

IV. The International Civil Aviation Organization

A. THE CHICAGO CONFERENCE

In the early months of 1944 the United States initiated a series of exploratory discussions with other governments interested in the development of international civil aviation. These discussions revealed sufficient agreement among the principal air powers to justify the expectation that "final dispositions" could be reached at an international conference. Accordingly, the United States issued invitations to 55 allied and neutral states to meet in Chicago on November 1, 1944.

Fifty-two nations accepted the invitation. The deliberations of the representatives of these nations at Chicago resulted in the adoption of a number of resolutions and recommendations constituting the Final Act of the Conference. The Final Act contained the texts of a Convention on International Civil Aviation, an International Air Services Transit (Two Freedoms) Agreement, an International Air Transport (Five Freedoms) Agreement and an Interim Agreement on International Civil Aviation.

Previously, in 1919, the Paris Convention had

established the International Commission for Air Navigation, which set up standards on technical matters. In 1928 the Pan-American Convention on Air Navigation was drawn up at Havana and pledged members to observe certain principles, including that of freedom of air passage, in their dealings with one another. The Paris and Havana Conventions were no longer considered adequate to meet the present situation in the air resulting from the enormous development of flight during the war.

The International Civil Aviation Organization came into being on April 4, 1947, 30 days after the Convention on International Civil Aviation had been ratified by 26 states, as required by the Convention.

The Convention on International Civil Aviation lays down certain principles and sets up machinery "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."

B. STRUCTURE

The governing bodies of the Organization are the Assembly and the Council.

The Assembly of ICAO is composed of delegates from member States, each State represented being entitled to one vote. Decisions are made, unless otherwise provided, by a simple majority of the member States present. The Assembly is convened by the Council and meets annually.

The Assembly determines its own rules of procedure and is responsible for the financial arrangements of the Organization, including the approval of an annual budget. It also examines and takes action in matters referred to it by the Council and may, at its discretion, refer to the Council specific matters for the consideration of the latter body. Finally, the Assembly

deals with such matters as come within the sphere of action of the Organization but are not specifically assigned to the Council.

The Council is the executive body of the Organization and derives its powers and authority from the Assembly and from the Convention itself. It is composed of 21 member States, elected by the Assembly for a period of three years. In electing these States, the Assembly must give adequate representation to: (1) those member States of major importance in air transport; (2) those member States not otherwise included which make the largest contribution to the provision of facilities for international civil air navigation; and (3) those member States not otherwise included whose election will ensure that all major geographical

areas of the world are represented. At the first meeting of the Assembly, held in Montreal during May 1947, 21 States were elected to the Council on the following basis: eight for group (1), seven for group (2) and six for group (3).

Among other duties, the Council is charged with providing for the establishment of subsidiary working groups to assist it in furthering ICAO's work, much of which is of a highly technical or specialized nature. Two such bodies, established by the provisional organization, have already been functioning: the Air Navigation Committee, which covers the technical aspects of international civil aviation, and the Air Transport Committee, which covers its economic and statistical aspects. The Air Navigation Committee assigns its technical work to the following divisions: Accident Investigation; Aerodromes, Air Routes and Ground Aids; Aeronautical Maps and Charts; Airworthiness; Communications; Meteorological; Operations; Personnel Licensing; Rules of the Air and Air Traffic Control; Search and Rescue. The Air Transport Committee is assisted by the Division on the Facilitation of Air Transport. The first Assembly of ICAO decided to con-

tinue these Committees in their present form for the time being, and recommended that three new Committees be established: on International Air Law, on the Convention on International Civil Aviation and on Joint Support of Air Navigation Services.

The Council supervises and co-ordinates the work of its Committees, receives and considers their reports, transmits to each member State these reports together with the findings of the Council, and makes recommendations, with respect to technical matters, to the member States of the Organization individually or collectively.

The Council elects the President of the Council and appoints the Secretary General of ICAO. The President of the Council convenes and presides at meetings of the Council and acts as the Council's permanent representative. The Secretary General is the chief executive and administrative officer of the Organization. He is responsible to the Council for carrying out duties assigned to him by that body. He selects and appoints the staff of the Secretariat, whose activities he supervises and directs.

C. THE PROVISIONAL ORGANIZATION

The Interim Agreement provided that a Provisional International Civil Aviation Organization be established, with headquarters in Canada, to operate until the coming into force of the permanent Organization. PICAQ came into being on June 6, 1945, when 26 states had ratified the Interim Agreement.

The provisional organization was governed by an Interim Assembly and an Interim Council. The structure and functions of these organs correspond to those of the Assembly and Council of ICAO.

A Canadian Preparatory Committee was formed in June 1945 to make all necessary arrangements for the first session of PICAQ. The Committee selected Montreal, because of its accessibility by air transport, as the most suitable Canadian city for the site of the Organization. It set August 15, 1945, as the date for the opening of the first session of the Interim Council.

The Interim Council, which remained in substantially continuous session from August 15, 1945, to April 2, 1947, in turn arranged for the calling of the first session of the Interim As-

sembly in Montreal, beginning May 21, 1946.

The Interim Assembly was in session until June 7, 1946. It was attended by representatives of the Governments of 44 member States of PICAQ. In addition, observers from ten non-member States and from eight international organizations attended the first session of the Interim Assembly.

The Interim Assembly adopted a total of 53 resolutions. In addition to administrative and budgetary questions, it dealt with a number of substantive matters such as development of a multilateral agreement on commercial rights in international civil air transport; facilitation of international air transport; draft conventions on private international air law; problems of international air mail; statistical reporting forms; PICAQ recommendations for standards, practices and procedures; unification of numbering and systems of dimensioning; convention on recordation of titles to aircraft and aircraft mortgages; amendments to the Warsaw convention.

In accordance with the terms of the Convention on International Civil Aviation, the ICAO

Interim Assembly chose Montreal, Canada, as the permanent site of ICAO's headquarters.

The Interim Assembly authorized the Interim Council to enter into negotiations with the United Nations with a view to concluding an agreement defining the relationship between the two organizations. Accordingly, an agreement between the United Nations and ICAO was drawn up by the Economic and Social Council of the United Nations and a negotiating delegation of PICA0. On October 3, 1946, the agreement was recommended by the Economic and Social Council to the General Assembly of the United Nations for approval. The General Assembly, on December 14, approved the agreement with ICAO provided that "that Organization complies with any decision of the General Assembly regarding Franco Spain." In its resolution condemning the Franco regime, the General Assembly had recommended, among other matters, "that the Franco Government of Spain be debarred from membership in international agencies established by or brought into relationship with the United Nations." The agreement, as approved by the General Assembly, was recommended for approval by the Interim Council to the first session of the ICAO Assembly when the permanent Organization came into being.

During its 20 months of existence, PICA0 brought about concerted action by the nations of the world in the organization and maintenance of facilities and services necessary for international air transport. Patterns for meteorological services, traffic control, communications, radio beacons, and the other facilities required for safe international flight were evolved through the co-operative action of PICA0 and its member States.

In addition to the regional air navigation meeting in the North Atlantic, the following regional meetings have been held :

Region	Location	Date
European-Mediterranean	Paris	April 24—May 15, 1946
Caribbean	Washington, D.C.	August 26—September 13, 1946
Middle East	Cairo	October 1-18, 1946
South Pacific	Melbourne	February 4-22, 1947
South American	Lima	June 17, 1947
South Atlantic	Rio de Janeiro	July 15, 1947

As a result of these meetings, the Organization undertook the compilation of regional route manuals, and recommended measures to correct deficiencies in air navigation facilities and services. Two further general regional air navigation

An example of the assistance rendered by PICA0 is the provision of air navigation facilities in the North Atlantic region. A North Atlantic regional air navigation meeting, held in Dublin from March 4 to 27, 1946, had recommended that a network of ocean weather stations be set up as an aid to safe and economic air operations over the North Atlantic. This meeting was followed by a conference of delegates from all the North Atlantic States held in London from September 17 to 25, 1946. The conference resulted in the conclusion of an agreement for the establishment of thirteen ocean weather stations at the positions recommended by the Meteorological Committee of the North Atlantic Regional Air Navigation Meeting. According to this agreement, these stations are to be maintained as follows: United States, 7; United Kingdom, 2; United States and Canada, jointly, 1; France, 1; Belgium and the Netherlands, jointly, 1; Norway, Sweden and the United Kingdom, jointly, 1. The Governments of Ireland and Portugal will make annual monetary contributions towards the support of the stations. Another major aid to trans-oceanic flying established by the joint effort of member States is a Loran (long range navigation aid) station located at Vik, Iceland. Iceland signed the agreement to operate this station on May 14, 1947, and agreed to co-operate in financing the operations with five other States—Canada, France, Netherlands, the United Kingdom and the United States—which had previously signed the agreement. The agreement establishing this project, by PICA0 technical committees, was concluded after the permanent Organization came into being.

meetings are projected for 1948: one for South East Asia, to be held in India, and one for the North Pacific, to be held in China.

