



WORKING PAPER

ASSEMBLY — 37TH SESSION

EXECUTIVE COMMITTEE

Agenda Item 16: Cooperation with regional bodies

**COOPERATION WITH REGIONAL ORGANIZATIONS
AND REGIONAL CIVIL AVIATION BODIES**

(Presented by the Council of ICAO)

EXECUTIVE SUMMARY

In 2008, conclusions of the European Commission (EC)/ICAO Symposium (Montréal, 10-11 April 2008) and the ICAO Air Transport Symposium (Abuja, 28-30 April 2008) pointed to the need for an ICAO policy pertaining to regional cooperation for rendering improved guidance and assistance to Member States in carrying out their responsibilities flowing from the *Convention on International Civil Aviation* and ICAO's Strategic Objectives and for more efficient use of resources to the benefit of States.

The Council, at its 186th Session, tasked a multidisciplinary group consisting of Representatives on the Council and members of the Secretariat to develop an ICAO policy on regional cooperation, a framework of cooperation and various models of cooperation that fit the characteristics of individual regional organizations and regional civil aviation bodies. Following the Report of the Group, in October 2009, during its 188th Session, the Council adopted an ICAO Policy and Framework on Regional Cooperation (contained in **Appendices A and B**, respectively) which are based on ICAO's Strategic Objectives and Mission and Vision Statements and the applicable elements of the Organization's Business Plan. The Council instructed the Secretary General to develop an action plan for its implementation and promotion and to report to the Council on a regular basis.

Action: The Assembly is invited to adopt the Resolution contained in **Appendix C** to this paper.

<i>Strategic Objectives:</i>	This working paper relates to all Strategic Objectives.
<i>Financial implications:</i>	No additional resources required.
<i>References:</i>	Doc 7300/9 – <i>Convention on International Civil Aviation</i> Doc 9902 – <i>Assembly Resolutions in Force</i> (as of 28 September 2007)

1. THE BASIS FOR REGIONAL COOPERATION

1.1 Cooperation is inherent to the aims and objectives of the Organization and reflects its *modus operandi*.

1.2 Article 55 a) of the *Convention on International Civil Aviation* provides that, where appropriate, and as experience may show to be desirable, the Council may create subordinate air transport commissions on a regional or other basis and define groups of States or airlines with or through which it may deal to facilitate the carrying out of the aims of the Convention.

1.3 There are already several instruments that encourage and impel both ICAO and the regional civil aviation bodies to forge ahead towards establishing collective cooperation towards common goals. ICAO Assembly Resolution A1-10, which was adopted at the first Assembly in 1947 and is still applicable, authorizes the Council to make appropriate informal working arrangements with public international organizations whose activities affect international civil aviation, wherever practicable.

1.4 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.

1.5 ICAO's relationship with regional organizations such as the African Union (AU) and the European Union (EU) has been typical of the traditional cooperation that exists between a specialized agency of the United Nations and such organizations, which is one of general cooperation without a formal arrangement or agreement that specifies details. With regard to 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 has been a history of specific arrangements and cooperation, all of which have assisted the aims and objectives of the Organization. However, they have served their purpose and with the passage of time, it is now timely for ICAO to initiate new tools of cooperation.

2. COOPERATION WITH REGIONAL ORGANIZATIONS AND REGIONAL CIVIL AVIATION BODIES

2.1 The ICAO Policy on Regional Cooperation identifies the underlying fundamental principles along with the objectives and the needs for implementing the policy. The Policy goes on to prescribe measures to be adopted in strengthening cooperation and suggests ways and means to implement it. These are explained in detail in **Appendix A**.

2.2 The Framework of Regional Cooperation outlines the essence of a Strategic Plan of Action to be developed by ICAO. 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 and manage the relationship between ICAO and the regional organizations and regional civil aviation bodies.

2.3 Within the parameters described above, ICAO has, under the leadership of the Secretary General, embarked on a number of initiatives to assist the further development of regional organizations and regional civil aviation bodies and facilitate their contribution to ICAO's activities. The first step in this regard has been for ICAO to provide improved guidance and assistance to them by promoting

regional cooperation through cooperative agreements between ICAO and regional organizations and regional civil aviation bodies.

2.4 Acting upon the Council's request, the Secretary General initiated a plan of action that aims at key agreements being signed, on 27 September 2010, with the two regional organizations, the African Union and the European Union, and the regional civil aviation bodies: ACAC, AFCAC, ECAC, LACAC. Efforts will be made, over a longer time frame, to contact other bodies interested in forging formal relations and closer cooperation with ICAO.

2.5 These arrangements will also assist States in harmonizing operational regulations, requirements and procedures based on ICAO's Standards and Recommended Practices (SARPs); explore opportunities to strengthen links with the databases of other organizations and regional civil aviation bodies (where applicable) with a view to complementing and sharing the organization's existing databases; establish improved mechanisms for consultation and cooperation, including electronic information sharing; establish a synergy between ICAO and each regional civil aviation body so as to ensure that all follow a structured and shared programme of events, thereby avoiding duplication of work.

2.6 The Framework outlines, in detail, the manner in which the Strategic Plan of Action should be developed and implemented in accordance with the applicable elements of the ICAO Business Plan. It also sets out seven strategic thrusts with a view to ensuring that all areas of regional cooperation are covered. The Strategic Plan of Action is explained in detail in **Appendix B**.

2.7 In practicality, ICAO's cooperation with regional organizations and regional civil aviation bodies will be based on the collective needs of the States in each of the regions, but will have the following common objectives: recognizing a greater need for implementation of ICAO policy by States; creating more awareness among States of ICAO's role and purpose; establishing a balance between users and service providers on ICAO policy implementation; achieving systemic and synergic cooperation on such issues as safety, security, environmental protection, air traffic management and such other issues that are considered relevant to each region; effectively implementing regional governance; understanding of their roles by States and regional civil aviation bodies and coordinated programme planning by ICAO and the regional civil aviation bodies; and benefiting from each other's expertise.

3. **IMPLEMENTATION**

3.1 ICAO will monitor the implementation of and progress made on the arrangements, and the Secretary General will report regularly to the Council on progress made. There will also be a report in this regard to the next ordinary session of the Assembly.

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.

- 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.

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

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.

APPENDIX C

DRAFT RESOLUTION FOR ADOPTION BY THE 37TH SESSION OF THE ASSEMBLY

Resolution 16/..: 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:

Endorses ICAO's Policy and Framework on Regional Cooperation;

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;

Urges States to support their regional organizations and regional civil aviation bodies in entering into suitable arrangements with ICAO;

Encourages States to implement Standards and Recommended Practices of the Annexes to the *Convention on International Civil Aviation* both individually and through regional cooperation;

Encourages States who do not have a regional body to endeavour to form one;

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;

Requests the Secretary General to implement the Action Plan approved by the Council to improve cooperation with regional organizations and regional civil aviation bodies;

Requests the Secretary General to establish a synergy between ICAO and each regional civil aviation body so as to ensure that all follow a structured and shared programme of events, thereby obviating duplication of work;

Requests the Secretary General to organize periodic meetings between ICAO and the regional civil aviation bodies and periodic reviews of progress; and

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.

— END —