



C-DEC 223/10
5/7/21

COUNCIL — 223RD SESSION

TENTH MEETING

(VIRTUAL MEETING ON WEDNESDAY, 23 JUNE 2021, AT 1000 HOURS)

SUMMARY OF DECISIONS

OPEN MEETING

Revised ICAO Ethics Framework – Amendments to the ICAO Service Code

1. The Council considered this item on the basis of C-WP/15223, which pursuant to C-DEC 223/1, presented consequential amendments to the relevant provisions of the *ICAO Service Code* as a result of the Council's adoption of Appendices G, H, and I to the *Rules of Procedure for the Council*. The Council also had for consideration an oral report thereon from the Human Resources Committee (HRC). The President of the Staff Association joined the Council in its deliberations on this item.

2. Following consideration, the Council by a majority decision:

- a) recalled the decisions that it had taken on this item during its first meeting of the 223rd Session (C-DEC 223/1 refers), including its request to the Secretary General to review the relevant provisions of the *ICAO Service Code*, with the purpose of introducing consequential amendments thereto, in order to ensure that the *ICAO Service Code* would be aligned and consistent with the newly-approved Appendices G, H, and I to the *Rules of Procedure for the Council* (Doc 7559), and for the consequential amendments to the *ICAO Service Code* to be presented for approval by the Council at a subsequent meeting of the current session;
- b) welcomed the consequential amendments to the ICAO Framework on Ethics (Annex 1 to the *ICAO Service Code*) as presented in the Appendix to C-WP/15223, as proposed by the Secretariat to align the *ICAO Service Code* with the provisions of Appendices G, H, and I to the *Rules of Procedure for the Council* (Doc 7559);
- c) approved the consequential amendments to the ICAO Framework on Ethics (Annex 1 to the *ICAO Service Code*) as presented in the Appendix to C-WP/15223, as proposed by the Secretariat to align the *ICAO Service Code* with Appendices G, H, and I of the *Rules of Procedure for the Council* (Doc 7559);
- d) took note of the differing interpretations from the Small Group on Ethics (SGE) and the Staff Advisory Committee (SAC) as to certain aspects of the consequential amendments to the ICAO Framework on Ethics (Annex 1 to the *ICAO Service Code*), which led to concerns expressed by the Staff Association in relation to perceived adverse implications for the rights and obligations of staff, and in this connection,

invited the SGE to arrange for a consultative meeting between the Staff Advisory Committee and the OIOS, including the participation of the Ethics Officer, in order to discuss these concerns and arrive at a common understanding, and that a report on the outcome of these consultations would be presented at the 224th Session;

- e) requested the Secretariat to monitor the way in which other entities of the United Nations system were implementing these arrangements pursuant to the relevant recommendations of the Joint Inspection Unit, and to take note of any lessons learned that might be applicable and need to be taken into account by ICAO in the future;
- f) further requested the Secretariat to prepare a report on the implementation of the new arrangements arising from the adoption of Appendices G, H, and I, as well as the consequential amendments incorporated in the *ICAO Service Code*, and to present this report to the 226th Session;
- g) agreed that the Staff Association should be invited to be present at meetings of the Council on a periodic basis as considered necessary; and
- h) invited the SGE, in consultation with the Ethics Officer, to explore options regarding the development of a Code of Conduct for the staff of Delegations to ICAO that would provide guidance on recommended standards of behaviour, as well as in relation to interactions between Delegations and the ICAO Secretariat.

Revised ICAO Ethics Framework – Update on the Memoranda of Understanding

3. The Council considered this item on the basis of an oral report presented by the Secretary General, which provided an update on the proposed Memoranda of Understanding (MoUs) between ICAO and United Nations Office of Internal Oversight Services (OIOS) as well as with the United Nations Ethics Office (UNEO).

4. Following consideration, the Council:

- a) took note of the information presented by the Secretary General outlining the challenges that had been encountered in attempting to conclude the proposed MoUs between ICAO and the United Nations Office of Internal Oversight Services (OIOS) as well as with the United Nations Ethics Office;
- b) recalling its previous decisions in this regard (C-DEC 222/9 and 223/1 refer), requested the Secretary General to ensure that these agreements be concluded and presented to the Council with the aim that this process would be definitively concluded with urgency before the end of the current session; and
- c) took note of the assurances provided by the Secretariat that the specific aspect of how feedback would be provided by the OIOS to a complainant who had submitted an allegation of misconduct, had been raised in the negotiations with the OIOS and that further information in this regard would be provided in due course.

Update on information security and information, communications and technology management at ICAO

5. The Council considered this item on the basis of an oral report presented by the Secretary General, which presented an update on the progress made in the areas of Information Security and Information Communications and Technology (ICT) at ICAO. The Council also had for consideration a Powerpoint presentation by the Secretariat.

