



Agenda Item 7: Review of the agreements with international organisations

COOPERATION WITH THE LATIN AMERICAN CIVIL AVIATION COMMISSION

(Presented by the Secretariat)

SUMMARY		
This working paper presents the progress made in the implementation of the action plan agreed between ICAO and LACAC to implement the Memorandum signed in September 2010 between ICAO and LACAC to provide a framework for improved cooperation.		
References: <ul style="list-style-type: none">- Council working paper A37-WP/28 dated 17 June 2010, on cooperation with regional organisations and regional civil aviation bodies.- ICAO Assembly Resolution A37-21.- Memorandum of Understanding between ICAO and LACAC to provide a framework for improved cooperation.- Action plan for the implementation of the Memorandum of Cooperation (MOC) between ICAO and LACAC.		
ICAO objectives:	strategic	<i>A – Safety B – Security C – Environmental protection</i>

1. Introduction

1.1 The conclusions reached by the EC/ICAO Symposium (Montreal, 10-11 April 2008) and by the ICAO Air Transport Symposium (Abuja, 28-30 April 2008) pointed to the need for an ICAO policy on regional cooperation aimed at providing better guidance and assistance to member States for the fulfilment of their responsibilities under the *Convention on International Civil Aviation* and ICAO Strategic Objectives, and making more efficient use of resources in benefit of the States.

1.2 The Council, at its 186th Session, entrusted a multidisciplinary group of Council representatives and members of the Secretariat with developing an ICAO policy on regional cooperation, a cooperation framework, and several cooperation models adaptable to the specific characteristics of regional organisations and regional civil aviation bodies. After the Group submitted its report, in October 2009, at its 188th Session, the Council adopted the policy and regional cooperation framework (presented in **Appendices A** and **B**, respectively), which are based on ICAO Strategic Objectives and its mission and vision statements, as well as on the relevant elements of the Plan of Activities of the Organization.

2. **Fundamentals of regional cooperation**

2.1 Cooperation is inherent to the purposes and objectives of ICAO and reflects its *modus operandi*.

2.2 Article 55, paragraph a) of the *Convention on International Civil Aviation* stipulates that, whenever advisable, the Council can create subordinate of air transport committees, regional or otherwise, and designate groups of States or airlines to further the objectives of the Convention.

2.3 There are already several instruments that encourage ICAO and regional civil aviation organisations to pursue cooperation to attain common goals. ICAO Assembly Resolution A1-10, which was adopted at the first Assembly held in 1947 and is still in force, authorises the Council to formulate, whenever feasible, suitable plans with international public organisations whose activities affect international civil aviation.

2.4 Resolution A27-17 concerning the relationship between ICAO and regional civil aviation bodies stipulates, *inter alia*, that ICAO must support the work and activities of all existing or future regional civil aviation bodies, and charges the Council with entering into the corresponding work agreements with each regional civil aviation body.

2.5 The relationship between ICAO and regional organisations such as the African Union (AF) and the European Union (EU) are typical examples of the cooperation that has traditionally existed between a specialised agency of the United Nations and such organisations, which involves cooperation of a general nature, without an official arrangement or agreement that specifies the details.

2.6 Regarding regional civil aviation bodies such as the Arab Civil Aviation Commission (ACAC), the African Civil Aviation Commission (AFCAC), the European Civil Aviation Conference (ECAC) and the Latin American Civil Aviation Commission (LACAC), there is a history of specific arrangements and cooperation that have contributed to the purposes and objectives of the Organization. However, they have already fulfilled their objective and it is now time for ICAO to introduce new cooperation tools.

3. **Cooperation with regional organisations and regional civil aviation bodies**

3.1 ICAO's regional cooperation policy defines its underlying principles, as well as its objectives and requirements for implementation. Furthermore, this policy defines the measures to be adopted in order to strengthen cooperation, and means are suggested for its implementation. This is explained in detail in **Appendix A**.

3.2 The regional cooperation framework describes the essence of a strategic action plan to be developed by ICAO. The objective of this plan is to formulate and implement regional cooperation activities to strengthen the function of ICAO as a global forum for international civil aviation and to strengthen regional activities that ICAO carries out with regional organisations and regional civil aviation bodies, and to manage the relationship it has with them.

