



A40-WP/572  
EX/243  
30/9/19

**ASSEMBLY — 40TH SESSION**  
**EXECUTIVE COMMITTEE**

**DRAFT TEXT FOR THE REPORT**  
**ON**  
**AGENDA ITEM 23**

The attached material on Agenda Item 23 is submitted for consideration by the Executive Committee.

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**Agenda Item 23: Technical Assistance Programme****ICAO Technical Assistance**

23.1 The Committee reviewed A40-WP/4, presented by the Council, which reported on the ICAO Technical Assistance Programme in the fields of aviation safety, air navigation capacity and efficiency, security and facilitation, economic development of air transport and environment for the current triennium (2017 – 2019). The Committee noted the implementation work undertaken by ICAO during the current triennium covering all Strategic Objectives and encouraged States to continue to support ICAO's work in partnership with all stakeholders concerned. A40-WP/4 reaffirms ICAO's continued commitment to providing assistance for States that have not met targets for enhancing their aviation systems, a crucial element of the *No Country Left Behind (NCLB) initiative*. Globally, over the current triennium, States have improved the effective implementation (EI) of critical elements for the establishment of an aviation safety and security oversight system by 3.07 and 0.67 per cent, respectively. The Committee concluded that continued support and contributions from States and industry play a leading role in elevating a State's aviation system and in resolving imminent and major deficiencies such as Significant Safety Concerns (SSCs) and Significant Security Concerns (SSeCs). In this connection, the Committee urged the Assembly to support and continue to contribute for the benefit of States in need of assistance.

23.2 The Committee reviewed A40-WP/129, presented by Canada and New Zealand, which called for strengthened and synchronized technical assistance efforts and increased Regional Office involvement in technical assistance matters, in particular regarding the Asia and Pacific (APAC) Regional Office as emphasized by some States. The Committee recognized the importance of a harmonized and synchronized approach by all stakeholders, including ICAO, in regard to technical assistance activities designed for States. The Committee endorsed the recommendations in the paper which would strengthen technical assistance for States in a safe, secure, sustainable and efficient way. Additionally, the Committee acknowledged the benefits that came from technical assistance initiatives and, as was also expressed, the benefits of activities arising from the Aviation Safety Implementation Assistance Partnership (ASIAP) and regional safety oversight organizations (RSOOs).

23.3 The Committee reviewed A40-WP/319, presented by the African Civil Aviation Commission (AFCAC) on behalf of its 54 Member States<sup>1</sup>, and noted the achievements in improving safety in the Africa-Indian Ocean (AFI) Region through the implementation of the Comprehensive Regional Implementation Plan for Aviation Safety in Africa (AFI Plan) during the current triennium. The Committee supported the continuation of the AFI Plan over the next triennium, based on the achievements registered to date, not only to sustain the achieved progress, but also to further enhance aviation safety in the region.

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<sup>1</sup> Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cabo Verde, Cameroon, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia, Zimbabwe.

23.4 Information papers by Canada (A40-WP/441), Indonesia (A40-WP/511) and the Member States of the Central American Corporation of Air Services (COCESNA<sup>2</sup>) (A40-WP/77 Revision No. 1), were noted.

### **AFI SECFAL Plan**

23.5 The Committee reviewed A40-WP/63, presented by the Council, and noted the progress made in the implementation of the Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa (AFI SECFAL Plan). The Committee stressed the importance of establishing regional mechanisms to address aviation security and facilitation challenges in Africa, the need to reinforce and coordinate technical assistance missions in Africa through the AFI Region Security and Facilitation Collaborative Experts Scheme (AFI-CES) and to work collaboratively in avoiding duplication of work in assisting African States while implementing the GASeP and the Regional Targets, and the efforts made to raise political commitment. The Committee endorsed the proposal to update Assembly Resolution A39-38 on AFI SECFAL Plan, urging Member States of the AFI Region to commit to the achievement of the goals and objectives of the AFI SECFAL Plan. It further noted the need for continuing the resource mobilization strategy, coupled with the campaign by the ICAO Council and ICAO Secretariat to increase financial resources to ensure a sustainable funding mechanism to effectively implement the Plan.

23.6 The Committee agreed to submit for adoption by the Plenary the following resolution to supersede Assembly Resolution A39-38:

### **Resolution ~~A39-38~~23-1: Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa**

*Whereas* it is essential that there be increased coordinated efforts under ICAO leadership to reduce serious aviation security and facilitation deficiencies in the Africa-Indian Ocean (AFI) Region which are detrimental to the functioning and further development of international civil aviation;

*Whereas* UN Security Council, in resolution 2396 (2017), in welcoming ICAO's decision to establish a standard under Annex 9 — *Facilitation*, regarding the use of Advance Passenger Information (API) systems by its Member States, and recognizing that many ICAO Member States have yet to implement this standard, has decided, in paragraph 11, that in furtherance of paragraph 9 of resolution 2178 (2014) and the ICAO standard, its Member States are, inter alia, to establish API systems and shall require airlines operating in their territories to provide API to the appropriate national authorities;

