

International Civil Aviation Organization

"WHEREAS the future development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, yet its abuse can become a threat to the general security; and

"WHEREAS it is desirable to avoid friction and to promote that co-operation between nations and peoples upon which the peace of the world depends;

"THEREFORE, the undersigned governments having agreed on certain principles and arrangements in order that international civil aviation may be developed in a safe and orderly manner and that international air transport services may be established on the basis of equality of opportunity and operated soundly and economically;

"Have accordingly concluded this Convention to that end."

*Preamble to the
Convention on International Civil Aviation*

The International Civil Aviation Organization (ICAO), a specialized agency of the United Nations, was created with the signing in Chicago, on 7 December 1944, of the *Convention on International Civil Aviation*. ICAO is the permanent body charged with the administration of the principles laid out in the Convention.

The Chicago Convention

The Second World War was a powerful catalyst for the technical development of the aeroplane. At that time, a vast network of passenger and freight carriage was set up, but in order for air transport to support and benefit a world at peace, there were many obstacles, both political and technical, to overcome. In the early days of 1944, the Government of the United States conducted exploratory discussions with other allied nations to develop an effective strategy. On the basis of these talks, 52 States met in Chicago in November 1944.

For five weeks, the delegates considered the myriad issues of international civil aviation. The outcome was the *Convention on International Civil Aviation*, also referred to as the Chicago Convention.

At the Chicago talks, it was agreed that the Convention would only come into force thirty days after its ratification by a 26th State. In the interim, a provisional ICAO (PICAO) was formed and given advisory powers, with instructions to lay the foundation for an international organization devoted to the needs of civil aviation. The Chicago Convention entered in force on 4 April 1947.

The 96 articles of the Chicago Convention establish the privileges and restrictions of all Contracting States and provide for the adoption of International Standards and Recommended Practices (SARPs) regulating international air transport. The Convention accepts the principle that every State has complete and exclusive sovereignty over the airspace above its territory and provides that no scheduled international air service may operate over or into the territory of a Contracting State without its previous consent. The aims and objectives of ICAO, as contained in Article 44 of the Chicago Convention, 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:

- insure the safe and orderly growth of international civil aviation throughout the world;
- encourage the arts of aircraft design and operation for peaceful purposes;
- encourage the development of airways, airports and air navigation facilities for international civil aviation;
- meet the needs of the peoples of the world for safe, regular, efficient and economical air transport;
- prevent economic waste caused by unreasonable competition;
- insure that the rights of Contracting States are fully respected and that every Contracting State has a fair

opportunity to operate international airlines;

- avoid discrimination between Contracting States;
- promote safety of flight in international air navigation;
- promote generally the development of all aspects of international civil aeronautics.

ICAO . . . setting the standards

The Organization

ICAO has a sovereign body, the Assembly, and a governing body, the Council. The Assembly meets at least once every three years and is convened by the Council. Each Contracting State is entitled to one vote, and decisions of the Assembly are taken by a majority of the votes cast except when otherwise provided for in the Convention. At these sessions, the complete work of the Organization in the technical, economic, legal and technical cooperation fields is reviewed in detail, and guidance is given to the other bodies of ICAO for their future work.

The Council is a permanent body responsible to the Assembly and is composed of representatives from 36 Contracting States elected by the Assembly for a three-year term. In the election, adequate representation is given to States of chief importance in air transport, States not otherwise included which make the largest contribution to the provision of facilities for civil air navigation and States not otherwise included whose designation will ensure that all the major geographic areas of the world are represented on the Council.

The Council and its subsidiary bodies set the continuing direction of the work of the Organization. One of the major duties of the Council is to adopt International Standards and Recommended Practices and to incorporate these as Annexes to the *Convention on International Civil Aviation*. The Council may act as an arbiter between Contracting States on matters concerning aviation and implementation of the Convention; it may investigate any situation which presents avoidable obstacles to the development of international air navigation; and, in general, it may take whatever steps are necessary to maintain the safety and regularity of operation of international air transport.

A Standard is any specification whose uniform application is recognized as necessary for the safety or regularity of international air navigation and to which Contracting States will conform in accordance with the Convention. A Recommended Practice is any specification whose uniform application is recognized as desirable for the safety, regularity or efficiency of international air navigation. ICAO Standards and Recommended Practices are detailed in the 18 Annexes to the Chicago Convention that cover all aspects of international civil aviation.

