

Air Traffic Services Committee Meeting

Madrid, 10 March 2015

Background information on agenda item 4: Report of the 38th ICAO Assembly

Part 1: Day by Day Report

Day 1

This was largely taken up with the opening ceremony and general statements from Member states. However, the delegation worked hard to lobby a number of states to support our papers.

Day 2

Paper 185 from Cuba. The Secretariat said that this issue has been raised before. ICAO proposes that the President of the council should be invited to intervene.

ITF WP was presented to the Economic Commission. We received support from Norway. However the US whilst supporting some of our points stated that the ICAO oversight programme would resolve some of the issues raised in the FOC Paper. They also appeared to oppose closer work with the ILO.

Day 3

The delegation split to be able to attend both the executive committee and the technical commission. There were 5 papers presented on “just culture” from Australia, Korea Brazil and the US. EU intervened and broadly supported our paper. Chile, Singapore and Columbia called for legal protection. Columbia also supported our paper and called on the secretariat to action our recommendation. Nepal also supported our paper. Dominican Republic supported the thrust of the paper. However they raised concerns about public access to information. IFALPA supported our paper. IATA supported the paper from Australia. IFATCA supported our paper. Spain advised that EU was developing new rules. Secretariat announced that there will be a high level safety conference in January 2015. Commission agreed on A and B. Item C will be referred to the council and our call for a meeting will be referred to the council.

The technical commission then discussed auditing the safety management system.

In the afternoon ITF presented its paper on economics of airports and Air Navigation to the Economic commission. Services and called on ICAO to support consultation. South Africa opposed to 292. Sweden supported our paper but did not support paragraph 3. UAE opposed and said that the ITF proposals were not required. ICAO already has policies that will deal with these matters.

Venezuela said that even though they agreed with South Africa and Sweden they supported the idea of ICAO working with the ILO. US agreed with Sweden on working paper 292. Egypt shared views of Sweden. IATA supported Sweden, UAE and South Africa. IFATCA supported the ITF position. Worker representatives add value to the analysis said IFATCA. After the discussion we clarified with the

Swedish delegation what their position was. They made clear that they supported some of the conclusions in our paper- namely our request that the Secretary General of ICAO to consult with the Director-General of ILO on ways of strengthening cooperation between ICAO and the ILO on matters of common interest, and to discuss the 1953 Memorandum of Understanding between the two organizations with a view to its updating in order to take account of developments in the civil aviation industry.

They also supported our request that the secretariat to ensure that worker representatives as well as professional representatives are involved in meetings of the Airport Economics Panel and the Air Navigation Services Economics Panel.

Following the reaction to this working paper the delegation agreed to change the nature of our working paper on the fastest growing airlines to an information paper. This meant that the paper was simply noted and there was no discussion on it.

Day 4

ITF introduced its working paper on child restraints. The ITF followed an intervention by the US. ITF stressed there was a need for standardisation on this issue. A View shared by the US FAA.

IFALPA introduced the paper on Cabin Air quality. IFALPA explained that the leaking of engine fumes from engines could cause safety issues. They explained that the idea of training where explained in the conclusions. Germany responded to the paper 299 and supported the recommendations from ITF. Germany also responded to paper 245 and suggested that further work was done in this area. Germany supported the conclusions in our paper. Holland supported US paper 99 on child restraints.

Europe supports the conclusion but stated that the cabin safety work group should examine this issue. Holland also supported wp 245 on cabin air quality. Moldova supported 245. Japan support wp 99, wp245 and 287 but raised concerns about the cost implications but want ICAO to look at this subject in a panel rather than a working group to enhance transparency. Argentina supported papers 245 and 287. Panama supported paper 245 and supported 287 and 99. New Zealand supported 245. Brazil supported wp99 and 287 and want it discussed in Cabin safety working group. Nepal supported wp 99 and 287. Saudi Arabia supported 287 and 99 and supported 245. Sudan supports 99 and 287 and supported 245. Malaysia supported 99 and 287. The Commission agreed with the intent of WP/245. Regarding the development of guidance materials, the Commission agreed that the Council, taking into account budgetary implications, should review this proposal.

Day 5

The delegation attended the technical commission on Saturday. There was nothing of direct interest to ITF.

Day 6

We received the draft reports of the economic commission. There was a problem with the wording of the report on our FOC working paper where it was suggested that all of our proposals had been rejected. Following an intervention from Norway the report was amended.

In the technical commission we supported a paper on ATSEP licensing which had been submitted by Indonesia. The outcome was that ICAO is to launch a study on the safety case for ATSEP licensing.

Part 2: Outcomes on the ITF papers.

Paper 245: On Cabin Air Quality.

The conclusion was “The paper invited the Assembly to note the implications for flight safety of exposure to oil fumes sourced to the aircraft air supply system. It also requested the Council to develop guidance material to improve the education and training of flight crew, cabin crew, and maintenance technicians in fume-related events. ITF and IFALPA offered to provide human resources for this effort. The Commission agreed with the intent of WP/245. Regarding the development of guidance material, the Commission agreed that the Council, taking into account budgetary implications, should review this proposal “

Working paper 287 on child restraints

The report to the plenary session stated “ A38-WP/287, presented by ITF, also related to child restraints. The paper recommended the development of guidance for regulations related to child restraints and the elimination of exemptions for infants who presently could be carried in an adult’s lap. It also called for guidance on the identification and use of such devices.

