

ASSEMBLY — 35TH SESSION

PLENARY

Agenda Item 10: Election of Contracting States to be represented on the Council

SUMMARY

This paper cites the Articles of the Convention and the provisions of the Assembly's Standing Rules of Procedure relating to the election of the Council; reviews the elections held to date; and refers to the obligations of Council Member States as defined in Assembly Resolution A4-1.

1. PROVISIONS OF THE CONVENTION RELATING TO THE ELECTION OF THE COUNCIL

1.1 Article 50(a) of the Convention, as amended in 2003, provides that:

"The Council shall be a permanent body responsible to the Assembly. It shall be composed of thirty-six 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."

1.1.1 As the term of office of the present members of the Council expires in 2004, there will have to be a Council election at the Thirty-fifth Session of the Assembly.

1.2 Article 50(b) of the Convention states that:

"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."

2. ELECTIONS HELD IN THE PERIOD 1947-2003

2.1 Although the provisions of the Standing Rules of Procedure of the Assembly relating to the election of the Council were modified in 1962, the following basic rules have been applied ever since the

Organization came into being: (i) the election is held in three parts,* these parts corresponding to the States described in Article 50(b); (ii) before every election the Assembly decides the maximum number of States to be elected in each part; (iii) the candidate decides in which part or parts to seek election — a candidate unsuccessful in the first part may be a candidate in the second, and a candidate unsuccessful in the second may be a candidate in the third; (iv) voting in each part of the election is by secret ballot and a majority of the votes cast is required for election.

2.2 When the membership of the Council was twenty-one, the Assembly decided that the maximum number of States to be elected in the three parts of the election should be eight, seven and six respectively. In 1950, only twenty States were candidates for the twenty-one Council seats and the Assembly suspended the rule requiring a three-part election and elected the twenty candidates in a single secret ballot. The vacant place was filled at the next session, in 1951. In 1953, there were twenty-one candidates for the twenty-one seats and the same procedure was followed as in 1950, the twenty-one States being elected on a single secret ballot. In 1962, 1965, 1968 and 1971, with a Council membership of twenty-seven, there was an even division, nine States being elected in each part. The amendment to Article 50(a) of the Convention adopted on 11 March 1971, increasing the membership of the Council to thirty, came into force on 16 January 1973 and the Council convened an extraordinary session of the Assembly to fill the three additional seats, one State being elected in each of the three parts. In 1974 and 1977 there was again an even division among the three parts, ten States being elected in each. Adoption, on 14 October 1974, of an amendment to Article 50(a) of the Convention increasing the membership of the Council to thirty-three came into force on 15 February 1980. The Assembly in 1980, 1983, 1986, 1989 and 1992 elected thirty-three States to the Council and decided that the maximum number of States to be elected in the three parts of the election should be ten, eleven and twelve respectively.

2.3 In 1993, the 30th Session (Extraordinary) of the Assembly elected the Czech Republic, which had become a Contracting State of ICAO on 3 April 1993, to fill a vacancy created on the Council on 1 January 1993 as a result of the dissolution of Czechoslovakia on 31 December 1992. In 1995, 1998 and 2001, the Assembly decided that the maximum number of States to be elected in the three parts of the election should be ten, eleven and twelve, respectively.

2.4 A proposal sponsored by 41 African States (A27-WP/193) seeking the Assembly's approval of an amendment to Article 50(a) of the Convention in order to increase the number of members of the Council from 33 to at least 36 was referred to the Council for study with a view to convening an extraordinary session of the Assembly in 1990. While recognizing the benefit of the rotation system by which Contracting States in various sub-regions shared representation on the ICAO Council, the Council agreed to include the subject of a related item in the agenda of the 28th Session (Extraordinary) of the Assembly, which, on 25 October 1990, adopted Resolution A28-1, increasing the membership of the Council from 33 to 36. The 108 ratifications required to bring the amendment to Article 50 (a) of the Convention into force were received by 28 November 2002, at which point the amendment came into force. The three additional seats were filled on 31 March and 1 April 2003 at the 34th Session (Extraordinary) of the Assembly, which decided that the election be held in two parts, and that, pursuant to Rule 56 b), two States be elected in the second part and one State be elected in the third part. Rules 56 a) iii), 57 a) and b), 58 and 59 were suspended to permit the intervals between the parts to be shortened and the election to be completed in two days.