6. Following consideration, the Council:

- a) expressed appreciation for the comprehensive information presented on the work being carried out by the Secretariat in this area, and welcomed the progress that continued to be made in the implementation of the Information Security Roadmap, and in support of the ICT Change Programme;
- b) further noted that the procurement process to contract an external implementing partner to carry out the work under the Information Security Roadmap had now been finalized, and that the work on this project was expected to begin imminently;
- c) also took note of the results of the Joint Inspection Unit (JIU) review and the Swiss Federal Audit Office (SFAO) audit of the ICAO Information Security Strategy, while further noting that the concerns raised by the Office of Internal Oversight (OIO) in its 2020 audit had already been taken into account by the Secretariat as part of the Identity and Access Management (IAM) component of the Information Security Roadmap;
- d) reaffirmed the critical importance of information security and ICT management within the Organization, and reiterated the importance of ensuring that the necessary funding for activities planned under the Information Security Roadmap and the ICT Change programme was made available;
- e) took note of the current status in relation to the tender process for an integrated risk management platform, which aims to support the implementation of the information security risk management programme activities, and in this connection, requested that the Secretariat continue to keep the Council apprised of developments in this regard with a report to be presented at a future session;
- f) requested the OIO to undertake a review of the tendering and procurement process involved in the selection of a company for the purposes of outsourcing the majority of the work to be performed in relation to the Information Security Roadmap, with a view to identifying problems encountered and lessons learned, and for a report in this regard to be presented to the Council at a future session; and
- g) recalled that during an earlier meeting of the current session, the Secretary General had confirmed her intention to proceed with the approval of the Procurement Code before the end of June 2021 (C-DEC 223/3 refers).

Update by the Small Group on IT in relation to the segregation of e-mail accounts

7. The Council considered this item on the basis of an oral report presented by the Chairperson of the Small Group on IT.

8. Following consideration, the Council:

- a) recalled the decision taken during the 222nd session in relation to the segregation of Secretariat e-mail accounts from Delegation e-mail accounts (C-DEC 222/11, refers), and in this connection, expressed its appreciation to the Small Group on IT for its significant efforts to develop a feasible way forward on this subject;
- b) took note of the options presented, including the respective financial implications and potential implementation challenges of each, and in this regard, agreed in-principle to proceed with Option 2 as a collective decision and as recommended by the Small Group on IT, which would ensure complete segregation of Delegation e-mail accounts from the ICAO server, while still maintaining technical support and management through an external third party, on the understanding that this new arrangement would also offer an opt-out option to those Delegations that did not wish to avail themselves of this arrangement;
- c) agreed to engage the UN International Computing Center (UNICC) as the third-party provider, given its experience and familiarity with the UN system and competitive pricing, and in this connection, invited the UNICC to provide an assessment to define the technical and operational specifications, time, cost, and roadmap involved with the e-mail migration for the required number of accounts, and to report the outcome of the assessment to the Secretariat so that it may be presented to the Council once completed;
- d) invited the Small Group on IT to conduct a survey of Delegations to better determine the number of e-mail accounts that might be required, on the understanding that this information would be necessary pursuant to the decision outlined in the preceding sub-paragraph;
- e) emphasized that no Delegation should suffer adverse implications in terms of reduced IT service or access to ICAO documentation as a result of the new arrangements pertaining to e-mail accounts, while at the same time, underscoring that all Delegations retained the right to decide for themselves what option best suited their requirements;
- f) took note that it was expected that ICAO ICT would bear the cost of engaging UNICC and the associated migration costs, on the understanding that these costs would have been incurred by ICAO in any case, given the need to segregate the e-mail servers and the planned transition from physical servers to Microsoft Cloud, and that ICAO ICT would provide the technical and administrative support associated with the migration to UNICC; and
- g) requested the Finance Branch of the Secretariat to determine the financial and resource savings from the segregation of Delegations e-mail accounts, including reduced server capacity, licence fees to Microsoft, reduced ICT support and accordingly, the rental or ICT rebate to be reimbursed to Delegations in lieu of the provision by ICAO of the e-mail accounts for Delegations, and that the outcome should be reported to the Council as soon as practicable.

Any other business

Legal Committee

9. Pursuant to C-DEC 223/4, the President of the Council informed the Council that he had an opportunity to consult with the Chairperson of the Legal Committee, who had indicated that it was her understanding that the first meeting of the Article 12 Task Force Legal would be convened by the Secretariat and held virtually before the end of 2021.

Appointment of new CAEP Members and Observers

10. In relation to the e-mail message from the President of the Council dated 19 May 2021, the Council noted that in accordance with the relevant provisions of the CAEP Directives, Ms. Konstantina Chrysikopoulou was appointed as a Member representing Greece on the CAEP, with effect from 4 June 2021

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