



WORKING PAPER

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

Montréal, HQ, 16 to 20 November 2026

Agenda Item 3: Strengthening regulatory and institutional frameworks

3.2: Enhancing air connectivity through progressive economic and regulatory aviation frameworks for international air transport

**IMPACT OF DISCRIMINATORY UNILATERAL RESTRICTIVE MEASURES ON
GLOBAL CONNECTIVITY, ECONOMIC DEVELOPMENT, AND THE
RELIABILITY OF INTERNATIONAL AIR TRANSPORT.
POLITICIZATION OF THE ACTIVITIES OF THE INTERNATIONAL CIVIL
AVIATION ORGANIZATION (ICAO)**

(Presented by the Russian Federation)

EXECUTIVE SUMMARY

This working paper contains for consideration by the Conference information and proposals on the need to follow the International Civil Aviation Organization (ICAO) principles and policies, in accordance with which air transport has a fundamental significance for the sustainable development of countries' economies, thanks to the assistance in international air transport, to the encouragement and facilitation of tourism and trade, the liberalization of air transport, creation of conditions for just and fair competition, while politicization of the process of developing international civil aviation, wherein some countries introducing unilateral restrictive measures of a discriminatory nature, including by using ICAO institutions and mechanisms, has a negative impact on the sustainability and development of international air transport, leads to the destruction of the norms of international aviation law, including the principles and objectives of the Convention on International Civil Aviation of 1944 (Chicago Convention), and creates serious precedents which have a negative impact on international air travel as a whole and undermines ICAO's role and authority as a technical platform of multilateral interaction in civil aviation.

Action: see para. 4.

<i>Strategic Goals:</i>	This working paper relates to Strategic Goals: <i>Every Flight is Safe and Secure; The Economic Development of Air Transport Assures the Delivery of Economic Prosperity and Societal Well-Being for All; No Country Left Behind; and The Convention on International Civil Aviation Convention and other Treaties, Laws, and Regulations Address All Challenges.</i>
<i>Financial implications:</i>	It is expected that the work of ICAO mentioned in this paper is subject to execution within the resources of the 2026–2028 regular budget.
<i>References:</i>	Doc 7300/9, <i>Convention on International Civil Aviation</i> from 1944

¹ Russian version provided by the Russian Federation.

	Resolution A42-26: <i>Consolidated statement of continuing ICAO policies in the air transport field</i> Doc 9626, <i>Manual on the Regulation of International Air Transport</i> Doc 9587, <i>Policy and Guidance Material on the Economic Regulation of International Air Transport</i> Doc 9819, <i>Report of the Fifth Worldwide Air Transport Conference – Challenges and Opportunities of Liberalization</i> (ATConf/5)
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1. INTRODUCTION

1.1 The Convention on International Civil Aviation (Chicago Convention) establishes the main principles that Contracting States must follow to ensure that international air transport can develop in a safe, regular, efficient, orderly, economical, consistent and sustainable way. In this connection, one of the objectives of the International Civil Aviation Organization (ICAO) is to support the principles and measures facilitating international air transport based on fair opportunity, mutual respect of the rights of countries, as well common interests of safety and efficiency.

1.2 The ongoing, comprehensive development of the global process of liberalizing air transport, its competitive component ensuring the transparent nature of access to international market of air transportation for all airspace users without exception, matches the growth of satisfying the demand for civil aviation. This drive to develop international civil aviation is incompatible with the process of politicizing ICAO, whereby some Contracting States are using or encouraging the use of unilateral restrictive measures aimed at States that don't suit them politically.

1.3 Mindful of the rapidly changing conditions of regulating and operating international air transport, caused primarily by globalization and liberalization, and considering the foundational principles of sovereignty, fair opportunity, non-discrimination and cooperation defined in the Chicago Convention and forming the basis for the development of international civil aviation, the role of ICAO shall be to grant top priority to new challenges and global trends in air transport, helping Contracting States to benefit from the liberalization and development to satisfy common interests.

2. DISCUSSION

2.1 The changing conditions of how air transport functions, as well as the safe, rational and orderly procedure of liberalization in this sector requires the proper evolution of ICAO's very role as an entity that must contribute to the development of international air transport in a non-discriminatory, equitable, and orderly way and satisfy existing and emerging demands of all without exception Contracting States for accessible, secure international aviation service.