2.5 **Appendix A** lists the candidates and the States elected in all elections held from 1947 to 2003 inclusive; the names of the States elected are underlined.

* An exception was made in 1950 and 1953, as explained in paragraph 2.2.

3. ELECTION OF THE COUNCIL IN 2004

3.1 The provisions of the *Standing Rules of Procedure of the Assembly* applicable to the election of the Council are reproduced in Appendix B for convenience of reference. It will be noted (Rule 56 b)) that the maximum number of Contracting States to be elected in each part of the election and the date for the first two parts must be fixed as soon as possible after the opening of the session. This action is taken by the Plenary. The number of places to be filled will be thirty-six. **The Council recommends that the three additional seats be divided equally among the three parts, with eleven seats in Part 1, twelve seats in Part 2, and thirteen seats in Part 3.** The timing of each of the three parts of the election is indicated in Rule 56 a).

4. OBLIGATIONS OF COUNCIL MEMBER STATES

4.1 The obligations of Council Member States are defined by Resolution A4-1, adopted by the Assembly in 1950:

"A Contracting State giving notice, in accordance with Rule 45* of the Rules of Procedure for this Assembly, of its desire to stand for election to the Council is understood to have indicated its intention, if elected, to appoint and support full-time representation at the Headquarters of the Organization to ensure the participation of Council Member States in the work of the Organization."

4.1.1 Article 63 of the Convention stipulates that each Contracting State must bear the 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.

4.2 Each Council Member State maintains a permanent delegation in Montreal.

4.3 Since the inception of ICAO it has been the rule for the Council to hold sessions at Headquarters through most of the year. Since their election, all the present members of the Council have participated in its work. It is expected that States elected to the Council at the 35th Session of the Assembly will take the necessary steps to ensure that they will be represented at the one or two Council meetings to be held immediately after the Assembly and that their representation will be established at Headquarters by the time the Council and its committees reconvene in October 2004.

4.4 In addition to meeting as a whole, the Council has established a number of standing committees. Under Article 54(d) of the Convention it is required to appoint an Air Transport Committee. In 1947 the Assembly adopted Resolution A1-7 setting up a Committee on Joint Support of Air Navigation Services. The *ICAO Financial Regulations* provide, in Article II, that the Council appoint a Finance Committee to exercise the functions assigned to it by those Regulations. The Council has found it necessary from time to time to establish other subsidiary bodies. These include the Edward Warner Award Committee, the Committee on Unlawful Interference with International Civil Aviation and its Facilities, and the Technical Co-operation Committee, as well as other bodies which have been set up on a temporary basis, as required, to deal with specific issues. All these bodies are composed of Representatives on Council or other members of the delegations. In addition to the Representative on Council, delegations may include other members who are nationals of the Council Member State, or, in the case of representation on the Council through a rotation agreement, of States in the sub-region concerned.

* Now Rule 55.

4.5 Another body subordinate to the Council, but with a totally different type of membership and a special status, is the Air Navigation Commission. Article 56 of the Convention as amended on 7 July 1971 provides that the Commission "shall be composed of fifteen 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 amendment enlarging the membership from the original twelve came into force on 19 December 1974 and since the beginning of 1975, with the exception of one session in 1978, the Commission has had its full complement of fifteen members. The Assembly in 1989 adopted an amendment to Article 56 of the Convention enlarging the membership of the Commission from fifteen to nineteen members. This amendment has not yet entered into force since, as of 5 March 2004, only 100 of the 108 Contracting States stipulated, pursuant to the provisions of Article 94(a) of the said Convention, had deposited instruments of ratification in order to bring it into force.

