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ASSEMBLY — 41ST SESSION

EXECUTIVE COMMITTEE

**DRAFT TEXT FOR THE REPORT
ON
AGENDA ITEM 16**

The attached material on Agenda Item 16 is submitted for consideration by the Executive Committee.

Agenda Item 16: Environmental Protection – General provisions, Aircraft Noise and Local Air Quality

16.1 At its second meeting, the Executive Committee considered the subject of environmental protection on the basis of progress reports by the Council on the Organization's work on general provisions, aircraft noise, and local air quality (WP/93) and considered the Council's proposals to update Resolution A40-17, *Consolidated statement of continuing ICAO policies and practices related to environmental protection – General provisions, noise and local air quality* (WP/95). In addition, there were three papers submitted by States and Observers: WPs 163, 168, 209.

16.2 In WP/93, Revision No.1, the Council reported on progress made by ICAO since the 40th Session of the Assembly in the field of civil aviation and the environment, including present and future aviation trends in the areas of aircraft noise and emissions, progress on the development of Standards and Recommended Practices (SARPs) and guidance on environment, and relevant developments in other United Nations bodies and international organizations.

16.3 In WP/95, the Council proposed revisions of Assembly Resolution A40-17, in light of the developments since the last Assembly. The revisions proposed in the Assembly Resolution arise mainly from the work carried out by ICAO, in cooperation with other organizations and from the outcome of the activities conducted by the Committee on Aviation Environmental Protection (CAEP).

16.4 The Committee acknowledged the substantial progress achieved by the Organization since the last Assembly in addressing the impact of noise, local air quality and global climate emissions, and requested ICAO to closely follow-up innovative technologies and cleaner energy sources for aviation, and to prepare for the timely update and development of relevant ICAO environmental Standards and Recommended Practices (SARPs) and guidance, as appropriate.

16.5 In WP/168, China and the 54 Member States of the African Civil Aviation Commission (AFCAC) recognized the progress achieved by CAEP and welcomed the ongoing "dual stringency" process to handle the interdependency between environmental certification Standards. The States also expressed the view that it is essential for CAEP to maintain and update the data-driven analyses in the Standard-setting process, and that the transparency of the used model and database needs to be enhanced in order to improve the robustness of the results from environmental trends and cost-benefit analyses. The States also recommended to prioritize the CAEP work on new aeroplane types only for the "dual stringency" analysis of the CO₂ emissions Standards.

16.6 Regarding the CAEP process and its transparency, it was clarified that the models and databases used in the CAEP stringency analyses are publically listed in the ICAO website, and they are all validated by CAEP prior to being used in the stringency analyses. In this regard, Member States were invited to actively participate in the CAEP processes by becoming a CAEP Member or Observer State. Regarding the applicability of "dual stringency" Standards being analysed by CAEP, it was clarified that the ongoing CAEP work programme, as approved by the ICAO Council, already includes, as a priority, the consideration of the applicability of the dual stringency to new types of aeroplanes.

16.7 The Committee noted the support for the work of ICAO through CAEP on environmental protection, and noted a general consensus on the need for enhanced transparency in the work of CAEP. The Committee noted that all technical subjects raised are ongoing and are being considered by CAEP in its

current Work Programme. The Committee agreed that CAEP should pursue its work programme, and requested the Council to guide CAEP work in the most effective manner.

16.8 In WP/209, El Salvador, supported by the Member States of the Latin American Civil Aviation Commission (LACAC) presented the progress achieved by the Latin America region in environment matters, by proactively promoting initiatives to improve environmental performance, with action taken on noise abatement, improving local air quality, reduction in greenhouse gas emissions and airport facility planning. The States also emphasized the continued need to build the capacity of States through seminars and workshops on the environment, as well as the access to funding, training and the transfer of technology to developing States.

16.9 While the Committee welcomed the efforts and initiatives of the Latin American States to address the impacts of aviation noise and emissions in accordance with relevant ICAO environmental SARPs and guidance, it was also clarified that the need for ICAO to provide further capacity-building such as through seminars and workshops, including through coordination with Regional Offices, was actually requested in draft Assembly Resolution (attached to WP/95) in Appendix A, operative paragraph 8.

16.10 The Committee noted information paper WP/163, submitted by Iran (Islamic Republic of) regarding its research for the assessment of noise in aircraft maintenance hangars.