3.3 Within the aforementioned parameters, ICAO, under the direction of the Secretary General, has undertaken a series of activities to assist in the development of regional organisations and regional civil aviation bodies, and to facilitate their contribution to ICAO activities. As a first measure in this respect, ICAO has provided better guidance and assistance, promoting regional cooperation through cooperation agreements between ICAO and the regional organisations and regional civil aviation bodies.

3.4 In response to a request by the Council, the Secretary General initiated in September 2010 an action plan aimed at the subscription of key agreements with two regional organisations, the African Union and the European Union, and the regional civil aviation bodies: ACAC, ACAC, ECAC and LACAC. In the longer run, an attempt will be made to establish contact with other bodies interested in establishing a formal relationship and closer coordination with ICAO.

3.5 These arrangements will also help the States harmonise their regulations, requirements and operational procedures, based on ICAO standards and recommended practices (SARPs); explore opportunities for strengthening links with the databases of other organisations and regional civil aviation bodies (as appropriate) with a view to supplementing and sharing the existing databases of the Organization; establish better consultation and cooperation mechanisms that include the electronic exchange of information; create synergies between ICAO and each of the regional civil aviation bodies in order to make sure that they all implement a structured and shared programme of activities, thus avoiding duplication of efforts.

3.6 The framework describes in detail the way in which the strategic action plan is to be drafted and implemented in accordance with the applicable elements of the ICAO plan of activities. Likewise, it establishes seven strategic initiatives for the Plan, with a view to ensuring that all regional cooperation areas are covered. **Appendix B** explains the strategic action plan in detail.

3.7 In practice, cooperation between ICAO and the regional organisations and the regional civil aviation bodies is based on the collective needs of the States in each of the Regions, with the following common objectives:

- acknowledge the need for States to apply ICAO policy to a larger extent;
- create more awareness amongst the States about the function and purpose of ICAO;
- reach a balance between users and service providers with respect to the implementation of ICAO policy;
- achieve systematic and synergic cooperation on issues such as safety, security, environmental protection, air traffic management and other issues relevant for each Region;
- implement and effective regional governance;
- understand the functions of States and regional civil aviation bodies, and plan programmes in coordination between ICAO and the regional civil aviation bodies; and
- mutually benefit from their competencies and knowledge.

4. **Cooperation between ICAO and LACAC**

4.1 Pursuant to ICAO Assembly Resolution A37-21 (**Appendix C**) on cooperation with regional organisations and regional civil aviation bodies, ICAO and LACAC signed a Memorandum of Cooperation (MOC) in September 2010 for strengthening their relationship and establishing closer cooperation in the areas of safety, security, environmental protection and sustainable development of air transport, and to facilitate, in accordance with the established standards and procedures, their participation in the activities and their attendance as observers to the meetings of both organisations for the benefit of international civil aviation. The MOC is shown in **Appendix D** in its original English version.

4.2 Cooperation will be expedited, amongst other things, through certain administrative and resource arrangements for the regular exchange of information and data, and mutual access to sources of information and data.

4.3 The objectives of the MOC are:

- a) to strengthen cooperation between the parties through more sound work relations between ICAO and LACAC, and
- b) to share information and data and to reach consensus to improve consultation and cooperation mechanisms.

4.4 ICAO and LACAC have agreed to implement an action plan to implement the MOC starting in January 2011, for a period of two years, adopting the nine measures listed below for the attainment of such objectives, and indicating the results obtained to date.

a) Support the work of the RASG-PA and the SRVSOP in LACAC member States:

- LACAC has been invited to all RASG-PA events, but the Secretariat of that organisation has not attended any of them to date.
- LACAC fully supports the work of the SRVSOP for the implementation of a set of harmonised civil aviation standards and procedures among participating States.
- The LACAC member States that will be in charge of safety oversight will be the focal points of the organisation in the RASG-PA.

b) Periodic exchange of statistics and information, including the exchange of data on major environmental activities carried out by the States regarding CO₂ emissions, fuel consumption, etc.:

- LACAC participated in the ICAO practical training workshop on State action plans for the reduction of CO₂ emissions.
- This event was held in Mexico City in May 2011, with the support of LACAC.

c) Discuss an annual plan of joint activities (training seminars/workshops/events) to facilitate the implementation of the MOC (including visits to the States by experts) and carry out activities related to:

- Coordination between ICAO and LACAC for planning regional events is an ongoing process.
- As soon as confirmed, joint events are included in the calendar of activities of the two organisations.
- Events scheduled by LACAC for 2011 were coordinated with ICAO Regional Offices in order to avoid duplication of efforts.
- LACAC has confirmed its support to, and coordination of, an ICAO seminar on unmanned aircraft systems (UAS) to be held at the ICAO South American Regional Office during the second quarter of 2012.

