



International Civil Aviation Organization

DRAFT MINUTES

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COUNCIL — 200TH SESSION

SUMMARY MINUTES OF THE SECOND MEETING

(THE COUNCIL CHAMBER, MONDAY, 18 NOVEMBER 2013, AT 1430 HOURS)

OPEN MEETING

President of the Council: Mr. Roberto Kobeh González

*President-Elect of the Council: Dr. Olumuyiwa Benard Aliu

Secretary: Mr. Raymond Benjamin, Secretary General

PRESENT:

Argentina	— Mr. A.J. Dumont	Malaysia	— Mr. Y.-H. Lim
Australia	— Ms. K. Macaulay	Mexico	— Mr. D. Méndez Mayora
Bolivia (Plurinational State of)	— Mr. J.G. Soruco	Nicaragua	— Mrs. E. A. Aráuz Betanco
Brazil	— Mr. J. Taunay	Nigeria	— Mr. G.A. Ossi (Alt.)
Burkina Faso	— Mr. M. Dieguimde	Norway	— Mr. K.M. Skaar
Cameroon	— Mr. E. Zoa Etundi	Poland	— Ms. M. Polkowska
Canada	— Mr. M. Allen	Portugal	— Mrs. M.H. Faleiro T. de Almeida
Chile	— Mr. W.H. Celedón	Republic of Korea	— Mr. Choi, D.
China	— Mr. Tao Ma	Russian Federation	— Mr. A.A. Novgorodov
Dominican Republic	— Mr. C.A. Veras Rosario	Saudi Arabia	— Mr. T.M.B. Kabli
Egypt	— Mr. A. Mahmoud	Singapore	— Mr. T.C. Ng
France	— Mr. O. Caron	South Africa	— Mr. L. Mabaso
Germany	— Mr. U. Schwierczinski	Spain	— Mr. V.M. Aguado
India	— Mr. P.N. Sukul	United Arab Emirates	— Miss A. Al Hamili
Italy	— Mr. E. Padula	United Kingdom	— Mr. M. Rodmell
Japan	— Mr. T. Koda	United Republic of Tanzania	— Mr. R.W. Bokango
Kenya	— Mr. H.K. Kioko	United States	— Mr. D. Woerth
Libya	— Mr. M. Sayeh Eltayf	Venezuela (Bolivarian Republic of)	— Mr. D.A. Blanco Carrero

ALSO PRESENT:

Dr. N. Luongo (Alt.)	— Argentina
Mr. J.C.F. da Silva (Alt.)	— Brazil
Mr. M. Deslisle (Alt.)	— Canada
Mr. Chunyu Ding (Alt.)	— China
Mr. F. Zizi (Alt.)	— France
Mr. A. Bardaro (Alt.)	— Italy
Mr. M. Adan (Alt.)	— Kenya
Ms. M. Furuhashi (Alt.)	— Japan
Mrs. D. Valle Álvarez (Alt.)	— Mexico
Mr. Hwang, S.-Y. (Alt.)	— Republic of Korea
Mr. Kang, M. (Alt.)	— Republic of Korea
Mr. A. Korsakov (Alt.)	— Russian Federation
Mr. R.A. Al Kaabi (Alt.)	— United Arab Emirates
Mr. D.C. Behrens (Alt.)	— United States

SECRETARIAT:

Mr. D. Azema	— DC/OSG
*Ms. N. Graham	— D/ANB
*Dr. Fang Liu	— D/ADB
*Mr. I. Galan	— D/TCB
*Mr. B. Djibo	— D/ATB
*Mr. R. Bhalla	— C/FIN
*Mr. J. Augustin	— A/D/LEB
*Mr. J. Marriott	— C/AVSEC
*Mr. O. Myard	— C/EAO
*Mr. B. Verhaegen	— SELO
*Ms. A. Andrade	— ADTCB
*Mr. A. Larcos	— ACC
Miss S. Black	— Précis-writer

*Part-time

Representatives to ICAO

Colombia

Cuba

Ecuador

Ethiopia

Greece

Indonesia

Iran (Islamic Republic of)

Morocco

Welcome to new Representatives on the Council

1. The President of the Council extended a warm welcome to Mr. Hilary K. Kioko and Mrs. Eveling Anabell Aráuz Betanco, the newly-elected Representatives of Kenya and Nicaragua, respectively.

Subject No. 13: Work programmes of Council and its subsidiary bodies

Schedule for consideration of items during the 200th Session

2. The Council noted the meeting schedule for the 200th Session presented in the President's memorandum PRES RK/2190 dated 18 June 2013, subject to the following changes: the addition of the first meeting of the Working Group on Governance and Efficiency (WGGE) on 19 November 2013 at 1000 hours; and the addition of a second meeting of the Human Resources Committee (HRC) on 22 November 2013 at 1430 hours.

3. The Council also noted the schedule for the consideration of items during the 200th Session of the Council as set out in the President's memorandum PRES RK/2234 dated 25 October 2013, on the understanding that:

- the supplementary item *Establishment of an Environment Advisory Group (EAG)* had been added to the Council's Work Programme at the request of the Representative of India in the absence of comments by 8 November 2013 to the President's related e-mail dated 29 October 2013. It was intended to table this item for consideration at the end of the first week of the Council (22 November 2013), on the basis of a paper presented by Brazil, China, India and the Russian Federation (C-WP/14087); and
- the Human Resources Committee (HRC) would present a written report (C-WP/14088) rather than an oral report on the Policy on Secondments (C-WP/14073) (cf. item 16 of the schedule).

Subject No. 3: Election of the President of the Council

Election of the President of the Council

4. The election of the President of the Council was documented in C-WP/14057 presented by the Secretary General.

5. Pursuant to the Council's earlier decision (198/1), State letter S 2/6-13/23 dated 7 March 2013 had been issued inviting candidatures for the Presidency of the Council, which were to be in the hands of the Secretary General not later than 13 September 2013. Nigeria had presented the candidature of Dr. Olumuyiwa Benard Aliu in a letter dated 8 March 2013 and received on 11 March 2013, which was appended to C-WP/14057, together with Dr. Aliu's curriculum vitae. In accordance with paragraph 2 of Appendix A of the *Rules of Procedure for the Council* (Doc 7559), Member States had been informed of his candidature by State letter S 2/6-13/35 dated 11 March 2013. At the time of the close of nominations on 13 September 2013, Dr. Aliu was the sole candidate for the post of President of the Council.

