



WORKING PAPER

ASSEMBLY — 39TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 27: Increasing the efficiency and effectiveness of ICAO

**REPRESENTATION OF STATES ON THE ICAO COUNCIL
BY MEMBERS OF A ROTATION GROUP**

(Presented by the ABIS Group¹, CERG², Chile, NORDICAO³)

EXECUTIVE SUMMARY

Action: The Assembly is invited to:

- a) take note of the information contained in this paper;
- b) express appreciation for the existence of current rotation groups as an effective means of ensuring a greater number of Member States have an opportunity to serve on the Council;
- c) encourage Member States seeking to serve on the ICAO Council to create new rotation groups or join rotation groups already in existence; and
- d) request the Council to consider the adoption of written procedures that would formally recognize rotation groups and the function they serve for the purposes of electing Member States to the Council.

<i>Strategic Objectives:</i>	All Strategic Objectives.
<i>Financial implications:</i>	No resources required.
<i>References:</i>	A39-WP/18, A36-WP/241

1. INTRODUCTION

1.1 The original text of Article 50 a) of the *Convention on International Civil Aviation*, signed in 1944, provided for twenty-one seats on the Council. As States sought to be more active in the work of ICAO and to participate as members of the Council, during the last 70 years, several amendments to the Convention have been adopted, in order to increase the number of seats of the Council.

¹ Austria, Belgium, Croatia, Ireland, Luxembourg, The Netherlands, Portugal, Switzerland

² Bulgaria, Cyprus, Czech Republic, Greece, Hungary, Lithuania, Poland, Romania, Slovakia, Slovenia

³ Denmark, Estonia, Finland, Iceland, Latvia, Norway, Sweden

1.2 This process is usually long and complex. In fact, from 1944 until 1997 four amendments had been introduced in order to increase the size of the Council by a total of fifteen seats. According to Article 94 it is necessary that two-thirds of ICAO Member States ratify the amendment in order that it enters into force.

Number of the Session of the Assembly which adopted the Amendment	Date of Entry into Force of the Amendment	Membership of the Council	Number of Ratification Needed	Number of Years Prior to the Entry into Force
13th Session (Extraordinary) 21 June 1961	17 July 1962	27	56	1 year (13 months)
17th A Session (Extraordinary) 12 March 1971	16 January 1973	30	80	2 years
21st Session 16 October 1974	15 February 1980	33	86	5 years
28th Session (Extraordinary) 26 October 1990	28 November 2002	36	108	12 years

Table 1 - overview of the amendments of article 50 a) to the Convention

1.3 A new proposal to amend Article 50 a) is presented to this session of the Assembly to increase the number of seats on the Council from 36 to 40 following a Council recommendation from the 206th and 207th sessions⁴.

1.4 With the objective of having a more effective representation at ICAO, a significant number of States have established, over the years, rotation groups. These groups are often formed based on the common interests of their members, either because they came from the same region or because they share similar characteristics in terms of air transport.

1.5 It should be recalled that at the 36th Session of the Assembly, the ABIS Group presented a working paper⁵ entitled “Representation of States on the ICAO Council by Members of a Rotation Group”. This working paper provided an overview of the rotation groups seeking continued representation on the Council of ICAO and the rotation and coordination mechanisms using the ABIS Group as an example. The working paper encouraged States, seeking membership on the ICAO Council, to create or join a rotation group.

1.6 In recent years, an increasing number of States created rotation groups with the aim of strengthening their representation at ICAO. In fact, a rotation group could be defined as a group of States, sharing similar views with respect to international civil aviation, deciding on a regional basis to closely collaborate and cooperate, establishing a joint representation within the Organization as well as agreeing on a proposed rotation scheme in order to select at every triennium a candidate from another State of the group, seeking to be elected on ICAO’s Council.

⁴ A39-WP/18 Ex/6. Paragraph 3.4 of the A39-WP/18 states – “The point was made that regional rotation groups were a valid mechanism to afford States greater opportunity to participate in the Council, and in reiterating the importance of regional rotation groups, it was further noted that if additional Council seats were eventually filled by States that were part of such groups, then over time a larger number of States would be able to join the Council.”

⁵ A36-WP/241.

1.7 Nevertheless, it seems that over the years the initial concept and the notion of rotation groups, introduced at ICAO by Nordic States in the early years of the Organization, have been slightly diluted. Some groups seem to be more or less sub-regional associations rather than rotation groups per se. In fact, rotation groups are neither subject to any official definition nor have any common set of criteria at ICAO.

1.8 Therefore, the objective of this working paper is to recognize the existence of rotation groups as well as to encourage States to create a rotation group or joining an existing one.