2.2 Politicization of ICAO's role as expressed in allowing the distortion of fair competition on the global air transport market occurs when certain States implement unilateral restrictive measures against other. This degrades the authority of ICAO and diminishes its role as an international organization that regulates these processes in international civil aviation and leads to the following undesirable outcomes:

- a) sustainable regulation of international air transport in the context of flexible growth of liberalization and fair competition is undermined, which casts doubt on the very

idea of liberalization of international air transport, promoted by ICAO as part of its work to assist the economic development of air transport;

- b) fair competition principles are violated in the international aviation transport system by deliberately deviating from fair market access guarantees;
- c) the rights of air transport market consumers are not protected, when (because of certain restrictive measures) a consumer is forced to accept a different service, not one in line with his/her demands, objectives, and interests;
- d) coherence of the international air transport system is violated, which harms international tourism;
- e) economic losses rise in worldwide air transport, due to increased outlays for fuel, logistics, and operations; and
- f) motivation decreases for continuing to discuss long-term objectives aimed at realistically lowering greenhouse gas emissions in the international civil aviation sector.

2.3 Ensuring harmonious development of the process of liberalizing international air transport calls for applying to all Contracting States international warranties including, inter alia, preventing biased politicized actions both by ICAO as well as by certain Contracting States, which affect the sovereign interests of other Contracting States as they are meeting demands for international civil aviation.

3. FINDINGS AND PROPOSALS

3.1 As per Assembly Resolution A42-26, *Consolidated statement of continuing ICAO policies in the air transport field*, Appendix A: *Economic regulation of international air transport*, ICAO has adopted a long-term conceptual plan to liberalize international air transport, which states: "*We, Member States of the International Civil Aviation Organization, resolve to actively pursue the continuous liberalization of international air transport to the benefit of all stakeholders and the economy at large. We will be guided by the need to ensure respect for the highest levels of safety and security and the principle of fair and equal opportunities for all States and their stakeholders*".

3.2 In this way, ICAO is continuing to fulfil its leadership and impartial role as the coordinator and global center, regulating the processes of liberalization and development of international civil aviation in order to ensure access to the market in such a manner and at such rates to satisfy the demands and circumstances of all States, while being mindful of the interests of all interested parties, as well as principles of measures and guarantees designed to ensure the ongoing and effective participation of all States so as to avoid using unilateral restrictive measures, including extraterritorial ones, that have a negative impact on the orderly, sustainable, and harmonious development of international air transport.

3.3 Taking into account the General Principles declared by Contracting Parties in the Declaration of global principles for international air transport (ICAO Doc 9819), adopted during the Fifth Worldwide Air Transport Conference (ATConf/5) in 2003, ICAO and the Contracting States, together with the air transport industry and other interested parties participating in the activities of civil aviation, it is necessary to continue all efforts so that international civil aviation develops to:

- a) ensure a high and improving level of flight safety;
- b) allow international air transport to develop on a sturdy, stable economic foundation;

- c) ensure that services are available that consumers want;
- d) contribute to better efficiency and minimize market distortion;
- e) provide sufficient and effective guarantees of fair competition on the global market of air transport;
- f) help to involve all States in the main processes, based on respect for national sovereignty, and ensure equality of opportunity and mutually beneficial arrangements based on reliable and stable functioning of international air transport systems;
- g) assist in the development of cooperation and harmonization on the global level, considering the interests of all participants and users of international airspace and international civil aviation; and
- h) prevent some States from using, or encouraging the use of, unilateral restrictive measures of a discriminatory nature with respect to other States.

3.4 Mindful of the fact that unilateral restrictive measures lead to negative operational, technical, and economic consequences which, regardless of what State they are aimed against, ultimately have a global impact on the aviation sector worldwide, we recommend that ICAO, in accordance with the mandate given it by the Chicago Convention, assess the negative impacts from the acceptance or encouragement of those measures on international air transport, make an analysis, and draft findings and recommendations to create a global mechanism to oppose unilateral restrictive measures in international civil aviation.

3.5 In this way, there is a current need for the ICAO Secretariat to charter a task force to evaluate how bilateral restrictive measures impact civil aviation on sustainable development of international air transport, the process of liberalizing international air transport, fair competition, and protection of consumer rights.

4. ACTION BY THE CONFERENCE:

4.1 The Conference is invited to:

- a) consider and accept the findings and proposals in item 3; and
- b) accept for consideration and approve the initiative to create a task force as set forth in items 3.4 and 3.5.

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