APPENDIX A
STATES CANDIDATES FOR AND ELECTED TO THE COUNCIL

Note: Underlining indicates States elected and the asterisk States that were candidates in 1973.
In 1950 and 1953 elections were held by a single secret ballot (see para.2.2).

1947	1950 and 1951	1953	1956	1959	1962	1965	1968								
<p>Argentina Australia <u>Belgium</u> Brazil Canada China France Mexico Netherlands <u>United Kingdom</u> <u>United States</u></p>	<p><u>Argentina</u> <u>Australia</u> Belgium <u>Brazil</u> Canada <u>Denmark</u> <u>Egypt</u> France <u>India</u></p>	<p><u>Argentina</u> <u>Australia</u> Belgium <u>Brazil</u> Canada <u>Egypt</u> France <u>India</u> <u>Ireland</u></p>	<p>(1) "States of chief importance in air transport"</p> <p>Australia Belgium Brazil Canada France India Italy Mexico Netherlands Philippines Spain Sweden <u>United Kingdom</u> <u>United States</u> Venezuela</p>	<p>Australia Belgium Brazil Canada France Colombia Denmark France Germany, Fed. Rep. of Italy Mexico Netherlands <u>United Kingdom</u> <u>United States</u></p>	<p>Australia Brazil Canada France Germany, Fed. Rep. of Italy Sweden <u>United Kingdom</u> <u>United States</u></p>	<p>Australia Brazil Canada France Germany, Fed. Rep. of Italy Japan <u>United Kingdom</u> <u>United States</u></p>	<p>(2) "States not otherwise included which make the largest contribution to the provision of facilities for international civil air navigation"</p> <p>Argentina Belgium Czechoslovakia Denmark India Lebanon Mexico Netherlands Norway Philippines Portugal Spain Union of South Africa Venezuela</p>	<p>Argentina Belgium Germany, Fed. Rep. of India Ireland Italy Japan Lebanon Mexico Philippines Portugal Spain <u>United Arab Republic</u> <u>Venezuela</u></p>	<p>Argentina Belgium Czechoslovakia India Japan Lebanon Mexico Netherlands Spain <u>United Arab Republic</u></p>	<p>Argentina Belgium Czechoslovakia Denmark India Lebanon Mexico Netherlands Spain <u>United Arab Republic</u></p>	<p>(3) "States not otherwise included whose designation will insure that all the major geographic areas of the world are represented on the Council"</p> <p>Chile Ireland Lebanon Philippines Portugal Spain <u>Union of South Africa</u> <u>Venezuela</u></p>	<p>Afghanistan Belgium Guatemala Ireland Lebanon Mexico Peru Philippines Portugal Spain <u>Union of South Africa</u></p>	<p>China + Colombia <u>Congo (Brazzaville)</u> Czechoslovakia Indonesia Israel <u>Malagasy Republic</u> Nicaragua Nigeria <u>Philippines</u> Tunisia <u>Union of South Africa</u></p>	<p>Colombia <u>Congo (Brazzaville)</u> Costa Rica Czechoslovakia Kenya <u>Malagasy Republic</u> Nigeria Pakistan Philippines Syrian Arab Republic <u>Tunisia</u></p>	<p>Colombia <u>Congo (Brazzaville)</u> Czechoslovakia Guatemala Indonesia Nigeria Philippines Senegal <u>Tanzania</u> <u>Tunisia</u></p>