16.11 The Committee agreed to recommend that the Assembly adopt the following Resolution:

Resolution 16/1: Consolidated statement of continuing ICAO policies and practices related to environmental protection - General provisions, noise and local air quality

Whereas in Resolution A40-17 the Assembly resolved to continue to adopt at each ordinary Session a consolidated statement of continuing ICAO policies and practices related to environmental protection;

Whereas Resolution A40-17 consists of an introductory text and a number of Appendices concerning specific but interrelated subjects; and

Considering the need to reflect developments that have taken place since the 40th Session of the Assembly in the field of aircraft noise and engine emissions;

The Assembly:

1. *Resolves* that the Appendices attached to this Resolution and listed below, together with A41-xx: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change* and A41-xx: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA)*, constitute the consolidated statement of continuing ICAO policies and practices related to environmental protection, as these policies exist at the close of the 41st Session of the Assembly:

Appendix A — General

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- Appendix B — Development of Standards, Recommended Practices and Procedures and/or guidance material relating to the quality of the environment
- Appendix C — Policies and programmes based on a “balanced approach” to aircraft noise management
- Appendix D — Phase-out of subsonic jet aircraft which exceed the noise levels in Volume I of Annex 16
- Appendix E — Local noise-related operating restrictions at airports
- Appendix F — Land-use planning and management
- Appendix G — Supersonic aircraft — The problem of sonic boom
- Appendix H — Aviation impact on local air quality

2. *Requests* the Council to submit the ICAO policies and practices related to environmental protection for review at each ordinary session of the Assembly; and
3. *Declares* that this resolution, together with A41-xx: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Climate change*, and A41-xx: *Consolidated statement of continuing ICAO policies and practices related to environmental protection – Carbon Offsetting and Reduction Scheme for International Aviation (CORSA)*, supersede Resolutions A40-17, A40-18 and A40-19.

APPENDIX A

General

Whereas the preamble to the Convention on International Civil Aviation states that “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 . . .” and Article 44 of that Convention states that ICAO should “develop the principles and techniques of international air navigation and . . . foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport”;

Whereas many of the adverse environmental effects of civil aviation activity can be reduced by the application of comprehensive measures embracing technological improvements, more efficient air traffic management and operational procedures, aircraft recycling, the use of clean, renewable and sustainable energy sources, the appropriate use of airport planning, land-use planning and management, community engagement and market-based measures;

Whereas all ICAO Member States agreed to continue to pursue all aviation matters related to the environment and also maintain the initiative in developing policy guidance on these matters, and not leave such initiatives to other organizations;

Whereas other international organizations are emphasizing the importance of environmental policies affecting air transport;

Whereas the sustainable growth of aviation is important for future economic growth and development, trade and commerce, cultural exchange and understanding among peoples and nations; therefore prompt action must be taken to ensure that it is compatible with the quality of the environment and develops in ways that alleviate adverse impacts; Recognizing that the work of the Organization on the environment contributes to 14 of 17 United Nations Sustainable Development Goals (SDGs);

Whereas reliable and best available information on the environmental effects of aviation is essential for the development of policy by ICAO and its Member States;

Acknowledging that substantial progress has been achieved in addressing the effects of aviation on the environment, and that aircraft produced today are 80 per cent more fuel efficient and 75 per cent quieter than they were in the 1960s;

Recognizing that new innovative technologies and energy sources for aviation are under development in a fast pace, and much work by ICAO will be required to keep pace with the timely environmental certification of such new technologies, as appropriate;

Whereas as far as there are recognized interdependencies of the environmental effects from aviation, such as noise and engine emissions, they need to be considered when defining source control and operational mitigation policies;

Whereas airspace management and design can play a role in addressing the impacts of aviation greenhouse gas emissions on the global climate, and the related economic and institutional issues need to be addressed by States, either individually or collectively on a regional basis;

Whereas cooperation with other international organizations is important to progress the understanding of aviation's impacts on the environment and in order to develop the appropriate policies to address these impacts;

Recognizing the importance of a resilient air transport system that can adapt its infrastructure and operations to a changing climate;

Recognizing the importance of research and development in fuel efficiency and aviation fuels that will enable international air transport operations with a lower environmental impact, both in terms of local air quality and the global climate; and

Noting the importance of updated information on the present and future impact of aircraft noise and aircraft emissions, as provided in the ICAO global environmental trends, to support decision-making on environmental matters;

The Assembly:

1. *Declares* that ICAO, as the lead United Nations (UN) Agency in matters involving international civil aviation, is conscious of and will continue to address the adverse environmental impacts that may be related to civil aviation activity and acknowledges its responsibility and that of its Member States to achieve maximum compatibility between the safe and orderly development of civil aviation and the quality of the environment. In carrying out its responsibilities, ICAO and its Member States will strive to:

