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Agenda Item 2: Fostering aviation growth and air connectivity through investments in infrastructure, human capital and partnerships

2.2: Investment for the development and modernization of civil aviation infrastructure

**EVOLUTION OF BRAZILIAN AIRPORT ECONOMIC POLICIES AND REGULATION SINCE
ATCONF/6**

(Presented by Brazil)

EXECUTIVE SUMMARY

This paper presents Brazil's evolution of airport economic policies and regulation during the 2010s and 2020s, leading to investment in infrastructure, increase in private participation, diversification of operators and decentralization to subnational entities, with attention to ICAO's policies on charges for airports.

1. INTRODUCTION

1.1 At ATConf/6, Brazil reported on the concession of Guarulhos/São Paulo, Campinas and Brasília international airports (ATConf/6-IP/18). Since then, Brazil's airport economic policies and regulatory framework have undergone significant consolidation, leading to increased investment in infrastructure, greater private participation, diversification of airport operators, decentralization to subnational entities and development of regional airports, with attention to ICAO's policies on charges for airports.

1.2 The Brazilian Government and the Brazilian National Civil Aviation Agency (ANAC) have adopted several measures to promote the development of the infrastructure: conducted successive rounds of federal concessions; increased the flexibility for subnational entities to manage airports and established a regulatory framework for private initiative sites.

2. DISCUSSION

2.1 The consolidation of the federal concessions programme was a major driver of investment and modernization of civil aviation infrastructure. In seven successive rounds between 2011 and 2023, 59 airports, which represent roughly 95 per cent of passenger traffic in Brazil, were granted to private operation

in contracts with terms ranging from 20 to 30 years. The concession programme also led to a diversification of operators, with airports now being managed by entities affiliated to 12 different operators, including six foreign groups.

2.2 From the fifth concession round in 2019, smaller non-profitable airports, some in isolated regions, were included in clusters with larger profitable ones, fostering their development and integrating civil aviation into national development and investment plans.

2.3 Further investments are being pursued through the incorporation of regional airports, individually or in clusters, into existing federal concession contracts through mutual agreement, in the so-called “Ampliar Programme” led by the Brazilian Government. To date, 13 regional airports have been incorporated into existing contracts.

2.4 The federal state-owned airport operator, Infraero, is also involved in promoting investments, as it was assigned to operate regional airports formerly run by subnational entities whose budget or management constraints limited its development.

2.5 Beyond these airports operated by federal concessions or by the federal state-owned company, there are approximately 400 airports open to traffic by either commercial or general aviation under management of subnational entities.

2.6 During the 2010s and 2020s, the Brazilian Government conducted a comprehensive review and regularization of agreements with subnational entities, providing greater legal certainty for investments by these entities, either directly or through public-private partnerships, including concessions. Besides that, ANAC partially decentralized its economic regulation and supervision to the subnational entities, promoting its integration with regional development plans.

2.7 Another driver of development was the establishment of a regulatory framework for airports of private initiative open to general aviation operations. A federal decree enacted in 2012, followed by ANAC regulation in 2014, secured that private companies may commercially operate such airports and generate revenue, exposed to market risks borne by its owner. Some airports are already operating under this framework.

2.8 Regarding ICAO’s policies and recommendations on airport charges, the contracts and regulation introduced requirements for consultation with users.

3. CONCLUSION

3.1 Brazil’s airport economic policies and regulatory framework have undergone significant consolidation in the 2010s and 2020s. The federal concession programme, the major driver of investment, transferred 59 airports, accounting for the largest share of passenger traffic, to private operation. In addition, economic regulation and oversight of airports run by subnational entities were partially decentralized. A regulatory framework was also established for private initiative airports open to general aviation operations.