Other regional meetings of a more limited character, such as the special European-Medi-

terranean meeting on air traffic control which convened in Paris on April 15, 1947, have been held to complete the work of main regional meetings or for other special purposes.

Three regional offices have been opened: the European-Mediterranean in Paris on August 12, 1946; the North Atlantic in Dublin on January 1, 1947; and the Middle East in Cairo on January 20, 1947. A temporary mission to the South Pacific is maintained at present at Melbourne, Australia.

PICAO began work on a plan for the simplifi-

cation and standardization of customs, immigration, public health and other formalities which slow up international air traffic at border crossing points. It has sponsored international co-operation in the exchange of information on development and research work. It has compiled economic, statistical and legal information on air transport, and initiated studies of international air law.

The International Civil Aviation Organization is continuing the work of the provisional organization to bring about the peaceful and orderly development of world aviation.

D. FIRST SESSION OF THE ASSEMBLY

The first session of the ICAO Assembly met in Montreal, Canada, from May 6 to 27, 1947. It was attended by representatives of 36 of ICAO's contracting States, eleven non-contracting States, and seven international organizations.

The Assembly divided itself into six commissions to deal with the following questions: Constitutional and General Policy; Technical; Economic; Legal; Administrative and Financial; Financial and Technical Aid Through ICAO. These commissions, upon reaching agreements, submitted resolutions and recommendations to the Assembly for final decision.

Plans for a working agreement between ICAO and the United Nations occupied the first week of the Assembly. It approved the agreement¹ on May 13. In order to meet requirements established by the United Nations for admission as a specialized agency, the Assembly voted, by an amendment to the ICAO Convention, to expel Franco Spain from membership in the Organization.

The Assembly elected 21 nations to membership on the ICAO Council, which serves as the executive body of the Organization. The Council met immediately and elected Dr. Edward Warner, of the United States, as President of the Council and Dr. Albert Roper, of France, as Secretary General of ICAO. These officials had been serving in a similar capacity during the Organization's interim period.

The Assembly decided to broaden ICAO's primary function of encouraging world aviation agreement by permitting it to serve as

arbiter of aviation disputes between member nations, providing all parties to a dispute requested arbitration. The Council was authorized to render an advisory report in such disputes, or, if the parties themselves agreed in advance to accept the Council's verdict, it could render a binding decision.

Pointing out that "increased attention to aircraft design features might make it possible to bring a stop to the present ever-rising runway requirements," the Assembly directed the Council, in consultation with the International Air Transport Association, to "study and report upon the trend of aircraft design and the relationship between airline operation and aerodrome design with the object of curbing the increasing cost of runway construction."

ICAO, it was decided, would use the metric measurement system in its own publications, except for distances, which would be in nautical miles, and speed, which would be expressed in knots. Further development of a standardized measurement system was referred to the Council for action.

Member States discussed a draft multilateral agreement by the Council on commercial rights in the air and decided to continue its work at a meeting to be convened in Rio de Janeiro, Brazil, on October 20, 1947.

International ownership and operation of major trunk airlines was discussed by the Assembly, and member nations were invited to submit plans or comments on the subject to the

¹ Text of the agreement is printed in Annex III.

Council for study and consideration at the next Assembly.

The Assembly approved the work of the Commission on Legal Questions, which drafted an

international agreement governing property rights in aircraft. The matter of liens and mortgages against aircraft crossing international borders has been a difficult legal problem for years.

E. BUDGET

The general policy governing the apportionment of the expenses of ICAO has as its objective the equitable distribution of these expenses among the member States. The basic principle of apportionment is that of the relative capacity to pay of the member States, a principle that has been generally accepted for international organizations since its adoption by the League of Nations in 1925. Consideration is given to the relative interest of member States in international civil aviation. War damage suffered by member States is also a factor determining the scale of contributions.

The principle that contributions should in no case fall below a set minimum and in no case exceed a maximum percentage of the total budget is followed. Capacity to pay, applied without consideration for other factors, would result in exceedingly small assessments for a number of the States with relatively small national income. It seemed desirable to set a minimum into which category such States could be gathered and a maximum was fixed to remove the possibility of any State's assuming a disproportionate share of the expenses, tending thus to establish a dominant position in the Organization, with a diminution of the interest of the other States.

A unit system of expressing each State's contribution was adopted in preference to the percentage system so as to conveniently assess member States, with particular reference to those entering the Organization after the preparation of the budget. The budget of the Organization may be increased by the Council to the extent of the contributions of such new States when received.

Finally, the various delegations attending the Assembly meeting were asked to agree on the place in the scale which had been allocated to them. This was considered desirable as States would be more likely to meet their contributions promptly if they were satisfied that their place in the scale was such that it compared favorably with the position of other States of like status and that their position in the ICAO

scale was comparable to that in the scales of other international organizations.

The budget for the 1946-47 period, as approved by the Interim Assembly of PICAQ, amounted to \$1,960,000.

The first session of the Assembly of ICAO approved a budget in the amount of \$2,300,000 for the fiscal period 1947-48. The largest items in the budget were \$1,485,000 for salaries, \$420,000 for overhead expenses, and \$201,000 for conferences. The total budget was divided into 291 units, each unit representing \$8,934.

Following is a summary of the budget, together with the scale of contributions of member States :

BUDGET 1947-48	
Conferences.....	\$ 201,000
Salaries and Provident Fund.....	1,458,000
Initial recruitment and annual leave expenses	115,000
Travel	100,000
Common services	420,000
Capital expenditure	64,000
Provision for ICAO training program	23,000
Reserve for new projects and unforeseen expenses	125,000
Total General Fund.....	\$2,508,000
Working Capital Fund provision.....	\$ 44,000
Provision for Joint Support Emergency Fund	50,000
Total budget	\$2,600,000

SCALE OF CONTRIBUTIONS 1947-48	
	Units
United States	57
United Kingdom	30
France, China, Canada.....	45 (15 each)
Argentina	12
India, Netherlands, Brazil, Australia	40 (10 each)
Turkey, Switzerland, Sweden, Belgium	32 (8 each)
Union of South Africa, Mexico.....	12 (6 each)
Portugal, Poland, Egypt.....	15 (5 each)
Ireland, Denmark, Chile	12 (4 each)
Iraq, Venezuela, Peru, New Zealand, Norway, Greece, Czechoslovakia..	21 (3 each)
Philippine Republic, Ethiopia, Bolivia	6 (2 each)
Afghanistan, Dominican Republic, Trans-Jordan, Siam, Paraguay, Nicaragua, Liberia, Iceland, Guatemala.....	9 (1 each)
Total.....	291

ANNEX I.

MEMBERS AND OFFICERS

Members of ICAO¹

Afghanistan
 Argentina
 Australia
 Belgium
 Bolivia
 Brazil
 Canada
 Chile
 China
 Czechoslovakia
 Denmark
 Dominican Republic
 Egypt
 El Salvador
 Ethiopia
 France
 Greece
 Guatemala
 Iceland
 India
 Iraq
 Ireland
 Liberia
 Mexico
 Netherlands
 New Zealand
 Nicaragua
 Norway
 Paraguay
 Peru
 Philippines
 Poland
 Portugal
 Siam
 Sweden
 Switzerland
 Transjordan
 Turkey
 South Africa
 United Kingdom
 United States
 Venezuela

Members of the Council

Argentina
 Australia

Belgium
 Brazil

Canada
 Chile
 China
 Czechoslovakia
 Egypt
 France
 India
 Iraq

Ireland
 Mexico
 Netherlands
 Peru
 Portugal
 Sweden
 Turkey
 United Kingdom

United States

OFFICERS

Council

President

Edward Warner (United States)

First Session of the Assembly

President

A. S. Drakeford (Australia)

Vice-Présidents

Liu Chieh (China)

Brigadier Ivan

Carpenter Ferreira (Brazil)

Josef Kalenda (Czechoslovakia)

R. Morsi Bey (Egypt)

Secretariat

Secretary General

Albert Roper (France)

Headquarters

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 60 bis Avenue d'Iena, Paris 16e, France.

North Atlantic Region
 7 Fitzwilliam Place, Dublin, Ireland.

Middle East Region
 10 Sharia Loffallah, Apartment 7, Zama-
 lek, Cairo, Egypt.

ANNEX II.

CONVENTION ON INTERNATIONAL
CIVIL AVIATION

Preamble

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 cooperation 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

¹As of July 1, 1947.

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.

PART I—AIR NAVIGATION

CHAPTER I

General Principles and Application of the Convention

Article 1

[Sovereignty]

The contracting States recognize that every State has complete and exclusive sovereignty over the air-space above its territory.

Article 2

[Territory]

For the purposes of this Convention the territory of a State shall be deemed to be the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection or mandate of such State.

Article 3

[Civil and state aircraft]

(a) This Convention shall be applicable only to civil aircraft, and shall not be applicable to state aircraft.

(b) Aircraft used in military, customs and police services shall be deemed to be state aircraft.

(c) No state aircraft of a contracting State shall fly over the territory of another State or land thereon without authorization by special agreement or otherwise, and in accordance with the terms thereof.