- d) Organise and hold events in the Region to assist States with the implementation of SARPs (contained in the Annexes) and compliance with ICAO guidelines and policy, including but not limited to creating awareness amongst States of the need to harmonise their legislation, regulations and procedures with the SARPs and ICAO guidance and policies, using the established programmes, such as the SRVSOP whenever possible, in order to avoid duplication of efforts. This action would include the ratification by LACAC member States of the 1999 and 2009 Montreal Protocols, and of the 2010 Beijing treaties, and the conduction of seminars on legal matters:
- ICAO receives the support of LACAC for the conduction of seminars organised by AENA (Spain) under Project RLA/97/903 for training aeronautical personnel in the CAR and SAM Regions.
 - ICAO and LACAC have scheduled a seminar on facilitation, and another one on unmanned aircraft systems for 2012.
 - In 2011, the SRVSOP conducted seven training events in the areas of AGA, AIR and OPS, with the participation of 199 professionals of the States of the Region.
- e) Organise and hold events in the Region to assist the States in the resolution of the shortcomings and deficiencies identified in the audits or assessments conducted by ICAO, and encourage LACAC members to participate in the work of ICAO:
- ICAO and LACAC organised the Regional Seminar on Security and Facilitation, and the meeting of the Regional Group on Security and Facilitation, both held on 23-27 May 2011 in Asunción, Paraguay.
 - ICAO invited non-LACAC States to attend LACAC seminars on strategic planning and aviation accident investigation.
- f) Make sure that LACAC receives and has electronic access to all the public documentation of ICAO and to the State letters that are relevant to the scope of the MOC, and send experts in SARP implementation and ICAO policy and guidance to the States, including the possibility of seconding State experts to assist ICAO with the action plans related to the environment:
- Within the framework of horizontal cooperation between States, the SRVSOP has provided assistance to four States and has reviewed four LAR documents, with the participation of nine AGA, AIR, PEL and OPS experts from member States.
 - ICAO officers and the LACAC Secretary attend high-level meetings of aeronautical authorities convened by each organisation.
 - The Secretary of LACAC participated at the 23th meeting of the SRVSOP General Board held in Cartagena, Colombia on 26 July 2011. As a result of this event, Colombia decided to join the SRVSOP, thus completing the participation of all Spanish-speaking States of the SAM Region in this System.
 - From now on, and inasmuch as possible, General Board meetings will be held together with the meetings of the LACAC Executive Committee in order to avoid the proliferation of trips and to save costs to member States.
 - The 24th meeting of the SRVSOP General Board has been scheduled for 26 March 2012 in Santiago, Chile.

- g) Convene and hold a high-level annual meeting between ICAO and LACAC to discuss issues related to civil aviation of continental, regional and sub-regional interest to LACAC member States:
 - The Secretary of LACAC has been invited to participate at the 12th Meeting of Civil Aviation Authorities of the SAM Region, convened by ICAO. A regional bilateral meeting of the member States of the two organisations has not been planned yet.
- h) Multilateral agreement for mutual recognition of the certification of aircraft maintenance organisations (AMOs) between Latin American States:
 - Most member States of the SRVSOP are in a position to sign the multilateral agreement fostered in collaboration with LACAC for mutual recognition by Latin American States of aircraft maintenance organisation certifications. It is expected that two States that required minor style adjustments will do so in time for the document to be signed during the 12th Meeting of Civil Aviation Authorities of the SAM Region.
- i) Convene and hold meetings of the Regional Pan-American Security and Facilitation Group (AVSEC/FAL/RG-PA):
 - The Regional Pan-American Security and Facilitation Group met on 25-27 May 2011 in Asunción, Paraguay.

4.6 In order to support compliance with the action plan agreed between ICAO and LACAC, the 12th Meeting of Civil Aviation Authorities of the SAM Region could consider the adoption of the following conclusion:

Conclusion RAAC/12-X – Implementation of the Memorandum signed between ICAO and LACAC to provide a framework for improved cooperation

Taking into account the important achievements obtained to date through the 2011-2012 action plan for the implementation of the Memorandum of Cooperation between ICAO and LACAC, signed in September 2010, the 12th Meeting of Civil Aviation Authorities of the South American Region supports the continuation of the actions undertaken by both organisations to improve the efficiency of the common efforts made in benefit of regional civil aviation, avoiding duplication of efforts and saving costs through joint activities, and facilitating access to their respective sources of information and databases, amongst other benefits.