6. Further to paragraph 3 of Appendix A of its Rules of Procedure, the Council had invited Dr. Aliu to present his views and ideas, and to answer any questions posed, at an informal meeting of Representatives held on 23 October 2013. The summary minutes of that meeting had been circulated under cover of the President's memorandum PRES RK/2245 dated 4 November 2013.

7. A proposal put forward by the Representative of Singapore that Dr. Aliu be elected by acclamation as he was the sole candidate was supported by the Representatives of Saudi Arabia, Mexico, Brazil, Venezuela (Bolivarian Republic of), the Dominican Republic, China, the Russian Federation, Argentina, India, France, Bolivia (Plurinational State of), Norway, Nicaragua, Italy, the Republic of Korea, Portugal, Egypt, the United Arab Emirates, Malaysia, Chile, Libya, Germany and the United Republic of Tanzania.

8. Taking into account that there was only one candidate for the Presidency, the Council then: unanimously decided to waive the requirement set forth in paragraph 6 of Appendix A of the Rules of Procedure for a secret ballot for the election of its President; and, acting on the above-mentioned proposal by the Representative of Singapore, and in accordance with Article 51 of the *Convention on International Civil Aviation* and Rule 5 of the said Rules of Procedure, elected, by acclamation, Dr. Olumuyiwa Benard Aliu as its President. Dr. Aliu's term would commence on 1 January 2014 and end on 31 December 2016.

9. The Alternate Representative of Nigeria, on behalf of His Excellency Dr. Goodluck Ebele Jonathan, the President of the Federal Republic of Nigeria and Grand Commander of the Federal Republic (GCFR), Princess Stella Adaeze, the Honourable Minister of Aviation, and the good people of Nigeria, and indeed the entire people of Africa, thanked all Council Representatives for the support and election of Dr. Aliu as the incoming President of the Council. Indeed, their action today had demonstrated great confidence in the ability and person of Dr. Aliu as the next President of the Council of ICAO. The Alternate Representative of Nigeria reassured them that their confidence would not be misplaced. He however wished to use this opportunity to solicit Council Representatives' continuous support as the entire world, especially the Member States of ICAO, had great expectations from the Council as a body. Nigeria believed that Dr. Aliu, as President of the Council, was first among equals. Therefore, their cooperation and collaboration with him would ensure that the Council, and indeed ICAO as an Organization, continued to promote safe, secure, efficient, environmentally-friendly and sustainable civil aviation globally.

10. As part of his State's appreciation, the Alternate Representative of Nigeria had the honour to invite Council Representatives to a reception at the Delegates' lounge which would take place the following day, Tuesday, 19 November 2013, at 1200 hours.

11. The Representative of Cameroon indicated that it was a singular honour, a great privilege and delight for him to take the floor on this momentous occasion in his dual capacity as Permanent Representative of Cameroon and Coordinator of the African (AFI) Group of ICAO, following this historic vote which had brought Dr. Aliu, the eminent Representative of Nigeria and a worthy son of Africa, to the Presidency of the Council of ICAO 69 years after the creation of the Organization.

12. To give credit where credit was due, the Representative of Cameroon took this happy opportunity to heartily congratulate Dr. Aliu on his brilliant election and to wish him every success in the important and delicate functions that he would assume. The Representative of Cameroon also hailed the memorable and historic decision taken this day by Council Representatives to decisively send a strong signal to Africa, the future continent of the Presidency of the Council of ICAO, which demonstrated very well the universal character of this august Organization. He expressed his infinite and profound gratitude.

13. The Representative of Cameroon underscored that, in the coming years, ICAO would face enormous challenges as the global aviation sector was constantly changing. Council Representatives could rest assured, however, that the new President of the Council whom they had just elected would spare no effort to ensure that together they met those challenges. The President-Elect of the Council would undoubtedly be at the service of all ICAO regions, without exception. He would never abandon them.

14. The Representative of Cameroon seized this occasion to highlight President Roberto Kobeh González's great contribution to the work of the Council and to congratulate him on the diplomacy, courtesy, selfless dedication and competence which he had demonstrated throughout his two terms.

15. For his part, the Representative of Cameroon had to confess that he was a happy and fortunate Coordinator, happy in that the historic moment being experienced today, 18 November 2013, was taking place during the course of his mandate as the Coordinator of the AFI Group of ICAO. As his term was coming to an end, he thanked all of his dear colleagues from the bottom of his heart for their unwavering support and unfailing cooperation. Once again, history would show that the election, for the first time, of an African as President of the Council of ICAO at the Second Meeting of the 200th Session of the Council had been a memorable and historic moment in the annals of ICAO.

16. In concluding, the Representative of Cameroon called for long life for friendship among peoples, international cooperation and ICAO, an illustrious organization.

17. Speaking in his capacity as both the Representative of Spain and the First Vice-President of the Council, the Representative of Spain noted that, while he had intended to be the first to congratulate Dr. Aliu on his election, he was unfortunately the second to do so. Highlighting the historic importance of the Council's decision, he underscored that Dr. Aliu was the fifth President of the Council to be elected in the almost 70 years which had elapsed since ICAO's creation and in the 200 Council sessions which had taken place in that period. Observing that this momentous decision came at an important time of enormous challenges, the Representative of Spain emphasized that ICAO was entering a different era with new leadership. He congratulated: Dr. Aliu, as an individual, for having been elected President of the Council; Nigeria, for having presented his nomination; Africa, for being the future continent of the Presidency, as indicated by the Representative of Cameroon and Coordinator of the AFI Group of ICAO; and the whole world, for having such a good President of the Council.

18. In thanking the Representative of Singapore for his proposal to elect Dr. Aliu by acclamation, the Representative of Burkina Faso also expressed appreciation to all Council Representatives, and above all, to the international aviation community, for the attention which had been given to Dr. Aliu's candidature. They had honoured Africa through the election of Dr. Aliu, the first African President of the Council of ICAO, a United Nations (UN) Specialized Agency. The confidence that they had thus placed in Africa would not be taken for granted; rather, Africa would honour them. Efforts would be redoubled so that Africa, united and acting as a single body, would serve them better, and ensure that the meeting that would take place at the end of Dr. Aliu's tenure in three years' time would be as much to their satisfaction as the present meeting.