Although the Council is responsible for the adoption of SARPs and the approval of Procedures for Air Navigation Services (PANS), the principal body concerned with their development is the ICAO Air Navigation Commission. The Commission is composed of fifteen persons qualified and experienced in the science and practice of aeronautics. Its members are nominated by Contracting States and are appointed by the Council. They act in their personal expert capacity and not as representatives of their nominators. The Commission is assisted by small groups of experts nominated by Contracting States and international organizations and approved by the Commission.

The Secretariat, headed by the Secretary General, is comprised of five main divisions: the Air Navigation Bureau, the Air Transport Bureau, the Technical Co-operation Bureau, the Legal Bureau and the Bureau of Administration and Services. In order for the work of the Secretariat to reflect a truly international approach, professional personnel are recruited on a broad geographical basis.

ICAO works in close collaboration with other specialized agencies of the United Nations such as the International Maritime Organization, the International Telecommunication Union and the World Meteorological Organization. The International Air Transport Association, the Airports Council International, the International Federation of Air Line Pilots' Associations and other international organizations participate in many ICAO meetings.

ICAO . . . setting the standards

Strategic Action Plan

Since 1944, the Convention has proved resilient by providing a sufficiently flexible framework to enable ICAO to fulfil successfully the responsibilities assigned to it. Today, however, international civil aviation faces major challenges. There is a great need for ICAO to adapt within the framework of the Convention to rapidly changing circumstances such as:

- globalization and transnationalization of markets and operations
- emergence of regional and sub-regional trading and regulatory blocks
- commercialization of government service providers
- diversification of fiscal measures to respond to budgetary needs
- liberalization of economic regulation
- potential evasion of safety regulation (along with labour, competition and other regulations) as a consequence of the blurring of sectoral boundaries and responsibilities of related authorities
- recognition of and response to environmental concerns
- emergence of new technology
- reaching of physical limits of infrastructure capacity.

The Strategic Action Plan, adopted by ICAO's Council on 7 February 1997, was designed to adapt the vision of ICAO's founders in Chicago to these and other challenges and to ensure that the Organization responds to them in the coming years and meets the related needs of all its Contracting States.

The goal of the Strategic Action Plan is to further the safety, security and efficiency of international civil aviation and promote the principles enshrined in the Convention. The Plan comprises the following eight strategic objectives:

- A) Foster the implementation of ICAO Standards and Recommended Practices (SARPs) to the greatest extent possible worldwide;
- B) Develop and adopt new or amended SARPs and associated documents in a timely manner to meet changing needs;

- C) Strengthen the legal framework governing international civil aviation by developing new international air law instruments as required and by encouraging the ratification by States of existing instruments;
- D) Ensure the currency, coordination and implementation of regional air navigation plans and provide the framework for the efficient implementation of new air navigation systems;
- E) Respond on a timely basis to major challenges to the safe, secure and efficient development and operation of civil aviation;
- F) Ensure that guidance and information on the economic regulation of international air transport are current and effective;
- G) Assist in the mobilization of human, technical and financial resources for civil aviation facilities and services; and
- H) Ensure the greatest possible efficiency and effectiveness in the operations of the Organization, *inter alia*, to meet the above objectives.

The Strategic Action Plan drives the work programme and associated prioritization and budgetary processes of the Organization. The Plan is kept under review to ensure that it remains alive to the changing needs of States in an ever-evolving environment.

Annexes to the Convention

Annex 1 — Personnel Licensing

Annex 2 — Rules of the Air

Annex 3 — Meteorological Service for International Air Navigation

Annex 4 — Aeronautical Charts

Annex 5 — Units of Measurement to be Used in Air and Ground Operations

Annex 6 — Operation of Aircraft

Annex 7 — Aircraft Nationality and Registration Marks

Annex 8 — Airworthiness of Aircraft

Annex 9 — Facilitation

Annex 10 — Aeronautical Telecommunications

Annex 11 — Air Traffic Services

Annex 12 — Search and Rescue

Annex 13 — Aircraft Accident and Incident Investigation

Annex 14 — Aerodromes

Annex 15 — Aeronautical Information Services

Annex 16 — Environmental Protection

Annex 17 — Security — Safeguarding International Civil Aviation Against Acts of Unlawful Interference

Annex 18 — The Safe Transport of Dangerous Goods by Air

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**setting the standards for the safety, regularity and efficiency of international
civil aviation**

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