

IV. MAJOR PROGRAMME - LEGAL**TABLE IV - MAJOR PROGRAMME COST BY PROGRAMMES - LEGAL****REGULAR BUDGET**

	1999 Estimates	2000 Estimates	2001 Estimates
	(expressed in thousands of U.S. dollars)		
Major Programme IV	722	726	738
Deduction for vacant posts	—	—	—
Total (after deduction for vacant posts)	<u>722</u>	<u>726</u>	<u>738</u>
4.1 Management, coordination and support	86	90	91
4.2 Legal advice	389	401	407
4.3 Development and codification of international air legislation	46	27	28
4.4 International agreements and national legislations	142	147	149
4.5 Establishment of an electronic online database	47	49	50
4.6 Coordination and cooperation with international organizations	<u>12</u>	<u>12</u>	<u>13</u>
Total (after deduction for vacant posts)	<u>722</u>	<u>726</u>	<u>738</u>

INTRODUCTION

1. The objective of this major programme is to provide legal advice and assistance to the Secretary General and through him to the various bodies of the Organization and to ICAO Member States on constitutional, administrative and procedural matters, on problems of international law, air law, commercial law, labour law, fiscal law, etc.. It includes research and studies in the field of private and public international air law regarding items on the General Work Programme of the Legal Committee and preparation of documentation for the Legal Committee, Diplomatic Conferences, Council, its subordinate bodies and the Assembly. This objective also includes cooperation and coordination in legal activities with the United Nations and other international organizations.

SUMMARY FOR MAJOR PROGRAMME IV

REGULAR BUDGET - RESOURCE REQUIREMENTS

YEAR	WORK MONTHS				TOTAL COST (\$ 000)	DIRECT COSTS (\$ 000)					
	Establishment		Strength ¹			MEETINGS	STAFF		GEN. OP. EXPENSES	EQUIPMENT	OTHER
	P	GS	P	GS			Strength	Vacant posts			
1999	60	48	60	48	722	26	675	17	4		
2000	60	48	60	48	726	7	696	19	4		
2001	60	48	60	48	738	7	708	19	4		

¹ 12 Professional work months per annum and 7 General Service work months per annum are also provided by extrabudgetary funds.

4.1 PROGRAMME: MANAGEMENT, COORDINATION AND SUPPORT

- a) **Objectives:** To plan, coordinate and supervise all activities of the Organization in the legal field.

SUMMARY FOR PROGRAMME 4.1: MANAGEMENT, COORDINATION AND SUPPORT

REGULAR BUDGET - RESOURCE REQUIREMENTS

YEAR	WORK MONTHS Strength		TOTAL COST (\$ 000)	DIRECT COSTS (\$ 000)				
	P	GS		MEETINGS	STAFF Strength	GEN. OP. EXPENSES ¹	EQUIPMENT ²	OTHER
1999	6	4	86		65	17	4	
2000	6	4	90		67	19	4	
2001	6	4	91		68	19	4	

¹ Amounts relate primarily to travel on official business and software acquisition.

² Amounts relate to acquisition of office automation equipment.

4.2 PROGRAMME: LEGAL ADVICE

- a) **Objective:** To provide legal advice to the Organization and to Member States, when required.

SUMMARY FOR PROGRAMME 4.2: LEGAL ADVICE

REGULAR BUDGET - RESOURCE REQUIREMENTS

YEAR	WORK MONTHS ¹ Strength		TOTAL COST (\$ 000)	DIRECT COSTS (\$ 000)				
	P	GS		MEETINGS	STAFF Strength	GEN. OP. EXPENSES	EQUIPMENT	OTHER
1999	36	23	389		389			
2000	36	23	401		401			
2001	36	23	407		407			

¹ 6 Professional work months per annum and 7 General Service work months per annum are also provided by extrabudgetary funds.

4.2.1 Sub-programme: Legal advice on international air law and other ICAO legal matters

- a) **Objectives:** To provide legal advice and services to the Council, its subordinate bodies and to the Assembly, to the Secretariat of the Organization and to Contracting States.

