



GA, ICAO and human rights

For the past eight years IAOPA has been represented at the International Civil Aviation Organisation – ICAO – by Frank Hofmann, a man who for many of the most important delegates in the world of regulation is the face of general aviation across the world.

For successful lobbying and advocacy, Frank says, you have to be there as much as possible – get under the skin of the

organisation, form relationships with the people, make sure they get to know you as someone who is knowledgeable, credible, reliable, and straight. He spends at least two full days a week at ICAO's Montreal headquarters. "I could be there seven days a week and 24 hours a day and it wouldn't be enough," he says. "It's no use waiting for meetings and consultation papers; by the time

they come out, it's too late to really influence what goes into them. If you're not right there, you're out of the game."

As you know from your Air Law, Montreal-based ICAO is the international body charged with facilitating civil aviation around the world. Frank says that eight years of watching the processes of international lawmaking has made him far more tolerant of regulation – even bad regulation. "ICAO operates on consensus, and when you see the effort that goes into trying to get things right to everyone's satisfaction, you're not so quick to judge," he says. "We tend to see things in a myopic way and look at how rules affect only ourselves. How do you explain why something was mandated to a member who doesn't care what happens in Japan?"

A pilot for 50 years, Frank Hofmann BSc MEd has thousands of hours on a diverse selection of aircraft from homebuilts to seaplanes to multi-engine types and is a qualified instructor, ground and air. How owns a Stationair but gets very little time to fly it. He has built two Mustang IIs, taught aircraft maintenance and was instrumental in establishing a hybrid professional pilot programme with

a business diploma attached when he was chairman of the Aircraft Maintenance Department at John Abbott College in Montreal.

'At ICAO there's no requirement to have any expertise in aviation'

He trained as a meteorologist with Transport Canada and was stationed in the Arctic, but found teaching more to his liking. He taught physics at all levels, and began teaching IFR ground school in 1950. He joined the Canadian Owners and Pilots Association in 1969 and became a director for Quebec, vice president and secretary.

Frank first went to ICAO on his retirement in 2000. He felt very much the new boy, but after a few years it became clear that everyone was new, few people stayed for long, and the level of expertise was not startlingly high. "The faces change, contacts must always be renewed. States send people for three years, as a reward for work in sometimes totally unrelated fields – there's no requirement to have any expertise in aviation. The ICAO Council has 36 members, 12 from states which have a very active aviation sector, 12 invited because of geographical location, and the other 12 pretty much at random – it's a United Nations body and there is some rotation. But you can find yourself talking to the representative of a state which has little or no general aviation, and the concept of GA is totally lost on them. That's not to say countries with no GA are an impediment; you might find they'll take note of what you have to say and act on it.

Human rights

"One of the ice-breakers I use with new delegates is to ask them to name a country in which general aviation is active; I will then show them that human rights are respected in that country. I ask them for another example. They will find there is a direct correlation between the level of GA activity in a country and the level of respect for human rights in that country. GA is not a cause, but a good measure of respect for human rights. This impresses on them that they should care about GA.



Far left: IAOPA's representative at ICAO, Frank Hofmann
Above: the Air Navigation Commission, repository of ICAO's technical information, contains no aeronautical engineers
Below: Frank has built two Mustang IIs
Right: he gets little time to fly his Stationair



"The Air Navigation Commission is ICAO's technical body. It has a preponderance of ATC personnel, but few pilots and no aeronautical engineers, which is unfortunate as this is where the technical expertise is supposed to be. In fact its level of technical expertise is quite skimpy. It has 19 members and they take binding decisions – they will take advice, but it's a classic example of an area in which you must know what questions to ask in order



to elicit a pertinent response. Many people don't know GA well enough to ask the right questions.

"My primary job is public relations and advocacy. I'm the human face of GA. People know me; I sit in on their commissions and councils as an observer, and on panels on security. I can make verbal presentations, I can place material on the record, but the big thing is working behind the scenes, and having friendly states that will ask questions on our behalf and vote in a positive way."

Frank is IAOPA's point man in the debate over language proficiency requirements, a debate which the Association has been relentlessly losing for five years. But there are often successes – the lifting of the 'age 60'

rule is one, and at IAOPA's urging ICAO recently recommended that states group their facilities efficiently at airports, to ensure pilots don't have to run all over the place having documentation looked at, getting met, notams, paying for fuel and so forth. "Your victories are all small victories, a change in a word here or a phrase there; that may not seem much but when you realise how these things are interpreted – the difference between 'should' and 'shall' can be of fundamental importance, or a note at the end, an appendix clarifying a point, can be vital."

Frank gets emails from AOPAs around the world seeking help and advice on issues, but says national AOPAs should be more directly involved with the process that produces ICAO regulations. "ICAO does what states tell it to do, and AOPAs must influence their states. They should have good lines of communication with their CAAs and talk to them regularly. That will help them influence ICAO."

On the other hand, he says, decisions coming out of ICAO are often ignored by states. "They may go to the wrong department or person and be filed and forgotten," he says. "The result is that rules we consider to be common to all ICAO states are enforced unevenly across the world. Some states file differences with ICAO to notify other states that they have their own rules (Britain is the world champion filer of differences, with more than 600) but some simply ignore ICAO rules, which is dangerous."

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ICAO is changing, with its budget being cut and personnel numbers being reduced everywhere except the environment section, where numbers and personnel are growing fast. "The status of observers has changed,"

says Frank. "ICAO is relying more on industry for expertise and input. We've had a liberalisation of involvement. Once, we could only speak on questions with notice and approval, but now it's much less formal."

"Each delegate has a little pyramid of experts and advisers, often provided by concerns like British Airways, who are there all the time making recommendations to the Secretariat. IAOPA must be there too, on the ground floor, or the interests of all of general aviation would be ignored and our freedoms lost." ■