5. Suggested action

5.1 The RAAC/12 Meeting is invited to:

- a) Take note of the information provided in this working paper; and
- b) Support States in their decision to support the implementation of the action plan agreed between ICAO and LACAC with a view to attaining the objectives established in the MOC, taking into account the adoption of the conclusion suggested in paragraph 4.6.

APPENDIX A

ICAO'S POLICY ON REGIONAL COOPERATION

POLICY

ICAO is committed to render assistance, advice and any other form of support, to the extent possible, in the technical and policy aspects of international civil aviation to Contracting States in carrying out their responsibilities pertaining to the *Convention on International Civil Aviation* and ICAO Strategic Objectives. ICAO will promote regional cooperation through close partnerships with regional organizations and regional civil aviation bodies.

In implementing this Policy, ICAO will optimally use its resources, both at Headquarters and its Regional Offices, and apply the principles enunciated in the relevant ICAO Assembly Resolutions, guidance and policy.

Overall responsibility for the implementation and continued evolution of this Policy shall devolve upon the Secretary General of ICAO.

This Policy will be incorporated into the ICAO workplace through the Organization's Business Plan.

1. FOREWORD

1.1 ICAO's Policy on Regional Cooperation was developed in response to a request of the Council of ICAO, made at its 187th Session, that the multidisciplinary group consisting of members of the Secretariat and Representatives on the Council which was established at its request during the 186th Session, develop an ICAO policy on regional cooperation, a framework of cooperation and various models of cooperation that would fit the characteristics of individual regional organizations and regional civil aviation bodies and submit such documentation to the Council.

1.2 The request of the Council was in response to conclusions reached at the EC/ICAO Symposium held in Montréal from 10 to 11 April 2008 and the ICAO Air Transport Symposium held in Abuja from 28 to 30 April 2008. Some of the conclusions of these events were to the effect that regional civil aviation bodies are already a positive reality and that a clear trend towards more regional governance can be observed. The Symposium also underlined the need for ICAO assistance and an ICAO policy pertaining to regional cooperation, whilst noting that ICAO should provide improved guidance and

assistance in order to achieve harmonization of national regulations, operational requirements and procedures with a view to ensuring uniform implementation of Standards and Recommended Practices (SARPs).

1.3 The Policy brings to bear principles of cooperation with regional civil aviation bodies and regional organizations, as appropriate, in the technical and/or policy areas of international civil aviation in order to facilitate the development of civil aviation infrastructure, implementation of SARPs and ICAO policies.

2. PRINCIPLES

2.1 This Policy aims at promoting cooperation through the expanded use of best practices and better utilization of existing capabilities and resources within the regions to improve services and make best use of resources, taking into account the different levels of competence that exist in States. This Policy also takes into account relevant provisions of the *Convention on International Civil Aviation* (Chicago Convention) and relevant ICAO Assembly Resolutions. It is vital for ICAO that this Policy enable States to understand ICAO policy and implement SARPs; identify existing opportunities for sub-regional cooperation and promote potential bodies for new partnerships; assist with advice on capacity building; assess the gaps in knowledge and capabilities to meet requirements; and improve existing practices.

2.2 This Policy applies to cooperation in technical and/or policy matters, as appropriate, with technical bodies (such as ACAC, AFCAC, LACAC, and Regional Safety Oversight Organizations) as well as between ICAO and regional organizations (such as the African Union and the European Union)¹.

2.3 Important vehicles for implementation of this Policy are ICAO's Regional Offices. Therefore, these offices should take into account in their inputs to strategic planning the regional needs and opportunities for cooperation with regional civil aviation bodies, regional organizations and other stakeholders, with the view to assisting States in ensuring harmonization in adherence to ICAO policy.

2.4 While ICAO encourages the activities of States, regional civil aviation bodies and regional organizations in facilitating, among others, the development of civil aviation infrastructure and implementation of SARPs and ICAO policy, States ultimately remain responsible for their obligations under the Chicago Convention, notwithstanding whatever arrangements States may conclude with their regional organizations and regional civil aviation bodies.

