



WORKING PAPER

**SEVENTH WORLDWIDE AIR TRANSPORT CONFERENCE
(ATCONF/7)**

Montréal, HQ, 16 to 20 November 2026

- Agenda Item 3: Strengthening regulatory and institutional frameworks**
3.1: Strengthening regulatory oversight and evolving institutional frameworks

**INSTITUTIONAL CONTINUITY AND KNOWLEDGE MANAGEMENT IN THE
NEGOTIATION OF AIR SERVICES AGREEMENTS**

(Presented by Peru and endorsed by 17 LACAC Member States²)

EXECUTIVE SUMMARY

This working paper examines the importance of institutional continuity and knowledge management for international air transport policy-making, negotiation, and effective implementation. The negotiation of air services agreements requires expertise, inter-agency coordination, and access to comprehensive, reliable, and secure records.

Staff turnover is a routine aspect of public administrations. However, in the absence of adequate succession planning, handover procedures, and records management practices, such changes may undermine the continuity of State positions, delay negotiations, and hinder the consistent interpretation and implementation of the agreements reached.

This working paper encourages the adoption of institutional practices that support the development and retention of the necessary expertise, establish secure repositories of official documentation, and ensure functional continuity through appropriate transition procedures. It also encourages consideration of the International Civil Aviation Organization's (ICAO) potential development of guidance and practical tools in this area.

Action: The Conference is invited to:

- a) recognize the importance of institutional continuity, expertise, and knowledge management for international air transport policy-making, negotiation, and effective implementation;
- b) encourage States, in accordance with their national legal and administrative frameworks, to establish appropriate mechanisms for skills development, succession planning, handover, and multidisciplinary teams for air services negotiations;
- c) encourage States to implement secure records management systems to preserve agreements, mandates, records of proceedings, institutional positions, and other relevant official records, with due regard for confidentiality, data protection, and information security; and
- d) request the Council to consider, subject to the availability of resources and through the appropriate technical mechanisms, developing and disseminating guidance and practical tools on institutional continuity and knowledge management in air transport regulation and negotiations.

¹ Spanish version provided by Peru.

² Belize, Bolivia (Plurinational State of), Brazil, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Jamaica, Nicaragua, Panama, Paraguay, Uruguay, and Venezuela (Bolivarian Republic of).

<i>Strategic Goals:</i>	This working paper relates to Strategic Goals: <i>Aviation Delivers Seamless, Accessible, and Reliable Mobility for All; The Economic Development of Air Transport Assures the Delivery of Economic Prosperity and Societal Well-Being for All; and No Country Left Behind</i>
<i>Financial implications:</i>	None
<i>References:</i>	ICAO Strategic Plan 2026-2050 Doc 9587, <i>Policy and Guidance Material on the Economic Regulation of International Air Transport</i> Doc 9626, <i>Manual on the Regulation of International Air Transport</i> SAM Regional Strategy 2035 OECD Recommendation on Public Service Leadership and Capability.

1. INTRODUCTION

1.1 Negotiations on traffic rights, capacity, designation, competition, and market access are complex and highly specialized processes involving legal, economic, commercial, diplomatic, and public policy considerations.

1.2 A State's international air transport policy is largely implemented through bilateral and multilateral air services agreements and related administrative arrangements. Their consistent implementation requires not only access to the applicable texts, but also to mandates, records of proceedings, institutional positions, and other relevant official records.

1.3 Institutional governance encompasses an administration's ability to maintain critical functions and policy continuity over time, even in the face of organizational or personnel changes. In the context of air services negotiations, this ability depends on expertise, inter-agency coordination, effective record-keeping, and appropriate transition procedures.

1.4 Institutional continuity does not necessarily require the same officials to remain in their positions indefinitely. It requires knowledge, responsibilities, documentary records, and official relationships to be transferred in an orderly, secure, and verifiable manner.

2. DISCUSSION

2.1 Expertise and Functional Continuity

2.1.1 Teams involved in air services negotiations must understand the applicable legal framework, national connectivity objectives, market conditions, the interests of users and operators, and the implications of various regulatory approaches. Building such expertise requires training, practical experience, and coordination among the relevant national authorities.

