



ASSEMBLY — 36TH SESSION

LEGAL COMMISSION

Agenda Item 47: Work Programme of the Organization in the legal field

REGIONAL MULTINATIONAL ORGANISMS

(Presented by Colombia)

EXECUTIVE SUMMARY

This working paper highlights the importance of including the multinational organisms into the legal program in order to harmonize the international legal framework and its responsibilities as a result of its activities.

Action: The Assembly is invited to:

- a) Modify the item No. 3 as follows “Consideration, regarding to CNS/ATM systems including global navigation satellite systems (GNSS) and the regional multinational organisms, of the establishment of a legal framework”.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objective F, which focuses on strengthening the legislation on international civil aviation.
<i>Financial implications:</i>	No additional resources required.
<i>References:</i>	<ul style="list-style-type: none">• Doc 7669, Legal Committee (Constitution — Procedure for Approval of Draft Conventions — Rules of Procedure)<ul style="list-style-type: none">▪ A 32-19 and A32-20: GNSS Services (1998)▪ A35-3 and A35-15: CNS/ATM Systems (2004)▪ A 35-7 Safety (2004)

¹ English and Spanish versions are provided by Colombia.

1. INTRODUCTION

1.1 The structuring of regional multinational organisms defined as an international organization with a regional character has received importance in certain planning groups. This kind of Organization has been created by an agreement among States interested in operating an installation of multinational service with legal status, financial and management autonomy with capacity to contract, to acquire, to litigate and to use the goods and services of the Organization.

1.2 The Convention on International Civil Aviation is the legal framework for these organisms; however, it is understood that States keep its authority and accountability to provide Air Navigation Services and in compliance with the legislation on safety oversight in accordance with the rule 28 of the Convention; In addition, it has been found the necessity of creating a regional mechanism to implant the CNS/ATM systems or to provide the Air Navigation Services with a legal framework to implant some systems in short and medium term.

1.3 Some items discussed by these Organisms are related to the provision of these services and the implantation of multinationals installations, among them, the regional plans established by ICAO, other that are not included but they are considered necessary, are the assistance to the States for the compliance of international obligations on safety oversight and the advising in the same matter.

2. DISCUSSION

2.1 According to the successful experience of these organisms allows setting up some of them, the integration of others or its merger. Consequently, should be exist a careful legal study on the relationship established by them or who are part of, or to who receive the benefits from the services, or in relation with societies who have conformed them or on the international obligations with the international civil aviation.

2.2 It is important to keep working on the establishment of a legal framework for the CNS/ATM systems, including the Global Navigation Satellite System (GNSS) which should be consider the legal framework for these organisms to guide the initiatives that arise in the context of civil aviation in order to harmonize these new multinational actors.

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