3. OBJECTIVES OF THE POLICY

3.1 The main objective of this Policy is to avoid duplication and achieve harmonization in all regions on improvements in the technical and/or policy areas by addressing the following needs:

¹ For purposes of this Policy, regional organizations are groupings of States that are collectively identified politically and/or geographically for purposes of unifying efforts to bring about development in a region or sub-region. The European Union and the African Union are examples of regional organizations. Regional civil aviation bodies are specialized agencies of these groupings which deal with aviation. The African Civil Aviation Commission (AFCAC), which is the specialized agency of the African Union in the field of aviation, is an example of a regional civil aviation body. Such bodies include ACAC, AFCAC, ECAC and LACAC as well as other technical bodies such as regional safety oversight organizations.

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- a) to strengthen cooperation between ICAO, the regional civil aviation bodies and regional organizations;
- b) to ensure adequate expertise and resources for aviation infrastructure development and for carrying out oversight functions;
- c) to share information and data;
- d) to ensure specialized training;
- e) to ensure expertise in the development of national/regional plans; and
- f) to enact civil aviation legislation, as necessary.

4. MEASURES

4.1 In pursuance of the objectives listed in paragraph 3, ICAO will adopt the following measures:

- a) enhance its cooperation with regional civil aviation bodies and regional organizations;
- b) ensure that cooperation with States which do not belong to regional organizations and regional civil aviation bodies is not jeopardized or compromised;
- c) encourage States to direct their respective regional civil aviation bodies and regional organizations to closely cooperate with ICAO and to assign them tasks in the context of that cooperation;
- d) invite regional civil aviation bodies, pursuant to their rules of procedure, to give sympathetic consideration to the possibility of inviting ICAO Contracting States not members of the regional civil aviation body in question to participate as observers at its meetings;
- e) meet periodically with regional civil aviation bodies including at an annual high-level meeting with such bodies; and
- f) define, as necessary, the role to be played by the Regional Offices in coordinating ICAO cooperation with regional civil aviation bodies.

5. IMPLEMENTATION

5.1 ICAO, to the extent possible, will assist States in the technical and/or policy areas of international civil aviation and will promote regional cooperation through close partnerships with regional organizations and regional civil aviation bodies.

5.2 Overall responsibility for the implementation and continued evolution of this Policy shall devolve upon the Secretary General of ICAO.

5.3 This Policy will be incorporated into the ICAO workplace through the Organization's Business Plan.

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APPENDIX B

ICAO FRAMEWORK OF REGIONAL COOPERATION

A STRATEGIC PLAN OF ACTION FOR ICAO HEADQUARTERS AND REGIONAL OFFICES

1. OBJECTIVE

1.1 The Framework for Regional Cooperation is essentially a Strategic Plan of Action drawn in accordance with the ICAO Policy on Regional Cooperation and the Business Plan of the Organization. The objective of this Plan is to formulate and implement regional cooperation activities to enhance ICAO's role as the global forum for international civil aviation as well as further strengthen ICAO's regional activities with regional civil aviation bodies and regional organizations.

1.2 This Framework will prepare ICAO to develop a bilateral mechanism of regional cooperation between ICAO on the one hand, and the regional civil aviation bodies and/or regional organizations (e.g. agreement with EC) on the other.

2. STRATEGIC THRUSTS

2.1 The Strategic Plan of Action on Regional Cooperation will be developed by the Secretary General in consultation with the Council of ICAO, and will be implemented by regional operational plans which are consistent with the Business Plan of the Organization. They will establish tasks, accountability and timelines and will be measured by performance indicators¹.

2.2 The regional operational plans should be drawn in accordance with the needs and priorities of the different regions, and tasks should be clearly identified and assigned both at Headquarters and the Regional Offices, and these should be included in the Performance and Competency Enhancement (PACE) review of staff concerned.

2.3 In this regard, a person or persons from each Regional Office will be assigned the task of driving the applicable operational plan, and regional civil aviation bodies will be encouraged to assign dedicated staff towards cooperating with ICAO.

2.4 These operational plans will focus on strengthening cooperation in the regions between ICAO and the regional civil aviation bodies and/or regional organizations, as appropriate, and enhancing understanding of Contracting States of ICAO policies, ICAO Assembly Resolutions, and the implementation of Standards and Recommended Practices (SARPs). The strategic thrusts of this Strategic Plan of Action are:

¹ Performance Indicators refer to measurable indicators to assess, at the end of the triennium, whether the Organization has met its expected outputs and thus achieved the corresponding result.

