II.   History and Evolution of the International Air Transport Regime

This section describes the way in which international air transportation is regulated. It starts with the establishment of sovereignty over airspace and describes how the nations of the world created the current *regime* of treaties, regulatory organizations, conventions, etc., for regulating air transportation between nations. This section also describes the evolution of Canada's policy in international air transport matters.

A.   Sovereignty and the Freedoms of the Air

Following the demonstration of powered flight by the Wright brothers in 1903, governments became increasingly aware of the impact that it could have on the economic, social, political and technological development of their countries. They began an ongoing attempt to define the most effective way to develop and control air transportation.

The *Paris Convention of 1919* attempted to set out generally acceptable rules for the conduct of civil aviation. A major consequence of this convention was agreement that individual countries had absolute sovereign rights over their airspace. Thus, for an air carrier of one nation to fly into or over the territory of another, the two governments would need to negotiate an air services agreement. Use of airspace would require prior government approval.

While the Paris Convention laid the legal foundation of international aviation, the convention by itself did little to facilitate or regulate international air commerce. This gap was filled in the interwar years by various *ad hoc* measures. In Europe, six airlines met in the Hague in 1919 to form the International Air Traffic Association, whose purpose was to facilitate the operation of international air services in areas such as