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REVISION NO. 1

GEOPOLITICAL DECISIONS EFFECTS ON INTERNATIONAL CIVIL AVIATION AND GLOBAL AIR NAVIGATION PLAN (GANP)

(Presented by Iran (Islamic republic of))

EXECUTIVE SUMMARY

This paper presents the effects of geopolitical decisions on civil aviation operations and global air navigation planning. The Convention on International Civil Aviation (Chicago Convention) text and soul supports civil aviation development among nations and people of the world to build friendship and understanding, and it also states that, any abuse in this regard will threat international security. Besides, undoubtedly without appropriate international cooperation implementing a Global Air Navigation Plan (GANP) would not be possible. Current geopolitical issues contributed to unilateral sanctions that in turn refrain nations and civilians from accessing international facilities and services. The situation eventually affects nations development and implementing global plans problematic in some areas of the world. This situation caused unnecessary and unrelated burden on international civil aviation and civilians that seems to be illegitimate and in contrary to the soul of the Convention.

Action: The Conference is invited to:

- a) consider the effect of unilateral sanctions on civilians and international civil aviation and related consequences on current and future global/regional planning;
- b) consider measures to make an international solution to exclude civilians and pure international civil aviation activities such as ICAO global plans affected from unilateral or international sanctions; and
- c) consider arranging a working group to study and recommend solutions to this problem.

1. INTRODUCTION

1.1 International Civil Aviation established to build a framework to harmonize standards and regulations throughout the world. States should endeavour to meet international standards and recommended practices. Harmonized implementation of standards and international civil aviation operation in general, is not possible without cooperation, that in turn can create and preserve friendship

and understanding among nations and people. Furthermore, international civil aviation not affected by the unnecessary political issues can automatically create such understanding among nations and people as it

brings about a convergence among nations and on the other hands sanction blocks civil aviation cooperation and related civilians to receive appropriate necessary services, therefore hindering international plans.

2. DISCUSSION

2.1 In cases political actions refrain civilians and international civil aviation from receiving essential services for development from international facilities to sustain for regional and international safe operation. It also hinders international safe operations and/or global plans, for example Global and Regional Air Navigation Plans. The instance is mentioned in the conclusion report of the MIDANPIRG21/RASG11, items 5.3.38, 5.3.39, 5.3.40, regarding height monitoring of the Iranian registered airplanes hindered for Office of Foreign Assets Control (OFAC) license for a long time, causing a concern among ICAO MID Region States.

2.2 Accessing ICAO capacity building plans are also blocked because of the unilateral sanctions that prevents financial transfers.

2.3 Chicago Convention on International Civil Aviation states that:

“WHEREAS the future development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, yet its abuse can become a threat to the general security.”

While the effect of international civil aviation on nations’ friendship and understanding could not be neglected, the geopolitical issues in some parts of the world has caused great adverse impact on international civil aviation planning due to abuses of unilateral sanctions of states managing and in possession of aviation industry through blocking technology and business, without considering such sanctions’ effect on civilians and international civil aviation. Such actions have undermined the friendship and understanding among nations, that, in turn cause reflections that is effective on international safety and security degradation.

2.4 Also, Article 4 of the Chicago Convention on International Civil Aviation mentions that:

“Each contracting State agrees not to use civil aviation for any purpose inconsistent with the aims of this Convention.”

Currently political decisions on sanctioning other states by states that has governance or that has influence on entities in the possession of servicing aviation industry and related technology, has contributed to problems in the aviation industry. Such state sanctions have pushed civil aviation industries to act against the text and soul of the “Convention on International Civil Aviation”. In effect those actions could be considered against the soul and text of the Chicago Convention.

2.5 Also, Article 44 of the Chicago convention states that:

“Article 44: The aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to:

- a) Insure the safe and orderly growth of international civil aviation throughout the world;
- b) Meet the needs of the peoples of the world for safe, regular, efficient and economical air transport; and
- c) Promote safety of flight in international air navigation; among others”

As Article 44 of the Chicago Convention clearly mentions the aims of ICAO to foster the planning and development of the international air transport to ensure orderly growth of the international civil aviation throughout the world, any actions against such orderly development should be considered by ICAO and its Member States and they should react accordingly. Orderly growth of the International Civil Aviation is not possible when sanctions prevent such growths among nations. It is clear that any global plan cannot ensure an orderly growth under such sanctions.

3. CONCLUSION

3.1 ICAO and Member States are invited to consider that services and supports that are a pure civil activity should be legitimately excluded from the sanctions. Such cooperation of entities involved can help build a friendship and understanding among nations.

3.2 As for the GANP, such restrictions should be considered for previous and later revisions development.

3.3 An international solution for the problem should be started and developed. A convergence working group can be a starting point to study and recommend methodologies to solve the problem.

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