

EC/ICAO SYMPOSIUM ON REGIONAL ORGANISATIONS

Montreal, 10-11 April 2008

PANEL THREE

REGIONAL GOVERNANCE OF CIVIL AVIATION AND ICAO

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1. It is now generally recognised that the development of civil aviation activities at regional and sub-regional levels and regional cooperation can lead to the creation of regional civil aviation bodies with executive and/or regulatory tasks and responsibilities. Such initiatives are of great benefit to the worldwide aviation community as they can make an important contribution to the safe and orderly development of international civil aviation as a whole.
2. Encouraging this evolution has been a long-standing goal at ICAO. The further development of regional civil aviation bodies should therefore be actively supported by ICAO in a number of ways, none of which would necessitate a revision of the Chicago Convention.
3. ICAO should ensure that there are no legal loopholes or obstacles in the international legal framework for civil aviation that could hamper the full recognition and participation and progressive integration of regional civil aviation bodies within the international civil aviation system.
4. ICAO could develop special cooperative arrangements with regional civil aviation bodies, for example through classical Memoranda of Understanding (MoUs). An alternative could be the development of new instruments, such as “Framework Agreements for Cooperation”, or “ICAO Regional Agreements”, which could govern a wide range of areas for cooperation, such as safety and security audits, exchange of safety information, technical cooperation or participation in the work of ICAO.
5. It is important that ICAO maintains a regular dialogue with regional organisations in order to continue to monitor and promote their development, address challenges, exchange information, and develop areas of stronger cooperation between themselves and with ICAO. This could be established through an annual high-level meeting with the representatives of regional organisations from around the world under the auspices of ICAO.

6. Further work through ICAO is however interlinked with the appropriate presence of regional organisations within ICAO. There are currently no legal obstacles to go in this direction. What is important is that such regional organisations have the effective competence to act and, for example, enforce within its region common standards in key areas such as safety, security, environment or the removal of barriers to air transport.
7. In summary:
 - a) ICAO and many States benefit from the creation of regional bodies with oversight and regulatory tasks. A test of their success is improved safety and efficiency.
 - b) There are no legal obstacles to ROs and to interaction with ICAO. Several Articles in the Chicago Convention are useful in this regard (e.g. Art. 55 (a), Art. 65). Indeed, Article 55 (a) implies that they are expected to develop and are to be encouraged.
 - c) An institutional link between ICAO and ROs is necessary. ICAO should make provision for permanent observers of ROs with oversight and enforcement responsibilities. This can be achieved through adjustments to relevant rules of procedure, at the discretion of the Council and Assembly.
 - d) An institutional framework for regular contact between ICAO and ROs is also necessary. An annual high-level meeting could be convened at ICAO to this end.