(d) The contracting States undertake, when issuing regulations for their state aircraft, that they will have due regard for the safety of navigation of civil aircraft.

Article 4

[Misuse of civil aviation]

Each contracting State agrees not to use civil aviation for any purpose inconsistent with the aims of this Convention.

CHAPTER II

Flight Over Territory of Contracting States

Article 5

[Right of non-scheduled flight]

Each contracting State agrees that all aircraft of the other contracting States, being aircraft not engaged in scheduled international air services shall have the right, subject to the observance of the terms of this Convention, to make flights into or in transit non-stop across its territory and to make stops for non-traffic purposes without the necessity of obtaining prior permission, and subject to the right of the State flown over to require landing. Each contracting State nevertheless reserves the right, for reasons of safety of flight, to require aircraft desiring to proceed over regions which are

inaccessible or without adequate air navigation facilities to follow prescribed routes, or to obtain special permission for such flights.

Such aircraft, if engaged in the carriage of passengers, cargo, or mail for remuneration or hire on other than scheduled international air services, shall also, subject to the provisions of Article 7, have the privilege of taking on or discharging passengers, cargo, or mail, subject to the right of any State where such embarkation or discharge takes place to impose such regulations, conditions or limitations as it may consider desirable.

Article 6

[Scheduled air services]

No scheduled international air service may be operated over or into the territory of a contracting State, except with the special permission or other authorization of that State, and in accordance with the terms of such permission or authorization.

Article 7

[Cabotage]

Each contracting State shall have the right to refuse permission to the aircraft of other contracting States to take on in its territory passengers, mail and cargo carried for remuneration or hire and destined for another point within its territory. Each contracting State undertakes not to enter into any arrangements which specifically grant any such privilege on an exclusive basis to any other State or an airline of any other State, and not to obtain any such exclusive privilege from any other State.

Article 8

[Pilotless aircraft]

No aircraft capable of being flown without a pilot shall be flown without a pilot over the territory of a contracting State without special authorization by that State and in accordance with the terms of such authorization. Each contracting State undertakes to insure that the flight of such aircraft without a pilot in regions open to civil aircraft shall be so controlled as to obviate danger to civil aircraft.

Article 9

[Prohibited areas]

(a) Each contracting State may, for reasons of military necessity or public safety, restrict or prohibit uniformly the aircraft of other States from flying over certain areas of its territory, provided that no distinction in this respect is made between the aircraft of the State whose territory is involved, engaged in international scheduled airline services, and the aircraft of the other contracting States likewise engaged. Such prohibited areas shall be of reasonable extent and location so as not to interfere unnecessarily with air navigation. Descriptions of such prohibited areas in the territory of a contracting State, as well as any subsequent alterations therein, shall be communicated as soon as possible to the other contracting States

and to the International Civil Aviation Organization.

(b) Each contracting State reserves also the right, in exceptional circumstances or during a period of emergency, or in the interest of public safety, and with immediate effect, temporarily to restrict or prohibit flying over the whole or any part of its territory, on condition that such restriction or prohibition shall be applicable without distinction of nationality to aircraft of all other States.

(c) Each contracting State, under such regulations as it may prescribe, may require any aircraft entering the areas contemplated in subparagraphs (a) or (b) above to effect a landing as soon as practicable thereafter at some designated airport within its territory.

Article 10

[Landing at customs airport]

Except in a case where, under the terms of this Convention or a special authorization, aircraft are permitted to cross the territory of a contracting State without landing, every aircraft which enters the territory of a contracting State shall, if the regulations of that State so require, land at an airport designated by that State for the purpose of customs and other examination. On departure from the territory of a contracting State, such aircraft shall depart from a similarly designated customs airport. Particulars of all designated customs airports shall be published by the State and transmitted to the International Civil Aviation Organization established under Part II of, this Convention for communication to all other contracting States.

Article 11

[Applicability of air regulations]

Subject to the provisions of this Convention, the laws and regulations of a contracting State relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of all contracting States without distinction as to nationality, and shall be complied with by such aircraft upon entering or departing from or while within the territory of that State.

Article 12

[Rules of the air]

Each contracting State undertakes to adopt measures to insure that every aircraft flying over or maneuvering within its territory and that every aircraft carrying its nationality mark, wherever such aircraft may be, shall comply with the rules and regulations relating to the flight and maneuver of aircraft there in force. Each contracting State undertakes to keep its own regulations in these respects uniform, to the greatest possible extent, with those established from time to time under this Convention. Over the high seas, the rules in force shall be those established under this Convention. Each contracting State undertakes to in-

sure the prosecution of all persons violating the regulations applicable.

Article 13

[Entry and clearance regulations]

The laws and regulations of a contracting State as to the admission to or departure from its territory of passengers, crew or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo upon entrance into or departure from, or while within the territory of that State.

Article 14.

[Prevention of spread of disease]

Each contracting State agrees to take effective measures to prevent the spread by means of air navigation of cholera, typhus (epidemic), smallpox, yellow fever, plague, and such other communicable diseases as the contracting States shall from time to time decide to designate, and to that end contracting States will keep in close consultation with the agencies concerned with international regulations relating to sanitary measures applicable to aircraft. Such consultation shall be without prejudice to the application of any existing international convention on this subject to which the contracting States may be parties.

Article 15

[Airport and similar charges]

Every airport in a contracting State which is open to public use by its national aircraft shall likewise, subject to the provisions of Article 68, be open under uniform conditions to the aircraft of all the other contracting States. The like uniform conditions shall apply to the use, by aircraft of every contracting State, of all air navigation facilities, including radio and meteorological services, which may be provided for public use for the safety and expedition of air navigation.

Any charges that may be imposed or permitted to be imposed by a contracting State for the use of such airports and air navigation facilities by the aircraft of any other contracting State shall not be higher,

(a) As to aircraft not engaged in scheduled international air services, than those that would be paid by its national aircraft of the same class engaged in similar operations, and

(b) As to aircraft engaged in scheduled international air services, than those that would be paid by its national aircraft engaged in similar international air services. All such charges shall be published and communicated to the International Civil Aviation Organization: provided that, upon representation by an interested contracting State, the charges imposed for the use of airports and other facilities shall be subject to review by the Council, which shall report and make recommendations thereon for the consideration of the State or States concerned. No fees, dues or other charges shall be imposed by any contracting State in respect solely of the

right of transit over or entry into or exit from its territory of any aircraft of a contracting State or persons or property thereon.

Article 16

[Search of aircraft]

The appropriate authorities of each of the contracting States shall have the right, without unreasonable delay, to search aircraft of the other contracting States on landing or departure, and to inspect the certificates and other documents prescribed by this Convention.

CHAPTER III

Nationality of Aircraft

Article 17

[Nationality of aircraft]

Aircraft have the nationality of the State in which they are registered.

Article 18

[Dual registration]

An aircraft cannot be validly registered in more than one State, but its registration may be changed from one State to another.

Article 19

[National laws governing registration]

The registration or transfer of registration of aircraft in any contracting State shall be made in accordance with its laws and regulations.

Article 20

[Display of marks]

Every aircraft engaged in international air navigation shall bear its appropriate nationality and registration marks.

Article 21

[Report of registrations]

Each contracting State undertakes to supply to any other contracting State or to the International Civil Aviation Organization, on demand, information concerning the registration and ownership of any particular aircraft registered in that State. In addition, each contracting State shall furnish reports to the International Civil Aviation Organization, under such regulations as the latter may prescribe, giving such pertinent data as can be made available concerning the ownership and control of aircraft registered in that State and habitually engaged in international air navigation. The data thus obtained by the International Civil Aviation Organization shall be made available by it on request to the other contracting States.

CHAPTER IV

Measures to Facilitate Air Navigation

Article 22

[Facilitation of formalities]

Each contracting State agrees to adopt all practicable measures, through the issuance of special regulations or otherwise, to facilitate and expedite navigation by aircraft between the territories of contracting States, and to prevent unnecessary delays to aircraft, crews, passengers and cargo, especially in the administra-

tion of the laws relating to immigration, quarantine, customs and clearance.

Article 23

[Customs and immigration procedures]

Each contracting State undertakes, so far as it may find practicable, to establish customs and immigration procedures affecting international air navigation in accordance with the practices which may be established or recommended from time to time, pursuant to this Convention. Nothing in this Convention shall be construed as preventing the establishment of customs-free airports.

Article 24

[Customs duty]

(a) Aircraft on a flight to, from, or across the territory of another contracting State shall be admitted temporarily free of duty, subject to the customs regulations of the State. Fuel, lubricating oils, spare parts, regular equipment and aircraft stores on board an aircraft of a contracting State, on arrival in the territory of another contracting State and retained on board on leaving the territory of that State shall be exempt from customs duty, inspection fees or similar national or local duties and charges. This exemption shall not apply to any quantities or articles unloaded, except in accordance with the customs regulations of the State, which may require that they shall be kept under customs supervision.

(b) Spare parts and equipment imported into the territory of a contracting State for incorporation in or use on an aircraft of another contracting State engaged in international air navigation shall be admitted free of customs duty, subject to compliance with the regulations of the State concerned, which may provide that the articles shall be kept under customs supervision and control.

