BACKGROUNDER

ICAO'S PRESENCE IN CANADA

The International Civil Aviation Organization (ICAO) was established in Chicago on December 7, 1944. Fifty-two nations, including Canada, signed the Convention whose purpose was to regulate civil aviation. At the time, no firm decision had been made on the permanent location of its headquarters. Montreal was chosen on an interim basis, and it was only in 1947 that Montreal became the permanent location for ICAO's headquarters.

Originally, it was anticipated that representatives of member- states would be in Canada only for short periods to participate in annual meetings and, occasionally, special meetings to deal with international crises. Representatives were granted more limited privileges and immunities than those granted diplomats who resided in Canada. This was reflected in the first agreement between the Government of Canada and ICAO, which was signed on April 14, 1951, following the adoption of the Privileges and Immunities (United Nations) Act in 1947. The Act's purpose was to determine the level of treatment that Canada can grant international organizations.

But, over the years, ICAO grew into a major international organization, and several of its members decided to have permanent representatives in Montreal. As a result, the status of these new offices became an issue for ICAO members.

This led to the adoption, by the Parliament of Canada, of the Foreign Missions and International Organizations Act, which came into force on December 16, 1991. This, in turn, opened the way for the new Headquarters Agreement between ICAO and the Government of Canada. The Agreement allows Canada to grant ICAO conditions similar to those granted by other countries to other important international organizations abroad and to offer ICAO improved conditions to carry out its mandate. This means that, out of the 164 member-states of ICAO, the 33 that have permanent missions in Montreal have a quasi-embassy status and their staff have a status equal to that of embassy personnel in Ottawa.