



C-DEC 225/8
9/3/22

COUNCIL — 225TH SESSION

EIGHTH MEETING

(HYBRID MEETING ON MONDAY, 7 MARCH 2022, AT 1430 HOURS)

SUMMARY OF DECISIONS

OPEN MEETING

Air Navigation Work Programme

1. The Council considered this item on the basis of an oral report presented by the President of the Air Navigation Commission (ANC), which provided an update on the amendments made to the Air Navigation (AN) work programme since last reported to the Council during the 222nd Session.
2. Following consideration, the Council:
 - a) expressed appreciation for the detailed update presented by the Air Navigation Commission (ANC), particularly with respect to the additional analysis provided on the changes to the AN Work Programme in relation to the global plans (Global Aviation Safety Plan (GASP) and Global Air Navigation Plan (GANP));
 - b) noted that the low number of job cards reviewed by the ANC over the course of its 215th, 216th and 217th Session was attributable to the impact of the COVID-19 pandemic on the schedule of Panel meetings, and further noted the actions to be taken by the ANC to bring the AN work programme up to date for subsequent review by the Commission;
 - c) shared the concerns expressed by the ANC at the large volume of guidance material required to support the amendments to Standards and Recommended Practices (SARPs)/Procedures for Air Navigation Services (PANS) adopted in 2020 had yet to be published, and in this connection, reiterated the need for continued improvement in ensuring the timely availability of guidance material, in support of the implementation of SARPs/PANS; and
 - d) noted with appreciation the work undertaken by the ANC to prioritize all of the approved job cards contained in the AN work programme database, and the improvements to be made to the prioritization process itself, as agreed by the Commission.

Adoption of Amendment 178 to Annex 1

3. The Council considered this item on the basis of C-WP/15297, which presented a proposal from the Air Navigation Commission for Amendment 178 to Annex 1 — *Personnel Licensing*.
4. It was noted that having examined the technical circumstances associated with the implementation of the amendment, the Air Navigation Commission considered that an effective date of

18 July 2022 and a proposed applicability date of 3 November 2022 would be suitable for Amendment 178 to Annex 1.

5. Following consideration, the Council by 35 votes in favour, none against, and no abstentions (one Representative being absent):

- a) adopted, as Amendment 178 to Annex 1, the amendments to Standards and Recommended Practices as contained in Appendix C to the working paper;
- b) approved, as part of the said amendment, the amendment to notes and attachments as contained in Appendix C to the working paper;
- c) approved the Resolution of Adoption in Appendix D to the working paper; and
- d) approved, as part of the said amendment, the amendment to the Foreword of Annex 1 as contained in Appendix E to the working paper.

Adoption of Amendment 47 to Annex 6, Part I

6. The Council considered this item on the basis of C-WP/15298, which presented a proposal from the Air Navigation Commission for Amendment 47 to Annex 6 — *Operation of Aircraft, Part I – International Commercial Air Transport – Aeroplanes*.

7. It was noted that having examined the technical circumstances associated with the implementation of the amendment, the Air Navigation Commission considered that an effective date of 18 July 2022 and a proposed applicability date of 3 November 2022 would be suitable for Amendment 47 to Annex 6, Part I.

8. Following consideration, the Council by 35 votes in favour, none against, and no abstentions (one Representative being absent):

- a) adopted, as Amendment 47 to Annex 6, Part I, the amendments to definitions and to Standards and Recommended Practices as contained in Appendix C to the working paper;
- b) approved, as part of the said amendment, the amendment to notes and attachments as contained in Appendix C to the working paper;
- c) approved the Resolution of Adoption in Appendix D to the working paper; and
- d) approved, as part of the said amendment, the amendment to the Foreword of Annex 6, Part I as contained in Appendix E to the working paper.

Adoption of Amendment 40 to Annex 6, Part II

9. The Council considered this item on the basis of C-WP/15299, which presented a proposal from the Air Navigation Commission for Amendment 40 to Annex 6 — *Operation of Aircraft, Part II – International General Aviation – Aeroplanes*.

10. It was noted that having examined the technical circumstances associated with the implementation of the amendment, the Air Navigation Commission considered that an effective date of 18 July 2022 and a proposed applicability date of 3 November 2022 would be suitable for Amendment 40 to Annex 6, Part II.