- Common efforts at harmonizing, between States, operational regulations, requirements and procedures based on ICAO SARPs implementation;
- understanding each other's roles and responsibilities;
- establishment of improved mechanisms for consultation and cooperation, including electronic information sharing;
- coordinated programme planning and implementation between ICAO and the regional civil aviation bodies;
- periodic review of regional issues;
- maximizing the effective use of resources at ICAO;
- benefiting from each other's competence and expertise; and
- joint training and capacity building.

2.5 Strategic Thrust 1 (Common efforts at harmonizing, between States, operational regulations, requirements and procedures based on ICAO SARPs implementation)

2.5.1 Essential to the regional operational plans is the achievement of harmonization between States of operational regulations, requirements and procedures with a view to ensuring uniform implementation of SARPs for the sake of flight safety and efficiency. As ICAO's focus is extending to implementation support and provision of assistance, it will be necessary to ensure, particularly through regional cooperation, that States make every effort to be consistent with each other in implementing SARPs including management, audit and monitoring of safety and security.

2.6 Strategic Thrust 2 (Understanding each other's roles and responsibilities)

2.6.1 ICAO's and each regional civil aviation body's and/or regional organization's role and responsibilities will be defined in arrangements of cooperation. This exercise will be driven by the Business Plan of ICAO, both at Headquarters' level and at Regional Office level, and address cooperation in both technical and policy areas.

2.6.2 The arrangements, which would essentially follow a review of existing arrangements and ways to improve them, should allude to relevant ICAO Assembly Resolutions and policy and be developed within their purview. They should also be based on commitments of States and involve a periodic review of strategy with a view to addressing the constant evolution of air navigation and air transport.

2.7 Strategic Thrust 3 (Establishment of improved mechanisms for consultation and cooperation, including electronic information sharing)

2.7.1 ICAO will explore opportunities to strengthen links with the databases of other organizations and regional civil aviation bodies (where applicable) with a view to complementing the Organization's existing databases.

2.7.2 ICAO will encourage Contracting States in the regions to make their national information readily available to ICAO and ensure that the regional civil aviation bodies and regional organizations provide ICAO with information in their regions. Reciprocally, ICAO will make its databases and

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information on websites available to the regional civil aviation bodies and regional organizations, as necessary.

2.7.3 One of the tools for the exchange of information will be the establishment of a regional civil aviation information system to allow Contracting States to effectively forecast, plan and manage their programmes in coordination with ICAO's policies and Business Plan. This will be achieved through the collection and periodic updating of relevant information both by ICAO and the regional civil aviation bodies.

2.8 **Strategic Thrust 4 (Coordinated programme planning and implementation between ICAO and the regional civil aviation bodies)**

2.8.1 One of the biggest challenges faced at the present time is the lack of coordination in programme planning between ICAO and the regional civil aviation bodies. ICAO will take the lead in developing an established periodic and ongoing planning programme with the regional civil aviation bodies with regard to regional events and regional programmes, and with a view to reaching an agreement. In this regard, the Regional Offices will, *inter alia*, ensure ICAO's participation at the Assemblies of the regional civil aviation bodies or other relevant high-level meetings of such bodies, with a view to seeking opportunity towards providing input to their work programmes. ICAO will continue to encourage participation of the regional civil aviation bodies at relevant ICAO meetings.

2.8.2 Unnecessary duplication in efforts between ICAO and the regional civil aviation bodies, particularly in convening events in regions, has caused confusion and inefficiency in the work of ICAO. The Regional Offices will communicate regularly with the regional civil aviation bodies and discuss common problems and issues. ICAO will encourage these bodies to: support cooperation between States of the region for safe, regular, orderly and economic air transport; carry out studies on various fields of civil aviation; promote the exchange of statistical information; encourage the application of SARPs and propose improved measures for passengers, mail and freight; enter into agreements with States with regard to ICAO regional plans; foster arrangements for the training of personnel and other issues; and improve liaison with ICAO.

2.8.3 ICAO will create a performance management plan with the regional civil aviation bodies which obviates competition between the parties.

