



C-DEC 230/1  
1/11/23

## **COUNCIL — 230TH SESSION**

### **FIRST MEETING**

**(COUNCIL CHAMBER, MONDAY, 30 OCTOBER 2023, AT 1430 HOURS)**

### **SUMMARY OF DECISIONS**

#### **OPEN MEETING**

#### **Welcome to new Representatives**

1. The Council warmly welcomed the newly-appointed Representatives of Brazil (Mr. Michel Arslanian Neto), Canada (Ms. Annick Goulet), China (Mr. Xinming Lyu), India (Mr. Angshumali Rastogi), Italy (Mr. Sergio Martes), Romania (Ms. Maria Cristina Liliana Ioniță) and South Africa (Mr. Luvuyo Lulama Gqeke).

2. The Council also welcomed Representatives of the Central American Corporation for Air Navigation Services (COCESNA), who were participating in the Council during the 230th Session as observers.

#### **Opening of the Session**

3. The Council took note of the information presented by the President of the Council in relation to the proceedings pertaining to the 230th Session. The Council also took note of the information concerning his attendance at relevant international meetings during the recess, it being understood that this information was also available on the ICAO public website.

#### **Amendments to the work programme of the Council for the 230th Session**

4. On the basis of a proposal by the President of the Council, the Council agreed to further amend the work programme for the current session, as set forth in Appendix A of C-WP/15495 Revision No. 1 and Addendum/Corrigendum No. 1, to include a supplementary working paper, “Settlement of Differences: The Russian Federation and 37 Member States (2023)”. It was understood that in connection with the Council’s consideration of this item, and in accordance with Rule 31 of the *Rules of Procedures for the Council* (Doc 7559), those Member States with a special interest in the matter would be invited to participate in the proceedings.

5. The Council also noted that the Chairperson of the Ad hoc Cybersecurity Coordination Committee (AHCCC) would present an oral report on the outcomes of the first meeting of the AHCCC under Any other business, at a subsequent meeting.

**Election of the First and Third Vice-Presidents of the Council**

6. The Council considered this item on the basis of C-WP/15533, which in light of the departure of the former Representative of India (Ms. Shefali Juneja), who had served in the role of First Vice-President, invited the Council to elect a new First Vice-President for the remainder of the 2023-2024 term.

7. Following consideration, the Council:

- a) agreed to suspend paragraph 3 of Appendix B of the *Rules of Procedure for the Council*, related to elections taking place by secret ballot unless waived by unanimous decision by the Members represented at the meeting;
- b) agreed to suspend that part of Rule 9 of the *Rules of Procedure for the Council*, which provides that the term of office of a Vice-President shall extend for one year from the date of their election; and
- c) on the nomination of the Representative of Equatorial Guinea, seconded by the Representative of Austria, elected the Representative of Nigeria as the First Vice-President for the remainder of the period 2023-2024, with effect from the current 230th Session and pursuant to its rules of procedure.

8. In light of the vacancy created in the role of the Third Vice-President as a result of the preceding decision, a motion moved by the Representative of Canada, and seconded by the Representative of Japan, was then agreed to by the Council to proceed immediately with the election of a Third Vice-President. Accordingly, the Council on the nomination of the Representative of Canada, seconded by the Representative of Chile, elected the Representative of Singapore as the Third Vice-President for the remainder of the period 2023-2024, with effect from the current 230th Session and pursuant to its rules of procedure.

**Amendments to the ICAO Service Code and other Statutory Documents**

9. The Council considered this item on the basis of C-WP/15530, which presented the consequential amendments to the *Rules of Procedure for the Standing Committees of the Council* (Doc 8146) and to the *ICAO Service Code* (Doc 7350) arising from the Council's decision to dissolve the Human Resources Committee (HRC) (C-DEC 229/6, refers). The Council also had for consideration an oral report thereon from the Committee on Governance (COG).

10. Following consideration, the Council:

- a) approved the proposed amendments to the *Rules of Procedure for the Standing Committees of the Council* (Doc 8146), as well as to Article IV and Annex IV of the *ICAO Service Code* (Doc 7350), as contained in Appendices A, B and C to C-WP/15530, respectively; and
- b) recalled its decision to dissolve the Human Resources Committee (HRC) (C-DEC 229/6, refers) on a trial basis, and in doing so, reiterated the need for the Council to revisit the matter during the 234th Session in order to consider any lessons learned, while taking into account the progress made with respect to the establishment of the ICAO Accountability Framework.