In view of the discussion, the Commission agreed on the need to develop harmonized provisions addressing child restraining devices and that the Council should be requested to develop appropriate provisions to address this issue taking into account the budgetary implications.

Working paper 291 on “flags of convenience”

The report to the plenary session stated “WP/291, presented by the International Transport Workers Federation (ITF), reviewed the major effects of aviation deregulation and liberalization with particular attention to civil aviation transportation workers and the growing emergence of “flag of convenience” scenarios in the airline sector of the industry. It further examined the principal lessons of ATConf/6 in this regard and stressed two important principles: the implementation of basic safeguards for safety and security and the recognition of the role of aviation workers.

In its conclusion the economic commission stated “Regarding the issue of “flags of convenience”, the Commission noted the proposal made by ITF related to the need for ICAO to collaborate with other UN agencies, as it had previously been reflected in the outcome of ATConf/6. A view was expressed that there is an existing robust ICAO system of extensive Standards and Recommended Practices (SARPs) and Annexes presently available covering related safety and security concerns. Another view expressed general support for WP/291, but flexibility was requested with regard to how ICAO should involve stakeholders in its future work on this issue.

Working paper 292 on economics of airports and air navigation services

The report to the plenary stated “The International Transport Workers Federation (ITF) presented WP/292 and recommended that ICAO play a role, along with the International Labour Organisation

(ILO), in developing appropriate consultation mechanisms with workers representatives and their professional counterparts, including consultation on user charges.

However the conclusion was disappointing. It stated “Regarding the views expressed by ITF in WP/292, there was a recognized need for social dialogue. However, it was believed that labour issues, being outside of ICAO’s scope and essentially of a national nature, were not suitable to be addressed by the Organization. Therefore, the Commission did not endorse the ITF proposals”.

Paper 296 on just culture

The conclusion of the Technical commission was as follows: “The Commission reviewed A38-WP/296, presented by the International Transport Workers Federation (ITF), regarding the implementation of a just culture in reporting systems. The paper requests that the Assembly recognize the valuable contribution a just culture will make to aviation safety and asks ICAO to monitor and review the implementation of just culture and non-punitive reporting systems. The paper further requests that ICAO identify any barriers to the implementation of non-punitive reporting systems and provide guidance to States that have not yet introduced such systems.

Paper 314 on labour rights for growing carriers

The Economic Commission Reports stated “In its information paper WP/314, the International Transport Federation (ITF) drew attention to the issue of labour rights, with regards to the foreign workers of the air transport industry. The ITF upheld the view that ICAO should engage and cooperate with Member States, industry, international organizations and other stakeholders in advancing the objective of economic development of air transport. Expressed was the view that there was a need for ICAO to work in cooperation with the ILO in order to achieve this goal particularly in the countries where aviation was developing at a fast pace.

The Commission noted the information provided in WP/314.

Paper 327 on health risks to airport workers

The report of the executive had the following text In WP/327, the International Transport Workers’ Federation (ITF) described the potential health concerns regarding the exposure of airport employees to ultrafine exhaust particles from aircraft and diesel engines at airports, and invited the Assembly to urge ICAO to extend its policies and practices related to environmental protection into the protection of the health and safety of employees, accordingly. The ITF highlighted that a working group consisting of managers from Copenhagen airport, companies operating in the airport and unions representing employees in the airport had been established, and this could act as a starting point for discussions.

The conclusion reached was “The Chairperson stated that ICAO continued to work with a number of international organisations, including the World Health Organisation, on the impacts of aviation on the environment in the vicinity of airports. It was made clear that CAEP is currently undertaking a programme of work, to develop a non-volatile PM (nvPM) certification Standard for aircraft engines and that research is ongoing to advance the understanding of volatile PM formation, and that the

information provided by ITF would be brought to the attention of CAEP for consideration in its work.”

These conclusions are taken from the final plenary working papers on the ICAO website.

Part 3: Personal conclusion by Joe Magee

This is the 4th ICAO general assembly that I have attended. By far and away this was the most successful. The delegation was also the most hard working that I have been involved with. The only disappointment was the outcome on the paper on economics of airports and Air Navigation Services where ICAO once again stated that labour issues were beyond its scope. On all of the other papers our views were endorsed and accepted.

It should be noted that the conclusion on working paper 292 was not what member states actually said. In fact some member states actually sought to amend this conclusion. I think this encapsulates our difficulties with ICAO.

What did we achieve? ICAO will have to carry out some work on child restraints and training for cabin air quality. They will have to bring to the attention of a working group on air quality in the environment. We have also registered the issues of flags of convenience and workers rights in fast growing airlines. I also believe that thanks to the work done by the delegation and the work done by the aviation secretary during the assembly that we made our presence felt in ICAO. By the end of the assembly, Very few, if any, delegates did not know who and what the ITF represented. We also showed that we are not just interested in “labour” or economic issues. We showed that we have considerable technical expertise as well.

What next for ITF? We need to maintain pressure on the ILO to ensure that the conclusions of the GDF are carried through. However we need also to attack this problem from the other side. ICAO clearly wants to avoid any involvement with worker organisations and the ILO. Therefore I believe we should start at national level to lobby members of the ICAO council members. After this assembly we know that some of them at least are sympathetic.

A final note. It was interesting to see that IATA is not the all powerful organisation they once were. A number of states criticised their approach on some issues. That does not mean that IATA are a spent force but it does demonstrate that ICAO has realised that there are other players in the market.

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