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## In the Know *with*

# ICAO



37th ICAO Assembly held in 2010

Photo courtesy of ICAO

### *An Inside Look at the International Civil Aviation Organization*

#### **Back in the Day Bliss**

It is amazing how general aviation has progressed since the early 1970s. In my time, general aviation activities have become increasingly sophisticated due to several things, including the use of more advanced aircraft manufacturing techniques, avionics, navigation, instrumentation, and powerplant systems. When I started my career as an aviation maintenance technician almost 40 years ago, things were pretty simple. If you had dual comm radios and VORs in your airplane, you were pretty much good to go. I was fortunate to start my career at a small family-owned Fixed Based Operator (FBO) in Northern Illinois. I fondly remember the shirt tails hanging on the office wall from those who soloed, my GA friends in the community, the annual pilgrimage to Oshkosh, and the fly-ins at the airport with the great pancake breakfast.

At that time, the FBO offered aircraft rentals, flight instruction, and aircraft maintenance, and

performed commercial charters under 14 CFR Part 135. I can still recall the process of loading a Piper Cherokee Six with gear for the fishing charters to Canada. I knew little (as did everyone else) about the international history and obligations established a mere 90 miles away that enabled those flights.

#### **“Eye-Kay-Ohhh?”**

Now, you probably recognize and understand how the FAA sets standards, issues certifications on the basis of those standards, and conducts surveillance to assure continued operational safety in the National Airspace System (NAS). You might even go so far as to assume that other countries have their own organizations to perform these functions for their nations. You would be right. Canada’s “FAA” is called Transport Canada Civil Aviation. Germany has the *Luftfahrt-Bundesamt*, which roughly translates into the Federal Aviation Office. And in Australia, the Civil Aviation Safety Authority is their regulating office.

So with all this in mind, it should be easy to recognize the value of a greater, global organization whose vision it is to achieve safe, secure, and sustainable development of civil aviation. That is just what ICAO does.

What? Don't know too much about it? Well here is a chance to brush up on your knowledge of the International Civil Aviation Organization, (most commonly shortened to the phonetically pleasing "eye-kay-oh").

### **WHO (are these guys?)**

The International Civil Aviation Organization is a specialized agency of the United Nations and is a conglomeration of 191 member States that serves as the forum for cooperation in all fields of civil aviation. The organization is comprised of three branches:

- The Assembly, which maintains a representative from each State and establishes policy through standards and recommended practices (*see sidebar on page 12*);
- The Council, made up of 36 States and serving as the governing body for the organization; and
- The Secretariat, headed by a Secretary General and organized into five divisions.

The Assembly consists of representation from each of the established members and, at certain times, from non-member States such as Vatican City. The list is fluid, as new members can be added once

they have a presence in the aviation arena. The newly established State of the Republic of South Sudan formally joined as recently as late 2011 to become ICAO's 191st member.

The Assembly meets every three years, and is convened by the Council. The last session was number 37 and was held in Montréal in 2010. One of the major outcomes from that session was the establishment of a framework for alternative fuel use and the creation of a carbon dioxide standard for all aircraft. Starting to sound familiar?

The 36-member Council is the governing body of the Assembly. Its members are elected every three years. It is divided into three major parts to ensure equal and quality representation for all. Part I includes States typically considered to be of great aeronautical significance and major players in air transport. The United States, the Russian Federation, Japan, and Brazil are a few examples. Part II includes States that have made the largest contributions to providing international facilities. Examples include Spain, Singapore, and Saudi Arabia. Lastly, Part III members ensure geographical representation among the voting Council. This section includes Cuba, the Republic of Korea, and Uganda, to name a few. The Council has numerous functions, including submitting annual reports to the Assembly, carrying out Assembly directives, and providing administrative oversight for ICAO finances. The president of the Council is also elected every three years. Mexico's Roberto Kobeh González is the current Council president.

As mentioned before, The Secretariat consists of five divisions. The most important thing to know about this arm of ICAO is that it provides administrative and service functions for its divisions and for ICAO as a whole. For anyone who has worked in the federal government, this office is something akin to a plans and programs section.