<p>Argentina Australia Chile China Czechoslovakia <u>Egypt</u> Greece India Iraq Ireland Peru Portugal Sweden Turkey Union of South Africa Venezuela</p>	<p><u>Iraq</u> <u>Ireland</u> <u>Italy</u> <u>Mexico</u> <u>Netherlands</u> <u>Philippines</u> <u>Portugal</u> <u>Spain</u> (from 18/6/51) <u>Union of South Africa</u> <u>United Kingdom</u></p>	<p><u>Italy</u> <u>Lebanon</u> <u>Mexico</u> <u>Netherlands</u> <u>Norway</u> <u>Philippines</u> <u>Portugal</u> <u>Spain</u> <u>Union of South Africa</u> <u>United Kingdom</u></p>	<p>Argentina Belgium <u>Egypt</u> India Ireland Italy Japan Lebanon Mexico Philippines Portugal Spain Union of South Africa Venezuela</p>	<p>Argentina Belgium Germany, Fed. Rep. of India Ireland Italy Japan Lebanon Mexico Philippines Portugal Spain <u>United Arab Republic</u> <u>Venezuela</u></p>	<p>Argentina Belgium Congo (Brazzaville) Czechoslovakia Germany, Fed. Rep. of India Indonesia Japan Lebanon Mexico Spain <u>United Arab Republic</u></p>	<p>Argentina Belgium Czechoslovakia India Japan Lebanon Mexico Netherlands Spain <u>United Arab Republic</u></p>	<p>Argentina Belgium Czechoslovakia Denmark India Lebanon Mexico Netherlands Spain <u>United Arab Republic</u></p>	<p>Chile Czechoslovakia Greece Iraq Peru Sweden Turkey Union of South Africa Venezuela</p>	<p><u>United States</u> <u>Venezuela</u></p>	<p><u>United States</u> <u>Venezuela</u></p>	<p>Chile Ireland Lebanon Philippines Portugal Spain <u>Union of South Africa</u> <u>Venezuela</u></p>	<p>Afghanistan Belgium Guatemala Ireland Lebanon Mexico Peru Philippines Portugal Spain <u>Union of South Africa</u></p>	<p>China + Colombia <u>Congo (Brazzaville)</u> Czechoslovakia Indonesia Israel <u>Malagasy Republic</u> Nicaragua Nigeria <u>Philippines</u> Tunisia <u>Union of South Africa</u></p>	<p>Colombia <u>Congo (Brazzaville)</u> Costa Rica Czechoslovakia Kenya <u>Malagasy Republic</u> Nigeria Pakistan Philippines Syrian Arab Republic <u>Tunisia</u></p>	<p>Colombia <u>Congo (Brazzaville)</u> Czechoslovakia Guatemala Indonesia Nigeria Philippines Senegal <u>Tanzania</u> <u>Tunisia</u></p>

