



ICAO Seminar Airneth Report 24 October 2007

In cooperation with the Dutch Ministry of Transport, Public Works and Water Management & the Dutch Ministry of Foreign Affairs

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On 24th of October 2007 Airneth organized a seminar on the 'Future of ICAO'. In this document you can read a summary of the seminar and the main conclusions of this day.

Over the last few years there are some voices among the Contracting States and other stakeholders, like regional organizations, about the decision-making process in and auditing process by ICAO. Over the last 60 years the Chicago Convention is still the basis for international aviation rules without being significantly changed.

ICAO has certainly been a success story. ICAO has proven to be very effective throughout all the political, economic and globalization developments that civil aviation faced in the last few decades.

Nevertheless, the decision-making process within ICAO is not capable of coping with a lot of these globalization issues anymore and some measures have to be taken to solve this problem. With this seminar Airneth hoped to contribute to the discussions on possible reforms within ICAO and to bring together the contracting states and the other stakeholders, such as regional organizations and the industry, to discuss the preferred and possible steps that could be taken to solve the issues concerning the internal process at ICAO.

There were four questions that dominated the presentations and the discussion at the seminar:

1. How can the organisation work more effectively?
2. How can Europe, ECAC, the EU and member states play their role in ICAO most effectively?
3. How can the quality of ICAO regulation be improved?
4. And finally, what realities must we deal with, so that ICAO is set up properly for the next 70 years?

All the presentations of the speakers and the questions of the participants were related to the above mentioned issues. We will now try to answer these questions briefly according to the outcomes of the seminar.

1. How can the organisation of ICAO start to work more effectively?

Like any organisation the legitimacy of ICAO is also dependent on the quality of how it works. ICAO needs to demonstrate that it is also committed to the continuous improvement of the organisation.

The following points were frequently called upon when it comes to the effective organization of ICAO and if applied will improve the effectiveness of the ICAO organization:

- Simplification of the decision making processes. A clearer distinction between technical matters on the one side and diplomatic and more strategic issues on the other is a first step that has to be taken.
- The need to clarify the management challenge of running such a large organisation.
- Clearly distinguishing the role of the President and the Council versus the implementation role of the Secretary General.
- ICAO needs to clarify if it will focus its strategy only on safety or also on the economy and environment.
- And perhaps the most important point is the appointing of the right people. With appointing the right people (including younger people), who really have a good understanding of civil aviation, change will follow.

2. How can Europe, ECAC, the EU and member states play their role in ICAO more effectively?

There is indeed a challenge ahead of us in which we have to find a way that regional organizations and member states play a more effective role in ICAO, especially the maximization of the role and influence of the EU. This can be realized at two levels:

- Strategic: the EU can give guidance and catalyse strategic initiatives. This includes diplomatic strategy; the current ETS-issue is a real challenge in this respect.
For regional organizations, like the EU, to play a more effective role in ICAO and to promote regional integration it is imperative for ICAO to give these organizations a representation reflecting their responsibilities. In the Council, this could be achieved by amending the Council Rules of Procedure (creating a status of "Permanent Observer" for regional integration organisations), as well as through mandating regional aviation bodies to take over certain tasks of ICAO, enabling ICAO to focus on "controlling the controllers".
- Technical: countries individually sometimes cannot supply enough expertise in implementation. These countries can pool their resources in technical bodies responsible for carrying out these tasks on a regional level.

Another way in which smaller member states can play a more effective role in ICAO is the formation of rotation groups. These groups ensure a continued possibility to influence ICAO.

3. How can the quality of ICAO regulation be improved?

At the seminar some practical suggestions have come up to tackle this question. An appeal was made for fewer rules, more regional flexibility, efficient supervision and implementation.

4. What realities must we deal with, so that ICAO is set up properly for the next 70 years?

It would require a very long time before ICAO has undergone a complete reorientation and has modernized the Chicago Convention on which it is based at this moment. However, we can begin by taking some important steps today. These are:

- The Air Navigation Commission and the Council have to focus on less but better norms.
- The focus to more effective enforcement can be shift by reorienting the resources. For example the ICAO auditing system can be reformed, which could establish a world wide blacklist that will push the members on the blacklist to implement ICAO regulations.
- The Technical Assistance capabilities of ICAO have to be improved, which will lead to more efficiency in ICAO.
- Different regions may have different priorities and ICAO needs to allow for this.

These outcomes are a brief summary of the issues that were discussed at this seminar. If you would like to have more information on the contents of the different presentations, please take a look at our website <http://www.airneth.nl/activity.php?page=34>.