### **Implementation of the revised *ICAO Policy on Secondment***

11. The Council considered this item on the basis of C-WP/15529 Revision No. 1, which pursuant to C-DEC 229/1 and C-DEC 226/2, presented proposed amendments to the *ICAO Service Code*, as well as consequential amendments to the *ICAO Policy on Secondment*. The Council also had for consideration an oral report thereon from the Committee on Governance (COG).

12. Following consideration, the Council:

- a) approved the proposed amendments to Regulations 4.30, 4.30.2 and 4.30.4 of the *ICAO Service Code*, as well as the consequential amendments arising therefrom to paragraphs 2.2, 6.2 and 6.5 of the *ICAO Policy on Secondment*, as contained in C-WP/15529 Revision No. 1; and
- b) while noting that the extension of the period of service for Junior Professional Officers (JPOs) to a maximum of five years, as reflected in Regulation 4.30.4 of the revised *ICAO Service Code*, aimed to create additional flexibility in the Secretariat's management of the ICAO workforce, reaffirmed that the implementation of said provision should not impact the establishment of posts by the Secretariat, as may be required by the Organization to meet its operational needs, while at the same time, underscoring the need for the selection process for JPOs to be proceeded with in an efficient and timely manner as well as in full transparency.

### **Recommendations of the Committee on Joint Support of Air Navigation Services related to items under the Danish and Icelandic Joint Financing Agreements reviewed during the 230th Session**

13. The Council considered this item on the basis of C-WP/15519, which presented the recommendations of the Joint Support Committee (JSC) on items under the Danish and Icelandic Joint Financing Agreements.

14. Following consideration, the Council:

- a) approved the actions recommended by the JSC, as outlined in the Executive Summaries of JS-WP/2137, JS-WP/2138, JS-WP/2139, JS-WP/2140, JS-WP/2141, JS-WP/2142, JS-WP/2143, JS-WP/2144, JS-WP/2145, JS-WP/2146, JS-WP/2147 and JS-WP/2148;
- b) took note of the decision taken by the JSC to defer its approval of the project proposal presented by the Danish authorities for the replacement of the Myggenaes Non-Directional Beacon (NDB) at the Faroe Islands (JS-WP/2149, refers) pending the provision of the additional information requested by the JSC from the Danish Service Provider, as outlined in paragraph 2.14 of C-WP/15519; and
- c) also noted the observations of the JSC as reflected in section 2 of C-WP/15519, and in doing so, emphasized the importance for the Secretariat to ensure sufficient detail and consistency in the financial figures presented, in future such reports.

**Progress achieved by the Committee on Relations with the Host Country (RHCC)**

15. The Council considered this item on the basis of an oral report presented by the Chairperson of the Committee on Relations with the Host Country (RHCC).

16. Following consideration, the Council:

- a) took note of the information provided by the RHCC in relation to the status of issues under consideration by the Committee, and in this connection, encouraged the Secretariat, host State authorities and members of the RHCC to continue to progress these matters;
- b) further noted the efforts of the Secretariat to improve the collection of pending dues from States (C-DEC 229/1, refers), and in that regard, agreed that following the implementation by the Secretariat of an enhanced system for the timely recuperation of these outstanding fees, the matter would be referred to the Finance Committee (FIC) for further consideration, given the financial implications of this issue for the Organization; and
- c) while welcoming the actions taken by the Secretariat to recruit a new physician to the ICAO medical clinic to provide consultations to members of National Delegations and Secretariat staff, on a trial-basis, urged the Secretariat to expand this service to include eligible family members, particularly children, as soon as practicable.

**Representation of the ICAO Governing Body on the Staff Pension Committee**

17. The Council considered this item on the basis of C-WP/15532, which pursuant to C-DEC 229/5, presented a proposal concerning Council representation on the ICAO Staff Pension Committee (SPC).

18. Following consideration, the Council:

- a) agreed to appoint its two Representatives on the SPC for the duration of the three-year triennium, coinciding with the term of the Council between two ordinary Sessions of the Assembly, and in doing so, delegated authority to the President of the Council to undertake consultations with a view to identifying the two Representatives who would be appointed to serve in this capacity;
- b) recognizing that members of the Council were themselves subject to limited duration appointments, in the event that a Council member appointed to the SPC would have to depart from the Council, a replacement Council member shall be immediately appointed by the President of the Council, in accordance with the consultative process described in a), above;
- c) recommended that the President of the Council, in considering which Representatives were to serve on the SPC, would as far as practicable take into account the principles of equitable gender and geographical representation, both in terms of the Representatives serving within one triennium, but also from one triennium to the next;
- d) affirmed that a Representative serving on the SPC could be re-appointed to serve in this capacity for subsequent terms; and

- e) agreed that the arrangements for the appointment of Council Representatives to the SPC as set out above would hereby replace any existing arrangements for this purpose, and thus supersede its previous decisions in this regard (C-DEC 124/1 and C-DEC 32/14, refer).