+ A resolution was adopted on 19 November 1971 by the ICAO Council, recognizing the representatives of the Government of the People's Republic of China as the only legitimate representatives

1971 and 1973	1974	1977	1980	1983	1986	1989	1992 and 1993**
(1) "States of chief importance in air transport"							
<u>Australia</u> <u>Brazil</u> <u>Canada</u> <u>France</u> <u>Germany, Fed. Rep. of</u> <u>Italy</u> <u>Japan</u> <u>Union of Soviet Socialist Republics</u> <u>United Kingdom</u> <u>United States</u>	<u>Australia</u> <u>Brazil</u> <u>Canada</u> <u>France</u> <u>Germany, Fed. Rep. of</u> <u>Italy</u> <u>Japan</u> <u>Netherlands</u> <u>Union of Soviet Socialist Republics</u> <u>United Kingdom</u> <u>United States</u>	<u>Australia</u> <u>Brazil</u> <u>Canada</u> <u>France</u> <u>Germany, Fed. Rep. of</u> <u>Italy</u> <u>Japan</u> <u>Union of Soviet Socialist Republics</u> <u>United Kingdom</u> <u>United States</u>	<u>Australia</u> <u>Brazil</u> <u>Canada</u> <u>France</u> <u>Germany, Fed. Rep. of</u> <u>Italy</u> <u>Japan</u> <u>Union of Soviet Socialist Republics</u> <u>United Kingdom</u> <u>United States</u>	<u>Australia</u> <u>Brazil</u> <u>Canada</u> <u>France</u> <u>Germany, Fed. Rep. of</u> <u>Italy</u> <u>Japan</u> <u>Union of Soviet Socialist Republics</u> <u>United Kingdom</u> <u>United States</u>	<u>Australia</u> <u>Brazil</u> <u>Canada</u> <u>France</u> <u>Germany, Fed. Rep. of</u> <u>Italy</u> <u>Japan</u> <u>Union of Soviet Socialist Republics</u> <u>United Kingdom</u> <u>United States</u>	<u>Australia</u> <u>Brazil</u> <u>Canada</u> <u>France</u> <u>Germany, Fed. Rep. of</u> <u>Italy</u> <u>Japan</u> <u>Union of Soviet Socialist Republics</u> <u>United Kingdom</u> <u>United States</u>	<u>Australia</u> <u>Brazil</u> <u>Canada</u> <u>France</u> <u>Germany</u> <u>Italy</u> <u>Japan</u> <u>Russian Federation</u> <u>United Kingdom</u> <u>United States</u>
(2) "States not otherwise included which make the largest contribution to the provision of facilities for international civil air navigation"							
<u>Argentina</u> <u>Australia</u> <u>Belgium</u> <u>India</u> <u>Lebanon</u> <u>Mexico</u> <u>Netherlands</u> <u>Norway</u> <u>Pakistan</u> <u>Philippines</u> <u>Spain</u> <u>United Arab Republic</u>	<u>Argentina</u> <u>Belgium</u> <u>China</u> <u>Czechoslovakia</u> <u>Egypt</u> <u>Finland</u> <u>India</u> <u>Lebanon</u> <u>Mexico</u> <u>Netherlands</u> <u>Pakistan</u> <u>Spain</u> <u>Sweden</u>	<u>Argentina</u> <u>China</u> <u>Czechoslovakia</u> <u>Egypt</u> <u>Finland</u> <u>Greece</u> <u>India</u> <u>Lebanon</u> <u>Mexico</u> <u>Netherlands, Kingdom of the</u> <u>Nigeria</u> <u>Pakistan</u> <u>Philippines</u> <u>Spain</u> <u>Turkey</u>	<u>Argentina</u> <u>China</u> <u>Denmark</u> <u>Egypt</u> <u>Greece</u> <u>India</u> <u>Lebanon</u> <u>Mexico</u> <u>Netherlands, Kingdom of the</u> <u>Nigeria</u> <u>Pakistan</u> <u>Poland</u> <u>Saudi Arabia</u> <u>Senegal</u> <u>Spain</u> <u>Turkey</u> <u>Venezuela</u>	