



C-DEC 223/3
10/06/21

COUNCIL — 223RD SESSION

THIRD MEETING

(VIRTUAL MEETING ON MONDAY, 7 JUNE 2021, AT 1430 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 the Republic of Korea.

Schedule for consideration of items during the 223rd Session of the Council

2. In relation to several items reflected in the schedule for consideration of items during the current session, the Council took note of the following:

- “Consolidated report on Planning and Implementation Regional Groups (PIRGs) and Regional Aviation Safety Groups (RASGs) for 2020”. The Council would consider this item in the absence of an accompanying oral report from the ISPG, notwithstanding a previous decision of the Council that this item should be reviewed by the ISPG (paragraph 4 e) of C-DEC 217/6 refers). In this connection, the President proposed that a discussion on whether this particular decision remained necessary, would need to be scheduled at a future session given the current more consolidated nature of the report.
- “Progress report on work related to conflict zones and the “Safer Skies” initiative”. Both the Minister of Transport of Canada and the Deputy Minister of Foreign Affairs of the Islamic Republic of Iran would participate in the discussion on this item.
- “Proposal for amendment of the Air Navigation Plan – Middle East Region concerning the establishment of a Doha Flight Information Region Search and Rescue Region”. Invitations would be issued to several non-Council Member States, namely, Bahrain, Qatar, and Yemen, to attend this meeting.
- Informal briefing on the International Aviation Trust Framework. Immediately following this briefing, an additional informal briefing would be scheduled in order to brief the Council on the work of the Small Group on IT in relation to the issue concerning the segregation of e-mail accounts.

World Environment Day

3. The Council took note of a statement delivered by the President of the Council on the occasion of World Environment Day 2021.

Enhancing the efficiency of the working methods of the Council and its subsidiary bodies

4. The Council considered this item on the basis of two oral reports, one of which was presented by the President of the Council, and the other by the Implementation Strategy and Planning Group (ISPG) and the Working Group on Governance and Efficiency (WGGE).

5. In relation to the joint oral report from the ISPG and WGGE, it was noted that this presented a proposal for the revised structure and Terms of Reference (ToR) of the Council Committees and Working Groups, along with consequential amendments to Doc 8146, the *ICAO Service Code* and the *Financial Regulations*. Following consideration, the Council:

- a) took note of the recommendations of the WGGE and ISPG on the way forward, and agreed to adopt the reconstituted Committee structure and Terms of Reference as contained in Appendix A to the joint ISPG/WGGE oral report, on the understanding that a review of the lessons learned, together with an assessment of the workload on the Secretariat resulting from the new structure would be presented to the Council during its 227th Session;
- b) acknowledged that the newly established Climate and Environment Committee would incorporate the functions of the AGC, underscoring that the mandate of the new Committee should not infringe on the technical review and advisory role of the ANC, CAEP and TAB;
- c) endorsed the principle of “open membership” where applicable, as outlined in Appendix B to the joint ISPG/WGGE oral report;
- d) agreed in principle to the revisions that the ISPG/WGGE proposed to Doc 8146, and the *ICAO Service Code* and *Financial Regulations*, as reflected in Appendices C and D of the joint ISPG/WGGE oral report, respectively;
- e) requested that the Secretariat undertake an editorial review of the revised documentation affected as a result of this decision, including Doc 8146, the *ICAO Service Code*, and the *Financial Regulations*, in order to ensure consistency in terminology, it being understood that all consolidated amendments would be presented to the Council for approval at the first meeting of the 224th Session, which would be scheduled to occur on Monday, 13 September 2021;
- f) further requested the Secretariat to accelerate its work to establish and implement a robust accountability framework, taking into account the recommendations of the JIU Report JIU/REP/2011/5 and, in this regard, requested that a progress report be submitted to the newly-established Committee on Governance for review and assessment during a subsequent session of the Council; and
- g) invited the Committee on Governance to continue the work on enhancing the efficiency and effectiveness of the Council and its subsidiary bodies, as well as ensuring the effectiveness of the oversight mechanism in order to deliver increased transparency and greater accountability.

