

Executive Committee

Second Session

Sub-committee 3 on Administration

Item 4(e) of the Agenda - Relations with other
intergovernmental organizations

ICAO

With reference to paragraph II (c) of the Report by the Executive Secretary on the work of the Secretariat (ICITO/EC.5) and in accordance with the decision of the Executive Committee, there is now circulated for the consideration of Sub-Committee 3 on Administration the following draft for an exchange of letters between the ITO and the ICAO. This draft has been the subject of consultation between the Secretariats of the ICITO and the ICAO.

- "1. In the first instance, and subject to reconsideration in the light of experience, it should not be necessary for ITO and ICAO to enter into a formal agreement of relationships, it being understood that the two organizations will afford to each other the right to be represented at the annual conferences as well as at any other meetings likely to be of common interest, and that they will exchange such of the documentation of each organization as would be of interest to the other. The working relationships of the two organizations could be adequately covered by a common understanding on the points set out in 2.
2. Articles 33, 36, and 53 of the Havana Charter are of interest to ICAO:

(i) Articles 33 and 36. The ITO has general responsibility for promoting "international agreement relating to the simplification of customs regulations concerning traffic in transit" (Article 33, para.6) and for "the simplification and standardization of customs formalities and techniques" (Article 36, para. 4). Similar provisions are contained in the International Civil Aviation Convention with specific reference to aviation in Articles 22 and 23; It is recognized that the administration of customs formalities in connection with the movement of aircraft and goods carried therein presents a unique problem because of the speed of this mode of transport and the consequent necessity for special procedures if the full benefits of speed of flight are to be gained. The "facilitation program" of ICAO in implementation of Articles 22 and 23 of the International Civil Aviation Convention is therefore not in conflict with the general objectives of the ITO as described in Articles 33 and 36. The work of ITO and ICAO complement and reinforce each other. ITO will request ICAO's participation in the preparation of recommendations on customs formalities insofar as these relate to the carriage of goods by air and it will also take into account the work of ICAO in this field when drawing up its recommendations. ICAO will likewise request ITO's participation in the

formulation of any recommendations affecting the matters covered in Articles 33 and 36 of the Havana Charter that may be drawn up by ICAO in accordance with Articles 22 and 23 of the International Civil Aviation Convention. ICAO, in the formulation of any such recommendations, shall take account of any general recommendations formulated by ITO in carrying out its responsibilities under Articles 33 and 36 of the Havana Charter.

(ii) Article 53, para. 3. In the event that under Article 53, para. 3 of the Havana Charter, there is referred to ITO a matter affecting civil aviation, ITO will confer with ICAO in determining whether ICAO is "the appropriate intergovernmental organization" to which the matter should be transferred. In the event that the matter is so transferred, ICAO will take due account of such observations as ITO may make in accordance with Article 53, para. 3, and will afford ITO an opportunity to participate in the investigation of the matter by ICAO.

3. Articles of the Havana Charter other than those cited above may raise problems of common interest, although these cannot at present be foreseen. ITO will consult with ICAO if such problems should arise. Likewise, ICAO will consult with ITO if in carrying out its responsibilities under the International Civil Aviation Convention ICAO is concerned with problems of interest to ITO.