



WORKING PAPER

ASSEMBLY — 41ST SESSION

EXECUTIVE COMMITTEE

Agenda Item 28: Other high-level policy issues to be considered by the Executive Committee

THE CHALLENGES AND CONCERNS OF THE DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA IN IMPLEMENTING THE ICAO SARPs

(Presented by the Democratic People’s Republic of Korea)

EXECUTIVE SUMMARY

This paper presents the challenges and concerns caused by external factors in the civil aviation activities of the Democratic People’s Republic of Korea in implementing the ICAO SARPs , and its measures.

Action: The Assembly is invited to:

- a) to note all the serious concerns regarding the provision of civil aviation of DPRK mentioned in this paper, with the consideration that “No country left behind” the initiative of ICAO and the situations that the States should cooperate and coordinate each other in order to recover the civil aviation to the level of pre-COVID-19 situation from the worldwide pandemic crisis today, the fact that the safety of passengers to/from Pyongyang is directly related with the safety of all of us and the point that any of the UN resolutions should not be used as a tool to infringe the safety of civil aviation.
- b) authorize ICAO secretariat to take measures for the practical improvement under the liaison with the responsible ICAO Member States including UN 1718 Committee to ensure the aeronautical services such as SITA, SADIS, JEPPESEN, Collins, etc. suspended currently to DPRK be resumed as soon as possible.
- c) request ICAO to ensure that all the ICAO technical cooperation with DPRK including the planned Civil/Military Workshop are realized as normal, recognizing that the suspension of ICAO technical cooperative activities with DPRK will not be limited with the provision of civil aviation of a Contracting State but also create serious negative impact to the international aviation safety.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objectives: Safety
<i>Financial implications:</i>	Not Determined
<i>References:</i>	C-DEC 218/6 Secretary General Oral Reports (Restricted) Doc 10115, <i>Thirteenth Air Navigation Conference. Montréal, 9 – 19 October 2018</i> Doc 10075, <i>Assembly Resolutions in Force (as of 6 October 2016)</i> Doc 7300, <i>Convention on International Civil Aviation</i> A40-WP/609 A40-WP/162 AN-Conf/13-WP/72

1. INTRODUCTION

1.1 The preamble to the Chicago Convention which in part states: “WHEREAS the future development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, yet its abuse can become a threat to the general security; and WHEREAS it is desirable to avoid friction and to promote that cooperation between nations and peoples upon which the peace of the world depends”.

1.2 Under Articles 1 and 4 of the Chicago Convention, it clearly indicates that the Contracting States recognize that every State has complete and exclusive sovereignty over the airspace above its territory and each Contracting State agrees not to use civil aviation for any purpose inconsistent with the aims of this Convention.

1.3 As a Contracting State to ICAO with signed Chicago Convention in 1977, the Democratic Peoples’ Republic of Korea (DPRK) is obliged to comply with the requirements of the Chicago Convention and the Standards and Recommended Practices (SARPs) and procedures described in the Annexes and relevant documents of ICAO.

1.4 DPRK has already opened its territorial airspace for the development of international air navigation since 1981 and the first overflight was conducted in 1998 and it had received the ICAO USOAP audit in 2000 and 2008 respectively through which its effective implementation score was validated as about 77.8 %.

1.5 At the present, due to some external reasons, the civil aviation activities of DPRK have encountered with some challenges in implementing the ICAO SARPs which require its prompt solution.

2. DISCUSSION

2.1 The relevant experts of National Aviation Administration (NAA), DPRK are being restricted in participating actively in the meetings, workshops, trainings and technical cooperative programmes provided by international organizations including ICAO and for example, the Civil/Military Coordination Workshop and Search & Rescue Workshop which were scheduled to be held in Pyongyang, DPRK in 2018 are still pending (The proposal of hosting these workshops was initiated by the agreement between NAA, DPRK and ICAO delegation during its visit to Pyongyang in May 2018).

2.2 The aeronautical and commercial services (i.e. SITA, Jeppesen, SADIS, Collins etc.) necessary for international air navigations of “Air Koryo” and other countries’ airlines were being suspended, thus affecting negatively the aviation safety of civil aviation activities and safety oversight function of DPRK.

2.2.1 Impact of suspended SADIS

It is inconsistent with requirements of ICAO Annex 3 - *Meteorological Service for International Air Navigation* and the SIGWX, upper wind temperature charts including the information of upper wind, upper-air temperature and humidity, geopotential altitude of flight levels, and temperature of tropopause, direction, speed and flight level of maximum wind, cumulonimbus clouds, icing, volcanic ash and turbulence necessary for flight operation are no longer provided to flight crews in DPRK.

2.2.2 Impact of suspended Jeppesen

It gives rise to serious concern for ensuring flight safety as pilots are not being provided with Standard Airway Manual and En-route charts considered necessary for safe line operations during flight preparation.

2.2.3 Impact of suspended SITA

2.2.3.1 International standards and recommended practices relating to safety and security of passengers developed by International Organizations under the UN such as ICAO cannot be implemented. (Refer to resolution A39-20 of ICAO 39th Assembly Meeting.)

2.2.3.2 Air Operators offering international air transport services cannot participate in electronic data interchange systems for ensuring the efficiency in the processing of passenger traffic including API and PNR notification to relevant authorities in real-time, thus they could not implement the -SARPS of ICAO relating to ensuring the aviation security and facilitation.

2.3 There are many obstacles in purchasing the aviation products in accordance with international standards of ICAO relating to equipment requirements. (i.e. purchasing TCAS version 7.1, regular updating of air navigation data such as EGPWS and purchasing other avionics including ones necessary for ADS-B, etc.).

2.4 The regular channels of remittance of annual financial contributions by DPRK payable to international organizations including with ICAO were blocked. (i.e. the channel of remittance of annual financial contributions to COSCAP-NA and ICAO is not being provided).

2.5 The aviation safety is negatively affected by the anti-DPRK manoeuvres forced by some Contracting States such as United States.

2.5.1 In the 223rd Session of the Council, ICAO adopted that all technical activities with the DPRK of a direct or indirect nature should be avoided picking up issue on the “Unannounced Missile Launches” and in the 226th Session of the Council, the resolution to raise this issue to be discussed in the Assembly Meeting was adopted again.

2.5.2 Missile test launch itself is attributed to the independent right of any State and the issue relating to “Unannounced Missile launch” is the one which cannot be resolved within the framework of a regulation of any international organization in the special context of Korean peninsula where the ever increasing anti-DPRK aggressive manoeuvres conducted by hostile forces such as United States become more blatant.

2.5.3 Moreover as all the military activities are conducted with the full consideration on the safety of civil aircraft so that no accident or incident occurred, the suspension of technical cooperation with the Contracting State is exceptional measure to result in the negative effects to the provision of international civil aviation.