6. In relation to the oral report from the President of the Council, it was noted that this related to the adoption of amendments to Rules 12 and 40 to the *Rules of Procedure for Standing Committees of the Council* (Doc 8146) and Rules 26 and 57 of the *Rules of Procedure for the Council* (Doc 7559) currently implemented on a trial basis. Following consideration, the Council:

- a) recalled its decisions taken during the 221st and 222nd Sessions (C-DEC 221/11 and C-DEC 222/9, refer), and in this connection, welcomed the efforts of the WGGE, ISPG and the Secretariat to implement the agreed “Plan of Action” and revised *Rules of Procedure for the Council* (Doc 7559) and *Rules of Procedure for Standing Committees of the Council* (Doc 8146), on a trial basis, with a view to further refining the structure and working methods of the Council and its subsidiary bodies to achieve greater efficiency;
- b) acknowledged that although some delays had been observed, the implementation of the revised timelines and written procedures during the trial period had been found to be effective in enhancing the efficiency of the working methods of the Council and its subsidiary bodies, and in that regard, approved the proposed amendments to Rules 12 and 40 of Doc 8146 and Rules 26 and 57 of Doc 7559, as reflected in Attachment A and B of the oral report of the President, respectively;
- c) further approved the provisions for the approval of proposals by written (silence) procedure, as initially contained in Attachment C to the oral report of the President, but as subsequently revised during the meeting vis-à-vis paragraph 1 of the proposed text, it being agreed that this written procedure should be incorporated into the *Rules of Procedure for the Council* (Doc 7559) as a new Appendix J with the revised text to read as follows: “Notwithstanding the other provisions of these Rules of Procedure, proposals of the President of the Council on routine matters, urgent matters and other matters to be tabled during the period between Sessions of the Council that require action by the Council, may be approved in accordance with the following”;
- d) agreed to adopt the guidelines concerning the timeline for the availability of Council documentation as reflected in paragraphs 3.3 and 3.4 of Attachment D to the oral report of the President, while also agreeing to defer a final decision on the text of paragraph 3.2, until such time as a more in-depth analysis was undertaken on the potential operational challenges in making all documentation available prior to the Council recess; and
- e) further agreed that:
 - i. all session related documentation should be accessible from the Council portal and requested the Secretariat to explore the feasibility of activating an “alert” system, which would make users aware whenever new documentation was uploaded;
 - ii. whenever session related documentation was circulated by the Secretariat via e-mail, the documentation would be circulated in PDF format; and
 - iii. whenever documentation was circulated by the Secretariat via e-mail, the recipients would include e-mail addresses for both Delegations as well as individual Representatives.

Elections by the Council

7. In light of the decisions taken in the preceding item, as reflected paragraph 5 above, the Council agreed to defer consideration on Elections by the Council, which concern the three Vice-Presidents of the Council, as well as the appointment of members of the standing committees and working groups of the Council, until the first meeting of the 224th Session, which would be scheduled to occur at the commencement of the Committee phase of that session on 13 September 2021.

Report on Technical Cooperation Programme Development for 2020 and Update of Administrative and Operational Services Cost (AOSC) Income and Expenditures for 2021

8. The Council considered this item on the basis of C-WP/15186, which presented a report on the financial and operational performance results of the Technical Cooperation Programme (TCP) for the year ending 31 December 2020. The Council also had for consideration a joint oral report thereon from the Finance Committee (FIC) and the Technical Cooperation Committee (TCC).

9. Following consideration, the Council:

- a) took note of the operational and financial performance results of the Technical Cooperation Programme for 2020, as well as the revised 2021 Technical Cooperation Programme forecast and Administrative and Operational Services Cost (AOSC) projected results;
- b) further took note of the progress achieved by the Technical Cooperation Bureau to implement measures aimed at improving its levels of business activity, diversifying its revenue streams, and reducing costs; and
- c) reiterated its concern at the decline of the Technical Cooperation Programme and ongoing depletion of the financial balance of the AOSC Fund, and in this connection, requested that the progress of initiatives undertaken by the Secretariat, as part of a comprehensive plan to increase revenue and gradually reduce costs, continue to be reported during future sessions of the Council.

Report on the implementation of the ICAO Civil Aviation Training Policy and Global Aviation Training Activities (GAT) during 2020

10. The Council considered this item on the basis of C-WP/15187, which presented a progress report on the implementation of the ICAO *Civil Aviation Training Policy* and the Global Aviation Training activities during 2020. The Council also had for consideration an oral report thereon from the Technical Cooperation Committee (TCC).

