



International Civil Aviation Organization

WORKING PAPER

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**English and
Arabic only¹**

ASSEMBLY — 37TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 21: Increasing the efficiency and effectiveness of ICAO

**PROPOSAL TO HOLD THE ICAO ASSEMBLY
SESSIONS EVERY TWO YEARS**

(Presented by the Kingdom of Saudi Arabia)

EXECUTIVE SUMMARY

This working paper aims at achieving more efficiency and effectiveness in the work of the governing bodies of ICAO through considering holding the Assembly sessions every two years and establishing the budget of the Organization for two years so as to realize the following benefits:

1. Economy of finance, effort and time of ICAO, DGCA's and the governments of Contracting States through integration, as far as possible, of high-level conferences into the Assembly's business.
2. Achieving consistency with the other UN specialized agencies.
3. Maintenance of ICAO's leading role in global issues associated with international civil aviation through rapid decision making.
4. Facilitation of more realistic programme planning and budget estimate development.

Action: Instruct the ICAO Council to consider the possibility of holding the ICAO Assembly sessions every two years, gradual adoption of a two years budget for the Organization and submit a report thereon to the next session of the ICAO Assembly.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objective D as it aims at enhancing the efficiency of aviation operations and Objective F as it provides information on progress in preparing the implementation of an international air law instrument.
<i>Financial implications:</i>	Not applicable
<i>References:</i>	Doc 9902 – <i>Assembly Resolutions in Force (as of 28 September 2007)</i> Joint Inspection Unit report JIU/REP/2007/5 “Review of Management and Administration at the International Civil Aviation Organization” C-WP/13576

¹ English and Arabic versions provided by the Kingdom of Saudi Arabia

1. INTRODUCTION

1.1 Subparagraph a) of Article 48 of the *Convention on International Civil Aviation* (the Chicago Convention, 1944) provides that a) “The Assembly shall meet not less than once in three years and shall be convened by the Council at a suitable time and place. An extraordinary meeting of the Assembly may be held at any time upon the call of the Council or at the request of not less than one-fifth of the total number of contracting States addressed to the Secretary General.” This is the present text of the Article after it was amended at the 14th Session of the Assembly in 1962, the amendment which entered into force in 1975 for the States which ratified it. This was the second amendment, the first one had been at the Eighth Session of the Assembly in 1954, and it had entered into force in 1956.

1.2 The ICAO Assembly stated in its Resolution A32-1 that it:

“4. Directs the Council to:

a) continue streamlining the Assembly process by focusing on policy guidance and work programme developments, and eliminating redundancies in its agenda;”

....

c) continue the evaluation of the character, working methods and procedures of ICAO, especially of its governing bodies, including a comparison with other similar UN organizations, taking the assistance of an outside body, if necessary and appropriate, for example from the Joint Inspection Unit of the United Nations;²”

1.3 The world political, security, geographical and technical situations at the time of conclusion of the Chicago Convention, 1944 are different from what they are now. Air traffic was not as congested and the condition of aviation security and safety was not as urgent. The frequency, variety and extent of world events were not as multiplied and accelerated. When the Chicago Convention was amended to provide for holding the Assembly sessions once every three years at least for the first time in the Eighth Session of the Assembly in 1956, after it had been held yearly, the risk of unlawful seizure of aircraft was not as great, the threat of using civil aircraft in terrorist acts came to the mind of nobody and the environmental effect of aircraft fuel was not as evident.

2. DISCUSSION

2.1 Since the 36th Session of the ICAO Assembly was held in September 2007, ICAO has held many high-level international conferences (i.e. the level of DGCAAs or their alternates) for the purpose of taking sovereign decisions on significant developments in the international civil aviation industry. Among such conferences were highly specialized meetings such as the Diplomatic Conference on Damage Caused by Aircraft to Third Parties arising from Acts of Unlawful Interference (DCCD) from 20 April to 2 May 2009, the High-level Meeting on International Aviation and Climate Change (7-9 October 2009), the ICAO Conference on Alternative Fuels (16-18 November 2009) and the High-level Safety Conference (HLSC-2010) 29 March-1 April 2010.