<u>Argentina</u> <u>Belgium</u> <u>China</u> <u>Egypt</u> <u>India</u> <u>Greece</u> <u>Indonesia</u> <u>Lebanon</u> <u>Mexico</u> <u>Nigeria</u> <u>Norway</u> <u>Spain</u> <u>Turkey</u> <u>Venezuela</u>	<u>Argentina</u> <u>China</u> <u>Egypt</u> <u>India</u> <u>Lebanon</u> <u>Mexico</u> <u>Nigeria</u> <u>Saudi Arabia</u> <u>Spain</u> <u>Sweden</u> <u>Switzerland</u> <u>Venezuela</u>	<u>Argentina</u> <u>China</u> <u>Egypt</u> <u>Finland</u> <u>India</u> <u>Mexico</u> <u>Netherlands, Kingdom of the</u> <u>Nigeria</u> <u>Saudi Arabia</u> <u>Spain</u> <u>Venezuela</u>	<u>Argentina</u> <u>Belgium</u> <u>China</u> <u>Colombia</u> <u>Egypt</u> <u>Iceland</u> <u>India</u> <u>Mexico</u> <u>Nigeria</u> <u>Republic of Korea</u> <u>Saudi Arabia</u> <u>Spain</u>
(3) "States not otherwise included whose designation will insure that all the major geographic areas of the world are represented on the Council"							
<u>Colombia</u> <u>Congo (People's Rep. of)</u> <u>Czechoslovakia</u> <u>Indonesia</u> <u>Nicaragua</u> <u>Nigeria</u> <u>Pakistan</u> <u>Philippines</u> <u>Senegal</u> <u>Tunisia</u> <u>Uganda</u>	<u>Belgium</u> <u>Colombia</u> <u>Costa Rica</u> <u>Indonesia</u> <u>Kenya</u> <u>Madagascar</u> <u>Morocco</u> <u>Nigeria</u> <u>Poland</u> <u>Senegal</u> <u>Turkey</u> <u>Trinidad and Tobago</u> <u>Yugoslavia</u> <u>Zaire</u>	<u>Colombia</u> <u>Czechoslovakia</u> <u>Greece</u> <u>Honduras</u> <u>Indonesia</u> <u>Jamaica</u> <u>Madagascar</u> <u>Morocco</u> <u>Senegal</u> <u>Turkey</u> <u>United Republic of Cameroon</u> <u>United Republic of Tanzania</u> <u>Yugoslavia</u>	<u>Algeria</u> <u>Colombia</u> <u>Czechoslovakia</u> <u>El Salvador</u> <u>Indonesia</u> <u>Iraq</u> <u>Jamaica</u> <u>Madagascar</u> <u>Pakistan</u> <u>Saudi Arabia</u> <u>Senegal</u> <u>Uganda</u> <u>United Republic of Cameroon</u> <u>United Rep. of Tanzania</u>	<u>Algeria</u> <u>Colombia</u> <u>Czechoslovakia</u> <u>Guatemala</u> <u>Indonesia</u> <u>Iran, Islamic Republic of</u> <u>Jamaica</u> <u>Kenya</u> <u>Kenya</u> <u>Madagascar</u> <u>Pakistan</u> <u>Senegal</u> <u>United Republic of Tanzania</u>	<u>Colombia</u> <u>Cuba</u> <u>Czechoslovakia</u> <u>Ghana</u> <u>Indonesia</u> <u>Iraq</u> <u>Jamaica</u> <u>Kenya</u> <u>Lebanon</u> <u>Madagascar</u> <u>Pakistan</u> <u>Panama</u> <u>Peru</u> <u>Senegal</u> <u>Tunisia</u> <u>United Republic of Tanzania</u>	<u>Chile</u> <u>Czechoslovakia</u> <u>Ghana</u> <u>Honduras</u> <u>Indonesia</u> <u>Iran, Islamic Republic of</u> <u>Iraq</u> <u>Madagascar</u> <u>Pakistan</u> <u>Senegal</u> <u>Trinidad & Tobago</u> <u>Tunisia</u> <u>United Republic of Tanzania</u>	<u>Cameroon</u> <u>Czechoslovakia**</u> <u>(to 31.12.92)</u> <u>Czech Republic**</u> <u>(from 26.5.93)</u> <u>Ecuador</u> <u>Indonesia</u> <u>Iran, Islamic Republic of</u> <u>Kenya</u> <u>Lebanon</u> <u>Morocco</u> <u>Nicaragua</u> <u>Pakistan</u> <u>Senegal</u> <u>Trinidad & Tobago</u> <u>United Republic of Tanzania</u>