### **Annual and Triennial Work Programmes of the Office of Internal Oversight (OIO) for 2023-2025**

19. The Council considered this item on the basis of C-WP/15526, which presented the annual work plan for the Office of Internal Oversight (OIO) for 2024. The Council also had for consideration an oral report thereon from the Committee on Governance (COG).

20. Following consideration, the Council:

- a) approved the proposed annual work plan for OIO for 2024, as contained in C-WP/15526;
- b) underscored the importance of the proposed Audit of HR Talent management, which had been deferred until 2026, as well as the proposed Evaluation of the ICAO Gender Equality Programme, which had been postponed to 2025, and in this connection, requested the Secretariat to review available options in order to advance the timeline for the completion of these items;
- c) further requested the Secretariat to provide the Council with a status update regarding the progress of work in relation to the ICAO Gender Equality Implementation Plan 2.0 and the ICAO People Strategy during the 231st Session of the Council; and
- d) further requested that as part of the item “Annual Report of the Chief of the Office of Internal Oversight”, which would be presented to the COG during the 231st Session, an analysis be incorporated of the risks and priorities of the Organization in the areas of governance, management and oversight.

### **Review of the Report of the Thirty-fourth Meeting of the Aviation Security Panel (AVSECP/34) and the organization and agenda for the Thirty fifth Meeting of the Aviation Security Panel (AVSECP/35)**

21. The Council considered this item on the basis of C-WP/15515, which reported on the outcomes of the Thirty-fourth meeting of the Aviation Security Panel (AVSECP/34), which was convened in hybrid format from 29 May to 2 June 2023. The working paper also presented a proposal for convening the Thirty-fifth meeting of the Aviation Security Panel (AVSECP/35) in 2024. The Council also had for consideration oral reports thereon from the Air Navigation Commission (ANC) and the Aviation Security Committee (ASC).

22. Following consideration, the Council:

- a) took note of the highlights of the AVSECP/34, as summarized in C-WP/15515;
- b) approved the key recommendations of the AVSECP/34 as contained in the Yellow Cover Report, and as summarized in C-WP/15515;

- c) took note of the overview of the risk assessment results, as contained in Appendix A to C-WP/15515;
- d) requested that the Secretariat further communicate with Member States on the importance of reporting Acts of Unlawful Interference (AUIs), as well as the value of notifying ICAO of other incidents that impact aviation security, in order to better assess the evolution of the threats and risks faced by civil aviation;
- e) approved the adoption of a revised compliance indicator for the Universal Security Audit Programme - Continuous Monitoring Approach (USAP-CMA) audits, as presented in Appendix B to C-WP/15515;
- f) while noting that the revised compliance indicator for the USAP-CMA would result in higher compliance indicators for the majority of Member States, requested that the Secretariat undertake outreach activities to those few Member States for whom the implementation of the revised compliance indicator would result in a decrease in said indicators;
- g) approved the convening of AVSECP/35 from 22 to 26 April 2024, based on the proposed agenda presented in Appendix C to C-WP/15515, in a hybrid format, to allow greater access to Panel proceedings by Observers, while strongly encouraging Panel Members to attend in-person; and
- h) approved the list of organizations to be invited as Observers, as presented in Appendix D to C-WP/15515.

**Review of the Report of the Second Meeting of the Cybersecurity Panel (CYSECP/2) and the organization and agenda for the Third Meeting of the Cybersecurity Panel (CYSECP/3)**

23. The Council considered this item on the basis of C-WP/15516, which reported on the outcomes of the Second meeting of the Cybersecurity Panel (CYSECP/2), which was convened in-person from 5 to 9 June 2023. The working paper also presented a proposal for convening the Third meeting of the Cybersecurity Panel (CYSECP/3) in 2024. The Council also had for consideration oral reports thereon from the Air Navigation Commission (ANC) and the Aviation Security Committee (ASC).