11. Following consideration, the Council:

- a) took note of the information presented in relation to the implementation of the ICAO *Civil Aviation Training Policy* and the activities undertaken by TCB/GAT throughout the course of 2020;
- b) welcomed the ongoing efforts of the Secretariat to overcome the challenges posed by the pandemic over the past year to adapt to the new working environment in order to continue to respond to the training needs of Member States effectively, and achieve positive financial and operational results;
- c) underscored the important and constructive role played by the training offered by ICAO in meeting the needs of Member States, particularly in the context of their capacity-building efforts; and
- d) recommended to the Secretariat that in order to support Member States, consideration be given to a variable portion of the net surplus generated by GAT on a yearly basis being reinvested in a systematic manner in the research and development of additional as well as innovative training products and initiatives.

Report on the implementation of the decisions related to the transfer of the procurement function within the Secretariat

12. The Council considered this item on the basis of an oral report presented by the Secretary General, which outlined the actions taken by the Secretariat thus far towards the transfer of the procurement function from the Technical Cooperation Bureau (TCB) to the Bureau of Administration and Services (ADB). The Council also had for consideration a joint oral report thereon from the Finance Committee (FIC) and the Technical Cooperation Committee (TCC).

13. Following consideration, the Council:

- a) welcomed the initial progress that had been made with regard to the implementation of the Council's decision (C-DEC 222/8, refers) to transfer the procurement function from TCB to ADB;
- b) acknowledged that the Procurement Code Working Group had effectively completed its task to finalize the Procurement Code and took note of the Secretary General's stated intention to proceed with the approval of the Code before the end of June 2021;
- c) requested that the internal arrangement outlining the working relationship between TCB and ADB in relation to procurement requirements, together with the detailed list of services to be provided by the Procurement Section to TCB following its transfer to ADB, including commonly agreed response and resolution times, and quality requirements, in order to safeguard the standard of procurement support to TCB, be made available to the Council;
- d) requested the Secretariat to provide the Council with the complete terms of reference and list of tasks to be performed by the external consultant who is being engaged to assist in the implementation of the new ICAO Procurement Code and the operational transition of the procurement function from TCB to ADB; and
- e) requested that procurement costs form part of the review of the cost-sharing arrangement between the AOSC Fund and the Regular Budget for the next triennium.

Guidelines for inclusion in the List of international organizations that may be invited to attend suitable ICAO meetings

14. The Council commenced consideration of this item on the basis of C-WP/15211, which presented the existing framework and guidelines for the assessment of requests from international organizations to be added to the *List of international organizations that may be invited to attend suitable ICAO meetings*, as observers. The Council also had for consideration a joint oral report thereon from the Implementation Strategy and Planning Group (ISPG) and the Working Group on Governance and Efficiency (WGGE). Following the initial presentation of this documentation, the Council agreed to defer further consideration until its subsequent meeting of the current session.

Any other business

Appointment of new CAEP Members and Observers

15. In relation to the e-mail message from the President of the Council dated 5 May 2021, the Council noted that in accordance with the relevant provisions of the CAEP Directives, Mr. Rohit Thakur was appointed as the Member representing India on the CAEP, with effect from 20 May 2021.

16. In relation to the e-mail message from the President of the Council dated 9 April 2021, the Council noted that in accordance with the relevant provisions of the CAEP Directives, Mr. Ahmet Berkan Korkmaz was appointed as the Observer representing Turkey on the CAEP, with effect from 26 April 2021.

Appointment of Member and Alternates on the Air Transport (ATC), Finance (FIC), Human Resources (HRC), Joint Support (JSC) and Technical Co-operation (TCC), Unlawful Interference (UIC) Committees and Relations with Host Country Committee (RHCC)

17. It was noted that pursuant to the President of the Council's email dated 22 March 2021, and in accordance with paragraph 3 and 6 of the Special Provisions in the *Rules of Procedure for Standing Committees of the Council* (Doc 8146), Mr. Satoshi Oshima, nominated by the Representative of Japan on the Council, has been appointed as Alternate Member on the ATC, JSC, FIC, UIC and RHCC, and Mr. Shinji Sugiyama has been appointed as Alternate Member on the ATC, with effect from 17 March 2021.

Request from Observers to participate in closed meetings of the Council

18. It was noted that pursuant to email notifications circulated by the President of the Council in March and April 2021, and in accordance with Rule 32 a) of the *Rules of Procedure for the Council*, the Council had agreed to invite Mr. Klaus Winkler (European Union), Mr. Michael Rossell (ACI), Mr. Nico Voorbach (CANSO), Mr. Michael Comber (IATA), Mr. Andreas Meyer (IBAC), and Messrs. Daniel Carnelly and Mitch Fox (ICCAIA), to participate as Observers during the 223rd Session of the Council in consideration of items in closed session.

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