*States candidates at Extraordinary Session convened on 27 February 1973 to fill three additional seats following the coming into force, on 16 January 1973, of the Amendment to Article 50(a) increasing the membership of the Council to thirty.
**The Czech Republic was elected at the 30th Session (Extraordinary) of the Assembly on 26 May 1993 to fill the vacancy created on the Council as a result of the dissolution of Czechoslovakia on 31 December 1992.

1995	1998	2001 and 2003					
(1) <u>"States of chief importance in air transport"</u>							
<u>Australia</u> <u>Brazil</u> <u>Canada</u> <u>France</u> <u>Germany</u> <u>Italy</u> <u>Japan</u> <u>Russian Federation</u> <u>United Kingdom</u> <u>United States</u>	<u>Australia</u> <u>Brazil</u> <u>Canada</u> <u>France</u> <u>Germany</u> <u>Italy</u> <u>Japan</u> <u>Russian Federation</u> <u>United Kingdom</u> <u>United States</u>	<u>Australia</u> <u>Brazil</u> <u>Canada</u> <u>France</u> <u>Germany</u> <u>Italy</u> <u>Japan</u> <u>Russian Federation</u> <u>United Kingdom</u> <u>United States</u>					
(2) <u>"States not otherwise included which make the largest contribution to the provision of facilities for international civil air navigation"</u>							
<u>Argentina</u> <u>China</u> <u>Denmark</u> <u>Egypt</u> <u>India</u> <u>Mexico</u> <u>Nigeria</u> <u>Saudi Arabia</u> <u>Spain</u> <u>Switzerland</u> <u>Venezuela</u>	<u>Argentina</u> <u>China</u> <u>Colombia</u> <u>Egypt</u> <u>India</u> <u>Mexico</u> <u>Netherlands</u> <u>Nigeria</u> <u>Norway</u> <u>Saudi Arabia</u> <u>Spain</u>	<u>Argentina</u> <u>China</u> <u>Egypt</u> <u>India</u> <u>Ireland</u> <u>Mexico</u> <u>Nigeria</u> <u>Saudi Arabia</u> <u>Spain</u> <u>Sweden</u> <u>Venezuela</u> <u>Singapore*</u> <u>South Africa*</u>					
(3) <u>"States not otherwise included whose designation will insure that all the major geographic areas of the world are represented on the Council"</u>							
<u>Angola</u> <u>Bolivia</u> <u>Cameroon</u> <u>El Salvador</u> <u>Indonesia</u> <u>Iran, Islamic Republic of</u> <u>Kenya</u> <u>Lebanon</u> <u>Morocco</u> <u>Pakistan</u> <u>Philippines</u> <u>Romania</u> <u>Senegal</u> <u>Trinidad and Tobago</u>	<u>Algeria</u> <u>Belarus</u> <u>Botswana</u> <u>Cameroon</u> <u>Cuba</u> <u>Indonesia</u> <u>Iran, Islamic Republic of</u> <u>Kenya</u> <u>Lebanon</u> <u>Pakistan</u> <u>Panama</u> <u>Senegal</u> <u>Slovakia</u> <u>Uruguay</u>	<u>Algeria</u> <u>Cameroon</u> <u>Costa Rica</u> <u>Cuba</u> <u>Czech Republic</u> <u>Ethiopia</u> <u>Indonesia</u> <u>Lebanon</u> <u>Mauritius</u> <u>Pakistan</u> <u>Paraguay</u> <u>Republic of Korea</u> <u>Senegal</u> <u>Uzbekistan</u> <u>Chile*</u> <u>Ukraine*</u>					

*States candidates at Extraordinary Session convened on 31 March - 1 April 2003 to fill three additional seats following the coming into force, on 28 November 2002, of the Amendment to Article 50(a) increasing the membership of the Council to thirty-six.

APPENDIX B

Voting on election of the Council

RULE 55

Each Contracting State which intends to stand for election to the Council may at any time so inform, in writing, the Secretary General who shall, at the opening of the session, publish a list showing the names of all the States which have so notified him. This list shall serve the purpose of information only. The official notification of candidacy may be given only at the times specified in Rules 57 and 59 and the official lists of candidatures shall be only those specified in Rules 57 b) and 59 b).

RULE 56

a) The election of the Council shall be so conducted as to enable adequate representation on the Council to be given to the Contracting States described in Article 50(b) of the Convention and shall be held in three parts as follows:

- i) The first part — election of States of chief importance in air transport — shall be held within four days of the opening of the session.
- ii) The second part — election of States not already elected in the first part but which make the largest contribution to the provision of facilities for international civil air navigation — shall be held immediately after the first part of the election.
- iii) The third part — election of States not elected in either the first or the second part, and whether or not they were candidates in either of those parts, and whose designation will ensure that all the major geographical areas of the world are represented on the Council — shall be held as soon as possible after the expiry of twenty-four hours following the publication of the list of candidates mentioned in Rule 59 b).

b) As early as possible after the opening of the session, the Assembly shall fix the maximum number of Contracting States to be elected in each part of the election and fix also the day on which the first two parts of the election shall be held.