19. The Representative of Burkina Faso also voiced appreciation to the Representative of Spain for his excellent work and the maturity which he had demonstrated in enabling the Council to rally around a single candidature for the Presidency and elect Dr. Aliu by acclamation. He expressed his deepest gratitude and his willingness to work together with the Representative of Spain in the service of international civil aviation.

20. Concluding, the Representative of Burkina Faso congratulated the new President-Elect, Dr. Aliu, as well as the incumbent President, Mr. Kobeh. He encouraged Dr. Aliu to build on the latter's achievements, attained through self-sacrifice and above all, total dedication to the good of the international aviation community.

21. In thanking Nigeria for having proposed the candidature of Dr. Aliu for the Presidency of the ICAO Council, the Representative of Canada personally recognized the latter's outstanding qualities and qualifications which he had come to know over the last two years. Having spent a memorable part of his career in Africa, the Representative of Canada also recognized the historic nature of the election. In also thanking Mr. Kobeh for his tremendous contributions to the Organization over a very important time in its history, he pledged Canada's continuing support to work with the Presidency to ensure that ICAO remained strong.

22. The President of the Council and the Secretary General then informed Dr. Aliu of his election and invited him to come to the Council Chamber. In congratulating Dr. Aliu for the honour that the Council had bestowed upon him, the President of the Council invited him to take the floor as President-Elect.

23. Dr. Aliu expressed his profound appreciation to the Representatives on the Council and to all the Member States of the Council for having elected him to the exalted office of President of the Council. He felt honoured and humbled by their trust and confidence in him. In accepting their call to duty, Dr. Aliu emphasized that he would do everything in his power to justify their confidence.

24. Dr. Aliu thanked the incumbent President, Mr. Kobeh, for his generous support over the past nine years and for having been his friend and mentor. He also thanked him for the immeasurable service that he had rendered to ICAO and to the civil aviation industry.

25. Dr. Aliu took this opportunity to also express, through Mr. Kobeh, his thanks to Dr. Assad Kotaite, the *President Emeritus of the Council of ICAO*. He felt privileged to have had the opportunity to learn from him during his Presidency.

26. In also thanking the Secretary General for his cooperation and friendship, Dr. Aliu expressed pleasure that they would be working together as a team in the service of this great Organization. He asked the Secretary General to extend his appreciation to all the staff members of the Secretariat.

27. Dr. Aliu wished to express, through the Permanent Secretary of Aviation and the other Nigerian officials present at the meeting, his deepest appreciation to the Government of the Federal Republic of Nigeria for nominating him to the post of the President of the Council. He thanked the President of the Federal Republic of Nigeria and Grand Commander of the Federal Republic (GCFR), His Excellency Dr. Goodluck Ebele Jonathan, the Honourable Minister of Aviation, Princess Stella Adaeze, and officials of the Ministries of Aviation and Foreign Affairs for all the support and facilities that had been put at his disposal in the process leading to this historic occasion. His thanks also went to the staff of the Nigerian Mission to ICAO.

28. Dr. Aliu wished to recognize the unalloyed support of his family, in particular, the love of his life, his best friend and beautiful wife, Natalia, and his three sons. Their ever loving, caring and comforting presence always by his side was what gave him inner peace, joy and strength to face all of life's challenges.

29. With due regard to the secular nature of this Organization, Dr. Aliu wished to acknowledge his belief that the ultimate glory for this day belonged to the Almighty God. It was only His special grace that could have enabled Dr. Aliu, with his humble beginnings from a small town in Nigeria, to witness the reality of today.

30. Dr. Aliu therefore wished all present, and their families, His special blessings as they joined hands, together with the support of the ever illustrious staff of the Secretariat and in collaboration with the Member States and the industry, to build a safer, more secure, efficient and sustainable civil aviation industry.

31. Dr. Aliu believed that it was the desire to make this world a better place for future generations that had propelled Council Representatives' predecessors, from the Wright brothers to the generations of Edward Warner, Walter Binaghi, Assad Kotaite and now Roberto Kobeh. It was also the same desire that had made him seek the office of President of this Council. In thanking his colleagues for giving him this unique opportunity to serve the Council, Member States and the civil aviation industry, Dr. Aliu declared that he was ready for this challenge.

32. In conclusion, Dr. Aliu affirmed that, with the cooperation of his colleagues, and with all of them working together, civil aviation would continue to contribute to the socioeconomic development of nations and to the promotion of peace, understanding and friendship among peoples of the world, to the benefit of future generations.

Subject No. 6.3: Election of Chairmen and Members of subsidiary bodies of the Council

Appointment of Members of the Air Navigation Commission (ANC)

33. The Council had for consideration C-WP/14058, in which the Secretary General presented twenty nominations for the nineteen seats on the ANC which had been received in response to State letter S 5/3-13/54 dated 4 June 2013. The candidates' curricula vitae were available on the Council website and the ICAO-NET, in English only, as an Appendix to the paper.

34. In accordance with Appendix D of the *Rules of Procedure for the Council* (Doc 7559), the Council proceeded with the appointment, by secret ballot, of nineteen Members of the ANC for the period 1 January 2014 to 31 December 2016. With 36 Representatives in attendance, 19 majority votes were required for appointment.