- a) limit or reduce the number of people affected by significant aircraft noise;
 - b) limit or reduce the impact of aviation emissions on local air quality;
 - c) limit or reduce the impact of aviation greenhouse gas emissions on the global climate; and
 - d) ensure future resilience of air transport by adapting its infrastructure and operations to the consequences of climate change.
2. *Emphasizes* the importance of ICAO continuing to demonstrate its leadership role on all international civil aviation matters related to the environment and requests the Council to maintain the initiative in developing policy guidance on these matters, which recognizes the seriousness of the challenges which the sector faces;
 3. *Requests* the Council to continue to assess regularly the present and future impact of aircraft noise and aircraft engine emissions and to continue to develop tools for this purpose;
 4. *Requests* the Council to continue to closely follow-up innovative technologies and new energy sources for aviation to prepare for the timely environmental certification of such technologies, as appropriate, including through the ICAO Stocktaking process;
 5. *Welcomes* the launch of the ICAO tracker tools on innovations that can generate in-sector CO₂ emissions reductions, and *requests* the Council to keep track and update the tools, as appropriate;
 6. *Requests* the Council to maintain and update knowledge of the interdependencies and trade-offs related to measures to mitigate the impact of aviation on the environment so as to optimize decision-making;
 7. *Requests* the Council to establish a set of aviation environmental indicators which States could use to evaluate the performance of aviation operations and the effectiveness of standards, policies and measures to mitigate aviation's impacts on the environment;
 8. *Requests* the Council to disseminate information on the present and future impact and trends of aircraft noise, aircraft fuel consumption, aviation system fuel efficiency, and aircraft engine Particulate Matter (PM) and Oxides of Nitrogen (NOx) emissions, reflecting the work of the Organization, action plans submitted by States, the ICAO Global Air Navigation Plan, ICAO Standards and Recommended Practices, and ICAO policy and guidance material in the environmental field, in an appropriate manner, such as through regular reporting and workshops, including through the coordination with the ICAO Regional Offices;
 9. *Invites* States to continue their active support for ICAO's environment-related activities, and urges Member States to support activities not foreseen in the budget by providing a reasonable level of voluntary contributions;
 10. *Invites* States and international organizations to provide the necessary scientific information and data to enable ICAO to substantiate its work in this field;
 11. *Welcomes* the establishment of the *ICAO Global Coalition on Sustainable Aviation* as a forum of stakeholders to facilitate the development of new ideas and accelerate the implementation of environmental innovative solutions, and *requests* the Council to encourage more stakeholders to join the Coalition;

12. *Encourages* the Council to continue to cooperate closely with international organizations and other UN bodies on the understanding of aviation impacts on the environment and on the establishment of policies to address such impacts; and

13. *Urges* States to refrain from environmental measures that would adversely affect the orderly and sustainable development of international civil aviation.

APPENDIX B

Development of Standards, Recommended Practices and Procedures and/or guidance material relating to the quality of the environment

Whereas the problem of aircraft noise in the vicinity of many of the world's airports, which continues to arouse public concern and limit airport infrastructure development, requires appropriate action;

Whereas the scientific community is improving the understanding of uncertainties associated with the environmental impact of aircraft emissions at both the local and global levels, this impact remains a cause of concern and requires appropriate action;

Recognizing that there are interdependencies related to technology, design and operations of aircraft when addressing concerns related to noise, local air quality, and climate change;

Whereas the Council has established a Committee on Aviation Environmental Protection (CAEP) for the purpose of assisting in the further development of Standards, Recommended Practices and Procedures and/or guidance material on aircraft noise and engine emissions;

Whereas the Council has adopted Annex 16, Volume I — *Aircraft Noise*, which comprises noise certification Standards for subsonic aircraft (except short take-off and landing/vertical take-off and landing aeroplanes) and has notified Member States of this action;

Whereas the Council has adopted Annex 16, Volume II — *Aircraft Engine Emissions*, which comprises emissions certification Standards for aircraft engines and has notified Member States of this action;

Whereas the Council has adopted Annex 16, Volume III — *Aeroplane CO₂ Emissions*, which comprises CO₂ emissions certification Standards for aeroplanes and has notified Member States of this action;

Recognizing that the non-volatile particulate matter (nvPM) emissions certification Standard and CO₂ emissions certification standard are a technical comparison of aviation technologies designed for use in nvPM emissions certification and CO₂ emissions certification processes, respectively, and were not designed to serve as a basis for operating restrictions or emissions levies;

Whereas ICAO policy guidance on measures to address environmental concerns related to aircraft noise and engine emissions has been developed, amended and published;

Recognizing the work of CAEP on its first independent expert integrated review of aircraft and engine technologies and the development of medium-term (2027) and long-term (2037) technology goals for noise, fuel burn and emissions;

Acknowledging the need for the timely update and development of relevant ICAO environmental Standards and Recommended Practices (SARPs) and guidance for new advanced aircraft technologies, as appropriate; and

Recognizing new innovative technologies and energy sources for aviation being under development in a fast pace, including hybrid, electric and hydrogen aircraft;

The Assembly:

1. *Welcomes* the continuing benefits of the more stringent aircraft noise Standard in Annex 16, Volume I, Chapter 14 that became applicable on 31 December 2017 and 31 December 2020 for aircraft less than 55 tonnes Maximum Take-off Mass (MTOM);
2. *Welcomes* the adoption by the Council in March 2014 of the new Standard for noise which became applicable for Tilt-rotors on or after 1 January 2018;
3. *Welcomes* the benefits of the ICAO Aeroplane CO₂ Standard which became applicable on 1 January 2020 for new aeroplane types, except those new aeroplane types of less than or equal to 60 tonnes MTOM and with a maximum passenger seating capacity of 19 seats or less, which will become applicable on 1 January 2023;
4. *Welcomes* the benefits of the ICAO Aeroplane CO₂ Standard which will become applicable on 1 January 2023 for in-production aeroplanes with a production cut-off date of 1 January 2028;
5. *Welcomes* the benefits of the initial nvPM mass emissions Standard for all turbofan and turbojet aircraft engines with rated thrust greater than 26.7kN and for which the date of manufacture of the individual engine is on or after 1 January 2020;
6. *Welcomes* the adoption by the Council in March 2020 of the new mass and number standard for non-volatile particulate matter (nvPM) emissions that is applicable to new and in-production engine designs of rated thrust greater than 26.7 kN from 1 January 2023;
7. *Urges* States to recognize that the nvPM and CO₂ emissions certification Standards were not designed to serve as a basis for operating restrictions or emissions levies;
8. *Requests* the Council, with the assistance and cooperation of other bodies of the Organization and of other international organizations, to continue with vigour the work related to the development of Standards, Recommended Practices and Procedures and/or guidance material dealing with the impact of aviation on the environment;
9. *Requests* the Council to closely follow-up innovative technologies and new energy sources for aviation to prepare for the timely environmental certification of such technologies, as appropriate;