RULE 57

a) Each Contracting State which desires to stand for election in either the first or the second part shall so notify the Secretary General in writing during the period of forty-eight hours following the opening of the session.

b) At the end of the period of forty-eight hours mentioned above, the Secretary General shall publish a list of the States which have notified him, in accordance with paragraph a) above, of their candidacy for the first or the second part of the election.

c) All States entered in the aforesaid list shall be deemed to be available for consideration for the first part as well as for the second part, if necessary, of the election unless a Contracting State notifies the Secretary General that it does not wish to be considered in the first part or the second part of the election. Accordingly, and subject to the foregoing, any Contracting State included in the said list and not elected in the first part of the election will automatically be included amongst those to be considered in the second part of the election.

RULE 58

After the second part of the election the President of the Assembly shall declare an interval of approximately forty-eight hours specifying the hour at which that interval will expire, in order that candidatures may be presented for the third part of the election.

RULE 59

a) Any Contracting State not elected in the first or the second part of the election, and whether or not it was a candidate in either of those parts, shall, if it wishes to be a candidate for the third part, so notify the Secretary General in writing after the commencement, but before the expiry, of the interval mentioned in Rule 58.

b) A list showing the names of the States which are candidates in accordance with this Rule for the third part of the election shall be published at the end of the aforesaid interval.

RULE 60

a) The election in each of the three parts shall be conducted by secret ballot.

b) Ballot papers shall be prepared by the Secretary General for each ballot and distributed in advance of the balloting. The ballot papers shall contain the names of all Contracting States which are to be considered for the purpose of the particular ballot concerned and a statement of the maximum number of Contracting States to be elected in that ballot. A Contracting State may vote for any number of candidates up to, but not exceeding, the number of vacancies to be filled by the ballot concerned. An affirmative vote shall be indicated by marking a cross (X) opposite the name of the Contracting State for which the vote is cast.

c) The Secretary General shall record the names of the Contracting States participating in each ballot.

d) Any ballot paper shall be rejected if the number of affirmative votes therein exceeds the number to be elected in that particular ballot.

e) The results of each ballot shall be announced by the President of the Assembly.

RULE 61

To be elected a Member of the Council, a Contracting State must receive the affirmative vote of a majority of the total number of Contracting States voting. The deposit of a ballot shall constitute the act of voting. If the number of Contracting States receiving such majority on any ballot is in excess of the number of places to be filled, those receiving the highest numbers of votes shall be chosen. If the number of Contracting States receiving such majority is less than the number of places to be filled, those which have obtained this majority shall be considered to be elected and there shall be another ballot, and, if necessary, additional ballots to fill the remaining places. In these ballots only those Contracting States which were unsuccessful in obtaining the required majority in the previous ballot shall be considered. Following any such ballot in which no Contracting State receives the required majority, the list of Contracting States in the next ballot shall be restricted to a number not more than twice the number of vacancies to be filled and these Contracting States shall be those which receive the highest numbers of votes in the previous ballot. However, in the case where two or more Contracting States are tied for the last place on such a restricted list, such Contracting States shall all be included in the list.

RULE 62

In the event of a tie between two or more Contracting States for the last place or places in a part of the election as described in Rule 56, a further ballot shall be held in which only those thus tied shall be considered. If such a ballot results in another tie, the Contracting State to be eliminated from the list for the next ballot shall be determined by a drawing of lots by the President of the Assembly, and the Contracting States so eliminated shall not be eligible for consideration in any subsequent ballot for election in that part.

— **END** —