35. One secret ballot was held, with the following result:

Name of candidate	Nominating State(s)	Number of votes received
Mr. Adel H. Alaufi	Saudi Arabia	36
Mr. Simon Christopher Molai Allotey	Ghana	35
Mr. David C. Behrens	United States	34
Mr. Manoel Araújo da Costa Júnior	Brazil	35
Mr. James Inglis Dow	Canada	35
Mr. Mervyn Gerard Fernando	Singapore	36
Mr. Declan Fitzpatrick	Austria, Belgium, Ireland, Luxembourg, Netherlands, Portugal and Switzerland	34
Mr. Paul D. Fleming	United Kingdom	31
Mr. Rúben Oscar González	Argentina	36
Mr. Moussa Halidou	Niger	36
Mr. Javier Herrero	Spain	25
Mr. Alexander Aleksandrovich Korsakov	Russian Federation	36
Mr. Rolf Monning	Germany	32
Mr. Hyang-gyu Park	Republic of Korea	34
Mr. Feng Tai	China	36
Mr. Andrew Herbert Tiede	Australia	36
Mr. Samuli Vuokila	Denmark, Estonia, Finland, Iceland, Latvia, Norway and Sweden	33
Mr. Haydar Yalçın	Albania, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Czech Republic, Georgia, Hungary, Poland, Republic of Moldova, Romania, Slovakia, Slovenia, The former Yugoslav Republic of Macedonia, Turkey and Ukraine	18
Mr. Hajime Yoshimura	Japan	36
Mr. Farid Zizi	France	32

36. Pursuant to paragraph 2 of Appendix D of the said Rules of Procedure, the President of the Council declared that the following 19 candidates, who had received more than the required 19 majority votes, appointed as Members of the ANC for the period 1 January 2014 to 31 December 2016: Mr. Alaufi; Mr. Allotey; Mr. Behrens; Mr. da Costa Júnior; Mr. Dow; Mr. Fernando; Mr. Fitzpatrick; Mr. Fleming; Mr. González; Mr. Halidou; Mr. Herrero; Mr. Korsakov; Mr. Monning; Mr. Park; Mr. Tai; Mr. Tiede; Mr. Vuokila; Mr. Yoshimura; and Mr. Zizi.

37. The President of the Council congratulated the newly-appointed Air Navigation Commissioners and wished them every success in their endeavours. He had every confidence that they would keep the tradition of the ANC and provide the Council with the best objective technical advice possible.

38. It was noted that the President of the Council would now proceed to invite the Members-Elect of the ANC, under cover of a President's memorandum (PRES RK/2247) to be issued later that afternoon, to declare to him in writing their candidacies for the post of President of the ANC before the close of business on 21 November 2013. The election of the President of the ANC was scheduled to take place on 29 November 2013 on the basis of C-WP/14075.

Subject No. 17.1: Joint Financing Agreement with Iceland

Subject No. 17.5: Joint Financing Agreement with Denmark

**Report of JSC — Recommendations of the Joint Support Committee
related to items under the Danish and Icelandic Joint Financing Agreements
reviewed during the 200th Session**

39. This subject was considered on the basis of C-WP/14059, in which the Joint Support Committee (JSC) presented the outcome of its review of reference documents JS-WPs/1991-1995.

40. In providing clarification regarding the Committee's conclusion with respect to its language service requirements (cf. paragraph 3.2), the Chairperson of the JSC indicated that, pursuant to Rule 39 of the *Rules of Procedure for Standing Committees of the Council* (Doc 8146), in advance of each JSC meeting all Committee Members would be consulted on whether interpretation or translation into all or some of the ICAO working languages other than English could be waived, taking into account the meeting's agenda. If there was unanimous agreement, then the appendices to all JS-WPs to be considered during the meeting would be published only in English and the Committee's discussion would be conducted only in English.

41. The Chairperson of the JSC noted that the objective was to ensure the efficient and effective use of ICAO language service resources and to save related costs which were included in the user charges. He emphasized that the envisaged reduction in the user charges, 6 cents per aircraft crossing, would only benefit the users of the air navigation services provided under the Danish and Icelandic Joint Financing Agreements. It would not have any impact on ICAO's Regular Budget and would not lead to any staff reductions in the Language and Publications Branch (LPB). It would, however, enable LPB's limited resources to be allocated to more immediate tasks. It was hoped that the JSC's small but noble effort to seek efficiency and effectiveness in the use of the Organization's language services resources would have a positive influence on other activities, not only in the ICAO Secretariat but also in the civil aviation authorities of both Denmark and Iceland.

42. Expressing support for the action recommended by the JSC in its report, the Representative of Spain emphasized that the Danish and Icelandic Joint Financing Agreements had been in force for many years and provided excellent air navigation services to international civil aviation. He recalled, in this regard, that the Joint Financing Agreements had facilitated a total number of 376 420 North Atlantic

crossings over routes north of 45°N latitude in 2012. While that represented a slight decrease from 2011, the total number of such crossings had increased in 2013.

43. The Representative of Spain highlighted the importance of the Council's mission and governance role as depositary of the said Agreements. Drawing attention to paragraph 2 of the paper, he suggested that, in future, the JSC and the Council be provided with a detailed report on the results of the annual DEN/ICE User Consultation Meetings to facilitate their decision-making. The Representative of Spain further suggested that they also be given an overview of the main economic and operational indicators relating to the air navigation services provided under the Joint Financing Agreements, which were of paramount importance to North Atlantic flights. The overview should contain historical information, as well as information regarding the current situation and the way forward.

44. These comments were noted.

45. In then taking the action proposed in the executive summary of C-WP/14059, the Council:

a) approved the action recommended in the executive summaries of reference documents JS-WPs/1992, 1993 and 1994 relating to the audited actual costs for 2012, the estimated costs for 2014, the proposed new capital expenditures for 2014, the user charges for 2014, and the assessments for 2014 under the Danish and Icelandic Joint Financing Agreements; and

b) noted the JSC's above-mentioned conclusion regarding its language service requirements.

Subject No. 42: Technical cooperation

Management Plan for the Technical Co-operation Programme

46. The Council had for consideration: information paper C-WP/14060, in which the Secretary General presented the Management Plan for the Technical Co-operation Programme for the period 2014-2016, including an update on the action taken to date to implement ongoing Action Plans; and an oral report thereon by the Technical Co-operation Committee (TCC).

47. The TCC had reviewed the paper during its Second Meeting of the current session on 18 October 2013. Among the new initiatives reflected in the updated version of the said Management Plan, the Committee's attention had been drawn to the forthcoming development of a new five-year Strategic Plan which would outline TCB's vision, mission, values and strategic objectives, as well as performance indicators. While its ultimate objective was to serve as a Master Plan to guide the Technical Co-operation Bureau (TCB) in daily operations, the Strategic Plan would be fully aligned with the Management Plan. Furthermore, the Committee had been informed that the implementation of the Quality Management System had progressed well within schedule. ISO 9001:2008 certification had been obtained by TCB's Procurement Section, Field Operations Section and Business Support Unit. It had been noted that, according to the Management Plan, ISO 9001:2008 was currently being implemented in the Field Personnel Section, with full certification across all TCB expected by December 2014.

