

ICAO International Air Law Treaty Workshop 2026
***Multilateral Air Transport Liberalisation
Frameworks in Asia***

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ASEAN Multilateral

Association of Southeast Asian Nations (ASEAN)

- Founded in 1967
- To promote economic growth, social progress & regional stability.



ASEAN States

Brunei	Philippines
Cambodia	Singapore
Indonesia	Thailand
Laos	Timor Leste *
Malaysia	Vietnam
Myanmar	

* Timor-Leste admitted as 11th Member State at 47th ASEAN Summit on 26 October 2025

ASEAN Transport Sector Platforms

Set **policy directions** in the transport sector and discuss **issues of common interest**

ASEAN
Transport
Ministers (ATM)

Supervise, coordinate,
and review programmes as
well as **directions** set by ATM

ASEAN Senior
Transport
Officials
(STOM)

**Principal coordinating and
implementing arms** of the
ASEAN STOM in carrying out
the various programmes,
projects and activities of the
sectoral areas as specified in
action plans

ASEAN
Transport
Facilitation
WG

ASEAN Land
Transport WG

ASEAN Air
Transport WG

ASEAN
Maritime
Transport WG

ASEAN Air
Transport
Economic
Committee

ASEAN Air
Transport
Technical
Committee

ASEAN Roadmap for Integration of Air Travel Sector (RIATS)



- **2004** - ASEAN Transport Ministers adopted **Roadmap for Integration of Air Travel Sector (RIATS)**

- Aimed at advancing the **full liberalisation** of air transport services in ASEAN and achieve the ASEAN Leaders' **vision of Open Sky** in the ASEAN region



- And to achieving greater air transport liberalisation specific to **air freight services** and **scheduled passenger services**

ASEAN Open Skies Agreements

- **ASEAN Multilateral Agreement on Air Services (MAAS)**
 - Signed on 20 May 2009
 - Protocols 1-6: Unlimited 3rd, 4th, 5th freedom traffic rights between ASEAN Capital Cities
- **ASEAN Multilateral Agreement on the Full Liberalisation of Air Freighter Services (MAFLAFS)**
 - Signed on 20 May 2009
 - Protocols 1-2: Unlimited 3rd, 4th, 5th freedom traffic rights between any ASEAN cities²



- **ASEAN Multilateral Agreement on the Full Liberalisation of Passenger Air Services (MAFLPAS)**
 - Signed on 12 November 2010
 - Protocols 1-2: Unlimited 3rd, 4th, 5th freedom traffic rights between any ASEAN cities¹
 - Protocol 3: Domestic codeshare rights (13 October 2017)
 - Protocol 4: Co-terminal rights (14 November 2018)
 - Protocol 5: Own stopover rights (21 February 2025)

Indonesian points limited to following cities:

¹Jakarta, Denpasar, Surabaya, Medan, Makassar

²Jakarta, Denpasar, Surabaya, Medan, Makassar, Balikpapan, Batam, Biak, Manado, Palembang, Pontianak

Unlimited 5th freedom traffic rights within ASEAN



PROTOCOL 2 ON UNLIMITED FIFTH FREEDOM TRAFFIC RIGHTS BETWEEN ANY ASEAN CITIES

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic (hereinafter referred to as "Lao PDR"), Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam, Member States of the Association of Southeast Asian Nations (ASEAN) (hereinafter referred to collectively as "Contracting Parties" or individually as "Contracting Party"),

RECALLING the ASEAN Multilateral Agreement on the Full Liberalisation of Passenger Air Services signed on 12 November 2010 in Bandar Seri Begawan, Brunei Darussalam, its Annexes and its Implementing Protocols (hereinafter referred to as "the Agreement");

RECOGNISING that Annex II of the Agreement thereof provides for the conclusion of Implementing Protocols which shall form integral parts of the Agreement;

RECOGNISING also paragraph 3 of Article I of the Framework Agreement on Enhancing ASEAN Economic Cooperation signed on 28 January 1992 in Singapore, that, in the implementation of economic arrangements, two or more Member States may proceed first if other Member States are not ready to implement these arrangements; and

DESIRING to remove restrictions on air services with a view of achieving full liberalisation in ASEAN by 2015,

HAVE AGREED AS FOLLOWS:

Article 1 – Definitions

For the purposes of this Protocol, the term "fifth (5th) freedom traffic rights" means intermediate and beyond fifth freedom traffic rights which are to be operated wholly within ASEAN.

Article 2 – Routing and Traffic Rights

Notwithstanding the provisions of Section 2 paragraph 1(d) of Annex I of this Agreement, the designated airline(s) of each Contracting Party shall be allowed to exercise fifth (5th) freedom traffic rights for the agreed services between any cities with international airports in the territories of other Contracting Parties by 30 June 2013. Provided that, in the exercise of fifth freedom traffic rights involving a capital city, one of the cities shall be a point other than a capital city airport.