24. Following consideration, the Council:

- a) approved the key recommendations of the CYSECP/2, as contained in the Yellow Cover Report, and as summarized Appendix A of C-WP/15516;
- b) also approved the convening of CYSECP/3, in a hybrid format from 3 to 7 June 2024, based on the proposed agenda presented in Appendix B to C-WP/15516, and emphasized the importance of in-person participation by Panel Members;
- c) while conveying its appreciation to those Member States and stakeholders whose experts were contributing to the work of the Panel, expressed concern in relation to the low rate of attendance by appointed Panel Members, and in that connection, reiterated the need for Member States that had nominated experts to serve as Panel Members to uphold their commitment to facilitate their experts' contributions to the work of the Panel, as stipulated in paragraphs 4.5, 6.1 and 7.1 of the *Directives for*

*Panels of the Air Transport Committee and Aviation Security Committee (Doc 9482), including in particular, through the in-person participation of these experts in Panel meetings; and*

- d) noted, with satisfaction, the efforts made by the Secretariat to leverage limited resources in order to allow for the implementation of the full governance structure to address aviation cybersecurity in ICAO, and in particular, welcomed the strong engagement of the Cybersecurity Panel with the Council's newly established Ad Hoc Cybersecurity Coordination Committee (AHCCC).

### **Any other business**

### **Calendar of Council meetings**

25. The Council noted that an additional meeting of the Council would be tentatively scheduled during the second week of the session, if needed.

### **Request from Observers to participate in closed meetings of the Council**

26. Pursuant to email notifications circulated by the President of the Council in July and August 2023, and in accordance with Rule 32 a) of the Rules of Procedure for the Council, it was noted that Ms. Delphine Micheaux Naudet (European Union); Mr. Michael Rossell (ACI); Mr. Carlos Cirilo and, in his absence Ms. Michelle Bishop, (CANSO); Mr. Michael Comber (IATA); Mr. Andreas Meyer and, in his absence, Mr. Kurt Edwards, (IBAC); Mr. Daniel Carnelly and, in his absence Ms. Nina Brooks, (ICCAIA); and Mr. Brian Shury and, in his absence Mr. Sebastián Currás-Barrios, (IFALPA), would participate as Observers during the 230th Session of the Council's consideration in closed session, of items related to aviation safety and security, as appropriate.

### **Appointment of Members and Alternates on the Air Navigation Commission (ANC)**

27. It was noted that in the absence of comments by 17 July 2023, to the President of the Council's email dated 10 July 2023, Mr. James Spillane, nominated by the Government of the United States, had been appointed as Member on the Air Navigation Commission to succeed Mr. Donald Ward, with effect from 17 July 2023.

28. It was noted that in the absence of comments by 1 September 2023, to the President of the Council's email dated 25 August 2023, Mr. Per Anders Leufgård, nominated by the Government of Norway, on behalf of the Governments of Denmark, Estonia, Finland, Iceland, Latvia and Sweden, had been appointed as Alternate to Mr. Bernt Tore Larsen on the Air Navigation Commission, with effect from 25 September 2023.

29. Subsequent to the above, it was noted that in the absence of comments by 19 October 2023, to the President of the Council's email dated 13 October 2023, Mr. Per Anders Leufgård, nominated by the Government of Norway, on behalf of the Governments of Denmark, Estonia, Finland, Iceland, Latvia and Sweden, had been appointed as Member on the Air Navigation Commission to succeed Mr. Bernt Tore Larsen who will henceforth serve as his Alternate, with effect from 16 October 2023.

30. It was noted that in the absence of comments by 25 September 2023, to the President of the Council's email dated 18 September 2023, Mr. Kok Wee Ang, nominated by the Government of

Singapore, had been appointed as Alternate to Mr. Subash S on the Air Navigation Commission, with effect from 15 September 2023.

**Appointment of a Member and Observers to the Committee on Aviation Environmental Protection (CAEP)**

31. It was noted that in the absence of comments by 4 August 2023 to the President of the Council's email dated 21 July 2023, Ms. Elisabeth Klein had been appointed as the Observer for Austria to CAEP, replacing Mr. Johannes Deimel-Zelenka, with effect from 5 August 2023.

32. It was noted that in the absence of comments by 20 September 2023 to the President of the Council's email dated 6 September 2023, Ms. Julie Marks had been appointed as the CAEP member for the United States, to replace Mr. Kevin Welsh, with effect from 21 September 2023.

33. It was noted that in the absence of comments by 2 October 2023 to the President of the Council's email dated 18 September 2023, Mrs. Yue Huang had been appointed as the Observer for IATA to CAEP, to replace Mr. Daniel Chereau, with effect from 3 October 2023.

— END —