

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