Article 25

[Aircraft in distress]

Each contracting State undertakes to provide such measures of assistance to aircraft in distress in its territory as it may find practicable, and to permit, subject to control by its own authorities, the owners of the aircraft or authorities of the State in which the aircraft is registered to provide such measures of assistance as may be necessitated by the circumstances. Each contracting State, when undertaking search for missing aircraft, will collaborate in coordinated measures which may be recommended from time to time pursuant to this Convention.

Article 26

[Investigation of accidents]

In the event of an accident to an aircraft of a contracting State occurring in the territory of another contracting State, and involving death or serious injury, or indicating serious technical defect in the aircraft or air navigation facilities, the State in which the accident occurs will institute an inquiry into the circumstances of the accident, in accordance, so far as its laws permit, with the procedure which may

be recommended by the International Civil Aviation Organization. The State in which the aircraft is registered shall be given the opportunity to appoint observers to be present at the inquiry and the State holding the inquiry shall communicate the report and findings in the matter to that State.

Article 27

[Exemption from seizure on patent claims]

(a) While engaged in international air navigation, any authorized entry of aircraft of a contracting State into the territory of another contracting State or authorized transit across the territory of such State with or without landings shall not entail any seizure or detention of the aircraft or any claim against the owner or operator thereof or any other interference therewith by or on behalf of such State or any person therein, on the ground that the construction, mechanism, parts, accessories or operation of the aircraft is an infringement of any patent, design, or model duly granted or registered in the State whose territory is entered by the aircraft, it being agreed that no deposit of security in connection with the foregoing exemption from seizure or detention of the aircraft shall in any case be required in the State entered by such aircraft.

(b) The provisions of paragraph (a) of this Article shall also be applicable to the storage of spare parts and spare equipment for the aircraft and the right to use and install the same in the repair of an aircraft of a contracting State in the territory of any other contracting State, provided that any patented part or equipment so stored shall not be sold or distributed internally in or exported commercially from the contracting State entered by the aircraft.

(c) The benefits of this Article shall apply only to such States, parties to this Convention, as either (1) are parties to the International Convention for the Protection of Industrial Property and to any amendments thereof; or (2) have enacted patent laws which recognize and give adequate protection to inventions made by the nationals of the other States parties to this Convention.

Article 28

[Air navigation facilities and standard systems]

Each contracting State undertakes, so far as it may find practicable to:

(a) Provide, in its territory, airports, radio services, meteorological services and other air navigation facilities to facilitate international air navigation, in accordance with the standards and practices recommended or established from time to time, pursuant to this Convention;

(b) Adopt and put into operation the appropriate standard systems of communications procedure, codes, markings, signals, lighting and other operational practices and rules which may be recommended or established from time to time, pursuant to this Convention;

(c) Collaborate in international measures to secure the publication of aeronautical maps and

charts in accordance with standards which may be recommended or established from time to time, pursuant to this Convention.

CHAPTER V

Conditions to be Fulfilled With Respect to Aircraft

Article 29

[Documents carried in aircraft]

Every aircraft of a contracting State, engaged in international navigation, shall carry the following documents in conformity with the conditions prescribed in this Convention:

- (a) Its certificate of registration;
- (b) Its certificate of airworthiness;
- (c) The appropriate licenses for each member of the crew;
- (d) Its journey log book;
- (e) If it is equipped with radio apparatus, the aircraft radio station license;
- (f) If it carries passengers, a list of their names and places of embarkation and destination;
- (g) If it carries cargo, a manifest and detailed declarations of the cargo.

Article 30

[Aircraft radio equipment]

(a) Aircraft of each contracting State may, in or over the territory of other contracting States, carry radio transmitting apparatus only if a license to install and operate such apparatus has been issued by the appropriate authorities of the State in which the aircraft is registered. The use of radio transmitting apparatus in the territory of the contracting State whose territory is flown over shall be in accordance with the regulations prescribed by that State.

(b) Radio transmitting apparatus may be used only by members of the flight crew who are provided with a special license for the purpose, issued by the appropriate authorities of the State in which the aircraft is registered.

Article 31

[Certificates of airworthiness]

Every aircraft engaged in international navigation shall be provided with a certificate of airworthiness issued or rendered valid by the State in which it is registered.

Article 32

[Licenses of personnel]

(a) The pilot of every aircraft and the other members of the operating crew of every aircraft engaged in international navigation shall be provided with certificates of competency and licenses issued or rendered valid by the State in which the aircraft is registered.

(b) Each contracting State reserves the right to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to any of its nationals by another contracting State.

Article 33

[Recognition of certificates and licenses]

Certificates of airworthiness and certificates of competency and licenses issued or rendered

valid by the contracting State in which the aircraft is registered, shall be recognized as valid by the other contracting States, provided that the requirements under which such certificates or licenses were issued or rendered valid are equal to or above the minimum standards which may be established from time to time pursuant to this Convention.

Article 34

[Journey log books]

There shall be maintained in respect of every aircraft engaged in international navigation a journey log book in which shall be entered particulars of the aircraft, its crew and of each journey, in such form as may be prescribed from time to time pursuant to this Convention.

Article 35

[Cargo restrictions]

(a) No munitions of war or implements of war may be carried in or above the territory of a State in aircraft engaged in international navigation, except by permission of such State. Each State shall determine by regulations what constitutes munitions of war or implements of war for the purposes of this Article, giving due consideration, for the purposes of uniformity, to such recommendations as the International Civil Aviation Organization may from time to time make.

(b) Each contracting State reserves the right, for reasons of public order and safety, to regulate or prohibit the carriage in or above its territory of articles other than those enumerated in paragraph (a) : provided that no distinction is made in this respect between its national aircraft engaged in international navigation and the aircraft of the other States so engaged; and provided further that no restriction shall be imposed which may interfere with the carriage and use on aircraft of apparatus necessary for the operation or navigation of the aircraft or the safety of the personnel or passengers.

Article 36

[Photographic apparatus]

Each contracting State may prohibit or regulate the use of photographic apparatus in aircraft over its territory.

CHAPTER VI

International Standards and Recommended Practices

Article 37

[Adoption of international standards and procedures]

Each contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures, and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation.

To this end the International Civil Aviation Organization shall adopt and amend from time to time, as may be necessary, international standards and recommended practices and procedures dealing with :

- (a) Communications systems and air navigation aids, including ground marking;
- (b) Characteristics of airports and landing areas;
- (c) Rules of the air and air traffic control practices;
- (d) Licensing of operating and mechanical personnel;
- (e) Airworthiness of aircraft;
- (f) Registration and identification of aircraft;
- (g) Collection and exchange of meteorological information;
- (h) Log books;
- (i) Aeronautical maps and charts;
- (j) Customs and immigration procedures;
- (k) Aircraft in distress and investigation of accident;

and such other matters concerned with the safety, regularity, and efficiency of air navigation as may from time to time appear appropriate.

Article 38

[Departures from international standards and procedures]

Any State which finds it impracticable to comply in all respects with any such international standard or procedure, or to bring its own regulations or practices into full accord with any international standard or procedure after amendment of the latter, or which deems it necessary to adopt regulations or practices differing in any particular respect from those established by an international standard, shall give immediate notification to the International Civil Aviation Organization of the differences between its own practice and that established by the international standard. In the case of amendments to international standards, any State which does not make the appropriate amendments to its own regulations or practices shall give notice to the Council within sixty days of the adoption of the amendment to the international standard, or indicate the action which it proposes to take. In any such case, the Council shall make immediate notification to all other states of the difference which exists between one or more features of an international standard and the corresponding national practice of that State,

Article 39

[Endorsement of certificates and licenses]

(a) Any aircraft or part thereof with respect to which there exists an international standard of airworthiness or performance, and which failed in any respect to satisfy that standard at the time of its certification, shall have endorsed on or attached to its airworthiness certificate a complete enumeration of the details in respect of which it so failed.

(b) Any person holding a license who does not satisfy in full the conditions laid down in the international standard relating to the class of license or certificate which he holds shall have endorsed on or attached to his license a complete enumeration of the particulars in which he does not satisfy such conditions.

Article 40

[Validity of endorsed certificates and licenses]

No aircraft or personnel having certificates or licenses so endorsed shall participate in international navigation, except with the permission of the State or States whose territory is entered. The registration or use of any such aircraft, or of any certificated aircraft part, in any State other than that in which it was originally certificated shall be at the discretion of the State into which the aircraft or part is imported.

Article 41

[Recognition of existing standards of airworthiness]

The provisions of this Chapter shall not apply to aircraft and aircraft equipment of types of which the prototype is submitted to the appropriate national authorities for certification prior to a date three years after the date of adoption of an international standard of airworthiness for such equipment.

Article 42

[Recognition of existing standards of competency of personnel]

The provisions of this Chapter shall not apply to personnel whose licenses are originally issued prior to a date one year after initial adoption of an international standard of qualification for such personnel; but they shall in any case apply to all personnel whose licenses remain valid five years after the date of adoption of such standard.