48. It had been recalled that key performance indicators (KPIs) were defined by TCB at three levels and comprised: those for measuring the performance of the Technical Co-operation Programme; those for measuring the performance and ultimate success of a project; and those which could be used to evaluate the longer-term sustainability of the project on recipient country-level. In this respect, the Secretary of the TCC had informed the Committee that, in order to encourage the conduct of independent voluntary ex-post evaluations of technical cooperation projects, a new provision had been included in all framework agreements signed by ICAO, stipulating that, at the request of the government, and provided

that it makes funding available for these purposes, such evaluations may be carried out by a third party, including the ICAO internal and external auditors. Furthermore, discussions were currently taking place with the Evaluation and Internal Audit Office (EAO) on the feasibility of incorporating into its Work Programme, at a minimum, one or two project evaluations per year.

49. With regard to the status of customer satisfaction surveys, the Committee had been informed that performance feedback was regularly obtained from customers as part of the Quality Management System implemented in TCB. Statistics were collected by the Quality Assurance Manager and reviewed by TCB Management in order to assess the clients' satisfaction with experts' performance and quality of TCB services and therefore promote continual improvement measured against customers' feedback.

50. The Committee had also reviewed the evolution of the Technical Co-operation Programme and the results of operations of the Administrative and Operational Services Cost (AOSC) Fund in the last ten years, as well as estimates for the triennium, and had welcomed the signs of recovery and upward trends. Nevertheless, it had urged caution lest the AOSC Reserve Fund be again rapidly depleted, for example, as a corollary of indirect effects of a future global recession.

51. In conclusion, the Committee had expressed satisfaction with the progress made by TCB and had extended its full support for the actions planned to be taken by TCB Management. It therefore invited the Council to endorse the Management Plan for the period 2014-2016 presented in C-WP/14060.

52. The Representative of Norway endorsed the TCC's oral report, in particular, the views expressed regarding the excellent work being performed by TCB. Referring to the envisaged Strategic Plan, he indicated that, while he agreed that it should outline TCB's mission, values, strategic objectives and performance indicators, he considered that the Organization should have only one vision and that TCB should not have a separate one. The Representative of Norway encouraged EAO to incorporate into its annual Work Programmes a minimum of one or two evaluations of TCB projects per year, starting from 2014.

53. Concurring that there should be only one vision for the Organization, the Representative of Venezuela (Bolivarian Republic of) underscored that technical cooperation helped to achieve it. While supporting the Management Plan, he stressed the need for results indicators to complement the existing KPIs in order to provide a more comprehensive overview of the work carried out by TCB and enable informed decisions to be made.

54. In voicing support for the Management Plan, which had guided technical cooperation activities for the past few years, the Representative of Spain underscored that it had facilitated interactions between the Secretariat and the Council in carrying out the required changes in TCB and had yielded benefits. In agreeing with the comments made by the Representatives of Norway and Venezuela (Bolivarian Republic of) that there could be only one vision for ICAO, he emphasized that the TCB Management Plan should be encompassed in the Organization's overall philosophy i.e. its mission and vision. The Representative of Spain stressed the need to have more information regarding the envisaged TCB Strategic Plan and its relationship with the TCB Management Plan, as well as with ICAO's overall Strategic Plan. It was also necessary to clarify how the TCB Strategic Plan affected the other Bureaux.

55. Sharing the view expressed by the Representative of Venezuela (Bolivarian Republic of) regarding indicators, the Representative of Spain emphasized that it was essential to have a set which would provide an overview of the results of technical cooperation projects and the overall organization of TCB. Reiterating the importance of customer satisfaction surveys being performed by independent third parties, he recalled that shortly after returning from Europe he had received, by e-mail, from an independent research agency, a customer satisfaction survey of the services he had received from the airline concerned. Noting that other airlines and companies in the private sector followed the same practice, the

Representative of Spain suggested that consideration be given to conducting TCB's customer satisfaction surveys in a similar manner.

56. The Representative of Chile highlighted the need for indicators to assess the effectiveness of TCB's Marketing Plan and TCB's capacity to absorb an increase in demand for its services.

57. The Director of TCB (D/TCB) noted that, while his Bureau's Marketing Plan was a basic one, it had yielded very positive results since its inception in 2011. There had been an increase in the number of technical cooperation projects since 2012. Furthermore, the results for 2013 were even better than those for 2012 in terms of project implementation. There was at present a very high demand for TCB's services. It was therefore the intention to continue with the Marketing Plan. With regard to the capacity of TCB to absorb the increase in demand for its services, D/TCB underscored that, as a result of improved efficiency in its processes, restructuring, and ISO 9001: 2008 certification, TCB's current core staff of 62 had implemented almost twice as many projects as its core staff of 72 had at the start of 2011. TCB did, however, have its limits. For that reason, D/TCB was drafting a policy to address the staff shortage in certain key areas so as to be able to deal with any substantial increase in demand.

58. In providing clarifications in response to the other points raised, D/TCB emphasized that dashboards containing results indicators for the Secretariat, including TCB, had been posted on the Council website each session since 2012. Following a meeting which he had had with the Representative of Venezuela (Bolivarian Republic of), D/TCB was considering the possibility of expanding and enhancing TCB's results indicators.

59. D/TCB underscored that TCB's Strategic Plan would be further discussed within the Secretariat, taking into account the comments made, and that a course of action would be proposed in the next updated version thereof. The said Strategic Plan would be fully aligned with TCB's Management Plan, as well as with ICAO's overall Strategic Plan.

60. With regard to quality control, D/TCB reiterated that a new provision had been included in all framework agreements concluded by ICAO with governments to encourage the conduct of independent ex-post evaluations as an integral part of project planning and implementation. There was, however, a cost associated therewith. Accordingly, governments were asked if they wished to voluntarily finance such ex-post evaluations by a third party, including the ICAO internal and external auditors.

61. In then noting the TCC's oral report, the Council took the action recommended by the Committee and endorsed the said Management Plan for the Technical Co-operation Programme for the period 2014-2016 set forth in Appendix A to C-WP/14060.

