

# REFERENCE PAPERS



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## CANADA AND ICAO

The International Civil Aviation Organization is one of 13 inter-governmental organizations linked with the United Nations through special agreements arranged by the Economic and Social Council and approved by the General Assembly and by the organizations concerned. The Specialized Agencies of the United Nations are expert in their respective fields: labour, health, education, food and agriculture, finance and banking, civil aviation, postal matters, telecommunications, meteorology, international development and maritime matters.

### Need for International Action

Civil aviation offers to the world a means of moving people and goods at great speed and over long distances but it is an activity which has a peculiar need for international collaboration. Not only are aircraft themselves most complex machines but the equipment and services they require on the ground--for communications, weather forecasting, air traffic control, radio navigation and landing aids--are also complex and together form a tightly integrated system which requires experience and skill to operate. This characteristic of complexity would not of itself impose a need for inter-governmental collaboration, if it were not that civil aviation, in its present state at least, is predominantly a means of long-range transport; in most parts of the world air routes to be economically sound must cross international borders. Air services must be both safe and regular. Safety and regularity require that ground services be of a high order and that high standards be established in such matters as qualifications for pilots licenses and air-worthiness specifications for aircraft. All these matters require close international co-operation and standardization.

### History

These facts of life for civil aviation received recognition as early as 1919 when a number of nations attending the Peace Conference at Versailles established the International Commission for Aerial Navigation. This body operated mainly in Europe, where rapid progress in aviation and a multiplicity of national frontiers combined to make the need most great. Until 1939 there was no serious need for organization on world-wide basis because the great oceans imposed formidable barriers to the largest aircraft of the day and made intercontinental air services uneconomic if not impossible.

The Second World War changed that situation. Within two or three years after 1939 streams of large aircraft were flying shuttle services across the Atlantic and Pacific, while tremendous technical advances were made under the stimulus of war. Chains of ground facilities were set up by the Allied forces to serve the main trans-oceanic routes and new routes into areas not previously served. At the end of the war all this technical development was available to the civil air operators. The kind of service they could offer was superior to their best pre-war efforts, and there was a vastly increased



demand for their services. In 1946, the first full post-war year, world-wide air traffic was fully nine times greater than it had been in 1938. It has continued to expand at a sensational rate, and in 1963 amounted to 11,600 million ton-miles of carriage.

Before the war ended, the Allied governments realized that air transport had moved into a new plane of effectiveness and that aviation's new capabilities created additional requirements for intergovernmental co-operation. To deal with the whole complex of new problems and to create an environment in which civil aviation could make the maximum contribution in the post-war world, the Allied governments met in conference in Chicago in 1944.

The major results of the Chicago Conference were the signature of the International Civil Aviation Convention and the establishment of the International Civil Aviation Organization (ICAO), which is founded on the Convention. The Convention is an international charter for the control, regulation and peaceful exploitation of the air. It establishes the sovereignty of each government over its own air space, lists certain basic rights which its signatories accord to each other, governs the provision of the facilities needed for international air operations, provides for the peaceful settlement of disputes, and establishes the International Civil Aviation Organization as machinery for the promotion and negotiation of the international agreement needed by civil aviation over a great range of legal, economic and technical problems. ICAO met first as a provisional body in Montreal in 1945. By 1947, when ratifications to the Convention brought it formally into being, it had already gone far in the achievement of its objectives.

#### Objectives

The aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to:

- (a) Insure the safe and orderly growth of international civil aviation throughout the world;
- (b) Encourage the arts of aircraft design and operation for peaceful purposes;
- (c) Encourage the development of airways, airports and air navigation facilities for international civil aviation;
- (d) Meet the needs of the peoples of the world for safe, regular, efficient and economical air transport;
- (e) Prevent economic waste caused by unreasonable competition;
- (f) Insure that the rights of contracting states are fully respected and that every contracting state has a fair opportunity to operate international airlines;
- (g) Avoid discrimination between contracting states;
- (h) Promote safety of flight in international air navigation;
- (i) Promote generally the development of all aspect of international civil aeronautics.



