



WORKING PAPER

LEGAL COMMITTEE – 35TH SESSION

(Montréal, 6 – 15 May 2013)

Agenda Item 4: Review of the General Work Programme of the Legal Committee

(Presented by the Secretariat)

**REVIEW OF THE GENERAL WORK PROGRAMME
OF THE LEGAL COMMITTEE**

1. INTRODUCTION

1.1 According to the Constitution of the Legal Committee (Resolution A7-5) and Rule 8 of the *Rules of Procedure of the Legal Committee* (Doc 7669-139/5), the Legal Committee establishes and maintains, subject to the approval of the Council, a general programme of work which includes subjects proposed by the Committee itself; in addition it shall also include any subjects proposed by the Assembly or the Council.

**2. DEVELOPMENTS IN THE WORK PROGRAMME FOLLOWING THE 34TH SESSION
OF THE LEGAL COMMITTEE**

2.1 At the time of the Legal Committee's 34th Session held in Montréal from 9 to 17 September 2009, the General Work Programme of the Legal Committee had been established as follows:

- 1) Compensation for damage caused by aircraft to third parties arising from acts of unlawful interference or from general risks;
- 2) Acts or offences of concern to the international aviation community and not covered by existing air law instruments;
- 3) Consideration, with regard to CNS/ATM systems including global navigation satellite systems (GNSS) and the regional multinational organisms, of the establishment of a legal framework;
- 4) International interests in mobile equipment (aircraft equipment);
- 5) Review of the question of the ratification of international air law instruments; and
- 6) Safety aspects of economic liberalization and Article 83 *bis*.

3. **ASSEMBLY — 37TH SESSION**

3.1 Following its deliberations on this topic, the 37th Session of the Assembly (28 September to 8 October 2010) maintained the Work Programme set out in paragraph 2.1 above and added the item “Consideration of Guidance on Conflicts of Interest” with priority No. 7.

4. **SUBSEQUENT ACTION BY THE COUNCIL**

4.1 At the third meeting of its 197th Session, on 2 November 2012, the Council decided to raise the priority of the item “Safety aspects of economic liberalization and Article 83 *bis*” from priority No. 6 to priority No. 3.

5. **CURRENT STATUS OF THE WORK PROGRAMME**

5.1 In accordance with the foregoing decisions, the General Work Programme of the Legal Committee presently stands as follows:

- 1) Compensation for damage caused by aircraft to third parties arising from acts of unlawful interference or from general risks;
- 2) Acts or offences of concern to the international aviation community and not covered by existing air law instruments;
- 3) Safety aspects of economic liberalization and Article 83 *bis*;
- 4) Consideration, with regard to CNS/ATM systems including global navigation satellite systems (GNSS), and the regional multinational organisms, of the establishment of a legal framework;
- 5) International interests in mobile equipment (aircraft equipment);
- 6) Review of the question of the ratification of international air law instruments; and
- 7) Consideration of Guidance on Conflicts of Interest.

6. **ACTION BY THE COMMITTEE**

6.1 The Committee is invited to determine its General Work Programme, with an indication of priority of items, for submission to the Council for approval.