4.2.2 Sub-programme: Legal advice on administrative matters

- a) **Objectives:** To provide legal opinions to other Bureaux of the Organization, to Regional Offices; to advise on legal matters regarding relations with host countries, as well as represent the Secretary General in appeals before the Advisory Joint Appeals Board (AJAB) and the UN Administrative Tribunal (UNAT), to provide legal advice to staff members and also to serve as Secretary of AJAB.

b) <i>Programme elements:</i>	Output, reference and target date	SAP-Key Activity	Priority
1. General administrative matters	Memoranda and oral advice		RA
2. Appeals proceedings	Secretary General's comments to UNAT and AJAB, and advice to AJAB		RA

4.3 PROGRAMME: DEVELOPMENT AND CODIFICATION OF INTERNATIONAL AIR LEGISLATION

- a) **Objective:** Development of international air law.

SUMMARY FOR PROGRAMME 4.3: DEVELOPMENT AND CODIFICATION OF INTERNATIONAL AIR LEGISLATION

REGULAR BUDGET - RESOURCE REQUIREMENTS

YEAR	WORK MONTHS Strength		TOTAL COST (\$ 000)	DIRECT COSTS (\$ 000)				
	P ¹	GS		MEETINGS ²	STAFF Strength	GEN. OP. EXPENSES	EQUIPMENT	OTHER
1999	—	7	46	26	20			
2000	—	7	27	7	20			
2001	—	7	28	7	21			

¹ 6 Professional work months per annum are also provided by extrabudgetary funds.

² Amounts relate to legal committees/sub-committees or diplomatic conference.

4.3.1 Sub-programme: Research on and study of subjects on the General Work Programme of the Legal Committee

- a) **Objectives:** To prepare studies regarding items on the General Work Programme of the Legal Committee and documentation for the Legal Committee, Diplomatic Conferences, Council and its subordinate bodies and the Assembly; to provide Secretariat services for such meetings.

4.3.2 Sub-programme: General Work Programme of the Legal Committee

(Strategic Action Plan: *C.1 Development of new instrument on air carrier liability which would modernize and consolidate the "Warsaw System"; C.2 Development of a legal framework with regard to long-term Global Navigation Satellite Systems (GNSS); C.4 Consideration of legal action to combat acts or offences of concern to the international aviation community and not covered by existing air law instruments*)

- a) **Objective:** Implement the General Work Programme of the Legal Committee.

b) <i>Programme elements:</i>	Output, reference and target date	SAP-Key Activity	Priority
1. Consideration, with regard to global navigation satellite systems (GNSS), of the establishment of a legal framework	To take legal action for the implementation of global navigation satellite systems (GNSS), as necessary. (Target date: 4Q 01)	C.2	RA

b) <i>Programme elements:</i>	Output, reference and target date	SAP-Key Activity	Priority
2. The modernization of the "Warsaw System" and review of the question of ratification of international air law instruments	To elaborate a text for the modernization of the "Warsaw System" and to review the problem of ratification of international air law instruments. <i>(Target date: 2Q 99)</i>	C.1	RA
3. Liability rules which might be applicable to air traffic services (ATS) providers as well as to other potentially liable parties - Liability of air traffic control agencies	To formulate views on possible liability implications of the ICAO CNS/ATM concept. <i>(Target date: 2Q 01)</i>		R
4. United Nations Convention on the Law of the Sea - implications, if any, for the application of the Chicago Convention, its Annexes and other international air law instruments	To formulate ICAO views on the aeronautical aspects of the UNCLOS. <i>(Target date: 3Q 00)</i>		RC
5. Acts or offences of concern to the international aviation community and not covered by existing air law instruments	To formulate ICAO views on the need to amend the Tokyo Convention of 1963 or to take other steps. <i>(Target date: 1Q 01)</i>	C.4	
6. International interests in mobile equipment (aircraft equipment)	To elaborate, in co-operation with Unidroit, a legal regime applicable to international interests in aircraft. <i>(Target date: 4Q 01)</i>		

4.3.3 Sub-programme: CNS/ATM

a) **Objective:** To provide legal input in the ICAO CNS/ATM activities

b) <i>Programme elements:</i>	Output, reference and target date	SAP-Key Activity	Priority
1. Advice and coordination on legal and institutional matters	Memoranda, oral advice and working papers		
2. Assistance to ICAO member States	Provide advice		

4.4 PROGRAMME: INTERNATIONAL AGREEMENTS AND NATIONAL LEGISLATIONS

- a) **Objectives:** Registration of aeronautical agreements, monitoring the development of national legislations, and the implementation by States of international conventions.