PART II—THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

CHAPTER VII

The Organization

Article 43

[Name and composition]

An organization to be named the International Civil Aviation Organization is formed by the Convention. It is made up of an Assembly, a Council, and such other bodies as may be necessary.

Articles 44

[Objectives]

The aim 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 con-

tracting 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 aspects of international civil aeronautics.

Article 45

[Permanent seat]

The permanent seat of the Organization shall be at such place as shall be determined at the final meeting of the Interim Assembly of the Provisional International Civil Aviation Organization set up by the Interim Agreement on International Civil Aviation signed at Chicago on December 7, 1944. The seat may be temporarily transferred elsewhere by decision of the Council.

Article 46

[First meeting of Assembly]

The first meeting of the Assembly shall be summoned by the Interim Council of the above-mentioned Provisional Organization as soon as the Convention has come into force, to meet at a time and place to be decided by the Interim Council.

Article 47

[Legal capacity]

The Organization shall enjoy in the territory of each contracting State such legal capacity as may be necessary for the performance of its functions. Full juridical personality shall be granted wherever compatible with the constitution and laws of the State concerned.

CHAPTER VIII

The Assembly

Article 48

[Meetings of Assembly and voting]

(a) The Assembly shall meet annually and shall be convened by the Council at a suitable time and place. Extraordinary meetings of the Assembly may be held at any time upon the call of the Council or at the request of any ten contracting States addressed to the Secretary General.

(b) All contracting States shall have an equal right to be represented at the meetings of the Assembly and each contracting State shall be entitled to one vote. Delegates representing contracting States may be assisted by technical advisers who may participate in the meetings but shall have no vote.

(c) A majority of the contracting States is required to constitute a quorum for the meetings of the Assembly. Unless otherwise provided in this Convention, decisions of the Assembly shall be taken by a majority of the votes cast.

Article 49

[Powers and duties of Assembly]

The powers and duties of the Assembly shall be to:

(a) Elect at each meeting its President and other officers;

(b) Elect the contracting States to be represented on the Council, in accordance with the provisions of Chapter IX;

(c) Examine and take appropriate action on the reports of the Council and decide on any matter referred to it by the Council;

(d) Determine its own rules of procedure and establish such subsidiary commissions as it may consider to be necessary or desirable;

(e) Vote an annual budget and determine the financial arrangements of the Organization, in accordance with the provisions of Chapter XII;

(f) Review expenditures and approve the accounts of the Organization;

(g) Refer, at its discretion, to the Council, to subsidiary commissions, or to any other body any matter within its sphere of action;

(h) Delegate to the Council the powers and authority necessary or desirable for the discharge of the duties of the Organization and revoke or modify the delegations of authority at any time;

(i) Carry out the appropriate provisions of Chapter XIII;

(j) Consider proposals for the modifications or amendment of the provisions of this Convention and, if it approves of the proposals, recommend them to the contracting States in accordance with the provisions of Chapter XXI;

(k) Deal with any matter within the sphere of action of the Organization not specifically assigned to the Council.

CHAPTER IX

The Council

Article 50

[Composition and election of Council]

(a) The Council shall be a permanent body responsible to the Assembly. It shall be composed of twenty-one contracting States elected by the Assembly. An election shall be held at the first meeting of the Assembly and thereafter every three years, and the members of the Council so elected shall hold office until the next following election.

(b) In electing the members of the Council, the Assembly shall give adequate representation to (1) the States of chief importance in air transport; (2) the States not otherwise included which make the largest contribution to the provision of facilities for international civil air navigation; and (3) the States not otherwise included whose designation will insure that all the major geographic areas of the world are represented on the Council. Any vacancy on the Council shall be filled by the Assembly as soon as possible; any contracting State so elected to the Council shall hold office for the unexpired portion of its predecessor's term of office.

(c) No representative of a contracting State on the Council shall be actively associated with the operation of an international air service or financially interested in such a service.

Article 51

[President of Council]

The Council shall elect its President for a term of three years. He may be reelected. He shall have no vote. The Council shall elect from among its members one or more Vice Presidents who shall retain their right to vote when serving as acting President. The President need not be selected from among the representatives of the members of the Council but, if a representative is elected, his seat shall be deemed vacant and it shall be filled by the State which he represented. The duties of the President shall be to :

(a) Convene meetings of the Council, the Air Transport Committee, and the Air Navigation Commission;

(b) Serve as representative of the Council; and

(c) Carry out on behalf of the Council the functions which the Council assigns to him.

Article 52

[Voting in Council]

Decisions by the Council shall require approval by a majority of its members. The Council may delegate authority with respect to any particular matter to a committee of its members. Decisions of any committee of the Council may be appealed to the Council by any interested contracting State.

Article 53

[Participation without a vote]

Any contracting State may participate, without a vote, in the consideration, by the Council and by its committees and commissions of any question which especially affects its interests. No member of the Council shall vote in the consideration by the Council of a dispute to which it is a party.

Article 54

[Mandatory functions of Council]

The Council shall :

(a) Submit annual reports to the Assembly;

(b) Carry out the directions of the Assembly and discharge the duties and obligations which are laid on it by this Convention;

(c) Determine its organization and rules of procedure;

(d) Appoint and define the duties of an Air Transport Committee, which shall be chosen from among the representatives of the members of the Council, and which shall be responsible to it;

(e) Establish an Air Navigation Commission, in accordance with the provisions of Chapter X;

(f) Administer the finances of the Organization in accordance with the provisions of Chapters XII and XV;

(g) Determine the emoluments of the President of the Council;

(h) Appoint a chief executive officer who shall be called the Secretary General, and make provision for the appointment of such other personnel as may be necessary, in accordance with the provisions of Chapter XI;

(i) Request, collect, examine and publish information relating to the advancement of air navigation and the operation of international air services, including information about the costs of operation and particulars of subsidies paid to airlines from public funds;

(j) Report to contracting States any infraction of this Convention, as well as any failure to carry out recommendations or determinations of the Council;

(k) Report to the Assembly any infraction of this Convention where a contracting State has failed to take appropriate action within a reasonable time after notice of the infraction;

(l) Adopt, in accordance with the provisions of Chapter VI of this Convention, international standards and recommended practices; for convenience, designate them as Annexes to this Convention; and notify all contracting States of the action taken;

(m) Consider recommendations of the Air Navigation Commission for amendment of the Annexes and take action in accordance with the provisions of Chapter XX;

(n) Consider any matter relating to the Convention which any contracting State refers to it.

Article 55

[Permissive functions of Council]

The Council may :

(a) Where appropriate and as experience may show to be desirable, create subordinate air transport commissions on a regional or other basis and define groups of states or airlines with or through which it may deal to facilitate the carrying out of the aims of this Convention;

(b) Delegate to the Air Navigation Commission duties additional to those set forth in the Convention and revoke or modify such delegations of authority at any time;

(c) Conduct research into all aspects of air transport and air navigation which are of international importance, communicate the results of its research to the contracting States, and facilitate the exchange of information between contracting States on air transport and air navigation matters;

(d) Study any matters affecting the organization and operation of international air transport, including the international ownership and operation of international air services on trunk routes, and submit to the Assembly plans in relation thereto;

(e) Investigate, at the request of any contracting State, any situation which may appear to present avoidable obstacles to the development of international air navigation; and, after such investigation, issue such reports as may appear to it desirable.

CHAPTER X

The Air Navigation Commission

Article 56

[Nomination and appointment of Commission]

The Air Navigation Commission shall be composed of twelve members appointed by the

Council from among persons nominated by contracting States. These persons shall have suitable qualifications and experience in the science and practice of aeronautics. The Council shall request all contracting States to submit nominations. The President of the Air Navigation Commission shall be appointed by the Council.

Article 57

[Duties of Commission]

The Air Navigation Commission shall:

(a) Consider, and recommend to the Council for adoption, modifications of the Annexes to this Convention;

(b) Establish technical subcommissions on which any contracting State may be represented, if it so desires;

(c) Advise the Council concerning the collection and communication to the contracting States of all information which it considers necessary and useful for the advancement of air navigation.

CHAPTER XI

Personnel

Article 58

[Appointment of personnel]

Subject to any rules laid down by the Assembly and to the provisions of this Convention, the Council shall determine the method of appointment and of termination of appointment, the training, and the salaries, allowances, and conditions of service of the Secretary General and other personnel of the Organization, and may employ or make use of the services of nationals of any contracting State.

Article 59

[International character of personnel]

The President of the Council, the Secretary General, and other personnel shall not seek or receive instructions in regard to the discharge of their responsibilities from any authority external to the Organization. Each contracting State undertakes fully to respect the international character of the responsibilities of the personnel and not to seek to influence any of its nationals in the discharge of their responsibilities.

Article 60

[Immunities and privileges of personnel]

Each contracting State undertakes, so far as possible under its constitutional procedure, to accord to the President of the Council, the Secretary General, and the other personnel of the Organization, the immunities and privileges which are accorded to corresponding personnel of other public international organizations. If a general international agreement on the immunities and privileges of international civil servants is arrived at, the immunities and privileges accorded to the President, the Secretary General, and the other personnel of the Organization shall be the immunities and privileges accorded under that general international agreement.