### **WHEN (were they formed?)**

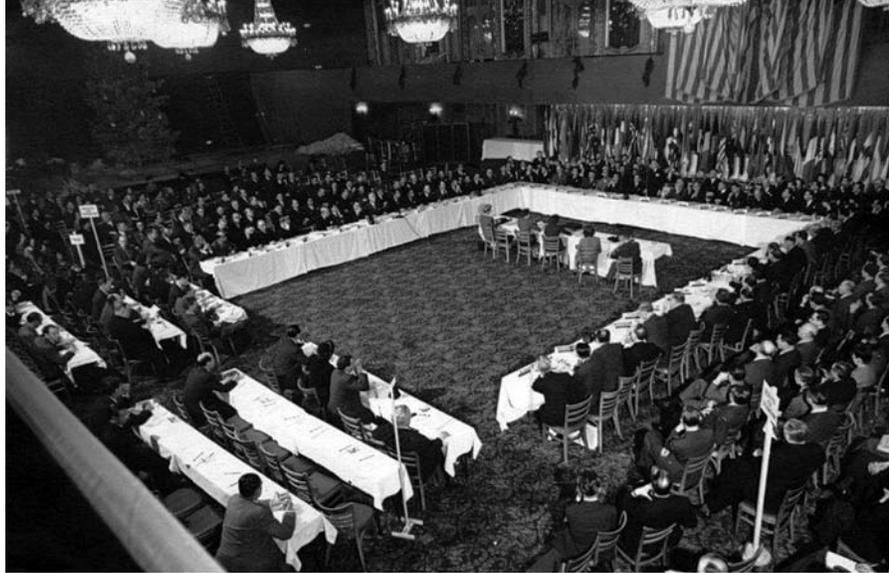
ICAO got its start back in 1944, when the United States decided to hold a conference in order to discuss pertinent issues in civil aviation. These issues arose from the booming growth of air travel, with more routes crossing international lines. This was due largely in part to the advancements in aviation driven by World War II.

The first convention was held in Chicago, Illinois, and invitations were sent to 55 U.S. allies or neutral party States who were considered to be aviation pioneers. Fifty-two States attended. The focus of this "Convention on International Civil Aviation,"



**Chicago Conference of 1944**

Photo courtesy of ICAO



**Chicago Conference of 1944**

or “Chicago Convention,” as it was known then, was to discuss the lack of concessions granted to foreign airlines, as well as the lack of established agreements permitting foreign planes to enter, transit and exit another’s airspace. In addition, the convention laid the foundation for a set of rules and regulations regarding internationally recognized air navigation symbols, which was the catalyst for the common air navigation system throughout the world.

By the end of the convention, the foundation and constitution for the modern day ICAO had been laid out and, pending the 26 votes that were required for ratification, the Provisional International Civil Aviation Organization (PICAO) was established. PICAO functioned for roughly two years until the doctrines were ratified on March 5, 1947. They went into effect April 4, 1947, which is the official “birthday” of the International Civil Aviation Organization. The Convention document is a legally binding international treaty that establishes the international rules relating to airspace, aircraft registration, and safety. It details the rights of the signatories in relation to air travel. It is presently comprised of 96 Articles, and is published in four different languages: English, French, Spanish, and Russian.

### **WHAT (do they do?)**

Today, ICAO is responsible for ensuring that all of its States are working in similar terms of aviation safety and security. The organization is responsible for codifying the principles and techniques of international air navigation, and for fostering the planning and development of international air transport to ensure safe and orderly growth. ICAO regularly amends the content of the 18 annexes that contain standards and recommended practices supporting the Convention (*see sidebar on page 12*), and routinely discusses and develops rules for several areas, including personnel licensing, aircraft operation, airworthiness, air navigation, and border-crossing procedures for international civil aviation.

ICAO defines a *standard* as any specification necessary for the safety or regularity of international air navigation and to which members will conform in accordance with the Convention. In other words, a standard is mandatory. ICAO defines a *recommended practice* as any specification that is considered desirable in the best interests of international air navigation and to which contracting States will do their best to conform. A recommended practice is “highly encouraged,” but still voluntary in nature.

Here’s an example of how ICAO standards and recommended practices affect the United States. As you know, the FAA recently changed its terminology for directing an operator to “taxi into position and hold” (TIPH). This common ATC command wasn’t as easy for visiting international aviators to understand, and therefore introduced unnecessary risk. Thus the new instruction, “line up and wait,” or LUAW, was voted upon via the ICAO forum, and the verbiage was changed. The FAA followed suit, as did every other member nation where this terminology was not already used.