10. *Requests* the Council to ensure that CAEP pursues its work programme in the noise and emissions fields expeditiously in order that appropriate solutions can be developed as quickly as possible, and that the necessary resources are made available to do so;
11. *Urges* Member States from regions of the world that are currently under-represented in CAEP to participate in the Committee's work;
12. *Requests* the Council to provide States and International Organizations information on available measures to reduce the impact of aviation operations on the environment so that action can be taken using the appropriate measures;
13. *Urges* Member States to follow, where appropriate, the ICAO provisions developed pursuant to Resolving Clause 8 of this Appendix; and
14. *Requests* the Council to continue the work on developing and employing scenarios for assessing the future environmental impact of aviation emissions and to cooperate with other international organizations in this area.

APPENDIX C

Policies and programmes based on a “balanced approach” to aircraft noise management

Whereas a goal of ICAO is to promote the highest practicable degree of consistency in international civil aviation, including environmental regulations;

Whereas the uncoordinated development of national and regional policies and programmes for the alleviation of aircraft noise could hinder the role of civil aviation in economic development;

Whereas the severity of the aircraft noise problem at many airports has given rise to measures which limit aircraft operations and has provoked vigorous opposition to the expansion of existing airports or construction of new airports;

Whereas ICAO has accepted full responsibility for pursuing a course aimed at achieving maximum compatibility between the safe, economically effective and orderly development of civil aviation and the quality of the environment, and is actively pursuing the concept of a “balanced approach” for the reduction of aircraft noise and guidance on how States might apply such an approach;

Whereas the balanced approach to noise management developed by ICAO consists of identifying the noise problem at an airport and then analysing the various measures available to reduce noise through the exploration of four principal elements, namely reduction at source, land-use planning and management, noise abatement operational procedures and operating restrictions, with the goal of addressing the noise problem in the most cost-effective manner;

Whereas the assessment of present and future impact of aviation noise is an essential tool for the development of policy by ICAO and its Member States;

Whereas the process for implementation and decisions between elements of the balanced approach is for Member States and it is ultimately the responsibility of individual States to develop appropriate solutions to the noise problems at their airports, with due regard to ICAO rules and policies;

Whereas ICAO Circular 351, *Community Engagement for Aviation Environmental Management*, highlights the role of community engagement as an essential component of a comprehensive noise management policy;

Whereas the ICAO guidance developed to assist States in implementing the balanced approach [*Guidance on the Balanced Approach to Aircraft Noise Management* (Doc 9829)] has been subsequently updated;

Recognizing that solutions to noise problems need to be tailored to the specific characteristics of the airport concerned, which calls for an airport-by-airport approach, and that similar solutions could be applied if similar noise problems are identified at airports;

Recognizing that measures to address noise may have significant cost implications for operators and other stakeholders, particularly those from developing countries;

Recognizing that States have relevant legal obligations, existing agreements, current laws and established policies which may influence their implementation of the ICAO “balanced approach”;

Recognizing that some States may also have wider policies on noise management;

Recognizing the approval of the new *Manual on Operational Opportunities to Reduce Aircraft Noise* (Doc 10177);

Considering that the improvements in the noise climate achieved at many airports through the replacement of Chapter 2 compliant aircraft (aircraft which comply with the noise certification Standards in Volume I, Chapter 2 of Annex 16 but which exceed the noise levels in Volume I, Chapter 3 of Annex 16) by quieter aircraft should be safeguarded by taking account of the sustainability of future growth and should not be eroded by incompatible urban encroachment around airports; and

Take note that the CAEP analysis of Trends in aircraft noise show that, under an advanced technology improvements scenario, an increase in aircraft operations may no longer result in an increase in noise contour area after 2030, if a number of ambitious actions are carried out by ICAO Member States to realize this scenario;

The Assembly:

1. *Calls upon* all ICAO Member States and international organizations to recognize the leading role of ICAO in dealing with the problems of aircraft noise;
2. *Welcomes* the progress achieved to date in addressing aircraft noise and encourages States, manufacturers and operators to continue to engage in the work of ICAO in addressing aircraft noise, and to continue to pursue technologies and policies that reduce the impact of aircraft noise in the communities that surround airports;
3. *Urges* States to:

- a) adopt a balanced approach to noise management, taking full account of ICAO guidance (Doc 9829), relevant legal obligations, existing agreements, current laws and established policies, when addressing noise problems at their international airports;
 - b) institute or oversee a transparent process when considering measures to alleviate noise, including:
 - 1) assessment of the noise problem at the airport concerned based on objective, measurable criteria and other relevant factors;
 - 2) evaluation of the likely costs and benefits of the various measures available and, based on that evaluation, selection of measures with the goal to achieve maximum environmental benefit most cost-effectively; and
 - 3) provision for dissemination of the evaluation results, for consultation with stakeholders and for dispute resolution;
4. *Encourages* States to:
- a) promote and support studies, research and technology programmes aimed at reducing noise at source or by other means taking into account interdependencies with other environmental concerns;
 - b) apply land-use planning and management policies to limit the encroachment of incompatible development into noise-sensitive areas and mitigation measures for areas affected by noise, consistent with Appendix F to this Resolution;
 - c) apply noise abatement operational procedures, to the extent possible without affecting safety and considering interdependencies with other environmental concerns; and
 - d) not apply operating restrictions as a first resort but only after consideration of the benefits to be gained from other elements of the balanced approach and in a manner which is consistent with Appendix E to this Resolution and taking into account the possible impact of such restrictions at other airports;
5. *Requests* States to:
- a) work closely together to ensure the harmonization of programmes, plans and policies to the extent possible;
 - b) engage with communities on a timely and consistent basis, as per the principles defined in ICAO Circular 351;
 - c) ensure that the application of any measures to alleviate noise are consistent with the non-discrimination principle in Article 15 of the Chicago Convention; and
 - d) take into consideration the particular economic conditions of developing countries;
6. *Invites* States to keep the Council informed of their policies and programmes to alleviate the problem of aircraft noise in international civil aviation;

7. *Requests* the Council to:
- a) assess continuously the evolution of the impact of aircraft noise;
 - b) ensure that the guidance on the balanced approach in Doc 9829 is current and responsive to the requirements of States;
 - c) ensure that appropriate guidance on community engagement is made available to States and maintained; and
 - d) promote the use of the balanced approach, for example through workshops; and
8. *Calls* upon States to provide appropriate support for this work on ICAO guidance and any additional work on methodologies, and for the assessment of the impact or effectiveness of measures under the balanced approach as necessary.

APPENDIX D

Phase-out of subsonic jet aircraft which exceed the noise levels in Volume I of Annex 16

Whereas certification standards for subsonic jet aircraft noise levels are specified in Volume I of Annex 16;

Whereas for the purpose of this Appendix, a phase-out is defined as withdrawal of a noise-based category of aircraft from international operations at all airports in one or more States;

Whereas the Committee on Aviation Environmental Protection has concluded that a general phase-out of Chapter 3 aircraft operations by all the countries which imposed a phase-out on operations of Chapter 2 aircraft is not supported on cost-benefit grounds and had undertaken the work that led to the recommendation of a new noise certification standard in Volume I of Annex 16 on the understanding that a new phase-out should not be considered;

Whereas some States have implemented or initiated phase-outs of aircraft which exceed the noise levels in Volume I, Chapter 3 of Annex 16, or are considering so doing;

Recognizing that the noise standards in Annex 16 are not intended to introduce operating restrictions on aircraft;

Recognizing that operating restrictions on existing aircraft may increase the costs of airlines and could impose a heavy economic burden, particularly on aircraft operators which may not have the financial resources to re-equip their fleets, such as those from developing countries; and

Considering that resolution of problems due to aircraft noise must be based on the mutual recognition of the difficulties encountered by States and a balance among their different concerns;

The Assembly:

1. *Urges* States not to introduce any phase-outs of aircraft which exceed the noise levels in Volume I, Chapter 3 of Annex 16 before considering:

- a) whether the normal attrition of existing fleets of such aircraft will provide the necessary protection of noise climates around their airports;
 - b) whether the necessary protection can be achieved by regulations preventing their operators from adding such aircraft to their fleets through either purchase, or lease/charter/interchange, or alternatively by incentives to accelerate fleet modernization;
 - c) whether the necessary protection can be achieved through restrictions limited to airports and runways the use of which has been identified and declared by them as generating noise problems and limited to time periods when greater noise disturbance is caused; and
 - d) the implications of any restrictions for other States concerned, consulting these States and giving them reasonable notice of intention;
2. *Urges* States which, despite the considerations in Resolving Clause 1 above, decide to phase out aircraft which comply with the noise certification standards in Volume I, Chapter 2 of Annex 16 but which exceed the noise levels in Volume I, Chapter 3 of Annex 16:
- a) to frame any restrictions so that Chapter 2 compliant aircraft of an individual operator which are presently operating to their territories may be withdrawn from these operations gradually over a period of not less than 7 years;
 - b) not to restrict before the end of the above period the operations of any aircraft less than 25 years after the date of issue of its first individual certificate of airworthiness;
 - c) not to restrict before the end of the period the operations of any presently existing wide-body aircraft or of any fitted with engines that have a by-pass ratio higher than 2 to 1; and
 - d) to inform ICAO, as well as the other States concerned, of all restrictions imposed;
3. *Strongly encourages* States to continue to cooperate bilaterally, regionally and inter-regionally with a view to:
- a) alleviating the noise burden on communities around airports without imposing severe economic hardship on aircraft operators; and
 - b) taking into account the problems of operators of developing countries with regard to Chapter 2 aircraft presently on their register, where they cannot be replaced before the end of the phase-out period, provided that there is proof of a purchase order or leasing contract placed for a replacement Chapter 3 compliant aircraft and the first date of delivery of the aircraft has been accepted;
4. *Urges* States not to introduce measures to phase out aircraft which comply, through original certification or recertification, with the noise certification standards in Volume I, Chapters 3, 4 or any more recent Chapter of Annex 16;

