

Background ICAO

ICAO is the UN specialized agency concerned with international air transport. Almost all 190 states in the world are part of it. In November 1944, an International Civil Aviation Conference was held in Chicago (also known as the Chicago Conference), a US initiative. The International Civil Aviation Organization (ICAO) should secure international cooperation and achieve the highest possible degree of uniformity in regulations, standards, procedures and recommended practices regarding civil aviation matters. ICAO has done so by adopting Standards and Recommended Practices laid-down in Annexes attached to the Convention on Civil Aviation. ('Chicago Conference').

Objectives ICAO

The objectives of ICAO are the enhancement of international civil aviation safety and security, minimization of the adverse effect of global civil aviation on the environment, enhancement of the efficiency of aviation operations, maintaining the continuity of aviation operations and the strengthening of law governing international civil aviation.

Lengthy decision-making process

Over the last few years there are some voices among the Contracting States about the decision-making process in and auditing process by ICAO.

With respect to the decision-making process, some states are dissatisfied with this process. It has been suggested that the policy-making, decision-making and implementation processes are too slow and too bureaucratic.

Decision-making within ICAO is -in general- highly consensual. It is very hard to push through important standards, let alone reforms. The issue is further complicated by (1) the difficulty of maintaining a coherent regime in the world characterised by growing differences between states in terms of safety and security and (2) the fact that faster decision-making may be required to anticipate a quickly changing world.

With respect to the auditing process of compliance of states with ICAO rules such as those on safety and security, serious compliance deficiencies persist as ICAO does not have legal instruments to enforce compliance.

Because of the lengthy decision making process within ICAO and the non-compliance of some Contracting States, several international organizations on aviation and individual states make up bilateral agreements on security, environment and safety. This way they can achieve certain goals much faster than the alternative way through ICAO. Not all Contracting States find this a good way to comply with certain rules, and therefore they choose for the multilateral option by supporting ICAO. Nevertheless, it has become time to have a critical look at the decision making process within ICAO, for it does not fit the standards of the present time.

Role of the European Community

Another important issue concerns the role of the European Community within ICAO. Currently, the European Commission is an observer in the ICAO Assembly, but not a participant or Contracting State. The EC does not have any formal decision-making power in ICAO. Given the growing importance of EC aviation law and policy, a more formal role of the EU within ICAO would be a logical step to increase the engagement of the EC in the ICAO decision-making processes. Experiences in the past have shown that, in some areas, the position of larger political blocks may give them better leverage in establishing standards and recommendations.

Smaller Contracting States

The position of smaller Contracting States is also a point of discussion. Especially the ABIS-group has second thoughts about the level of their membership. A matter that comes to mind is whether they should continue their cooperation as the ABIS-group or, if we look at the future role of the European Union in ICAO, work in association with the EU.

Airneth seminar

Against this background, Airneth organizes a seminar on the role of ICAO in the worldwide air transport regime on 24 October 2007 in The Hague (Dutch Ministry of Foreign Affairs in The Hague).

The objective of this seminar is to discuss the effectiveness and efficiency of ICAO as an international body in the international air transport regime and to indicate paths for future change with respect to the role of ICAO within this regime.

Central questions

1. What does the future of ICAO look like?
 - a. What are the different views on the current role of ICAO in the international air transport regime as well as the decision-making process in ICAO?
 - b. What can we learn from international relations theories about the role of and decision making process in important international bodies such as ICAO in worldwide transportation regimes?
 - c. What are the alternatives for the role of ICAO in the international air transport regime as well as the decision making process within ICAO as we know it now?

2. What is the role of the European Union in ICAO and how should this be developed in the future?
3. What should be the role of the Netherlands in ICAO?

Speakers

The chairman of the seminar will be Prof. Laurens Jan Brinkhorst (former Dutch Minister of Economic Affairs).

The key note speeches will be held by Olivier Onidi, Head Unit of Internal Market, Aviation Agreements and Multilateral Relations of the Directorate-General for Energy and Transport of the European Commission.

Among the others speakers are names such as Michael Milde (McGill University), William R. Voss (President and CEO of the Flight Safety Foundation), Alan Michael Rossell (Permanent Representative ICAO Council for the United Kingdom) and Jacqueline Tammenoms Bakker (Director-General of Freight Transport and Civil Aviation, Dutch Ministry of Transport).

Target audience

This private seminar is being held for (inter)national policymakers in the field of international aviation and decision making, researchers and representatives of states participating in ICAO.

Participation by personal invitation only!

Registration

We will send out invitations in August (by personal invitation only). The number of participants is limited to 70.