



INTERNATIONAL CIVIL AVIATION ORGANIZATION

A35-WP/276

LE/21

1/10/04

ASSEMBLY — 35TH SESSION

LEGAL COMMISSION

**DRAFT TEXT FOR THE GENERAL SECTION
OF THE LEGAL COMMISSION'S REPORT
AND
ON AGENDA ITEMS 7 AND 8**

The attached material on the General Section and Agenda Items 7 and 8 of its Report is submitted for consideration by the Legal Commission.

REPORT OF THE LEGAL COMMISSION

General

1. The Legal Commission held three meetings between 30 September and 4 October 2004. Mr. H. Kjellin (Sweden) was elected by the Plenary as Chairman of the Commission.
2. At its first meeting, the Commission elected Ms. S.H. Tan (Singapore) as its First Vice-Chairman and Mr. J. Salazar (Colombia) as its Second Vice-Chairman.
3. The three meetings of the Commission were held in open session. On the recommendation of the Executive Committee, the Assembly had agreed to the suspension of minutes for the meetings of the Legal Commission during A35.
4. Representatives from 78 Contracting States and 7 observer delegations attended one or more meetings of the Commission.
5. The Secretary of the Commission was Mr. D. Wibaux, Director of the Legal Bureau. Mr. S.A. Espínola, Principal Legal Officer, acted as his Deputy, and Mr. J.V. Augustin, Senior Legal Officer, as his assistant. Also assisting the Secretary were Messrs. B. Verhaegen, Legal Officer; J. Huang, Legal Officer and A. Jakob, Legal Officer.

Agenda and Working Arrangements

6. Agenda items 7, 8, 33, 34, 35, 36, 37 and 38 referred to the Commission by the Plenary were considered, as follows:
 - Item 7: Annual Reports of the Council to the Assembly for 2001, 2002 and 2003
 - Item 8: Programme Budget for 2005, 2006 and 2007
 - Item 33: International interests in mobile equipment (aircraft equipment)
 - Item 34: Progress report on the modernization of the Rome Convention of 1952
 - Item 35: Assistance in the field of aviation war risk insurance
 - Item 36: Report on the establishment of a legal framework with regard to CNS/ATM systems including GNSS
 - Item 37: Work Programme of the Organization in the legal field

Item 38: Assembly resolutions to be consolidated or to be declared no longer in force

6.1 The documents and working papers considered by the Commission are listed by agenda items in the Appendix to the Report.

6.2 The action by the Commission in respect of each item is reported on separately in the paragraphs which follow. The material is arranged according to the numerical sequence of the agenda items considered by the Commission.

Agenda Item 7: Annual Reports of the Council to the Assembly for 2001, 2002 and 2003

7:1 The Commission *noted* Chapter VI (Constitutional and Legal Questions) of the Annual Reports of the Council to the Assembly for the years 2001 (Doc 9786), 2002 (Doc 9814) and 2003 (Doc 9826) as well as the Supplement for the first half of the year 2004 (Doc 9826 – Supplement), which had been referred to it by the Plenary.

Agenda Item 8: Programme Budget for 2005, 2006 and 2007

8:1 The Commission *noted* the programme budget set out in Part IV of WP/20 AD/2, Corrigenda Nos.1 and 2 and Addendum No. 1.