CHAPTER XII

Finance

Article 61

[Budget and apportionment of expenses]

The Council shall submit to the Assembly an annual budget, annual statements of accounts and estimates of all receipts and expenditures. The Assembly shall vote the budget with whatever modification it sees fit to prescribe, and, with the exception of assessments under Chapter XV to States consenting thereto, shall apportion the expenses of the Organization among the contracting States on the basis which it shall from time to time determine.

Article 62

[Suspension of voting power]

The Assembly may suspend the voting power in the Assembly and in the Council of any contracting State that fails to discharge within a reasonable period its financial obligations to the Organization.

Article 63

[Expenses of delegations and other representatives]

Each contracting State shall bear the expenses of its own delegation to the Assembly and the remuneration, travel, and other expenses of any person whom it appoints to serve on the Council, and of its nominees or representatives on any subsidiary committees or commissions of the Organization.

CHAPTER XIII

Other International Arrangements

Article 64

[Security arrangements]

The Organization may, with respect to air matters within its competence directly affecting world security, by vote of the Assembly enter into appropriate arrangements with any general organization set up by the nations of the world to preserve peace.

Article 65

[Arrangements with other international bodies]

The Council, on behalf of the Organization, may enter into agreements with other international bodies for the maintenance of common services and for common arrangements concerning personnel and, with the approval of the Assembly, may enter into such other arrangements as may facilitate the work of the Organization.

Article 66

[Functions relating to other agreements]

(a) The Organization shall also carry out the functions placed upon it by the International Air Services Transit Agreement and by the International Air Transport Agreement drawn up at Chicago on December 7, 1944, in accordance with the terms and conditions therein set forth.

(b) Members of the Assembly and the Council who have not accepted the International Air Services Transit Agreement or the International

al Air Transport Agreement drawn up at Chicago on December 7, 1944, shall not have the right to vote on any questions referred to the Assembly or Council under the provisions of the relevant Agreement.

PART HI-INTERNATIONAL AIR TRANSPORT

CHAPTER XIV

Information and Reports

Article 67

[File reports with Council]

Each contracting State undertakes that its international airlines shall, in accordance with requirements laid down by the Council, file with the Council traffic reports, cost statistics and financial statements showing among other things all receipts and the sources thereof.

CHAPTER XV

Airports and Other Air Navigation Facilities

Article 68

[Designation of routes and airports]

Each contracting State may, subject to the provisions of this Convention, designate the route to be followed within its territory by any international air service and the airports which any such service may use.

Article 69

[Improvement of air navigation facilities]

If the Council is of the opinion that the airports or other air navigation facilities, including radio and meteorological services, of a contracting State are not reasonably adequate for the safe, regular, efficient, and economical operation of international air services, present or contemplated, the Council shall consult with the State directly concerned, and other States affected, with a view to finding means by which the situation may be remedied, and may make recommendations for that purpose. No contracting State shall be guilty of an infraction of this Convention if it fails to carry out these recommendations.

Article 70

[Financing of air navigation facilities]

A contracting State, in the circumstances arising under the provisions of Article 69, may conclude an arrangement with the Council for giving effect to such recommendations. The State may elect to bear all of the costs involved in any such arrangement. If the State does not so elect, the Council may agree, at the request of the State, to provide for all or a portion of the costs.

Article 71

[Provision and maintenance of facilities by Council]

If a contracting State so requests, the Council may agree to provide, man, maintain, and administer any or all of the airports and other air navigation facilities, including radio and meteorological services, required in its territory for the safe, regular, efficient and economical operation of the international air services of the other contracting States, and may specify

just and reasonable charges for the use of the facilities provided.

Article 72

[Acquisition or use of land]

Where land is needed for facilities financed in whole or in part by the Council at the request of a contracting State, that State shall either provide the land itself, retaining title if it wishes, or facilitate the use of the land by the Council on just and reasonable terms and in accordance with the laws of the State concerned.

Article 73

[Expenditure and assessment of funds]

Within the limit of the funds which may be made available to it by the Assembly under Chapter XII, the Council may make current expenditures for the purposes of this Chapter from the general funds of the Organization. The Council shall assess the capital funds required for the purposes of this Chapter in previously agreed proportions over a reasonable period of time to the contracting States consenting thereto whose airlines use the facilities. The Council may also assess to States that consent any working funds that are required.

Article 74

[Technical assistance and utilization of revenues]

When the Council, at the request of a contracting State, advances funds or provides airports or other facilities in whole or in part, the arrangement may provide, with the consent of that State, for technical assistance in the supervision and operation of the airports and other facilities, and for the payment, from the revenues derived from the operation of the airports and other facilities, of the operating expenses of the airports and the other facilities, and of interest and amortization charges.

Article 75

[Taking over of facilities from Council]

A contracting State may at any time discharge any obligation into which it has entered under Article 70, and take over airports and other facilities which the Council has provided in its territory pursuant to the provisions of Articles 71 and 72, by paying to the Council an amount which in the opinion of the Council is reasonable in the circumstances. If the State considers that the amount fixed by the Council is unreasonable it may appeal to the Assembly against the decision of the Council and the Assembly may confirm or amend the decision of the Council.

Article 76

[Return of funds]

Funds obtained by the Council through reimbursements under Article 75 and from receipts of interest and amortization payments under Article 74 shall, in the case of advances originally financed by States under Article 73, be returned to the States which were originally assessed in the proportion of their assessments, as determined by the Council.

CHAPTER XVI

Joint Operating Organization and Pooled Services

Article 77

[Joint operating organizations permitted]

Nothing in this Convention shall prevent two or more contracting States from constituting joint air transport operating organizations or international operating agencies and from pooling their air services on any routes or in any regions, but such organizations or agencies and such pooled services shall be subject to all the provisions of this Convention, including those relating to the registration of agreements with the Council. The Council shall determine in what manner the provisions of this Convention relating to nationality of aircraft shall apply to aircraft operated by international operating agencies.

Article 78

[Function of Council]

The Council may suggest to contracting States concerned that they form joint organizations to operate air services on any routes or in any regions.

Article 79

[Participation in operating organizations]

A State may participate in joint operating organizations or in pooling arrangements, either through its government or through an airline company or companies designated by its government. The companies may, at the sole discretion of the State concerned, be state-owned or partly state-owned or privately owned.

PART IV—FINAL PROVISIONS

CHAPTER XVII

Other Aeronautical Agreements and Arrangements

Article 80

[Paris and Habana Conventions]

Each contracting State undertakes, immediately upon the coming into force of this Convention, to give notice of denunciation of the Convention relating to the Regulation of Aerial Navigation signed at Paris on October 13, 1919, or the Convention on Commercial Aviation signed at Habana on February 20, 1928, if it is a party to either. As between contracting States, this Convention supersedes the Conventions of Paris and Habana previously referred to.

Article 81

[Registration of existing agreements]

All aeronautical agreements which are in existence on the coming into force of this Convention, and which are between a contracting State and any other State or between an airline of a contracting State and any other State or the airline of any other State, shall be forthwith registered with the Council.

Article 82

[Abrogation of inconsistent arrangements]

The contracting States accept this Convention as abrogating all obligations and understandings between them which are inconsistent with its terms, and undertake not to enter into any such obligations and understandings. A contracting State which, before becoming a member of the Organization has undertaken any obligations toward a non-contracting State inconsistent with the terms of this Convention, shall take immediate steps to procure its release from the obligations. If an airline of any contracting State has entered into any such inconsistent obligations, the State of which it is a national shall use its best efforts to secure their termination forthwith and shall in any event cause them to be terminated as soon as such action can lawfully be taken after the coming into force of this Convention.

Article 83

[Registration of new arrangements]

Subject to the provisions of the preceding Article, any contracting State may make arrangements not inconsistent with the provisions of this Convention. Any such arrangement shall be forthwith registered with the Council, which shall make it public as soon as possible.

CHAPTER XVIII

Disputes and Default

Article 84

[Settlement of disputes]

If any disagreement between two or more contracting States relating to the interpretation or application of this Convention and its Annexes cannot be settled by negotiation, it shall, on the application of any State concerned in the disagreement, be decided by the Council. No member of the Council shall vote in the consideration by the Council of any dispute to which it is a party. Any contracting State may, subject to Article 85, appeal from the decision of the Council to an ad hoc arbitral tribunal agreed upon with the other parties to the dispute or to the Permanent Court of International Justice. Any such appeal shall be notified to the Council within sixty days of receipt of notification of the decision of the Council.

Article 85

[Arbitration procedure]

If any contracting State party to a dispute in which the decision of the Council is under appeal has not accepted the Statute of the Permanent Court of International Justice and the contracting States parties to the dispute cannot agree on the choice of the arbitral tribunal, each of the contracting States parties to the dispute shall name a single arbitrator who shall name an umpire. If either contracting State party to the dispute fails to name an arbitrator within a period of three months from the date of the appeal, an arbitrator shall be named on behalf of that State by the President of the Council from a list of qualified and available persons maintained by the Council. If, within

thirty days, the arbitrators cannot agree on an umpire, the President of the Council shall designate an umpire from the list previously referred to. The arbitrators and the umpire shall then jointly constitute an arbitral tribunal. Any arbitral tribunal established under this or the preceding Article shall settle its own procedure and give its decisions by majority vote, provided that the Council may determine procedural questions in the event of any delay which in the opinion of the Council is excessive.