Article 3 – Capacity and Frequency

There shall be no limitation on capacity, frequency and aircraft type with regard to air passenger services operated under this Protocol as provided in Article 2.

Article 4 – Final Provisions

1. This Protocol shall be deposited with the Secretary-General of ASEAN who shall promptly furnish a certified copy thereof to each Contracting Party.
2. This Protocol is subject to ratification or acceptance by the Contracting Parties who have ratified or accepted the Agreement. The Instruments of Ratification or Acceptance shall be deposited with the Secretary-General of ASEAN who shall promptly inform each Contracting Party of such deposit.
3. This Protocol shall enter into force on the date of the deposit of the third (3rd) Instrument of Ratification or Acceptance with the

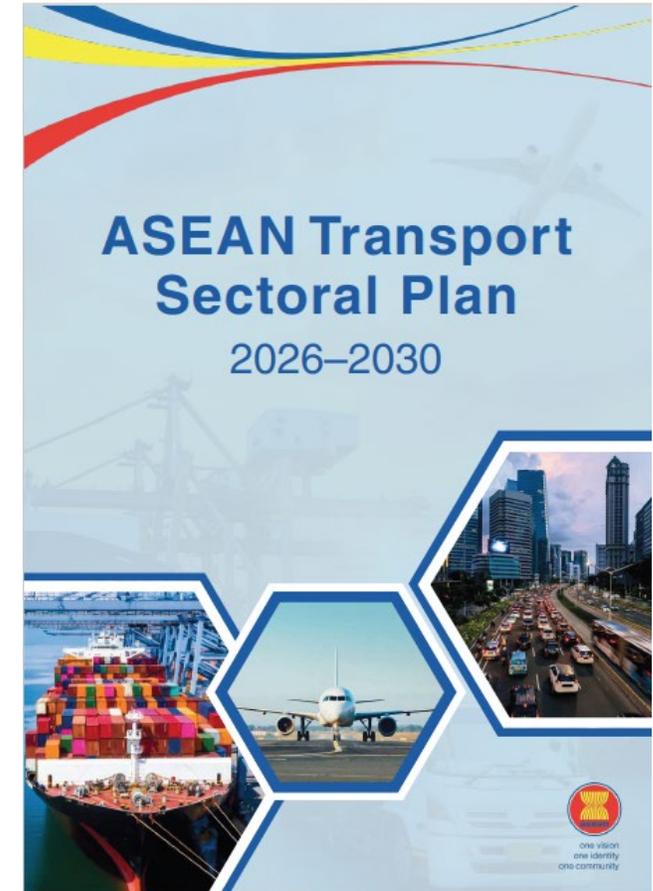
ASEAN Single Aviation Market (ASAM)

- Achieving **open skies** is an important part of the bigger plan to establish an **ASEAN Single Aviation Market (ASAM)**
 - to expand and deepen integration in all aspects of the aviation sectors, including **air services liberalisation**, aviation safety and security, and air traffic management.
- **Economic issues** include:
 - ownership and control of airlines and the aviation industry,
 - **liberalisation** of air transport ancillary services, competition laws, and
 - consumer protection policies.

- In parallel, ASEAN has also been actively engaging and working with its **dialogue partners** to enhance air connectivity with major market partners:
 - ASEAN-[China](#) Air Transport Agreement (AC ATA) (2010)
 - ASEAN-[EU](#) Comprehensive Air Transport Agreement (AE CATA) (2022)
 - ASEAN-[New Zealand](#) Air Services Agreement (ANZ ASA) (2025)
 - Other ongoing discussions with [Japan](#), [ROK](#), [UK](#), [Hong Kong](#) and [India](#)

ASEAN Transport Sectoral Plan (ATSP) 2026-2030

- ASEAN adopted the **ASEAN Transport Sectoral Plan (ATSP) 2026-2030**, with goals to advance the connectivity and integration of ASEAN transport and promote sustainable and smart mobility.
- The ATSP **aims** to support air transport goals to strengthen the **ASAM** for a more competitive and resilient ASEAN with the following:
 - i. Promote a more efficient and competitive ASEAN air transport market
 - ii. Continue to elevate the safety and efficiency of ASEAN skies
 - iii. Implement aviation security measures in ASEAN in accordance with the ICAO SARPs
 - iv. Enhance the efficiency of air traffic management in the ASEAN region
 - v. Strengthen SAR cooperation among ASEAN Member States
 - vi. [Sustainability] Explore the use of alternative fuels in the transport sector



**Thank you
for your attention!**