62. Congratulating the Secretary General and D/TCB on their efforts to enhance TCB's performance, the President of the Council underscored that TCB was now in a much better position to meet States' demands. Recalling the comments made by the Representative of Spain, he emphasized that TCB's Management Plan provided a good overview of the implementation of the Technical Co-operation Programme.

Report on Technical Co-operation Programme development and 2014 Administrative and Operational Services Cost (AOSC) budget estimates and update of the Budget for 2013

63. This subject was documented for the Council's consideration in information paper C-WP/14061 presented by the Secretary General; and a joint oral report thereon by the Technical Co-operation Committee (TCC) and the Finance Committee (FIC).

64. The TCC and the FIC had considered the paper in their first joint meeting of the current session on 18 October 2013. The Committees had been informed that the Technical Co-operation

Programme had a total implementation volume of USD 46.7 million as 31 July 2013. Total Administrative and Operational Services Cost (AOSC) income amounted to CAD 4.15 million and expenditures, to CAD 5.04 million, for a shortfall of income over expenditures of CAD 0.89 million. It had been noted, however, that, based on the most recent records available on the date of the meeting, the Technical Co-operation Bureau (TCB) had more than doubled the Programme's implementation volume since the July reporting period, having so far implemented a Programme of USD 96.2 million, which represented approximately 70 per cent of its expected implementation of USD 137.0 million for the year.

65. It had been further noted that the updated forecast for 2013 showed an estimated AOSC Fund surplus of CAD 376 000, with an estimated income of CAD 8.69 million against estimated expenditures of CAD 8.32 million. Recalling that the last quarter of the year had been historically positive for the Technical Co-operation Programme, when its highest implementation levels were normally registered, the Committees had noted the Secretariat's expectations that the AOSC Fund results of operations at year-end might exceed the currently estimated surplus.

66. The Committees had acknowledged, with satisfaction, that the outlook for 2014 remained positive, with a projected Programme implementation of USD 127.6 million and an estimated AOSC Fund surplus of CAD 205 000. Attention had been drawn to the significant variance between the estimated Programme size and forecasted implementation. The Committees had noted, in this regard, that, based on the new forecasting methodology introduced in TCB in 2012, a more accurate programme forecast would be provided next year (2014). Revised estimates would be presented to the Council in the Spring session in accordance with *The ICAO Financial Regulations* (Doc 7515).

67. When reviewing the evolution of the Technical Co-operation Programme in the triennium and its geographical distribution, the Committees had observed a decrease in the implementation volume in the Asia and Pacific region in proportion to the total Programme. It had been clarified that the number of projects, albeit of lesser financial magnitude, had remained relatively constant in the region. Positive trends had also been noted in regard to national in-country training programmes, which continued to increase substantially across all geographical regions.

68. In acknowledging the importance attached by the Council to the ICAO Technical Assistance Programme, the Committees had expressed concern over the low volume of technical assistance projects implemented by TCB in the reporting period. It had been recalled, in this regard, that TCB executed only a small fraction of the Organization's programmes of technical assistance, which were under the Regular Programme's purview at Headquarters and the Regional Offices. It had been further noted that TCB Management aimed at steadily increasing the number of technical assistance projects in coordination with the Regular Programme, subject to the availability of voluntary funds in accordance with the Council-approved criteria. The Committees had therefore suggested that a global picture of the ICAO Secretariat's efforts regarding technical assistance would facilitate the assessment of their overall contribution to the achievement of Strategic Objectives against measurable performance indicators.

69. In providing updated information, the Director of TCB (D/TCB) indicated that the Technical Co-operation Programme volume implementation as at 15 November 2013 was USD 112.0 million. The revised forecast for implementation in 2013 was USD 148.0 million, with an estimated surplus of CAD 700 000. It was understood that an oral report on the preliminary financial and operational 2013 results of the Technical Co-operation Programme would be presented to the Council during its next (201st) session, pending a full written report, with audited figures, in the subsequent Spring session.

70. The Representative of Venezuela (Bolivarian Republic of) noted that these revised figures reflected the stability of the Technical Co-operation Programme and the AOSC Fund and the efficiency with which they were administered.

71. Observing that the updated figures showed a substantial improvement in the implementation volume of the Technical Co-operation Programme, as well as in the forecast implementation for the end of 2013, including the AOSC Fund surplus, the Representative of Spain congratulated the TCB Management. He noted, however, from the joint oral report, that there had been a decrease in the implementation volume in the Asia and Pacific region in proportion to the total Programme. Despite the fact that the region had experienced major economic growth over the last few years and would likely continue to do so in the foreseeable future, its technical cooperation activities represented only a very small percentage of the overall Programme. The TCC should therefore continue to monitor the situation.

72. The Representative of Spain emphasized that, whereas the Council had a clear picture of technical cooperation activities due to the reporting mechanism established under the TCB Management Plan, there was no such mechanism to provide it with information on technical assistance activities. He therefore endorsed the Committees' suggestion for a global overview of the provision of technical assistance by ICAO.

73. In the absence of further comments, the Council noted the financial and operational performance results of the Technical Co-operation Programme for the period 1 January to 31 July 2013, the revised 2013 Programme forecast and the AOSC Fund budgetary estimates, and the Programme and budgetary estimates for 2014 contained in C-WP/14061, as well as updated information provided orally by D/TCB.

74. In also noting the TCC's and FIC's joint oral report, the Council took the action recommended by the two Committees and:

- a) noted the important progress made within the last two years in the performance of the Technical Co-operation Programme and AOSC Fund, which had achieved reasonable levels of stability; and
- b) requested the Secretary General to consider steadily increasing the volume of technical assistance projects implemented through TCB in coordination with the Regular Programme.

75. It was understood that the Secretary General would present a global overview of the provision of technical assistance by ICAO at a future Council session.

Subject No. 18.14: Other finance matters for consideration by Council

**Proposal for a mechanism to update the amount to be transferred
from the AOSC Fund to the Regular Budget**

76. The Council had for consideration: C-WP/14062, in which the Secretary General presented a proposal for an Administrative and Operational Services Cost (AOSC) Fund reimbursement mechanism with regard to the approved annual AOSC Fund transfer to the Regular Budget of CAD 1 202 117, provided a basic framework therefor and proposed the establishment of a Special Reserve Fund (SRF) for that purpose; and a joint oral report thereon by the Finance Committee (FIC) and the Technical Co-operation Committee (TCC), which had reviewed the paper during its first joint meeting of the current session on 18 October 2013.