11. Following consideration, the Council by 35 votes in favour, none against, and no abstentions (one Representative being absent):

- a) adopted, as Amendment 40 to Annex 6, Part II, the amendments to definitions and to Standards and Recommended Practices as contained in Appendix C to the working paper;
- b) approved, as part of the said amendment, the amendment to notes and attachments as contained in Appendix C to the working paper;
- c) approved the Resolution of Adoption in Appendix D to the working paper; and
- d) approved, as part of the said amendment, the amendment to the Foreword of Annex 6, Part II as contained in Appendix E to the working paper.

Adoption of Amendment 24 to Annex 6, Part III

12. The Council considered this item on the basis of C-WP/15300, which presented a proposal from the Air Navigation Commission for Amendment 24 to Annex 6 — *Operation of Aircraft, Part III – International Operations – Helicopters*.

13. It was noted that having examined the technical circumstances associated with the implementation of the amendment, the Air Navigation Commission considered that an effective date of 18 July 2022 and a proposed applicability date of 3 November 2022 would be suitable for Amendment 24 to Annex 6, Part III.

14. Following consideration, the Council by 35 votes in favour, none against, and no abstentions (one Representative being absent):

- a) adopted, as Amendment 24 to Annex 6, Part III, the amendments to definitions and to Standards and Recommended Practices as contained in Appendix C to the working paper;
- b) approved, as part of the said amendment, the amendment to notes and attachments as contained in Appendix C to the working paper;
- c) approved the Resolution of Adoption in Appendix D to the working paper; and
- d) approved, as part of the said amendment, the amendment to the Foreword of Annex 6, Part III as contained in Appendix E to the working paper.

Adoption of Amendment 7 to Annex 7

15. The Council considered this item on the basis of C-WP/15301, which presented a proposal from the Air Navigation Commission for Amendment 7 to Annex 7 — *Aircraft Nationality and Registration Marks*.

16. It was noted that having examined the technical circumstances associated with the implementation of the amendment, the Air Navigation Commission considered that an effective date of 18 July 2022 and a proposed applicability date of 2 November 2023, except those proposals related to the

certificate of registration which should become applicable on 26 November 2026, would be suitable for Amendment 7 to Annex 7.

17. Following consideration, the Council by 35 votes in favour, none against, and no abstentions (one Representative being absent):

- a) adopted, as Amendment 7 to Annex 7, the amendments to Standards as contained in Appendix C to the working paper;
- b) approved, as part of the said amendment, the amendment to the Notes as contained in Appendix C to the working paper;
- c) approved the Resolution of Adoption in Appendix D to the working paper; and
- d) approved, as part of the said amendment, the amendment to the Foreword of Annex 7 as contained in Appendix E to the working paper.

Adoption of Amendment 109 to Annex 8

18. The Council considered this item on the basis of C-WP/15302, which presented a proposal from the Air Navigation Commission for Amendment 109 to Annex 8 — *Airworthiness of Aircraft*.

19. It was noted that having examined the technical circumstances associated with the implementation of the amendment, the Air Navigation Commission considered that an effective date of 18 July 2022 and a proposed applicability date of 3 November 2022, would be suitable for Amendment 109 to Annex 8.

20. Following consideration, the Council by 35 votes in favour, none against, and no abstentions (one Representative being absent):

- a) adopted, as Amendment 109 to Annex 8, the amendments to definitions and to Standards and Recommended Practices as contained in Appendix C to the working paper;
- b) approved, as part of the said amendment, the amendment to the Notes as contained in Appendix C to the working paper;
- c) approved the Resolution of Adoption in Appendix D to the working paper; and
- d) approved, as part of the said amendment, the amendment to the Foreword of Annex 8 as contained in Appendix E to the working paper.

Adoption of Amendment 91 to Annex 10, Volume IV

21. The Council considered this item on the basis of C-WP/15303, which presented a proposal from the Air Navigation Commission for Amendment 91 to Annex 10 — *Aeronautical Telecommunications, Volume IV – Surveillance and Collision Avoidance Systems*.