Article 86

[Appeals]

Unless the Council decides otherwise, any decision by the Council on whether an international airline is operating in conformity with the provisions of this Convention shall remain in effect unless reversed on appeal. On any other matter, decisions of the Council shall, if appealed from, be suspended until the appeal is decided. The decisions of the Permanent Court of International Justice and of an arbitral tribunal shall be final and binding.

Article 87

[Penalty for non-conformity by airline]

Each contracting State undertakes not to allow the operation of an airline of a contracting State through the airspace above its territory if the Council has decided that the airline concerned is not conforming to a final decision rendered in accordance with the previous Article.

Article 88

[Penalty for non-conformity by State]

The Assembly shall suspend the voting power in the Assembly and in the Council of any contracting State that is found in default under the provisions of this Chapter.

CHAPTER XIX

War

Article 89

[War and emergency conditions]

In case of war, the provisions of this Convention shall not affect the freedom of action of any of the contracting States affected, whether as belligerents or as neutrals. The same principle shall apply in the case of any contracting State which declares a state of national emergency and notifies the fact to the Council.

CHAPTER XX

Annexes

Article 90

[Adoption and amendment of Annexes]

(a) The adoption by the Council of the Annexes described in Article 54, subparagraph (1), shall require the vote of two-thirds of the Council at a meeting called for that purpose and shall then be submitted by the Council to each contracting State. Any such Annex or any amendment of an Annex shall become effective within three months after its submission to the contracting States or at the end of such longer

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period of time as the Council may prescribe, unless in the meantime a majority of the contracting States register their disapproval with the Council.

(b) The Council shall immediately notify all contracting States of the coming into force of any Annex or amendment thereto.

CHAPTER XXI

Ratifications, Adherences, Amendments, and Denunciations

Article 91

[Ratification of Convention.]

(a) This Convention shall be subject to ratification by the signatory States. The instruments of ratification shall be deposited in the archives of the Government of the United States of America, which will give notice of the date of the deposit to each of the signatory and adhering States.

(b) As soon as this Convention has been ratified or adhered to by twenty-six States it shall come into force between them on the thirtieth day after deposit of the twenty-sixth instrument. It shall come into force for each State ratifying thereafter on the thirtieth day after the deposit of its instrument of ratification.

(c) It shall be the duty of the Government of the United States of America to notify the government of each of the signatory and adhering States of the date on which this Convention comes into force.

Article 92

[Adherence to Convention]

(a) This Convention shall be open for adherence by members of the United Nations and States associated with them, and States which remained neutral during the present world conflict.

(b) Adherence shall be effected by a notification addressed to the Government of the United States of America and shall take effect as from the thirtieth day from the receipt of the notification by the Government of the United States of America, which shall notify all the contracting States.

Article 93

[Admission of other States]

States other than those provided for in Article 91 and 92 (a) may, subject to approval by any general international organization set up by the nations of the world to preserve peace, be admitted to participation in this Convention by means of a four-fifths vote of the Assembly and on such conditions as the Assembly may prescribe: provided that in each case the assent of any State invaded or attacked during the present war by the State seeking admission shall be necessary.

Article 94

[Amendment of Convention]

(a) Any proposed amendment to this Convention must be approved by a two-thirds vote of the Assembly and shall then come into force

in respect of States which have ratified such amendment when ratified by the number of contracting States specified by the Assembly. The number so specified shall not be less than two-thirds of the total number of contracting States.

(b) If in its opinion the amendment is of such a nature as to justify this course, the Assembly in its resolution recommending adoption may provide that any State which has not ratified within a specified period after the amendment has come into force shall thereupon cease to be a member of the Organization and a party to the Convention.

Article 95

[Denunciation of Convention]

(a) Any contracting State may give notice of denunciation of this Convention three years after its coming into effect by notification addressed to the Government of the United States of America, which shall at once inform each of the contracting States.

(b) Denunciation shall take effect one year from the date of receipt of the notification and shall operate only as regards the State effecting the denunciation.

CHAPTER XXII

Definitions

Article 96

For the purpose of this Convention the expression:

(a) "Air service" means any scheduled air service performed by aircraft for the public transport of passengers, mail or cargo.

(b) "International air service" means an air service which passes through the air space over the territory of more than one State.

(c) "Airline" means any air transport enterprise offering or operating an international air service.

(d) "Stop for non-traffic purposes" means a landing for any purpose other than taking on or discharging passengers, cargo or mail.

Signature of Convention

IN WITNESS WHEREOF, the undersigned plenipotentiaries, having been duly authorized, sign this Convention on behalf of their respective governments on the dates appearing opposite their signatures.

DONE at Chicago the seventh day of December 1944, in the English language. A text drawn up in the English, French, and Spanish languages, each of which shall be of equal authenticity, shall be opened for signature at Washington, D.C. Both texts shall be deposited in the archives of the Government of the United States of America, and certified copies shall be transmitted by that Government to the governments of all the States which may sign or adhere to this Convention.

ANNEX III.

AGREEMENT BETWEEN
THE UNITED NATIONS
AND
THE INTERNATIONAL CIVIL AVIA-
TION ORGANIZATION

PREAMBLE

Article 57 of the Charter of the United Nations makes provision for bringing the specialized agencies, established by inter-governmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health and related fields, into relationship with the United Nations.

Article 64 of the Convention on International Civil Aviation provides that the International Civil Aviation Organization may, with respect to air matters within its competence directly affecting world security, enter into appropriate arrangements with any general organization set up by the nations of the world to preserve peace. Article 65 of the Convention provides that the Organization may enter into agreements with international bodies for the maintenance of common services, for common arrangements concerning personnel and for the facilitation of its work.

Therefore the United Nations and the International Civil Aviation Organization agree as follows :

ARTICLE I

The United Nations recognizes the International Civil Aviation Organization as the specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

ARTICLE II

Applications for membership by certain States

Any application submitted to the International Civil Aviation Organization by states other than those provided for in articles 91 and 92 (a) of the Convention on International Civil Aviation to become parties to the Convention, shall be immediately transmitted by the secretariat of the Organization to the General Assembly of the United Nations. The General Assembly may recommend the rejection of such application and any such recommendation shall be accepted by the Organization. If no such recommendation is made by the General Assembly at the first session following receipt of the application, the application shall be decided upon by the Organization in accordance with the procedure established in article 93 of the Convention.

ARTICLE III

Reciprocal representation

1. Representatives of the United Nations shall be invited to attend the meetings of the

Assembly of the International Civil Aviation Organization, the Council of the Organization and their commissions and committees and such general, regional or other special meetings as the Organization may convene, and to participate, without vote, in the deliberations of these bodies.

2. Representatives of the International Civil Aviation Organization shall be invited to attend meetings of the Economic and Social Council and of its commissions and committees and to participate, without vote, in the deliberations of these bodies with respect to items on their agenda relating to civil aviation matters.

3. Representatives of the International Civil Aviation Organization shall be invited to attend meetings of the General Assembly for the purposes of consultation on civil aviation matters.

4. Representatives of the International Civil Aviation Organization shall be invited to attend meetings of the main committees of the General Assembly when civil aviation matters are under discussion and to participate, without vote, in such discussions.

5. Representatives of the International Civil Aviation Organization shall be invited to attend meetings of the Trusteeship Council of the United Nations and to participate, without vote, in the deliberations thereof, with respect to items on its agenda relating to civil aviation matters.

6. Written statements submitted by the International Civil Aviation Organization on matters relating to civil aviation shall be distributed as soon as possible by the Secretariat of the United Nations to all members of the principal and subsidiary organs and their commissions or committees of the United Nations, as appropriate. Similarly, written statements of any of the principal or subsidiary organs and their commissions or committees of the United Nations shall be distributed as soon as possible by the secretariat of the Organization to all members of the Assembly or Council of the Organization as appropriate.

ARTICLE IV

Proposal of agenda items

After such preliminary consultation as may be necessary, the International Civil Aviation Organization shall include on the agenda of the Assembly or Council of the Organization items proposed to it by the United Nations, and the Economic and Social Council and its commissions and the Trusteeship Council shall include on their agenda items proposed by the Assembly or Council of the Organization.

ARTICLE V

Recommendations of the United Nations

1. The International Civil Aviation Organization, having regard to the obligation of the

United Nations to promote the objectives set forth in Article 55 of the Charter and the function and power of the Economic and Social Council under Article 62 of the Charter to make or initiate studies and reports with respect to international, economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Article 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to its appropriate organ of all formal recommendations which the United Nations may make to it.

2. The International Civil Aviation Organization agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Organization or by its members to give effect to such recommendations, or on the other results of their consideration.