77. It had been recalled, during that meeting, that the Total Authorized Appropriation for the Regular Programme for the 2014-2016 triennium included the estimated amount of CAD 3.8 million for the AOSC Fund reimbursement, which was based on the annual recovery amount of CAD 1.2 million approved by the Council with an annual inflation rate of 2.4 per cent added, subject, however, to adjustment by the mechanism under consideration, once approved by the Council, as determined by the Assembly.

78. The Committees' deliberations had been based on the underlying premises outlined in Section 2 of C-WP/14062, of which the Secretary of the FIC had emphasized that:

- a) the reimbursable amount from the AOSC Fund to the Regular Budget could not be increased indefinitely by an inflation factor, otherwise the amount recovered would gradually bear no relationship to the costs incurred by the Regular Budget in the provision of support services to the Technical Co-operation Bureau (TCB), which was the basis for the cost-recovery policy; and
- b) the Regular Budget could only incur expenditures up to the appropriation voted by the Assembly; therefore, it was not possible for the Regular Programme to spend any excess funds transferred from the AOSC Fund above the approved amount. Likewise, any shortfall in the AOSC Fund reimbursement would cause a cash deficit in the Regular Budget.

79. The Committees had acknowledged that the proposed mechanism adequately addressed the above and other issues raised in C-WP/14062 by establishing a total AOSC Fund income ceiling and floor within which the annual AOSC Fund reimbursement would remain fixed at CAD 1.2 million. Conversely, should the AOSC Fund income exceed this ceiling in any given year, a 14 per cent adjustment factor would be applied to the difference between the actual income and the total AOSC income benchmark determined in accordance with Section 3 of the paper. Any amount in excess of CAD 1.2 million would be deposited into a SRF.

80. The Secretary of the FIC had further explained that, as an extrabudgetary fund residing outside the Regular Budget, the benefits of a SRF were threefold: firstly, it would compensate for any shortfall caused by a decrease in the AOSC Fund income by complementing the amount required for the annual transfer of CAD 1.2 million to the Regular Budget; secondly, it would ensure that the AOSC Fund results in a given year would not be impacted by such adjustments; and thirdly, it would serve as a guarantee that the accumulated funds would be earmarked for these specific purposes and not otherwise disposed within the triennium.

81. Considering that the benchmark transfer of CAD 1.2 million was based on two comprehensive time surveys carried out by the Secretariat, the Committees had particularly welcomed the fact that the adjustment mechanism preserved the previous agreement reached by the Council on the cost recovery policy.

82. Taking into account the explanations provided, the Committees had agreed that the adjustment mechanism proposed in Section 3 of C-WP/14062 was a fair and reasonable proposal for both the AOSC Fund and the Regular Budget, which fully complied with the principles of simplicity, transparency and impartiality advocated by the Council, and that the proposed 14 per cent adjustment factor was satisfactory given the recent stability levels of the Technical Co-operation Programme. The Committees had therefore concluded that this mechanism, if approved, would replace the inflation factor applied to the AOSC Fund reimbursement to the Regular Budget in the next triennium, which would therefore be adjusted from an estimated CAD 3.8 million to CAD 3.6 million, based on fixed annual transfers of CAD 1.2 million.

83. The Representative of Japan recalled that no Committee Members had opposed the proposed mechanism itself as it seemed to work well to assure the stable transfer of the reimbursable amount from the AOSC Fund to the Regular Budget. However, some Committee Members, including him, had not fully understand the proposal as the paper did not clearly mention the actual amount to be transferred from the AOSC Fund to the Regular Budget for the next triennium. The Representative of Japan voiced appreciation that the joint oral report explained in detail the revised actual amount to be transferred. He nevertheless wished to express the following different point of view: according to the budget for the

next triennium authorized by the Assembly, the amount to be transferred from the AOSC Fund to the Regular Budget, which was one of the revenue sources, was estimated at a total of CAD 3.8 million, consisting of CAD 1.231 million in 2014, CAD 1.260 million in 2015, and CAD 1.291 million in 2016 (cf. paragraph 1.2 of C-WP/14062). The increase in the amount due each year was the result of the application of the annual inflation rate of 2.4 per cent. However, despite the fact that the Assembly had just recently approved the triennial budget, the paper requested the Council to agree with the re-evaluation of the transferred amount. In other words, it requested the Council to agree with the decrease in the reimbursable amount by relinquishing the annual inflation increase i.e. a total of CAD 3.6 million revised downward from CAD 3.8 million.

84. The Representative of Japan did not know whether the application of the annual inflation rate of 2.4 per cent should be considered impractical as the joint oral report suggested, or not. In the affirmative, the budget for the next triennium, which had been agreed upon by the Council during the previous session (C199/10) and subsequently approved by the Assembly, should be decreased by CAD 200 000 to compensate for the decrease of the revenue from the AOSC Fund. The Representative of Japan had been advised, however, that only the Assembly could revise the said triennial budget. Thus the only action that the Council could take in light of the proposal set forth in C-WP/14062 was to request the Secretariat to maintain the revenue from the AOSC Fund as presented to the Assembly or to make efforts to increase other revenue sources, such as the transfer from the Ancillary Revenue Generation Fund (ARGF) surplus, or from Miscellaneous Income. At the very least, the Government of Japan would wish to have confirmation that this re-evaluation of the revenue from the AOSC Fund would not necessitate additional contributions from Member States, not only with regard to the next triennium's assessments on States but also with regard to any future assessments on States, to finance the deficit which might occur as a result of the Council's approval of the proposed mechanism.

85. The Chief of the Finance Branch (C/FIN) noted that 93 per cent of the Regular Budget was funded through States' assessments and the remaining 7 per cent from the reimbursement from the AOSC Fund (CAD 3.8 million). Thus if there were a decrease in the amount reimbursed, then the Regular Budget's income would be reduced accordingly, as indicated by the Representative of Japan. However, the Regular Budget was not income-dependent: it was not reduced if a State did not pay its assessed contribution. C/FIN underscored, in this context, that despite the fact that there was currently CAD 12.58 million in outstanding assessments receivable from States, there was no question of decreasing the Regular Budget by that amount. In the case under consideration, it was a matter of only CAD 200 000. C/FIN affirmed that, by year-end, there would be sufficient carry-over to compensate for the CAD 200 000 decrease in the amount reimbursed by the AOSC Fund.