5. *Urges* States not to impose any operating restrictions on Chapter 3 compliant aircraft, except as part of the balanced approach to noise management developed by ICAO and in accordance with Appendices C and E to this Resolution; and
6. *Urges* States to assist aircraft operators in their efforts to accelerate fleet modernization and thereby prevent obstacles and permit all States to have access to lease or purchase aircraft compliant with Chapter 3, including the provision of multilateral technical assistance where appropriate.

APPENDIX E

Local noise-related operating restrictions at airports

Whereas certification standards for subsonic jet aircraft noise are specified in Volume I of Annex 16;

Whereas for the purposes of this Appendix an operating restriction is defined as any noise-related action that limits or reduces an aircraft's access to an airport;

Whereas Appendix C to this Resolution calls for States to adopt a balanced approach to noise management when addressing noise problems at their international airports;

Whereas further reductions in noise at source are expected as a result of the adoption of new noise certification standards in Volume I of Annex 16 and through the assimilation of noise reduction technology in the fleet;

Whereas at many airports, land-use planning and management and noise abatement operational procedures are already being used and other noise mitigation measures are in place, although urban encroachment continues in certain cases;

Whereas implementation of the phase-out of aircraft which comply with the noise certification standards in Volume I, Chapter 2 of Annex 16 but which exceed the noise levels in Volume I, Chapter 3 of Annex 16 (as provided for in Appendix D to this Resolution) has been completed in some States and, assuming continued growth in aviation activity, without further action the number of people exposed to aircraft noise at some airports in those States may increase;

Whereas there are significant regional differences in the extent to which aircraft noise is expected to be a problem over the next two decades and some States have consequently been considering placing operating restrictions on certain aircraft which comply with the noise certification standards in Volume I, Chapter 3 of Annex 16;

Whereas if operating restrictions on Chapter 3 aircraft are introduced at certain airports, this should be based on the balanced approach and relevant ICAO guidance (Doc 9829) and should be tailored to the specific requirements of the airport concerned;

Whereas these restrictions could have a significant economic impact on fleet investments of aircraft operators from States other than those in which the restrictions are imposed;

Recognizing that these restrictions go beyond the policy established in Appendix D to this Resolution and other relevant policy guidance developed by ICAO;

Recognizing that ICAO places no obligation on States to impose operating restrictions on Chapter 3 aircraft;

Recognizing that the noise standards in Annex 16 were not intended to introduce operating restrictions on aircraft and, specifically, that the standards contained in Annex 16, Volume I, Chapter 4 and Chapter 14, and any further stringency levels adopted by the Council, are based on the understanding that it is for certification purposes only; and

Recognizing in particular that States have legal obligations, laws, existing arrangements and established policies which may govern the management of noise problems at their airports and could affect the implementation of this Appendix;

The Assembly:

1. *Urges* States to ensure, wherever possible, that any operating restrictions be adopted only where such action is supported by a prior assessment of anticipated benefits and of possible adverse impacts;
2. *Urges* States not to introduce any operating restrictions at any airport on aircraft which comply with Volume I, Chapter 3 of Annex 16 before:
 - a) completing the phase-out of aircraft which exceed the noise levels in Volume I, Chapter 3 of Annex 16, at the airport concerned; and
 - b) fully assessing available measures to address the noise problem at the airport concerned in accordance with the balanced approach described in Appendix C;
3. *Urges* States which, despite the considerations in Resolving Clause 2 above, permit the introduction of restrictions at an airport on the operations of aircraft which comply, either through original certification or recertification, with Volume I, Chapter 3 of Annex 16:
 - a) to base such restrictions on the noise performance of the aircraft, as determined by the certification procedure conducted consistent with Annex 16, Volume I;
 - b) to tailor such restrictions to the noise problem of the airport concerned in accordance with the balanced approach;
 - c) to limit such restrictions to those of a partial nature wherever possible, rather than the complete withdrawal of operations at an airport;
 - d) to take into account possible consequences for air transport services for which there are no suitable alternatives (for example, long-haul services);
 - e) to consider the special circumstances of operators from developing countries, in order to avoid undue hardship for such operators, by granting exemptions;
 - f) to introduce such restrictions gradually over time, where possible, in order to take into account the economic impact on operators of the affected aircraft;

- g) to give operators a reasonable period of advance notice;
- h) to take account of the economic and environmental impact on civil aviation; and
- i) to inform ICAO, as well as the other States concerned, of all such restrictions imposed; and

4. *Further urges* States not to permit the introduction of any operating restrictions aimed at the withdrawal of aircraft that comply, through either original certification or recertification, with the noise standards in Volume I, Chapter 4 and Chapter 14 of Annex 16 and any further stringency levels adopted by the Council.

