



WORKING PAPER

ASSEMBLY — 40TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 26: Other high-level policy issues to be considered by the Executive Committee

AMENDMENT TO ICAO POLICY ON REGIONAL COOPERATION

(Presented by Qatar)

EXECUTIVE SUMMARY

At its 37th Session, the Assembly endorsed an ICAO Policy and Framework for Regional Cooperation. The experience gained since the implementation of that Policy between ICAO (Headquarters and Regional Offices) and regional organizations as well as regional civil aviation bodies, invites us to improve the Policy and Framework for Regional Cooperation, to better serve its main objective which is “to avoid duplication and achieve harmonization in all regions”.

The main idea is to ensure better harmonization and consistency across geographical areas delineated as ICAO regions in terms of national regulations, operational requirements and procedures based on Standards and Recommended Practices (SARPs). An important effort has been made towards that harmonization between States accredited to the same Regional Office.

Nevertheless, we believe that effort should be heightened between geographical areas delineated ICAO regions, especially when existing regional organizations and regional civil aviation bodies are covering States belonging to two or more regional offices and have been established on the basis of a common culture, history and language which would foster the harmonization process.

Action: The Assembly is invited to request the Council to amend ICAO’s Policy on Regional Cooperation by adding the following measures:

- a) encourage the regional organizations and regional civil aviation bodies to organize multi-regional events (seminars, workshops, training, etc.) with two or more Regional Offices depending on the geographical distribution of their Member States;
- b) request the ICAO Regional Offices to improve their participation in these multi-regional events in order to allow better harmonization across all the regions; and
- c) encourage the States to participate in these multi-regional events with the regional organization or regional civil aviation body to which they belong, to be cost effective in their use of human resources and their spending and good governance of their human resources.

<i>Strategic Objectives:</i>	This working paper relates to all Strategic Objectives.
<i>Financial implications:</i>	No additional resources required.
<i>References:</i>	ICAO’s Policy on Regional Cooperation Assembly Resolution A37-21 A37-WP/28 A38-WP/9

1. **BACKGROUND**

1.1 At its 1st Session in 1947, the Assembly adopted Resolution A1-10, authorizing the Council to make appropriate arrangements with public international organizations whose activities affect international civil aviation, through informal working arrangements, wherever practicable.

1.2 In 1989, Resolution A27-17 was adopted, declaring that ICAO supports the work and activities of any existing or future regional civil aviation bodies. The Resolution also directs the Council to conclude appropriate working arrangements with each civil aviation body.

1.3 In furtherance of these Resolutions, ICAO has developed various arrangements of cooperation with the regional civil aviation bodies.

1.4 The Assembly, at its 37th Session, endorsed an ICAO Policy and Framework for Regional Cooperation which commits ICAO to render assistance (including 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 under the Convention on International Civil Aviation and ICAO's Strategic Objectives. The Policy further States that ICAO will promote regional cooperation through close partnerships with regional organizations and regional civil aviation bodies.

2. **DISCUSSION**

2.1 In Resolution A37-21 the Assembly requested 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 (reproduced in the Appendix) and progress made.

2.2 In response the Council presented a report (A38-WP/9) on the implementation of that ICAO Policy, which is summarized as follows:

2.3 ICAO's role and responsibilities and that of each regional civil aviation body and regional organization have been defined in arrangements of cooperation, and collaborative work has avoided duplication of efforts.

2.4 ICAO has taken 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. In this regard, the Regional Offices have, inter alia, ensured ICAO's participation in the relevant high-level meetings of such bodies.

2.5 ICAO has carried out reviews with the regional civil aviation bodies and Regional Organizations of regional issues within their purview covering safety, security, environmental protection and the sustainability of air transport.

2.6 A report on implementation of the policy under discussion based on principles of cooperation contained in Memoranda of Cooperation (MOCs) signed with ACAO, AFCAC, AUC, ECAC, EU and LACAC has been published under the Appendix to A38-WP/09.

2.7 Considering the experience gained since the implementation of the ICAO's Policy on Regional Cooperation, and in the light of the main objective of that policy, which aims to avoid

duplication and achieve harmonization in all regions, a review of the Policy on Regional Cooperation is required.

2.8 Such review will ensure better **harmonization and consistency across ICAO regions** in terms of national regulations, operational requirements and procedures based on SARPs. An important effort has been made towards that harmonization between States to which the same Regional Office is accredited, but more can be done. The effort should be heightened between geographical areas delimited by ICAO regional offices, especially when, the existing regional organizations and regional civil aviation bodies are covering States belonging to two or more Regional Offices and have been established on the basis of a common culture, history and language which would foster the harmonization process.

2.9 That cooperation will also allow better collaboration between States sharing common borders but accredited to different Regional Offices. In addition, it will promote the rationalization of State spending and ensure good governance of their human resources.

3. **CONCLUSION**

3.1 To ensure better cooperation between ICAO and regional organizations as well as regional civil aviation bodies, and to avoid duplication of effort, ICAO should review the existing regional cooperation policy.

APPENDIX

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 Council 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 Montreal 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:

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;

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.

- 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 2, 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 in 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 Council of ICAO.

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