86. While aware that the proposed mechanism would work when there were small fluctuations in the size of the Technical Co-operation Programme, the Representative of Spain enquired how it would function if it increased or decreased by 30 per cent or more or even doubled. He recommended that, in the event that the Council approved the mechanism, then it re-evaluate the level of support services provided by the Regular Programme to TCB in two or three years' time as the annual recovery amount was based on the time survey conducted by the Secretariat in 2011.

87. C/FIN clarified that if the size of the Technical Co-operation Programme increased by 30 per cent, then the annual recovery amount would remain unchanged at CAD 1.2 million. However, a 14 per cent adjustment factor would be applied to the excess of the increase in income over the baseline income and the resultant amount placed in a SRF. C/FIN reiterated that if the Council considered that the increase in the volume of implementation of the Technical Co-operation Programme was permanent in nature, then in theory it could use that surplus for the Regular Budget in the future triennium.

88. In expressing satisfaction with the explanations provided by C/FIN, the Representative of the United States recalled that two key points had been raised during the Committees' joint meeting: the proposed mechanism preserved, within a very fine amount, the annual recovery amount of CAD 1.2 million

that had been approved by the Council after much negotiation; and the creation of a SRF. He underscored that the SRF would prevent any excess of the AOSC Fund reimbursement amounts over the approved annual transfer to the Regular Budget from being used to supplement the Regular Budget, as had happened previously. The Representative of the United States supported the paper and the action proposed therein, on the understanding that the Council had the capability of changing the AOSC Fund reimbursement mechanism if it did not function to its satisfaction.

89. In then taking the action recommended by the FIC and the TCC, the Council:

- a) on the basis of the framework outlined in paragraphs 2.1 and 2.2 of C-WP/14062, approved the proposed AOSC Fund reimbursement mechanism described in its paragraph 3.1 to replace the inflation factor with effect from the 2014-2016 triennium; and
- b) pursuant to Financial Regulation 7.1, approved the establishment of a Special Reserve Fund (SRF) for the Technical Co-operation Programme in accordance with paragraph 3.1 f) of C-WP/14062, with effect from today's date, 18 November 2013.

Any other business

Subject No. 50: Questions relating to the environment

Appointment of a new Member on the Committee on Aviation Environmental Protection (CAEP)

90. In the absence of comments by 15 October 2013 to the President of the Council's e-mail dated 1 October 2013, Mr. Kenton Sim has been appointed as the new CAEP Member from South Africa to replace Mr. Shumani Mugeru with effect from 16 October 2013.

Subject No. 10: ICAO relations with the United Nations, the Specialized Agencies and other international organizations

Request from the European Union (EU) to participate as Observer in closed meetings of the Council on aviation security

91. In the absence of comments by 22 October 2013 to the President of the Council's e-mail dated 16 October 2013, Mr. Christopher Ross, Head of Office, Office of the European Union (EU) in Montréal, has been invited, in accordance with Rules 32 a) and 38 of the *Rules of Procedure for the Council* (Doc 7559), to participate as Observer on behalf of the EU during the current (200th) Council's consideration, in closed session, of all items related to aviation security.

Subject No. 15: Subjects relating to air transport

ICAO Air Services Negotiation Conference (ICAN/2013)

92. Further to the President of the Council's e-mails dated 25 and 31 October 2013 and comments received thereon, the Council has approved the invitation of the organizations listed therein to attend ICAN/2013 (Durban, South Africa, 9 to 13 December 2013), including the Economic Community of Central African States (ECCAS).

Council working paper presented for information

93. As the President of the Council has not received any requests to have the following information paper tabled for consideration, it is considered that the Council has noted the information provided therein:

- **C-WP/14080** — *The status of implementation of recommendations of the Joint Inspection Unit (JIU)* — circulated under cover of PRES RK/2237 dated 21 October 2013 with a deadline of 25 October 2013 for comments.

Subject No. 14: Subjects relating to air navigation

Use of personal electronic devices in all phases of flight

94. The Representative of Spain requested that the Secretariat inform the Council, at a future meeting, of the next steps to be taken by ICAO regarding the use of personal electronic devices in all phases of flight in view of the recent decisions taken in that regard by the Federal Aviation Administration (FAA) and the European Aviation Safety Agency (EASA).

Subject No. 27: Convention on International Civil Aviation (Chicago Convention)

**Celebration in 2014 of the 70th Anniversary of ICAO and
the 65th Anniversary of the Air Navigation Commission (ANC)**

95. Responding to a further point raised by the Representative of Spain, the President of the Council confirmed that preparations were underway for celebrating, in 2014, the upcoming 70th Anniversary of ICAO and the 65th Anniversary of the Air Navigation Commission (ANC).

Subject No. 42: Technical cooperation

**ICAO Project UNP/12/801 entitled “Assistance to the United Nations (UN) Secretariat for
the transition of solicitation process from an ITB to RFP for air charter services”**

96. Referring to his letter to the President of the Council dated 28 August 2013 on this subject, the Representative of the Russian Federation recalled that, on 30 July 2013 at the United Nations’ Headquarters in New York, there had been a discussion of the proposals from the UN Procurement Division to change its existing solicitation process for air charter services for the UN’s use. The basis for that discussion had been the outcomes of the study described in Project UNP/12/801, which had been developed by the ICAO Technical Co-operation Bureau (TCB) at the request of the UN Secretariat. Those outcomes had been presented as “ICAO’s main recommendations”, although they had not been discussed beforehand by the Council or any other ICAO body. The Representative of the Russian Federation therefore proposed that the view of the Legal Affairs and External Relations Bureau (LEB) be sought concerning the legal authority to present any ICAO position or recommendation without it having been appropriately discussed by ICAO Member States or their authorized representatives. The President of the Council indicated that, following consultation with LEB, the Council would receive a report on that issue later in the current session, under Any other business.

97. The meeting adjourned at 1730 hours.

— END —