APPENDIX F

Land-use planning and management

Whereas land-use planning and management is one of the four principal elements of the balanced approach to noise management;

Whereas the number of people affected by aircraft noise is dependent on the way in which the use of land surrounding an airport is planned and managed, and in particular the extent to which residential development and other noise sensitive activities are controlled;

Whereas activity may increase significantly at most airports and there is a risk that future growth may be constrained by inappropriate land use near airports;

Whereas the phase-out of subsonic jet aircraft which comply with the noise certification standards in Volume I, Chapter 2 of Annex 16 but which exceed the noise levels in Volume I, Chapter 3 of Annex 16 has succeeded at many airports in reducing the size of the noise contours depicting the areas where people are exposed to unacceptable noise levels as well as in reducing the total number of people exposed to noise;

Considering it essential that these improvements should be preserved to the greatest extent practicable for the benefit of local communities;

Recognizing that the standard contained in Annex 16, Volume I, Chapter 4 has increased the opportunities for operators to replace aircraft in their fleets by quieter aircraft;

Recognizing that the standard contained in Annex 16, Volume I, Chapter 14, when implemented, will increase the opportunities for operators to replace aircraft in their fleets by quieter aircraft;

Recognizing that while land-use management includes planning activities that may primarily be the responsibility of local authorities, it nevertheless affects airport capacity, which in turn has implications for civil aviation;

Recognizing that the update of the guidance material on appropriate land-use planning and noise mitigation measures is included in the *Airport Planning Manual* (Doc 9184), Part 2 — *Land Use and Environmental Management*;

Recognizing that the ICAO Circular 351 *Community Engagement on Aviation Environmental Management* complements the current policy of aircraft noise management at and around airports;

Recognizing the Eco-Airport Toolkit e-collection as a useful resource for environmentally sound management policies at and around airports; and

Recognizing that emerging technology aircraft, such as drones and remotely piloted aircraft systems (RPAS) may present noise impacts in areas beyond the land surrounding an airport;

The Assembly:

1. *Urges* States that have phased out operations of Chapter 2 aircraft at their airports as provided for in Appendix D to this Resolution, whilst preserving the benefits for local communities to the greatest extent practicable, to avoid inappropriate land use or encroachment whenever possible in areas where reductions in noise levels have been achieved;
2. *Urges* States to ensure that the potential reductions in noise levels to be gained from the introduction of quieter aircraft, particularly those complying with the Chapter 4 standard, are also not avoidably compromised by inappropriate land use or encroachment;
3. *Urges* States, where the opportunity still exists to minimize aircraft noise problems through preventive measures, to:
 - a) locate new airports at an appropriate place, such as away from noise-sensitive areas;
 - b) take the appropriate measures so that land-use planning is taken fully into account at the initial stage of any new airport or of development at an existing airport;
 - c) define zones around airports associated with different noise levels taking into account population levels and growth as well as forecasts of traffic growth and establish criteria for the appropriate use of such land, taking account of ICAO guidance;
 - d) enact legislation, establish guidance or other appropriate means to achieve compliance with those criteria for land use; and
 - e) ensure that reader-friendly information on aircraft operations and their environmental effects is available to communities near airports;
4. *Requests* the Council to:
 - a) ensure that the guidance on land use in Doc 9184 is current and responsive to the requirements of States; and
 - b) consider what steps might be taken to promote land-use management, particularly in those parts of the world where the opportunity may exist to avoid aircraft noise problems in the future, including through the Eco-Airport Toolkit e-collection.

APPENDIX G

Supersonic aircraft — The problem of sonic boom

Whereas since the introduction of supersonic aircraft in commercial service action has been taken to avoid creating unacceptable situations for the public due to sonic boom, such as interference with sleep and injurious effects to persons and property on land and at sea caused by the magnification of the sonic boom;

Whereas the States involved in the manufacture of such supersonic aircraft, as well as other States, continue to carry out research into the physical, physiological and sociological effects of sonic boom;

Recognizing the ongoing work to develop a new supersonic noise Standard for future aircraft, and the work to understand the current state of sonic boom knowledge, research and supersonic aeroplane projects; and

Recognizing that the airworthiness certification of a supersonic aeroplane could occur in the 2020-2025 timeframe, and the need for an exploratory study to provide better understanding of airport noise impacts resulting from the introduction of supersonic aircraft;

The Assembly:

1. *Reaffirms* the importance it attaches to ensuring that no unacceptable situation for the public is created by sonic boom from supersonic aircraft;
2. *Instructs* the Council, in the light of the available information and availing itself of the appropriate machinery, to review the Annexes and other relevant documents, so as to ensure that they take due account of the problems which the operation of supersonic aircraft may create for the public and, in particular, as regards sonic boom, to take action to achieve international agreement on measurement of the sonic boom, the definition in quantitative or qualitative terms of the expression “unacceptable situations for the public” and the establishment of the corresponding limits; and
3. *Invites* the States involved in the manufacture of supersonic aircraft to furnish ICAO in due course with proposals on the manner in which any specifications established by ICAO could be met.