22. It was noted that having examined the technical circumstances associated with the implementation of the amendment, the Air Navigation Commission considered that an effective date of 18 July 2022 and a proposed applicability date of 3 November 2022, would be suitable for Amendment 91 to Annex 10, Volume IV.

23. Following consideration, the Council by 35 votes in favour, none against, and no abstentions (one Representative being absent):

- a) adopted, as Amendment 91 to Annex 10, Volume IV, the amendments to definitions and Standards and Recommended Practices as contained in Appendix C to the working paper;
- b) approved, as part of the said amendment, the amendment to notes and attachments as contained in Appendix C to the working paper;
- c) approved the Resolution of Adoption in Appendix D to the working paper; and
- d) approved, as part of the said amendment, the amendment to the Foreword of Annex 10, Volume IV as contained in Appendix E to the working paper.

Adoption of Amendment 17 to Annex 14, Volume I

24. The Council considered this item on the basis of C-WP/15304, which presented a proposal from the Air Navigation Commission for Amendment 17 to Annex 14 — *Aerodromes*, Volume I – *Aerodrome Design and Operations*.

25. It was noted that having examined the technical circumstances associated with the implementation of the amendment, the Air Navigation Commission considered that an effective date of 18 July 2022 and a proposed applicability date of 3 November 2022, would be suitable for Amendment 17 to Annex 14, Volume I.

26. Following consideration, the Council by 35 votes in favour, none against, and no abstentions (one Representative being absent):

- a) adopted, as Amendment 17 to Annex 14, Volume I, the amendments to Standards and Recommended Practices as contained in Appendix C to the working paper;
- b) approved the Resolution of Adoption in Appendix D to the working paper; and
- c) approved, as part of the said amendment, the amendment to the Foreword of Annex 14, Volume I as contained in Appendix E to the working paper.

ANC Work Programme for the 220th Session

27. The Council considered this item on the basis of C-WP/15310, which presented the proposed work programme for the 220th Session of the Air Navigation Commission (ANC).

28. Following consideration, the Council:

- a) approved the proposed work programme of the Air Navigation Commission for its 220th Session, as outlined in Appendix A of C-WP/15310; and
- b) took note of the planned items for the 221st and 222nd Sessions, as outlined in Appendices B and C, respectively, of C-WP/15310.

Governance of the International Aviation Trust Framework

29. The Council considered this item on the basis of C-WP/15307, which presented a proposal for the ICAO role in the governance for the implementation of the International Aviation Trust Framework (IATF). The Council also had for consideration an oral report thereon from the Air Navigation Commission (ANC). In so doing, the Council agreed to waive Rule 26 b) of the *Rules of Procedure for the Council*, pertaining to the timeline requirement for the issuance of oral reports, since in this case, the oral report had been issued less than three working days in advance of the meeting.

30. Following consideration, the Council:

- a) took note of the two options proposed by the Secretariat in C-WP/15307, and taking into account the views expressed by the ANC in that regard, concluded that the Council was not presently in a position to consider either of the recommended options, as it had not been provided with sufficient information to exercise due diligence in respect of reviewing the options; and
- b) recalling that the ANC and Secretariat had agreed to launch an IATF joint stock-taking exercise as a means to ensure that the ANC had all the necessary information required to appropriately advise the Council on this subject, agreed with the recommendation of the ANC to defer any decision concerning ICAO's future oversight role in the IATF and its further development, until the information collected via the stock-taking exercise was available and had been analysed by ANC sufficiently, so that it could advise the Council appropriately on the matter.

Any other business

Registration of aircraft

31. The Council was informed by the Representative of France that, according to the information received by his delegation, the Russian Federation had requested its operators to register leased aircrafts, already registered in third countries, on its own register. On this basis, he stated that the Russian Federation apparently intended to deliver new airworthiness certificates. Taking into account the obligations under Article 18 of the Chicago Convention and the many implications of its violation, including on air safety, he stressed the importance of obtaining clarification on the matter and on the rules to be followed by all Contracting States. Following several interventions expressing concerns, the President concluded the discussion by inviting the Secretariat to clarify the situation with the involved Contracting State and, if needed, to undertake the appropriate actions in the interest in particular of air safety, while at the same time keeping the Council informed as necessary.

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