



C-DEC 223/11
5/7/21

COUNCIL — 223RD SESSION

ELEVENTH MEETING

(VIRTUAL MEETING ON FRIDAY, 25 JUNE 2021, AT 1000 HOURS)

SUMMARY OF DECISIONS

CLOSED MEETING

Not available

OPEN MEETING

Draft Provisional Agenda for the 41st Session of the ICAO Assembly (2022)

3. The Council considered this item on the basis of C-WP/15183, which presented the provisional agenda for the 41st Session of the ICAO Assembly. The Council also had for consideration an oral report thereon from the Implementation, Strategy and Planning Group (ISPG) and the Working Group on Governance and Efficiency (WGGE).
4. Following consideration, the Council:
 - a) agreed to amend the draft provisional agenda as contained in C-WP/15183, including the description of a number of agenda items as proposed by ISPG/WGGE, and that subject to these revisions, the draft provisional agenda should be referred to the Air Navigation Commission, Air Transport, Finance, Governance, Aviation Security, Technical Cooperation and Implementation Support, and Climate and Environment Committees, as appropriate, for consideration and review;
 - b) decided that the 41st Session of the Assembly, should be convened from Tuesday, 27 September to Friday, 7 October 2022 and reiterated that in principle, ordinary sessions of the Assembly should be held, as far as practicable, in the final week of September and first week of October (C-DEC 214/4, refers), unless there are extraordinary reasons for not doing so;
 - c) further decided, in line with sub-paragraph b) above, that the 41st Session of the Assembly should be held at ICAO Headquarters in Montréal, Canada, insofar as circumstances would allow for an in-person meeting to be organized, and in this connection, requested the Secretariat to continue to monitor the public health situation and consider the feasibility of a virtual or hybrid meeting format, in order to provide options for further consideration by the Council, as necessary;
 - d) requested the Secretariat to carefully review the number of papers to be presented to

the Assembly and working papers with a view to streamlining and reducing their number, in particular in relation to those papers to be submitted for consideration by the Technical Commission;

- e) further requested the Secretariat to consider using the ICAO TV platform as a potential means for the presentation of Information Papers;
- f) agreed that invitations to attend the Assembly as observers be extended to the following:
 - i. non-Member States of ICAO which are members of the United Nations or a Specialized Agency or the International Atomic Energy Agency, as indicated in Appendix B to the paper, and those that may become members of those organizations in the interval before the Assembly, it being clear that any non-Member State which adhered to the Chicago Convention before the opening of the Assembly or during the Session would be able to participate as a Member State;
 - ii. international organizations reproduced in Appendix B to the paper and those that may be added to the list in the interval before the Assembly;
 - iii. Regional Safety Oversight Organizations (RSOOs) and Regional Development Banks as indicated in Appendix C to the paper; and
 - iv. Palestine, in accordance with Assembly Resolution A22-6; and
- g) further agreed in relation to the organizations listed in Appendices B and C, to delegate authority to the President to approve the inclusion of any additional organizations, on the understanding that the amended final list of invitees would be circulated to Representatives for their information.

High-level Conference on COVID-19 – Report on the status of preparations

5. The Council considered this item on the basis of C-WP/15203 Revision No.1, which reported on the status of the preparations of the High-level Conference on COVID-19 (HLCC 2021). The Council also had for consideration an oral report thereon from the Air Transport Committee (ATC), as well as an oral report of the Small Ad Hoc Group.

6. Following consideration, the Council:

- a) noted that the State letter inviting Member States and international organization to attend the HLCC 2021 had been issued (State letter 21/40, refers), and had included information on the tentative organizational timetable, agenda, administrative arrangements, and guidelines for the preparation of documentation;
- b) further noted the timeline and process for the preparation of the HLCC 2021 documentation, including the HLCC 2021 Declaration, as described in paragraph 2 of the working paper;
- c) reiterated 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 outside of standard business hours would be rotated as feasible as possible among participants in different time zones around the world, and in this connection, requested the Secretariat to seek further optimization of the proposed meeting times of the event to better take this factor into account;