2.2 Each time a conference is held at this level, invitation had to be extended to DGCAAs or their alternates at the level of decision making in Contracting States. Notwithstanding the importance of

²Document 9902 – Assembly Resolutions in Force (as of 28 September 2007)

attending such conferences, the associated actions and arrangements in the chancelleries of the governments of participating States and the related costs shouldered by those States for the attendance of their representatives, represent a heavy load for those States, and drain much of the time and efforts of such officials. In the single year 2009, the DGCA's or their alternates had to attend such conferences four times. Consequently, the matter became no longer practical in terms of time, effort and cost. Therefore, if the Assembly is held once every two years, bearing in mind the time necessary to carry out the Assembly's business, it can be used as a forum which brings together the DGCA's in the world, and perhaps some Ministers, to decide on such issues more rapidly and effectively.

2.3 The three-year period which separates the Assembly sessions is no longer suitable for review of the Organization's work and determination of general policy, and it has become one of the factors which limit the process of effective decision making. Holding the ICAO Assembly once every three years is at variance with the practice in most of the other UN System's agencies which hold the meetings of their governing bodies once a year or once every two years. Whereas the Assembly meets once every three years for a period not exceeding approximately two weeks, it shoulders a heavy load concerning dealing with the technical and political issues which face ICAO.

2.4 It is known that changing the periodicity of holding the Assembly requires introduction of changes into the Chicago Convention, yet this will not be the first time, as revealed by the executive summary above in this paper. It is also known that this change requires a change of the period of the budget developed by the Organization to cover three years, so that it becomes a budget for a two years' period. This change, if undertaken in a gradual and well planned way, would make planning of the Organization's work programmes, establishment of budget estimates and facing changes in real prices and costs from approximate prices and costs realistic. This change imparts much flexibility to the Organization's work methods, rapidness of its adaptation to global developments and rapidness of response to those developments at the highest levels of diplomatic representation.

2.5 Moreover, technical, security, economic and climatical developments in the field of international civil aviation have succeeded each other in great speed and other international organizations started to be largely in advance of ICAO in dealing with these issues, because decision-making mechanisms in those organizations function quicker than in ICAO as indicated by issue of statements of the ICAO continuing policies and practices in several fields such as environment, safety, security and air transport once every three years, while other organizations update their policies and procedures once every year or two years. This matter represents a danger for ICAO to lose leadership in issues related to aviation. ICAO sometimes bears blame as a result of its being late in taking clear and quick positions on some issues, like environment.

2.6 The United Nations Joint Inspection Unit's report issued in 2007 under the number 5 "Review of Management and Administration at the International Civil Aviation Organization (ICAO) JIU/REP/2007/5" contained the following recommendation:

"Recommendation 2

Taking into consideration the best practices of other United Nations organizations the Council should:

- a) establish a long term plan for convening the Assembly every two years for a period of not more than three weeks, in line with other United Nations system organizations, to facilitate effective decision-making and governance in ICAO;
- b) adopt a biennial budget to enhance planning, in the context of a change to a biennial Assembly".

2.7 It is in the interest of this orientation that the ICAO Council reduced the number of days for holding its sessions during last year and "as a result of careful planning and management of the schedule of committees and the work programme, the Council has reduced the number of times it meets per session. For example, the 189th Session was reduced by two days from a planned 15; the 188th Session was reduced by one day from a planned 15 and so on. The average reduction of days over the previous four sessions represents about a 10 per cent efficiency improvement."³

3. ACTION

3.1 According to the above-mentioned, it may be advisable that the ICAO Assembly instruct the Council to consider the possibility of gradual change to holding the Assembly sessions once every two years, bearing in mind the period of time necessary to carry out the Assembly's business, and change of the ICAO budget to a budget for every two years instead of three years, in order to realize the benefits mentioned in the previous paragraphs.

4. REQUIRED ACTION

4.1 The Assembly is invited to take the action in the executive summary rectangle.

— END —

³C-WP/13576