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ASSEMBLY — 35TH SESSION

ECONOMIC COMMISSION

Agenda Item 27: Regulation of international air transport services, and outcome of the fifth Worldwide Air Transport Conference

ADVERSE EFFECTS OF U.S. TRADE EMBARGO ON CIVIL AVIATION ACTIVITIES OF THE ISLAMIC REPUBLIC OF IRAN

(Presented by the Islamic Republic of Iran)

SUMMARY

This paper provides the Assembly with the information about the trade embargo imposed by the United States on some Contracting States in regard to aircraft, spare parts and diverse post-sale-services and some of CNS equipments is an utter discrimination and also is against the aims and objectives which the Article 44 of the Convention on International Civil Aviation entails. However, to fulfill the aims and objectives quoted under above article, and for the States to fully implement their states responsibilities, they should have a fair opportunity for the access to the aircraft and CNS markets and the concerned services worldwide. Otherwise, the harmonious improvement of international civil aviation would be impossible and areas of lacking could be a potential for putting the safety, which is paramount importance for the aviation community, at stake.

Action by the Assembly is in paragraph 3.

1. INTRODUCTION

1.1 The trade embargoes imposed by the United States of America on aircraft and on CNS equipment markets prevent some contracting states from having the free access to the aviation markets world wide. The embargoed states are responsible for the fulfilment of their state responsibilities and assurance of the safe and orderly growth of their national civil aviation which makes part of their international activities. To do so, they should have the free access to the aircraft, air transport and CNS markets worldwide in order to obtain what are required for the actualization of their national and International responsibilities.

1.2 Otherwise, in spite of the contracting states' strong will to modernize their Air Carriers' fleets and to fulfill thoroughly the SARPS and provisions of ICAO, they are actually unable to do so because of imposed trade embargo which prevents the concerned states from having a free access to the relevant aviation markets. Then, the prevalent status in their aviation will actually jeopardize the safety, sometime, somewhere.

2. DISCUSSION

2.1 One of the major issues in regard to just safety, which is the main concern of the aviation community, is the aircraft itself and in particular the ease with which the Air Carriers are provided with the short-used and/or brand new aircraft and supplied with spare parts and also diverse post-sale- services in order for the states to properly maintain the aircraft and to completely meet the provisions and set standards both nationally and internationally.

2.2 On the other hand, without the state-of-the-art CNS equipments in particular satellite based ones (GNSS); it is and will be difficult to provide the service(s) which the users mostly require. Moreover, with the conventional facilities the present and future requirements will not be properly met due to steady growth in local and global air traffic. Hence, prevention of access to CNS equipments, whatever it is, will hinder the implementation of ICAO's provisions. Nonetheless, the concerned states, despite their determination, will not be able to entirely fulfill their state responsibilities.

2.3 Thus, imposed trade embargo, in regard to civil aircraft, civil aviation operations, CNS equipments and also prevention of access to the civil aircraft industry and relevant markets, is a hindrance to the fulfilment of the aims and objectives underlined in the Article 44 of the Convention on the International Civil Aviation, in particular by some contracting state to the Chicago Convention.

2.4 Furthermore, it is believed that "the aviation is the life blood of the world economy and also aviation, by definition, is international", whereas; some contracting states are deprived from the very life blood of the world economy! Therefore, such a deprivation is absolutely a mere practice of discrimination against people, not the governments because aviation is not country specific activities but international, which provides mobility to peoples of different nationals.

3. ACTION BY THE ASSEMBLY

3.1 The Assembly's attention is drawn to the imposed trade embargo by the United States of America on some contracting states including the Islamic Republic of Iran in regard to aircraft, spare parts and diverse post-sale-services and on some of CNS equipments and take any necessary measures in order that the ground is prepared for the lifting of the aforesaid embargo by thorough consideration of the issues raised, so that the concerned contracting states to be provided with equal opportunities, as other contracting states, to upgrade their fleets, improve the safety and security of their services to national and international set standards and broadly fulfill their states' responsibilities.