3. The International Civil Aviation Organization affirms its intention of co-operating in whatever measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to participate in, and to co-operate with any body or bodies which the Economic and Social Council may establish for the purpose of facilitating such co-ordination and to furnish such information as may be required for the carrying out of this purpose.

ARTICLE VI

Exchange of information and documents

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall be made between the United Nations and the International Civil Aviation Organization.

2. Without prejudice to the generality of the provisions of Paragraph 1 :

(a) The International Civil Aviation Organization agrees to transmit to the United Nations regular reports on its activities;

(b) The International Civil Aviation Organization agrees to comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information, subject to the condition set forth in article XVI; and

(c) The Secretary-General of the United Nations shall, upon request, consult with the appropriate officer of the Organization with respect to the furnishing to the Organization of such information as may be of special interest to it.

ARTICLE VII

Assistance to the Security Council

The International Civil Aviation Organization agrees to co-operate with the Economic and Social Council in furnishing such information and rendering such assistance to the Security Council as that Council may request, including assistance in carrying out decisions of the Security Council for the maintenance or restoration of international peace and security.

ARTICLE VIII

Assistance to the Trusteeship Council

The International Civil Aviation Organization agrees to co-operate with the Trusteeship Council in the carrying out of its functions and in particular agrees that it will, to the greatest extent possible, render such assistance as the Trusteeship Council may request in regard to matters with which the Organization is concerned.

ARTICLE IX

Non-self-governing territories

The International Civil Aviation Organization agrees to co-operate with the United Nations in giving effect to the principles and obligations set forth in Chapter XI of the Charter with regard to matters affecting the well-being and development of the peoples of non-self-governing territories.

ARTICLE X

Relations with the International Court of Justice

1. The International Civil Aviation Organization agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.

2. The General Assembly of the United Nations authorizes the International Civil Aviation Organization to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities other than questions concerning the mutual relationships of the International Civil Aviation Organization and the United Nations or other specialized agencies.

3. Such request may be addressed to the Court by the Assembly or the Council of the International Civil Aviation Organization.

4. When requesting the International Court of Justice to give an advisory opinion, the International Civil Aviation Organization shall inform the Economic and Social Council of the request.

ARTICLE XI

Headquarters and regional offices

1. The International Civil Aviation Organization, having regard to the desirability of the headquarters of specialized agencies being situ-

ated at the permanent seat of the United Nations and to the advantages that flow from such centralization, agrees to consult the United Nations before making any further decision concerning the location of its permanent headquarters.

2. Having due regard to the special needs of international civil aviation, any regional or branch offices which the International Civil Aviation Organization may establish shall, so far as practicable, be closely associated with such regional or branch offices as the United Nations may establish.

ARTICLE XII

Personnel arrangements

1. The United Nations and the International Civil Aviation Organization recognize that the eventual development of a single unified international civil service is desirable from the standpoint of effective administrative co-ordination, and with this end in view agree to develop common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the International Civil Aviation Organization agree to co-operate to the fullest extent possible in achieving these ends and in particular they agree to :

(a) consult together concerning the establishment of an International Civil Service Commission to advise on the means by which common standards of recruitment in the secretariats of the United Nations and of the specialized agencies may be ensured;

(b) consult together concerning other matters relating to the employment of their officers and staff, including conditions of service, duration of appointments, classification, salary scales and allowances, retirement and pension rights and staff regulations and rules with a view to securing as much uniformity in these matters as shall be found practicable;

(c) co-operate in the interchange of personnel, when desirable, on a temporary or a permanent basis, making due provision for the retention of seniority and pension rights;

(d) co-operate in the establishment and operations of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

ARTICLE XIII

Statistical services

1. The United Nations and the International Civil Aviation Organization agree to strive for maximum co-operation, the elimination of all undesirable duplication between them, and

most efficient use of their technical personnel in their respective collection, analysis, publication, standardization, improvement and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national governments and other organizations from which such information may be collected.

2. The International Civil Aviation Organization recognizes the United Nations as the central agency for the collection, analysis, publication, standardization, improvement and dissemination of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the International Civil Aviation Organization as the central agency responsible for the collection, analysis, publication, standardization, improvement and dissemination of statistics within its special sphere, without prejudice to the rights of the United Nations to concern itself with such statistics so far as they may be essential for its own purposes or for the improvement of statistics throughout the world.

4. The United Nations shall, in consultation with the International Civil Aviation Organization and with the other specialized agencies where appropriate, develop administrative instruments and procedures through which effective statistical co-operation may be secured between the United Nations and the agencies brought into relationship with it.

5. It is recognized as desirable that the collection of statistical information shall not be duplicated by the United Nations or any of its specialized agencies whenever it is practicable for any of them to utilize information or material which another may have available.

6. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the International Civil Aviation Organization for incorporation in its basic statistical series or special reports should so far as practicable be made available to the United Nations,

7. It is agreed that data supplied to the United Nations for incorporation in its basic statistical series or special reports should so far as practicable and appropriate be made available to the International Civil Aviation Organization.

ARTICLE XIV

Administrative and technical services

1. The United Nations and the International Civil Aviation Organization recognize the desirability, in the interest of administrative and technical uniformity and of the most efficient use of personnel and resources, of avoiding whenever possible the establishment and operation of competitive or overlapping facilities and

services among the United Nations and the specialized agencies.

2. Accordingly, the United Nations and the International Civil Aviation Organization agree to consult together concerning the establishment and use of common administrative and technical services and facilities in addition to those referred to in articles XII, XIII and XV, in so far as the establishment and use of such services may from time to time be found practicable and appropriate.

3. Arrangements shall be made between the United Nations and the International Civil Aviation Organization in regard to the registration and deposit of official documents.

ARTICLE XV

Budgetary and financial arrangements

1. The International Civil Aviation Organization recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and of the specialized agencies shall be carried out in the most efficient and economical manner possible, and that the maximum measure of co-ordination and uniformity with respect to these operations shall be secured.

2. The United Nations and the International Civil Aviation Organization agree to co-operate to the fullest extent possible in achieving these ends and to consult together concerning the desirability of making appropriate arrangements for the inclusion of the budget of the Organization within a general budget of the United Nations. Any such arrangements which may be made shall be defined in a supplementary agreement between the two organizations.

3. The Secretary-General of the United Nations and the appropriate officer of the International Civil Aviation Organization shall arrange for consultation in connection with the preparation of the budget.

4. The International Civil Aviation Organization agrees to transmit its proposed budget to the United Nations annually at the same time as such budget is transmitted to its members. The General Assembly shall examine the administrative budget or proposed budget of the Organization and may make such recommendations as it may consider necessary.

5. Representatives of the International Civil Aviation Organization shall be entitled to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Organization or general administrative or financial questions affecting the Organization are under consideration.

6. The United Nations may undertake the collection of contributions from those members of the International Civil Aviation Organization which are also Members of the United Na-

tions in accordance with such arrangements as may be defined by a later agreement between the United Nations and the Organization.

7. The United Nations shall, upon its own initiative or upon the request of the International Civil Aviation Organization, arrange for studies to be undertaken concerning other financial and fiscal questions of interest to the Organization and to other specialized agencies with a view to the provision of common services and the securing of uniformity in such matters.

8. The International Civil Aviation Organization agrees to conform as far as may be practicable to standard practices and forms recommended by the United Nations.

ARTICLE XVI

Financing of special services

1. In the event of the International Civil Aviation Organization's being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or assistance in accordance with articles VI, VII, VIII, or with other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.

2. Consultation between the United Nations and the International Civil Aviation Organization shall similarly take place with a view to making such arrangements as may be found equitable for covering the cost of central administrative, technical or fiscal services or facilities or other special assistance provided by the United Nations.

ARTICLE XVII

Inter-agency agreements

The International Civil Aviation Organization agrees to inform the Economic and Social Council of the nature and scope of any formal agreement between the Organization and any other specialized agency, inter-governmental organization or non-governmental organization and to inform the Economic and Social Council before any such agreement is concluded.

ARTICLE XVIII

Liaison

1. The United Nations and the International Civil Aviation Organization agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever further measure may be necessary to make this liaison fully effective.

2. The liaison arrangements provided for in the foregoing Articles of this Agreement shall apply as far as appropriate to the relations between such branch or regional offices as may be

established by the two organizations as well as between their headquarters.

ARTICLE XIX

Implementation of the Agreement

The Secretary-General of the United Nations and the appropriate officer of the International Civil Aviation Organization may enter into such supplementary arrangements for the implementation of this Agreement as may be found desirable in the light of the operating experience of the two organizations.

ARTICLE XX

Other arrangements

The present agreement shall not preclude the conclusion of further appropriate arrangements between the International Civil Aviation Or-

ganization and the United Nations with respect to air matters within the competence of the Organization directly affecting world security as contemplated in the Convention on International Civil Aviation.

ARTICLE XXI

Revision

This agreement shall be subject to revision by agreement between the United Nations and the International Civil Aviation Organization.

ARTICLE XXII

Entry into force

This agreement shall come into force on its approval by the General Assembly of the United Nations and the Assembly of the International Civil Aviation Organization.