

REVIEW OF THE AIRCRAFT PROTOCOL AND ITS PRACTICAL OPERATION

(Presented by Egypt)

Summary

This paper deals with the composition of the Review Board and the criteria for the appointment of its members.

1. Article XXXII of the Aircraft Protocol provides for the establishment of a five-member Review Board to prepare yearly reports to Contracting States addressing matters specified in paragraph 2 of the same Article. This paragraph does not specify the organization or the conference of States which shall be charged with the responsibility for appointing the Review Board members.

2. Furthermore, Article XXXII does not provide for the criteria for the appointment of the Contracting States as members of the Board. Consequently, Egypt proposes that paragraph 1 of this Article be amended to read as follows:

“1. – A five-member Review Board shall promptly be appointed **by ICAO Council** to prepare reports for the Contracting States addressing the matters specified in paragraph 2 of the present Article.”

3. Paragraph 2 of the Article remains as it is.

4. Egypt proposes a new paragraph 3 to be added to the present Article to read as follows:

“3. – In appointing the members of the Review Board, the ICAO Council shall give adequate representation to:

(a) a State of chief importance in air transport;

(b) States representing the principal legal systems; and

(c) States not otherwise included whose appointment will ensure adequate geographical representation.”

5. In view of the addition of a new paragraph 3, the Diplomatic Conference may wish to consider increasing the number of the Review Board members from five to seven.

6. Egypt proposes the deletion of the word “yearly” in Article XXXII, paragraph 1, in order to bring more flexibility to the system and enlarge its scope.