



C-DEC 226/14
28/6/22

COUNCIL — 226TH SESSION

FOURTEENTH MEETING

(HYBRID MEETING ON WEDNESDAY, 22 JUNE 2022, AT 1430 HOURS)

SUMMARY OF DECISIONS

OPEN MEETING

Welcome to a new Representative

1. The newly appointed Representative of the Russian Federation (Mr. Alexey Novgorodov) was welcomed to the Council. It was recalled that Mr. Novgorodov had previously served as the Representative of the Russian Federation on the Council of ICAO from 2008 to 2017.

Draft Assembly working paper – Fundamental Rights of Passengers at International Airports

2. The Council considered this item on the basis of C-WP/15424, which pursuant to C-DEC 226/2, presented a draft Assembly information paper on the work carried out by the Council to consider the particular rights that might be applicable in a passenger's journey, as it relates to interactions with various authorities at airports, as well as ICAO's role in that regard.

3. Following consideration, the Council took note of the information presented in C-WP/15424, and in so doing, approved the draft Assembly information paper attached thereto, subject to the amendments requested by the Council in the course of its consideration of this item being reflected, including with respect to, inter alia, paragraph 2.3 c) of the Spanish language version of the draft Assembly information paper, and further refinement of the language used for the text in relation to certain legal concepts, and delegated authority to the President to thereafter approve the revised information paper on its behalf for subsequent submission to the 41st Session of the Assembly.

4. The Council also noted the concerns expressed by the Representatives of the United States, Mexico, and Sudan, and acknowledged that these concerns would be considered further in the context of the work to be undertaken by the Aviation Security (AVSEC) and Facilitation (FAL) Panels on this subject.

5. It was understood that the substance of the comments made in the course of the Council's consideration of this item, including the details of the proposed amendments to the draft Assembly information paper would be reflected accordingly in the summary minutes of this meeting (C-MIN 226/14), which would be issued in due course.

Draft Assembly working paper – Increasing the efficiency and effectiveness of ICAO

6. The Council considered this item on the basis of C-WP/15351, which presented a draft Assembly working paper on key achievements and progress made by ICAO's Governing Bodies and the Secretariat to improve the efficiency and effectiveness of the Organization. The Council also had for consideration an oral report thereon from the Committee on Governance.

7. Following consideration, the Council:
- a) took note of the information presented in C-WP/15351, as well as the COG oral report thereon;
 - b) approved the draft Assembly working paper attached to C-WP/15351, subject to the amendments requested by the COG, as well as the changes agreed on by the Council in the course of its consideration of this item being reflected, including with respect to, inter alia, replacing “amend” with “delete” in paragraph 4 d) of the COG oral report, further elaboration on the implementation of the information disclosure policy, expansion of the concept of collaboration as described in paragraph 2.2.2, revisions to the status of selected benchmarks in Pillar 2 of Appendix A, revisions to operative clause 4 b) of Appendix B, as well as sub-paragraphs g) and j) of Appendix C, and associated changes to be reflected in paragraph 2.8 of the working paper, and delegated authority to the President to thereafter approve the revised working paper on its behalf for subsequent submission to the 41st Session of the Assembly.
8. It was understood that the substance of the comments made in the course of the Council’s consideration of this item, including the details of the proposed amendments to the draft Assembly working paper and associated Assembly Resolution would be reflected accordingly in the summary minutes of this meeting (C-MIN 226/14), which would be issued in due course.

Registration and Operation of Aircraft in the Russian Federation

9. The Council considered this item on the basis of an oral report presented by the Secretary General, which pursuant to C-DEC 225/8, provided an overview of the applicable legal principles relating to the registration of aircraft, as well as the actions undertaken by the Secretariat in the particular interest of preserving air safety in the context of operation of aircraft, including its efforts to clarify the situation with the involved Contracting States. The Council also had for consideration C-WP/15425 and Revision No. 1, presented by 19 Member States¹, which outlined infractions of the *Convention on International Civil Aviation* (Chicago Convention), and requested the ICAO Council to take action accordingly, consistent with the relevant provisions of said Convention.

10. Following consideration, the Council, by a majority decision:
- a) took note of the applicable legal principles as contained in the Chicago Convention with respect to the registration of aircraft, as well as the actions taken by the Secretariat pursuant to C-DEC 225/8, including to identify a Significant Safety Concern (SSC) that remained unresolved by the Russian Federation, pertaining to the area of airworthiness of aircraft (AIR) in relation to dual registration of aircraft, and in turn, the validity of radio station licences and certificates of airworthiness issued to those aircraft (EB 2022/29, refers);
 - b) recalled that under the preamble to the Chicago Convention, all ICAO Member States had pledged their commitment to uphold and support the aims of the Convention, namely, the safe and orderly development of international civil aviation, and reaffirmed the paramount importance of preserving the safety and security of international civil aviation and the related obligations of Member States, and in this connection, called on the Russian Federation to immediately cease its infractions of

¹ Australia, Canada, Colombia, Costa Rica, Dominican Republic, Finland, France, Germany, Greece, Italy, Japan, Republic of Korea, Mexico, Kingdom of the Netherlands, Paraguay, Peru, Spain, United Kingdom and United States

the Chicago Convention, with a view to preserving the safety and security of civil aviation, while also urging the Russian Federation to urgently remedy these violations;

- c) requested the Secretary General to report these infractions of the Chicago Convention, if not urgently rectified, to all Contracting States, in accordance with Article 54 j) of said Convention, and decided to submit this matter to the 41st Session of the ICAO Assembly (September-October 2022) for its consideration, in accordance with Article 54 k) of the Chicago Convention; and
- d) requested the Secretariat to continue to monitor the situation closely, and to report any further developments in this regard to the Council, as may be required.

Any other business

Calendar of meetings

11. It was recalled that the Fifteenth Meeting of the 226th Session, which was scheduled on Thursday, 23 June 2022, would commence following the conclusion of the informal briefing on sustainable aviation fuels, which was scheduled from 10:00 to 11:00 hours.

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