

MEMORANDUM FOR THE CABINET BY THE HON.  
THE PRIME MINISTER

Membership of the International  
Civil Aviation Organisation

Until independence Malta belonged to the I.C.A.O. by virtue of the membership of the United Kingdom Territory as defined in Article 2 of the Chicago Convention (the Convention setting up the Organization).

2. On independence, Malta ceased to enjoy such membership and the question therefore arises as to whether direct membership of I.C.A.O. is to be sought.

3. According to Article 92 of the Convention, member states of the United Nations have the right to become members of I.C.A.O. by notifying their adherence to the Chicago Convention. The reference to the United Nations is not to the United Nations Organization. At the time the Convention was written, in December, 1944, U.N.O. had not been set up, and the reference in Article 92 to "the United Nations" must, we are informed by the United Kingdom Ministry of Civil Aviation, be interpreted to mean the group of nations then in alliance in the war against Nazi Germany. Any such state includes for this purpose any of its then dependencies for whose foreign relations it was at that time responsible. Thus, any time after independence, Malta can if it wishes execute a document addressed to the Government of the United States (the Custodian Power for the Chicago Convention) notifying its adherence to the Convention. The U.K. Government have offered the services of the British Embassy in Washington for the delivery of this document. Upon delivery of this document, Malta will become a full member of I.C.A.O. on the thirtieth day after the U.S. Government receives the notification.

4. The Director of Civil Aviation advises that there is no pressing need for Malta to become a member of I.C.A.O., since I.C.A.O. is very liberal about its treatment of non members (particularly those which are members of the United Nations or of any of its specialised agencies) and since we can continue to maintain correspondence with the U.K. Ministry of Aviation both to obtain their advice and to solicit the U.K. Government's support on particular matters at I.C.A.O. As a non member, of course, Malta will not have any voting rights at the I.C.A.O. conference, although she will be able to send observers.

5. The Director of Civil Aviation also advises that at the end of November, 1964 I.C.A.O. will be holding a Regional Meeting in Rome to consider planning of Civil Aviation commitments within the African Region for the next few years. It is probable that at this meeting Libya will propose that she should assume responsibility for the Flight Information Centre (covering an extensive area along North Africa and the Mediterranean) at present administered by Malta. If she does so, it is likely that the meeting will concur because of the preponderance of African States represented at the meeting. Although, even if Malta has become a member and is entitled to a vote, our single vote would not be likely to affect the meeting's decision on the future of the Flight Information Centre, it is the opinion of the Director of Civil Aviation that it would be advantageous for the Malta delegate to be able to say that Malta intends to join the Organization and that only lack of time had precluded our so doing before the meeting.

6. The financial obligations to be assumed on membership are stated to amount to

- (a) a fixed capital outlay of ~~£~~1040 U.S. (about £370) towards the purchase of equity in the Working Capital Fund of the Organization, and
- (b) a recurrent annual contribution towards the General Fund estimated at ~~£~~6000 U.S. (£2150).

7. The purposes of I.C.A.O. are to develop the principles and techniques of international air navigation and to foster the orderly planning and development of international air transport. Membership of I.C.A.O. would not only give Malta the opportunity of making her voice heard in international civil aviation matters, but would also confer eligibility for technical advice and assistance from the Organisation through the provision of experts and equipment and training for local officials.

8. In view of what is stated in paragraph 5 above, Hon. Ministers are invited to consider whether a decision in principle should be taken now as to Malta's intention of becoming a member of the Organization.

7th October, 1964.