2.8.4 These measures will be linked to the substance of Strategic Thrust 1.

2.9 **Strategic Thrust 5 (Periodic review of regional issues)**

2.9.1 ICAO will carry out a periodic review with the regional civil aviation bodies and/or regional organizations of regional issues within their purview including but not limited to the following:

- 1) implementation of SARPs;
- 2) market access and operations;
- 3) emergence of regional and sub-regional trading and regulatory blocs and commercialization of government service providers;
- 4) diversification of fiscal measures to respond to budgetary needs;
- 5) liberalization of economic regulation (e.g., implementation of the Yamoussoukro Decision);

- 6) inadequate safety regulation (along with labour, competition and other regulation);
- 7) blurring of sectoral boundaries and responsibilities of related authorities;
- 8) safety and security oversight audits;
- 9) recognition of, and response to, environmental concerns;
- 10) emergence of new technology;
- 11) limits to infrastructure capacity; and
- 12) lack of technical skills and retention of qualified personnel.

2.10 Strategic Thrust 6 (Maximizing the effective use of resources at ICAO)

2.10.1 In order to ensure service delivery, staffing levels in the various Regional Offices will be adequate for the number and development of States in the area of accreditation.

2.10.2 In executing their work programmes, the Regional Offices will use every opportunity in their regional cooperation to leverage the resources of the regional civil aviation bodies based on priorities and needs of the regions and States.

2.11 Strategic Thrust 7 (Benefiting from each other's competence and expertise; and joint training and capacity building)

2.11.1 ICAO will continue to cooperate with the regional civil aviation bodies and/or regional organizations with a view to enhancing worldwide knowledge and the practical implementation of the principles enshrined in the Chicago Convention and its Annexes through awareness-raising and capacity-building activities, subject to the availability of resources. These issues will be discussed at periodic meetings between ICAO (Headquarters and the Regional Offices) and the regional civil aviation bodies.

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APPENDIX C

ICAO ASSEMBLY RESOLUTION A37-21

A37-21: Cooperation with regional organizations and regional civil aviation bodies

Whereas Resolution A1-10, which was adopted at the first Assembly in 1947 and is still applicable, authorizes the Council to make appropriate arrangements with public international organizations whose activities affect international civil aviation, through informal working arrangements, wherever practicable;

Whereas Resolution A27-17, pertaining to the relationship between ICAO and the regional civil aviation bodies states, inter alia, that ICAO supports the work and activities of any existing or future regional civil aviation bodies and directs the Council to conclude with each civil aviation body appropriate working arrangements;

Whereas in pursuance of these Resolutions, ICAO has developed various arrangements of cooperation with the regional civil aviation bodies;

Whereas ICAO's Policy on Regional Cooperation provides that ICAO is committed to render assistance, advice and other forms of support, to the extent possible, to Contracting States in carrying out their responsibilities pertaining to the Convention on International Civil Aviation and ICAO Strategic Objectives; and

Whereas ICAO will implement its Policy on Regional Cooperation through close partnerships with regional organizations and regional civil aviation bodies:

The Assembly:

1. *Endorses* ICAO's Policy and Framework on Regional Cooperation;
2. *Encourages* regional organizations and regional civil aviation bodies to enter into suitable arrangements with ICAO, in accordance with ICAO's Policy and Framework on Regional Cooperation;
3. *Urges* States to support their regional organizations and regional civil aviation bodies in entering into suitable arrangements with ICAO;
4. *Encourages* States to implement Standards and Recommended Practices of the Annexes to the Convention on International Civil Aviation both individually and through regional cooperation;
5. *Encourages* States which do not have a regional body to endeavour to form one;
6. *Directs* the Council to ensure, through cooperative arrangements, that both ICAO and the regional civil aviation bodies encourage States to harmonize operational regulations, requirements and procedures based on Standards and Recommended Practices;
7. *Requests* the Secretary General to implement the Action Plan approved by the Council to improve cooperation with regional organizations and regional civil aviation bodies;

8. *Requests* the Secretary General to establish a synergy between ICAO and each regional civil aviation body in accordance with arrangements as reflected by Memoranda of Cooperation concluded by them, thereby obviating duplication of work;

9. *Requests* the Secretary General to organize periodic meetings between ICAO and the regional civil aviation bodies and periodic examination of progress; and

10. *Requests* that the Council deliver to the next ordinary session of the Assembly a report on the overall implementation of ICAO's Policy on Regional Cooperation and progress made.