- d) noted the information presented with respect to the logistical complexity, travel restrictions, budgetary implications, and other challenges associated with in-person participation and the hybrid model, and bearing this in mind, agreed that the HLCC 2021 should be held as a totally virtual event on the understanding that all participants would be connected remotely, while at the same agreeing that the option of in-person participation in the Ministerial plenary sessions at a ministerial level could be accommodated in conjunction with the hybrid model, subject to the following criteria being addressed and met:
 - i. compliance with existing travel restrictions into Canada at the time of the event;
 - ii. without prejudice to said travel restrictions, ministers and vice-ministers of all Member States are given the same opportunity to participate in person in the HLCC, if they so choose, it being understood that a final decision by the Council on this specific matter will be taken at the earliest possible date; and
 - iii. the meeting schedule would not need to be revised as a result of in-person ministerial participation in a way that would be to the detriment of any one particular region.
- e) requested the Small Ad Hoc Group to continue its work on the remaining tasks pursuant to C-DEC 223/1, focusing on the need to provide timely and necessary advice to the Secretariat for the preparation of the Conference; and
- f) requested the Secretariat to solve the connection problems that had been identified by certain Member States in using the Zoom platform for virtual meetings.

Financial Year 2020 – Report on the carryover

7. The Council considered this item on the basis of C-WP/15191, which provided the status of authorized appropriation of the Regular Budget for the financial year 2020 and the proposed carry-over of unutilized appropriations from 2020 to 2021. The Council also had for consideration an oral report thereon from the Finance Committee (FIC).

8. Following consideration, the Council:

- a) approved the carry-over of CAD 11.1 million of unspent 2020 appropriation to 2021, including the creation of an Operational Reserve, and decided that proper procedures be put in place to ensure that the funds were used only for those activities contemplated in the Operating Plan as detailed in Appendices C, D, and E of C-WP/15191, and as identified in the correlated information presented by the Secretariat during the consideration of this item by the Finance Committee;
- b) instructed the Secretariat to report on the use of this Operational Reserve to the Council on a periodic basis; and
- c) requested the Committee on Governance to develop policies and procedures that would

provide guidance on the decision-making process applicable specifically to the transition period between an incumbent Secretary General and a Secretary General designate of the Organization, and in this connection, recalled the decision taken during the fourth meeting of the current session in which it was agreed that for the next iteration of the Charter Letter to the Secretary General, text should be added to request an incumbent Secretary-General to share his/her experiences, knowledge and lessons learned with an incoming Secretary General during a designated transition period between the two office-holders (paragraph 8 f) of C-DEC 223/4 refers).

Any other business

Investigation into anonymous e-mail messages

9. The Council considered this item on the basis of an oral report from the Secretary General.
10. Following consideration, the Council:
 - a) recalled its previous decisions on this matter, in which the Council had requested the Secretary General to prepare a report providing additional information on the technical and legal aspects of this issue (C-DEC 223/1 refers);
 - b) took note of the information presented by the Secretary General, including in relation to the proposal received from the United Nations International Computing Center (UNICC);
 - c) further took note that based on the information presented, most of the technical requirements associated with a separation of the e-mail accounts of the Secretariat and Delegations in order for an investigation to be proceeded with, could be met based on the proposal of the UNICC;
 - d) expressed appreciation to the Government of Canada for all the assistance thus far provided to the Secretariat in exploring technical solutions that would facilitate the investigation;
 - e) requested the Secretariat to undertake further analysis in relation to the applicable diplomatic immunities and privileges of the Delegations of Member States accredited to ICAO within the context of the Host Country Agreement between Canada and ICAO, as well as in relation to the segregation of ICAO e-mail accounts from Member State Delegations to those of the staff members on the same servers, and with particular regard to implications arising from the investigation to be undertaken, and in this connection, requested that this analysis be undertaken in consultation with the Delegation of Canada; and
 - f) requested the Secretariat to continue to apprise the Council of any further developments on this matter and that an update in this regard be presented to the next session of the Council.

Farewells

11. The Council bade farewell to the Representative of Australia, the Alternate Representative and Chargé d'affaires ad interim of the United States, and also to the Director of the Office of the Secretary General.

– END –