ICAO does have a process regarding differences between the ICAO standards and the national legislation/regulations of each State. Under Article 38 of the Convention, a State can file a “difference.” The recognition of differences is done at the country-to-country level, however in some cases, a U.S. difference to a standard won’t be recognized by other States.

In addition to establishing regulations, ICAO defines the protocols for air accident investigations on a global level. This may not seem like such a big deal for U.S. owned and operated aircraft on U.S. soil, but should an accident occur in Germany involving an American-contracted aircraft flown by an American pilot with Dutch, Brazilian, and South African passengers on board ... well, you get the idea that establishing jurisdiction can be tricky.

### **WHERE (are they located?)**

ICAO headquarters is located in the city of Montréal, in Quebec, Canada. In addition, there are several extensions of ICAO (similar to the FAA’s Flight Standards District Offices, or FSDOs), breaking the world up into seven regions. Some regions that might interest you are the European and North Atlantic (EUR/NAT) region, whose office is located in Paris, France, and the North American, Central American, and Caribbean (NACC) region, which is located in Mexico City, Mexico.

## WHY (should you care, anyway?)

In today's global aviation construct, an airplane takes off or lands every few seconds somewhere on the face of the Earth. That is 24 hours a day, 365 days of the year, and general aviation is a big chunk of that. In order to take your beautiful Cessna 172 up to Ottawa for a little pike fishing, you have to be ICAO-compliant. Period. Otherwise you could be "stopped at the border," so to speak, and prohibited from entering international airspace. Or worse, you could get to where you want to go and then find yourself stuck on that end and restricted from flying back!

In some cases, the issue may have to do with results of the physical inspection of your aircraft. Other civil aviation authorities can perform a ramp inspection on you and your aircraft, private, corporate, or commercial, under Article 16 of the Convention. The main purpose of such inspections is to determine your compliance with the applicable international safety standards while you are operating in their sovereign airspace. Also, as a part of your flight preparation, you need to be aware of the differences filed by the United States and the State to which you are going. These are available at various locations, including the back of each respective Annex document and the Aeronautical Information Publication (AIP) of each State.

ICAO establishes the standards by which all civil aviation authorities measure and make concessions

for one another. Other States have a right to expect your compliance. In the United States, we follow the regulations provided to us by the FAA, but the fact of the matter is that these standards don't mean much when you want to fly to or around Nassau, Bahamas. Nor do Bahamian regulations have jurisdiction here in the United States. That country has to have buy-in when it comes to what standards they might allow. They do this through ICAO. *We* do this through ICAO.

As I understand it, the FBO in Northern Illinois is still there under the management of the same family. It is doing well, having grown into a much larger operation with an attached airpark. In addition to domestic GA, they have also acquired an executive jet charter operation that has the capability to conduct both domestic and international operations. While that old Cherokee Six may be long gone, the new blood in the terminal and the new iron on the ramp still have obligations to ensure that proper international civil aviation operational requirements are met. 

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## Eighteen Annexes of ICAO

Several of the 18 Annexes have materials regarding international operations of GA aircraft, be they private or corporate and cover a wide assortment of topics. Annex 1 deals with personnel licensing. Annex 2 is rules of the air. Annex 6-Part II is for GA airplanes and Part III is for helicopters. And Annex 8 relates to continued aircraft airworthiness. More information can be found at the ICAO website under documents, or at [www.icao.int/Documents/annexes\\_booklet.pdf](http://www.icao.int/Documents/annexes_booklet.pdf).

The Annexes of ICAO presently in use are:

1. Personnel Licensing
2. Rules of the Air
3. Meteorological Service for International Air Navigation
4. Aeronautical Charts
5. Units of Measurement to be used in Air and Ground Operations
6. Operation of Aircraft
7. Aircraft Nationality and Registration Marks
8. Airworthiness of Aircraft
9. Facilitation
10. Aeronautical Telecommunications
11. Air Traffic Services
12. Search and Rescue
13. Aircraft Accident and Incident Investigation
14. Aerodromes
15. Aeronautical Information Services
16. Environmental Protection
17. Security: Safeguarding International Civil Aviation against Acts of Unlawful Interference
18. The Safe Transport of Dangerous Goods by Air