SUMMARY FOR PROGRAMME 4.4: INTERNATIONAL AGREEMENTS AND NATIONAL LEGISLATIONS

REGULAR BUDGET - RESOURCE REQUIREMENTS

YEAR	WORK MONTHS Strength		TOTAL COST (\$ 000)	DIRECT COSTS (\$ 000)				
	P	GS		MEETINGS	STAFF Strength	GEN. OP. EXPENSES	EQUIPMENT	OTHER
1999	13	9	142		142			
2000	13	9	147		147			
2001	13	9	149		149			

4.4.1 Sub-programme: Depositary and registration functions with respect to international agreements

- a) **Objectives:**
1. To register aeronautical agreements and arrangements under Article 83 of the Chicago Convention and in accordance with the relevant ICAO Rules (Doc 6685); to initiate any follow-up action necessary in relation thereto; to prepare and publish quarterly lists of agreements registered with ICAO and to maintain a database for related ICAO publications (Doc 9460).
 2. To discharge functions in relation to the international agreements of which ICAO is the depositary; to inform States of the status of such agreements; to co-ordinate with other Organizations and Governments with whom ICAO shares depositary functions and to provide related assistance to States.

4.4.2 Sub-programme: Collection of national laws and decisions

- a) **Objectives:** To obtain and analyze up-to-date national civil aviation legislation from States and to act as repository of such legislation; to monitor the development of national laws and the implementation of international obligations; to collect and analyze judicial or arbitral decisions on aviation matters.

4.5 PROGRAMME: ESTABLISHMENT OF AN ELECTRONIC ONLINE DATABASE

- a) **Objective:** To establish an ICAO legal database that contains the aeronautical agreements and arrangements registered with ICAO as well as documents pertaining to ICAO legal bodies and legal documents originating from ICAO.

**SUMMARY FOR PROGRAMME 4.5: ESTABLISHMENT OF AN
ELECTRONIC ONLINE DATABASE**

REGULAR BUDGET - RESOURCE REQUIREMENTS

YEAR	WORK MONTHS Strength		TOTAL COST (\$ 000)	DIRECT COSTS (\$ 000)				
	P	GS		MEETINGS	STAFF Strength	GEN. OP. EXPENSES	EQUIPMENT	OTHER
1999	4	4	47		47			
2000	4	4	49		49			
2001	4	4	50		50			

4.5.1 Sub-programme: **Preparation of legal data**

- a) **Objective:** To prepare and collect relevant legal data to be incorporated in the electronic online database.

4.5.2 Sub-programme: **Repertory Guide to the Convention on International Civil Aviation**

- a) **Objective:** To incorporate a new edition of the Repertory Guide (last edition 1977) updated to 1994, into the ICAO legal database in 1996.

4.6 PROGRAMME: **COORDINATION AND COOPERATION WITH INTERNATIONAL ORGANIZATIONS**

- a) *Objectives:* To cooperate in legal activities with the United Nations and other organizations in the preparation of draft conventions and studies of existing instruments which might have implications for international civil aviation.

SUMMARY FOR PROGRAMME 4.6: COORDINATION AND COOPERATION WITH INTERNATIONAL ORGANIZATIONS

REGULAR BUDGET - RESOURCE REQUIREMENTS

YEAR	WORK MONTHS Strength		TOTAL COST (\$ 000)	DIRECT COSTS (\$ 000)				
	P	GS		MEETINGS	STAFF Strength	GEN. OP. EXPENSES	EQUIPMENT	OTHER
1999	1	1	12		12			
2000	1	1	12		12			
2001	1	1	13		13			