2.1.2 Staff turnover can bring new insights and often reflects legitimate administrative needs. However, when staff turnover occurs without succession planning or a documented handover of responsibilities, it may temporarily reduce negotiating capacity, prolong preparation processes, and undermine the continuity of institutional positions.

2.1.3 Accordingly, States may wish to consider mechanisms suited to their institutional circumstances, including competency profiles, multidisciplinary teams, training and mentoring programmes, the phased involvement of new personnel, and handover protocols.

2.2 Negotiation Records and Records Management

2.2.1 Consultations held during bilateral meetings, the International Civil Aviation Organization (ICAO) Air Services Negotiation (ICAN) events, and other official coordination mechanisms support shared understanding between the parties. To preserve institutional continuity, the substance of those consultations should be appropriately documented in official records, in accordance with applicable legislation.

2.2.2 The absence of a complete institutional record may hamper efforts to identify previously advanced positions, proposals exchanged, and points of agreement reached during earlier stages, all of which remain subject to the applicable formalization procedures. This may lead to duplication of effort, delays, and differences in interpretation.

2.2.3 A records management system supporting this function should clearly distinguish between legal instruments in force, formally agreed records of proceedings or memoranda, internal working documents, official correspondence, and background notes. It should also identify the official version of each record, the authority responsible for its custody, retention periods, and access levels.

2.2.4 Digitization should be subject to appropriate safeguards for confidentiality, personal data protection, cybersecurity, record integrity, and access rights based on official responsibilities. The goal is not to retain all personal or informal communications indiscriminately, but to ensure that information necessary for the conduct of State business is captured in authorized institutional systems.

2.3 Knowledge Transfer and Transition

2.3.1 Transition procedures may include status reports on negotiations, timelines and upcoming milestones, current mandates, outstanding issues, identified risks, official directories of counterparts, and structured handover sessions.

2.3.2 Where feasible, transitional overlap between incoming and outgoing officials, as well as the use of teams rather than individual negotiators, can help reduce reliance on individual expertise and facilitate continuity in official relations between States.

2.3.3 These measures should be tailored to the size, resources, legal framework, and administrative structure of each State. In particular, States with small negotiating teams may benefit from the exchange of best practices, model tools, and technical cooperation activities.

2.4 Alignment with Strategic Frameworks

2.4.1 The ICAO Strategic Plan 2026–2050 recognizes that developing a connected, accessible, inclusive, and affordable transport system requires building State capacities and ensuring that no country is left behind. Continuity in air transport policy and regulatory functions supports these goals by promoting predictable decision-making and the consistent implementation of air transport frameworks.

2.4.2 At the regional level, the South American (SAM) Regional Strategy 2035 provides a relevant framework. Pillar 3 promotes the identification of talent needs, professional development, training, and clearly defined career paths, while Pillar 5 promotes clear mandates, technical independence, accountability, and good governance practices within civil aviation authorities.

2.4.3 ICAO Doc 9626, *Manual on the Regulation of International Air Transport*, and Doc 9587, *Policy and Guidance Material on the Economic Regulation of International Air Transport*, provide ICAO's key guidance in this area. Complementary practical guidance on institutional continuity and knowledge management could facilitate the implementation of these frameworks, particularly in administrations with limited capacity.

3. CONCLUSION

3.1 The ability to engage effectively in international air transport policy-making, negotiation, and implementation depends on several factors, including available expertise, proper management of negotiation records, and existing mechanisms for institutional continuity.

3.2 Personnel changes should not result in the loss of institutional positions, documentary records, or critical capabilities. Knowledge management systems, succession plans, multidisciplinary teams, and transition protocols can help mitigate this risk and support more efficient, predictable, and transparent negotiations.

3.3 The exchange of best practices and the potential development of ICAO guidance and tools would be particularly helpful in supporting capacity-building efforts in States with limited institutional resources.

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