



International Civil Aviation Organization

WORKING PAPER

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(Information paper)

English only

ASSEMBLY — 39TH SESSION

ECONOMIC COMMISSION

Agenda Item 39: Economic Regulation of International Air Transport — Policy

STATEMENT ON THE WORK PROGRAM OF THE AIR TRANSPORT REGULATION PANEL (ATRP)

(Presented by the International Federation of Air Line Pilots' Associations
(IFALPA))

EXECUTIVE SUMMARY

This Information Paper restates the International Federation of Air Line Pilots' Associations (IFALPA) concern for the suggestions for the development of a labour clause to be addressed in any multilateral agreement.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objectives D – <i>Economic Development of Air Transport.</i>
<i>Financial implications:</i>	None
<i>References:</i>	Resolution A38-14, <i>Consolidated Statement of Continuing ICAO Policies in the Air Transport Field</i> A38-WP/56, <i>Outcome of the Sixth Worldwide Air Transport Conference</i> ATRP/12-IP/4, <i>Examination of New Regulatory Arrangements – Views from the International Federation of Air Line Pilots' Associations</i> ATRP/13-WP/11, <i>Issues of Labour and Social Policy to be Considered in Connection with the Work of ATRP/13</i>

1. INTRODUCTION

1.1 In Assembly Resolution A38-14, the 38th Assembly, following the recommendations in the report from ATConf/6, A38-WP/56, requested the ICAO Council to, amongst other things, examine an “international agreement by which States could liberalize market access” and to “initiate work on the development of an international agreement to liberalize air carrier ownership and control... taking into account... the effects on all stakeholders, including labour.” The Resolution did not set a time frame for completion of these tasks.

1.2 The Air Transport Regulation Panel (ATRP) was charged by the ICAO Council with the undertakings specified in Paragraph 1.1.

1.3 The ATRP met in May 2014 (ATRP/12) and in September 2015 (ATRP/13). ATRP/12 established a Working Group to analyze and prepare a draft text of international agreements on market access and air carrier ownership and control. In June 2015, the Working Group examined the first draft agreements that had been prepared by the Panel’s rapporteur. ATRP/13 reviewed the work of the Working Group and established a number of “focal points” to work on particular elements of the draft agreements. In April 2016, the Working Group met again to review the proposals developed by the focal points. Many important elements of the proposed agreements remained unresolved, including the criteria for designation of air carriers and competition/safeguard provisions.

2. DISCUSSION

2.1 Despite the several significant unresolved issues, the ICAO Council has proposed, in A39-WP/5, that the ATRP produce a “final draft agreement” by June 2017. IFALPA has concerns on how inputs will be processed during this very abbreviated time frame to create a final draft agreement. There are still significant differences that exist on key topics and there is a need to ensure that the views of all Member States and Observers are adequately developed and considered.

2.2 Addressing the effect of any multilateral agreement on labour – as required by Assembly Resolution A38-14 – is another task that must be undertaken by the ATRP. At each meeting of the Panel and the Working Group, IFALPA has presented the views of the world’s pilots on the issues before the Panel. At ATRP/12, IFALPA submitted an information paper (IP/4) and at ATRP/13 a working paper (WP/11). Despite a number of countries expressing support regarding IFALPA’s labour concerns, nothing has appeared in relevant drafts, neither after ATRP/13, nor after the April 2016 meeting.

2.3 Several of the proposed elements of the draft agreements on market access, ownership and control, present significant concerns for airline workers and, in particular, for pilots and flight attendants, in the areas of both safety and labour. IFALPA has repeatedly stated its view that “given the large number of subjects covered by air service agreements and the disparate views about how these subjects should be addressed, it is not likely to be a good use of ICAO’s resources to draft a multilateral agreement” (ATRP/12-IP/4; ATRP/13-WP/11). If the Assembly does direct the ATRP to continue to move forward with work on market access, ownership and control agreements, it is essential that the concerns of airline workers be fully considered and satisfactorily addressed in any product of the Panel, in line with further input provided by IFALPA.

3. **ACTION**

- 3.1 The Assembly is invited to note the information contained in this paper.

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