



## ASSEMBLY — 36TH SESSION

### EXECUTIVE COMMITTEE

#### Agenda Item 23: Increasing the effectiveness of ICAO

#### ENHANCING THE EFFECTIVENESS OF THE ASSEMBLY — AMENDMENT OF CERTAIN RULES OF THE STANDING RULES OF PROCEDURE OF THE ASSEMBLY

(Presented by the Council of ICAO)

#### EXECUTIVE SUMMARY

In this paper, the Council proposes amending Rules 15 a), 15 d) (and by implication Rule 20), 33 and 66 (and by implication Rule 47) of the *Standing Rules of Procedure of the Assembly* (Doc 7600/5), pursuant to Resolutions A31-2 and A32-1 and the consistent practice of the Assembly since its 32nd Session to suspend these Rules in order to streamline its methods and procedures.

**Action:** The Assembly is invited to approve the amendments to Rules 15 a), 15 d), 20, 33, 47 and 66, in accordance with Rule 67 of the *Standing Rules of Procedure of the Assembly* (Doc 7600/5), as set out in the **Appendix** to this working paper.

<i>Strategic Objectives:</i>	This working paper relates to Supporting Strategies 2 and 4.
<i>Financial implications:</i>	No financial implications.
<i>References:</i>	Doc 7600/5, <i>Standing Rules of Procedure of the Assembly</i> Doc 9789, A33 Plenary Meetings — Minutes Doc 9724, A32 Plenary Meetings — Minutes Doc 9661, A31 Plenary Meetings — Minutes Doc 9601, A29 Plenary Meetings — Minutes Doc 9848, <i>Assembly Resolutions in Force</i> (as of 8 October 2004)

## 1. INTRODUCTION

1.1 Pursuant to Clause 4 a) of Resolutions A31-2: *Increasing the effectiveness of ICAO* and A32-1: *Increasing the effectiveness of ICAO (measures for continuing improvement in the 1999-2001 triennium and beyond)*, the Assembly has, since its 32nd Session, suspended at the outset of each ordinary Session Rules 15 a), 15 d), 33 and a portion of Rule 66 of the *Standing Rules of Procedure of the Assembly* (7600/5) in an effort to streamline its working methods and procedures.

## 2. STREAMLINING THE ASSEMBLY'S WORKING METHODS AND PROCEDURES

2.1 In 1992, the 29th Session of the Assembly supported the development of the Strategic Action Plan and, when endorsing the Council's proposal to review the working procedures of the Organization, it specifically requested that this review should not only include the procedures of the Council and subordinate bodies but be extended to also include the procedures of the Assembly itself (Doc 9601, A29-Min. P/12, para. 27).

2.2 In 1995, the 31st Session of the Assembly adopted Resolution A31-2. In Operative Clause 4 a), the Assembly directed the Council to "streamline the working methods and procedures of the Assembly with a view to increased transparency and efficiency, and reduced duration of Assembly Sessions, for effect commencing with the next ordinary Session". The sixth Operative Clause invites the Council and the Secretary General, in implementing Clause 4 a), to take due account of the non-exhaustive list of considerations for achieving a more effective ICAO in the Appendix to Resolution A31-2. Amongst the proposed measures listed are the streamlining of reporting procedures, "in particular avoiding non-essential duplication of presentation and consideration of the same documents in different bodies", and the elimination of "the requirement for minutes of meetings of Commissions (as with suspension in the present Session)".

2.3 Further to Resolutions A31-2 and A32-1 (which directs the Council at Clause 4 a) to continue streamlining the Assembly process), the Assembly has, since its 32nd Session, suspended at the outset of each ordinary Session Rules 15 a) and 15 d) of the *Standing Rules of Procedure of the Assembly* to streamline its reporting procedures in order to avoid non-essential duplication of presentation and consideration of the same documents in different bodies. By suspending these Rules, the Plenary has been able to deal with initial items without prior involvement of the Executive Committee, such as election of Assembly Officers, the adoption of the Agenda, the establishment of Commissions and Committees, and reference of Agenda items or parts thereof to those bodies. The Assembly has also suspended at the outset of each Session, Rule 33 in order to waive the 24-hour requirement between the presentation and circulation of a report of a Commission or Committee and its discussion in Plenary. A portion of Rule 66 has been similarly suspended so as to dispense with minutes of the Technical, Economic, Legal and Administrative Commissions. Only the minutes of the Plenary and the Executive Committee are produced.

2.4 In light of the Assembly's consistent suspension of Rules 15 a), 15 d), 33 and a portion of Rule 66, the time is opportune for their amendment in order to effectively crystallize what has become Assembly practice.

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## APPENDIX

### DRAFT AMENDMENTS TO THE STANDING RULES OF PROCEDURE OF THE ASSEMBLY OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

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#### *Rule 15*

The Executive Committee shall consist of the President of the Assembly, the Chief Delegates of Contracting States and the President of the Council. Each Chief Delegate may be accompanied at meetings of the Executive Committee by not more than one member of his Delegation, unless otherwise agreed by the Committee. The Committee shall be convened by the President of the Assembly, who shall be its Chairman.

The functions of the Executive Committee shall include:

- a) ~~the preparation and submission to the Assembly of a list of nominees for officers to be elected by the Assembly;~~
- b) the submission to the Assembly, when necessary, of a list of Contracting States desirous of being considered for election to the Council;
- c) the consideration of amendments to, or the addition of items to, the Assembly's agenda, under the terms of Section IV;
- d) ~~the reference of items of the agenda, or parts of such items, to Commissions or Committees for consideration and report, unless the Assembly has otherwise decided;~~
- e) the consideration of and report on such items of the agenda as the Assembly may refer to it;
- f) the submission of recommendations to the Assembly on the organization and conduct of the business of the Assembly;
- g) the giving of advice to the President of the Assembly, on his request, on matters requiring his decision.

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#### *Rule 20*

The Assembly, ~~or the Executive Committee as provided in Rules 15 d)~~, may refer items of the agenda or parts of such items to Commissions and other Committees for consideration and report. These Commissions and Committees shall not, on their own initiative, add new items to their agenda.

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#### *Rule 33*

~~Unless unanimously agreed by the Assembly, or the Executive Committee, items of the agenda referred to the Commissions or Committees shall not be discussed in plenary meetings of the Assembly until the expiration of twenty four hours after the report of the Commission or Committee concerned has been presented and circulated.~~

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*Rule 47*

Voting shall normally be by voice, by show of hands, or by standing, but at the request of any Delegation of a Contracting State there shall be a roll-call, which shall be taken in the English alphabetical order of the names of the Contracting States, beginning with the State whose name is drawn by lot by the presiding officer. The vote of each Delegation participating in a roll-call shall be recorded in the minutes, as required by Rule 66.

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*Rule 66*

Unless otherwise decided by the Assembly, [m]inutes of plenary meetings, and of meetings of the Executive Committee ~~and of Commissions~~ shall be distributed as soon as possible after each meeting, in such form as the body concerned may decide.

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