

A VISION FOR ICAO

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Outline

- Theory and practice of the Council
- What's wrong – what's right
- Is ICAO still relevant?
- Divining the outcome of the 36th Assembly
- A vision for the future

Theory ...

- Election of Council – 36 States in 3 parts
- Committees
 - Air Transport
 - Finance
 - Unlawful Interference
 - Technical Cooperation
 - Joint Financing
- Council sessions

... and practice

- A matter of coordination and cooperation with
 - Colleagues from Capitals
 - Air Navigation Commission
 - President
 - Secretariat
 - Other Council Members
 - Stakeholders

What's wrong ...

- Legacy – 30 years without significant change
- Ambiguous relationship with Secretary General leading to:
 - Misunderstanding
 - Micromanagement
 - Focus on process

... what's right

- Committees work
- Opportunity for genuine debate
- Agreement by consensus
- Recent willingness to consider new ways of doing business
- Increasing focus on Strategic Objectives, delivery, results based budgeting

Is ICAO still relevant?

- Air traffic rights to WTO
- Safety and security to UN
- Environment to UNFCCC
- Technical assistance to World Bank / UNDP
- Role of IATA
- Role of EU

Is ICAO still relevant (2)?

- Standard setting – relationship with other organisations – Article 37
- Filing of differences – safety critical standards – conflict with Article 38
- One ICAO for all – Article 94
- Enforcement – Article 54j, 87 and 88
- Arbitration – Article 84 and 85
- Resolutions – soft law

Divining the outcome of the 36th Assembly

- Successes in setting 3 year budget, agreeing measures on safety and security
- Some differences on the need to review the Chicago Convention
- A house divided on the application of market based measures

Case study - Chicago

- History of resistance to change
- Election of new President signaled willingness to examine afresh
- Friends of the President – examined legal and policy arguments for change ...
- ... and the impediments
- Proposal to Assembly for study on international governance
- Assembly remitted to Council for consideration

Assembly Resolution

- "Committee noted the contents of the paper. However, most delegations felt it would be premature to change the Chicago Convention that had served the international aviation community so well. Resolution A4-3 was flexible enough to allow a strategic review and it was proposed **to refer this matter to the Council for further study**".

Case study – emissions trading

- Assembly Resolution A35-5
- CAEP proposed Guidelines – adopted as draft by Council
- Friends of the President developed draft Resolution for Assembly
- But some gaps could not be breached
- European States filed formal reservation against relevant Appendix

What happens next?

- Back to Council to establish a high level group to develop climate change action plan
- Back to Council to consider whether to set up study group of experts to examine international governance of civil aviation
- Next Ordinary Assembly in 2010

A vision for the future

- If ICAO did not already exist would we invent it?
- What does ICAO need?:
 - Clear vision and leadership from Council
 - A Secretary General with a focus on delivery
 - A dynamic and flexible Secretariat
- Can we continue with the change process already under way?

Conclusion

- ICAO must seize the opportunity to set the agenda and Council States have an obligation to determine the way forward
- The Secretariat must be the agent to ensure delivery
- Without this clear vision the industry will lack the regulatory environment it needs
- And others will step in to take its place

Thank you

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