*Whereas* UN Security Council, also in resolution 2396 (2017), at paragraph 12, has decided that "Member States shall develop the capability to collect, process and analyze, in furtherance of ICAO standards and recommended practices, passenger name record (PNR) data and to ensure PNR data is used by and shared with all their competent national authorities, with full respect for human rights and fundamental freedoms for the purpose of preventing, detecting and investigating terrorist offenses and related travel, further calls upon Member States, the UN, and other international, regional, and sub regional entities to provide technical assistance, resources and capacity building to Member States in order to implement such capabilities, and, where appropriate, encourages Member States to share PNR data with relevant or

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<sup>2</sup> Belize, Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua.

concerned Member States to detect foreign terrorist fighters returning to their countries of origin or nationality, or travelling or relocating to a third country, with particular regard for all individuals designated by the Committee established pursuant to resolutions 1267 (1999), 1989 (2011), and 2253 (2015), and also urges ICAO to work with its Member States to establish a standard for the collection, use, processing and protection of PNR data”;

*Noting* that the Council of ICAO has taken steps to address aviation security and facilitation issues through the development of a Comprehensive Regional Implementation Plan for Aviation Security and Facilitation in Africa (the AFI SECFAL Plan) as an ICAO Programme;

*Noting* that significant effort has been made towards reaffirming political commitment in Africa, in collaboration with the African Union Commission (AUC) and African Civil Aviation Commission (AFCAC), and that the Windhoek Declaration and specific targets ~~have been~~ adopted by the Ministerial Conference on Aviation Security and Facilitation in Africa held in April 2016 in Windhoek, Namibia ~~and will be presented to~~ have been endorsed by the African Union Assembly (AU) Summit of Heads of States and Government ~~for endorsement~~ on 1 July 2017 in Addis Ababa, Ethiopia;

*Recognizing* that many Contracting States in the AFI Region may not have sufficient technical or financial resources to comply with the requirements of the Chicago Convention and its Annexes and therefore rely on ICAO, development partners, industry and other stakeholders for expertise and assistance;

*Recognizing* the need to coordinate, under the ICAO umbrella, activities of all stakeholders providing assistance to States in the AFI Region;

*Recognizing* that ICAO may require additional resources to successfully carry out its coordination role; and

*Considering* the willingness of the international community to assist the AFI Region in giving, as soon as possible, a concrete and substantial commitment to the AFI SECFAL Plan;

*The Assembly:*

1. *Urges* Member States of the AFI Region to commit to the achievement of the goals and objectives of the AFI SECFAL Plan;

2. *Urges* Member States to call upon aircraft operators offering international air transport services to participate in electronic data interchange systems by providing advance passenger information in order to achieve maximum efficiency levels in the processing of passenger traffic at international airports;

3. *Requests* Member States that have not already done so, to develop the capability to collect, process and analyze passenger name record (PNR) data and to ensure that PNR data is used by and shared with their competent national authorities, with full respect for human rights and fundamental freedoms for the purpose of preventing, detecting and investigating terrorist offences and related travel;

24. *Encourages* Member States of the AFI Region to strengthen cooperation across the region in order to optimize the use and sharing of available resources through regional and sub regional projects and the AFI Collaborative Experts Scheme (CES) in all aspects of aviation security and facilitation oversight;

35. *Encourages* all Member States, UN Organizations (especially UNDP, UNODC, Security Council Counter Terrorism Committee, and others), aviation industry, and financial and other donors to support the AFI SECFAL Plan and work with ICAO for its implementation;
46. *Instructs* the Council to ensure a strong ICAO leadership role in coordinating activities, initiatives and implementation strategies aimed specifically at meeting the goals and objectives of the Plan, in order to achieve sustained improvement of aviation security and facilitation in the AFI Region and to allocate resources to the Plan under the Regular budget and to relevant Regional Offices accordingly;
57. *Instructs* the Council to implement the AFI SECFAL Plan in line with business plan principles, programme management practices and available resources; and
68. *Instructs* the Council to monitor and measure the status of implementation in the AFI Region throughout the triennium and to report to the next Assembly on the progress made; and
9. Declares that this resolution supersedes Resolution A39-38.

23.7 The Committee reviewed A40-WP/288 (Revision No. 1, English only), presented by the African Civil Aviation Commission (AFCAC) on behalf of its 54 Member States<sup>3</sup> and commended the progress made in the implementation of the AFI SECFAL Plan. In particular, the committee stressed the importance of the establishment of the AFI Region Security and Facilitation Collaborative Experts Scheme (AFI-CES) as a vehicle for delivering assistance to States, and supported the implementation of the Work Programme, namely the contribution of the team of experts to the AFI SECFAL Plan activities and to AFCAC in assisting States through technical missions on existing or potential Significant Security Concerns (SSeCs) and other aviation security and facilitation deficiencies.

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<sup>3</sup> Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cabo Verde, Cameroon, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Eswatini, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia, Zimbabwe.