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APÉNDICE D

**MEMORANDUM OF COOPERATION
BETWEEN
THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)
AND
THE LATIN AMERICAN CIVIL AVIATION COMMISSION (LACAC)
PROVIDING A FRAMEWORK
FOR ENHANCED COOPERATION**

The International Civil Aviation Organization, having its Headquarters in Montréal, Canada, hereinafter referred to as “ICAO”, represented by the President of the Council and Secretary General; and The Latin American Civil Aviation Commission, located in Lima, Peru, hereinafter referred to as “LACAC” represented by the President of LACAC and its Secretary General;

Hereinafter referred to as “the Parties”:

RECALLING the Convention on International Civil Aviation signed at Chicago on 7 December 1944 (hereinafter referred to as the "Chicago Convention") and in particular Article 55 a) and Article 65 thereof;

TAKING INTO CONSIDERATION ICAO Assembly Resolution A27-17 which, inter alia, directed the Council to conclude with each regional civil aviation body appropriate working arrangements and which, inter alia, ensure a close working relationship, including cooperation and coordination, harmonization of work programmes to avoid unnecessary duplication and attendance at certain of each other's meetings as agreed;

TAKING INTO CONSIDERATION that the Memorandum of Cooperation signed by ICAO and LACAC on 21 December 2005, which lays down rules governing the relations of both Organizations;

CONSIDERING Article 6 of the Constitution of LACAC which provides that LACAC shall maintain close relations with ICAO in order to ensure harmonization and coordination of LACAC's activities with the objectives and plans of ICAO;

CONSIDERING Article 7 of the Constitution of LACAC which provides that LACAC may maintain relations of a consultative nature with other regional civil aviation bodies such as the African Civil Aviation Commission (AFCAC) and the European Civil Aviation Commission (ECAC);

RECALLING cooperation between ICAO and the support rendered by ICAO to LACAC until LACAC became autonomous on 1 January 2007;

RECALLING the ICAO Policy and Framework for Cooperation with Regional Organizations and regional civil aviation bodies;

WHEREAS ICAO and LACAC signed a Memorandum of Understanding in October 1998 to promote the establishment of a regional safety oversight cooperation system;

AND

WHEREAS this Memorandum of Cooperation does not supersede or prejudge existing forms of cooperation between the Parties as long as they remain in force;

AGREE ON THE FOLLOWING

1. GENERAL PROVISIONS

1.1 The Parties agree to strengthen their relationship and establish closer cooperation in the fields of aviation safety, aviation security, environmental protection and sustainable development of air transport and facilitate, in accordance with established rules of procedure, their participation in activities and attendance at meetings as observer through the signing of this Memorandum of Cooperation (MOC) for the benefit of international civil aviation.

1.2 This cooperation shall be facilitated, inter alia, by addressing certain administrative and resource issues, the regular exchange of information and data, and reciprocal access to information and data sources.

1.3 This MOC is without prejudice to the rights or obligations of Member States of LACAC under the Chicago Convention or to the relationship between ICAO and LACAC Member States resulting from Member States' membership of ICAO.

2. OBJECTIVES

2.1 The objectives of this MOC will be the following:

- a) strengthen cooperation between the Parties through stronger working relationships between ICAO and LACAC; and
- b) share information and data and develop consensus so that mechanisms for consultation and cooperation be improved.

3. MEASURES TO ACHIEVE THE OBJECTIVES OF THIS MOC

3.1 The following measures will be adopted in achieving the objectives of this MOC:

- a) invite, pursuant to the applicable rules of procedure, ICAO Member States not members of LACAC to participate as observers in meetings of LACAC;
- b) exchange statistical information, where necessary;
- c) establish improved mechanisms for consultation and cooperation;
- d) avoid duplication of work, promote/support training activities, strengthen coordination between LACAC and ICAO Regional Offices and cooperate closely with regard to the joint organization of regional meetings, seminars and workshops;
- e) encourage LACAC members to participate in the work of ICAO;

- f) ensure that LACAC receives and has electronic access to all ICAO public documentation and State letters whose subject matter is relevant to the scope of this MOC; and
- g) ensure that ICAO and LACAC meet periodically including at an annual high-level meeting.

4. **DISPUTE RESOLUTION**

4.1 Any difference or dispute concerning the interpretation or application of this MOC shall be resolved amicably by negotiation between the Parties.

4.2 Nothing in this MOC shall be deemed as a waiver of any privilege and immunities of the Parties.

5. **ENTRY INTO FORCE, AMENDMENTS AND TERMINATION**

5.1 This MOC will enter into force on the date of the last signature and shall remain in force until terminated.

5.2 This MOC may be amended at any time, in writing, by mutual agreement.

5.3 This MOC may be terminated at any time, in writing, by either Party giving the other six months' notice of termination.

International Civil Aviation Organization

Latin American Civil Aviation Commission