## Structure

ICAO now has a membership of 103 governments. Its machinery consists of:

- (a) The Assembly, in which all member states participate, and which establishes the general policy of the Organization and approves its budgets.
- (b) The Council, consisting of 27 member states elected by the Assembly every third year, elects its own President for a three-year term; he may be re-elected. It sits in more or less permanent session at the Organization's headquarters in Montreal. The Council, the executive body of ICAO, carries on the day-to-day work of the Organization, supervises its administration and develops the ways and means of pursuing its objectives.
- (c) The Secretariat, headed by a Secretary-General, which is the permanent staff of ICAO. It numbers about 525 employees, most of whom are at headquarters in Montreal but almost 90 of whom comprise the staffs of six regional offices established in other parts of the world.

The Council is assisted in its work by three subordinate bodies: the Air Navigation Commission for technical, the Air Transport Committee for economic, and the Legal Committee for legal matters. ICAO's work falls mainly within the three fields covered by these bodies. In the technical field it seeks international agreement on the requirements of international civil aviation for facilities and services, on the means of providing them and on standardization of equipment and procedures wherever standardization is necessary for safety and regularity. (In some important instances, when international action was necessary to provide certain facilities and services, ICAO had been concerned with negotiating and later with administering international agreements). The Organization also collects, analyzes and makes available to states a vast amount of information on technical aspects of civil aviation and provides assistance to member states in the training of personnel.

The Organization has not been involved directly in negotiations between member states of agreements to exchange rights for the operation of commercial air services, but it studies and seeks agreement on other questions of an economic nature whenever such agreement will facilitate the international operations of airlines. Similarly it deals with legal questions in cases in which the differing positions of national codes of law are likely to handicap air operations. The results of its legal work usually appear in the form of international conventions open for acceptance by all member states.

In addition to its own various kinds of assistance to member states ICAO administers that part of the United Nation's Technical Assistance Programme which applies to civil aviation. Its missions to receiving countries have provided training in almost every branch of civil aviation and often have assisted temporarily in the administration of civil aviation affairs. ICAO also operates a number of aviation-training centres as executing agent for the United Nations Special Fund, which, together with governments, contributes to their maintenance.

## Canadian Participation

From the time they became usable commercially, aircraft have been of great value in developing the more remote parts of Canada and in bringing the various regions closer together. The size of the country provided unusual opportunities for the development of domestic services. At the same time Canada as a major trading nation has had to be interested in the development of fast international transportation, while its geographical position astride important air routes created considerable responsibilities. In consequence the Canadian Government was much interested in developments leading up to the Chicago Conference



and took a significant part in its proceedings. The selection of Montreal as the permanent site for ICAO's headquarters was partly in recognition of Canada's contribution at Chicago.

Since 1945 Canada has been a member of the Council and there has always been a Canadian nominee on the Air Navigation Commission. Its interest as a major trading nation in international air transport has been reinforced by the development within Canada of a large aeronautical engineering industry, and the development of international services by Canadian airlines. Canadian airlines now fly across the Pacific to Japan, Hong Kong and Australasia, across the Atlantic to the United Kingdom and points in Europe, and to points in South America. The recent opening of routes from North America to Europe across the Polar regions offers new opportunities for Canadian airlines as well as new responsibilities for the Government.

Canada as host to ICAO has undertaken a number of responsibilities vis-à-vis the Organization, including the granting of certain legal and fiscal immunities to foreign Council representatives and members of the Air Navigation Committee and the Secretariat, and subsidizes the rent paid for office accommodation in Montreal so as to bring it into line with that paid by UN Specialized Agencies elsewhere. In addition Canada contributes on the same basis as other member states to the regular budget of ICAO, which in 1964 will amount for assessment purposes to \$4,977,102; Canada's contribution will be approximately 4.5 per cent of this amount.

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