a way so as to ensure that the inconvenience of participating in the nighttime hours would be rotated as feasible as possible among participants in different time zones around the world; and
- e) requested the Small Ad Hoc Group to continue its work on the remaining tasks, focusing on the need to meet the political expectation and objectives of Member States vis-à-vis the evolution of the COVID-19 pandemic and the progress of the work of the other international organizations.

CLOSED MEETING

Not available

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