APPENDIX H

Aviation impact on local air quality

Whereas there are growing concerns about the impact of aviation on the atmosphere with respect to local air quality and the associated human health and welfare impacts;

Whereas the evidence of this impact from emissions of NO_x and particulate matter (PM) from aircraft engines on local surface and regional air quality is now more compelling; *Recognizing* that the scientific community is improving the understanding of uncertainties associated with the impact from emissions of NO_x and PM from aircraft engines on the global climate;

Recognizing that there are interdependencies related to design and operations of aircraft when addressing concerns related to noise, local air quality, and climate change;

Recognizing that ICAO has established technical Standards and fostered the development of operational procedures that have reduced significantly local air quality pollution from aircraft;

Recognizing the work of CAEP on its first independent expert integrated review of aircraft and engine technologies and the development of medium-term (2027) and long-term (2037) technology goals for noise, fuel burn and emissions;

Whereas many pollutants such as soot and unburned hydrocarbons from aircraft engines affecting local and regional air quality, have declined dramatically over the last few decades;

Whereas progress in operational procedures such as continuous descent operations has resulted in further reduction of emissions from aircraft; *Whereas* an assessment of trends in aviation emissions of NO_x, PM, and other gaseous emissions shows increasing global emissions values;

Whereas the impacts of aviation emissions of NO_x, PM, and other gaseous emissions need to be further assessed and understood;

Recognizing the robust progress made in understanding impacts of non-volatile components of PM emissions while the scientific and technical work continues on better assessment of volatile components of PM emissions;

Whereas the impacts of aviation emissions on local and regional air quality are part of the total emissions in the affected area and should be considered in the broader context of all sources that contribute to the air quality concerns;

Whereas the actual local air quality and health impacts of aviation emissions depend on a series of factors among which are the contribution to the total concentrations and the number of people exposed in the area being considered;

Whereas Article 15 of the *Convention on International Civil Aviation* contains provisions regarding airport and similar charges, including the principle of non-discrimination, and ICAO has developed policy guidance for Member States regarding charges (*ICAO's Policies on Charges for Airports and Air Navigation Services*, Doc 9082) including specific guidance on noise-related charges and emissions-related charges for local air quality;

Whereas the ICAO Council had adopted on 9 December 1996 a policy statement of an interim nature on emissions-related charges and taxes in the form of a resolution wherein the Council strongly recommends that any such levies be in the form of charges rather than taxes, and that the funds collected should be applied in the first instance to mitigating the environmental impact of aircraft engine emissions;

Whereas such charges should be based on the costs of mitigating the environmental impact of aircraft engine emissions to the extent that such costs can be properly identified and directly attributed to air transport;

Whereas the ICAO Council has adopted policy and guidance material related to the use of emissions-related charges to address the impact of aircraft engine emissions at or around airports;

Noting that the ICAO Council has published information on environmental management systems (EMS) that are in use by aviation stakeholders; and *Noting* that the ICAO Council has developed an Airport Air Quality Manual which has been subsequently updated;

The Assembly:

1. *Requests* the Council to monitor and develop its knowledge of, in cooperation with other relevant international organizations such as WHO, the effects of aviation emissions of PM, NOx and other gases on human welfare and health, and to disseminate information in this regard;
2. *Requests* the Council to continue its work to develop technologically feasible, environmentally beneficial and economically reasonable standards to further reduce the impact of local air pollution from aircraft;
3. *Requests* the Council to continue to monitor progress in scientific and technical understanding of volatile and non-volatile components of PM emissions;
4. *Requests* the Council to ensure that the interdependencies between measures to reduce aircraft noise and engine emissions that affect local air quality as well as global climate are given due consideration;
5. *Requests* the Council to continue its work to develop integrated medium and long-term technology goals for the reduction of fuel burn, noise and aircraft engine emission of NOX and nvPM; and operational goals for the reduction of fuel burn;
6. *Requests* the Council to continue to foster operational and air traffic improvements that reduce the impact of local air pollution from aircraft;
7. *Encourages* action by Member States, and other parties involved, to limit or reduce international aviation emissions affecting local air quality through voluntary measures and to keep ICAO informed;
8. *Welcomes* the development and promotion of guidance material on issues related to the assessment of airport- related air quality;
9. *Requests* the Council to work with States and stakeholders in promoting and sharing best practices applied at airports in reducing the adverse effects of aviation emissions on local air quality;
10. *Welcomes* the development of the guidance on emissions charges related to local air quality and requests the Council to keep up to date such guidance and urges Member States to share information on the implementation of such charges; and
11. *Urges* Member States to ensure the highest practical level of consistency and take due account of ICAO policies and guidance on emissions charges related to local air quality.

— END —