2. BENEFITS OF ROTATION GROUPS FOR ICAO

2.1 Larger Representation of States within the Council

2.1.1 The advantages of rotation groups for ICAO are numerous. However, the primary advantage is that undoubtedly through rotation groups, a greater number of States are able to obtain a seat periodically on the ICAO Council and through this to contribute to the work of the Organization. In addition, through rotation groups, whose rotating function should be safeguarded, 70 Member States in ICAO are currently able to closely monitor and engage in the work of the Council.

2.2 Enhancing confidence of States in the Council

2.2.1 By allowing a greater number of States to have direct access to the Council through rotation groups, it is possible to assert that the confidence of States towards the Council is de facto higher because more States are closely involved in its work.

3. BENEFITS OF ROTATION GROUPS FOR STATES - STRUCTURE AND COORDINATION MECHANISMS

3.1 The rotation groups are typically established on the basis of a written agreement involving authorities in the field of civil aviation of each States or even the Ministry of Foreign Affairs. The different modalities regarding the participation and the involvement of each State of the group are usually detailed in the MoU. This document ideally is comprehensive and covers all matters with respect to the functioning of the group.

3.2. A rotation schedule is generally provided in the agreement and usually a rotation is performed each triennium in order to give access to the non-plenary organs to a different State.

3.3 The Member State from the rotation group which has been elected on the ICAO Council holds such function under the name of that country. Nevertheless, by being part of a rotation group, such States can present the views of all the other Members of the group. Therefore, the elected member of the group represents his/her State on the Council but can also indirectly represent all the other States which are part of the rotation group.

3.4 Rotation groups allow their members to coordinate their positions as well as support their common interests at ICAO and therefore their inputs are based on a broad basis of technical knowledge. Therefore, close coordination and cooperation is a key element of rotation groups as it demonstrates that States are effectively working together on a regional basis and that their joint representation is common and integrated.

3.5 Rotation groups usually share common facilities at ICAO and the cost of such facilities is normally shared among all Members of the group. Also, the delegation of the rotation group acts as a focal point for all Members as well as a privileged communication channel between them and ICAO.

4. **THE NEED FOR INSTITUTIONAL RECOGNITION**

4.1 It is considered necessary for ICAO to formally recognize rotation groups and the function they serve for the purposes of electing Member States to the Council. A list of the existing rotation groups and the Member States that are represented in each group is outlined in the Annex to this working paper. It is recommended that the attached list be formally recognized by the Assembly and that the Council be requested as a result, to develop written procedures to recognize modifications to the existing rotation groups or to recognize new rotation groups. This could be based on a mechanism that was similar to that currently applying to international organizations that are invited to attend ICAO meetings. The formal recognition of the rotation groups in this manner would offer the added advantage of enhancing the good governance of the Organization.

4.2 It should be promoted that States forming part of a rotation group at ICAO notify ICAO about their agreement.

5. **CONCLUSION**

5.1 Rotation groups allowing greater number of States to have a seat on the Council will decrease the need for a continuous enlargement of the number of seats of the Council.

5.2 Rotation groups can play an important role in ICAO. By close coordination, they provide for continuity of positions and ensure a wider range of expertise. Although they might not be represented on the Council, several States participate more actively in the work of ICAO.

5.3 Since there is an increasing number of States which, over the years, have joined rotation groups, there is a need for institutional recognition in order to incentivize States creating a rotation group or joining an existing one.

ANNEX

ROTATION GROUPS – 2016		
GROUP	COUNTRIES	Number of States
ABIS GROUP	Austria Belgium Croatia Luxembourg	The Netherlands Ireland Portugal Switzerland
Nordic States (NORDICAO)	Denmark Finland Iceland Norway	Sweden Latvia Estonia
Central European Rotation Group (CERG)	Bulgaria Cyprus Czech Republic Greece Hungary	Lithuania Poland Romania Slovakia Slovenia
Black Sea Caspian Group	Azerbaijjan Georgia	Ukraine Turkey
CARICOM	Cuba Dominican Republic Jamaica	
Maghreb States	Morocco Algeria Tunisia	Libya Mauritania
Central America & Panama Rotation Agreement (COCESNA)	Belize Costa Rica El Salvador Guatemala	Honduras Nicaragua Panama
South American Rotation Agreement (ARS)	Ecuador Bolivia Peru	
Santiago Rotation Group	Chile Uruguay Paraguay	
Venezuela-Colombia Rotation Group	Venezuela Colombia	
Southern African Development Community (SADC)	Angola Botswana Democratic Republic of Congo Lesotho Madagascar Malawi Mauritius Mozambique	Namibia Seychelles South Africa [‡] Swaziland United Republic of Tanzania Zambia Zimbabwe