



WORKING PAPER

WORLDWIDE AIR TRANSPORT CONFERENCE (ATCONF)

SIXTH MEETING

Montréal, 18 to 22 March 2013

Agenda Item 2: Examination of key issues and related regulatory framework

Agenda Item 2.8: Implementation of ICAO policies and guidance

ISSUANCE OF ANNEX 20 TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION

(Presented by Bahrain on behalf of the Arab Civil
Aviation Commission (ACAC²))

EXECUTIVE SUMMARY

This working paper addresses the proposal for the issuance of Annex 20 to the Convention on International Civil Aviation (Chicago Convention) and highlights its importance and the support of Arab States for this important step, while taking into consideration ICAO's recommendations concerning the need for the developing countries' contribution to international air transport and to protect their interests in this Annex.

Action: The Conference is invited to agree to the recommendations presented in paragraph 4.

References: ATConf/6 reference material is available at www.icao.int/meetings/atconf6.

1. INTRODUCTION

1.1 There is an international consensus that the International Civil Aviation Organization (ICAO) remains the legal umbrella for the management of the international air transport sector. This approach was clear after the attempts made by the World Trade Organization to incorporate air transport activities in one of the annexes of the General Agreement on Trade in Services (GATS), in view of the specific nature of this industry and its connection with other requirements other than economic issues, particularly aviation safety and civil aviation security.

¹ Arabic version provided by Bahrain.

² Algeria, Bahrain, Egypt, Iraq, Jordan, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Syria, Sudan, Tunisia, United Arab Emirates and Yemen.

2. DISCUSSION

2.1 It is known that ICAO made concrete efforts to issue a number of documents that deal with international air transport, the most important of which are:

- a) Doc 8632 – *ICAO's Policies on Taxation in the Field of International Air Transport*;
- b) Doc 9082 – *ICAO's Policies on Charges for Airports and Air Navigation Services*;
- c) Doc 9587 – *Policy and Guidance Material on the Economic Regulation of International Air Transport*; and
- d) Doc 9626 – *Manual on the Regulation of International Air Transport*.

2.2 There are various guidance materials related to passengers, emissions and air navigation charges. The 2008 Conference on the Economics of Airports and Air Navigation Services (CEANS) also made a number of important recommendations in this regard.

2.3 While these documents are of great importance and value for Member States since they were issued by the lead organization in the area of civil aviation, they are not legally binding for them. It would therefore be a very important step in the regulation of international air transport if ICAO were to develop a new Annex that addresses air transport issues, reflecting its guidelines and policies contained in the above-mentioned documents. Furthermore, the recommendations made to promote the international air transport industry in developing countries and to support such countries in expanding their participation at the international level will be of particular significance, specially the recommendations made by the two Worldwide Air Transport Conferences held in 1994 and 2003, as well as the ones that will result from the Sixth Worldwide Air Transport Conference of 2013. This would have great positive effects and constitute a big leap forward in the regulation of this important international sector.

3. CONCLUSION

3.1 The international air transport industry urgently needs a new Annex that addresses international air transport regulatory matters and defines its requirements in a binding legal text through Standards and Recommended Practices, while taking into consideration developing countries interests in accordance with the ICAO recommendations as indicated in this paper. It should be noted that the Arab Member States of the Arab Civil Aviation Commission (ACAC) endorse and support this step.

4. RECOMMENDATIONS

4.1 The Conference is invited to:

- a) urge States to agree to the issuance of Annex 20 to the Chicago Convention; and
- b) urge States to take into consideration the developing countries' interests in accordance with the recommendations made at the Fourth and Fifth Worldwide Air Transport Conferences (1994 and 2003).