



ASSEMBLY — 42ND SESSION

ECONOMIC COMMISSION

Agenda Item 26: Economic Development of Air Transport

PRACTICES IMPACTING ORDERLY CONDUCT OF INTERNATIONAL CIVIL AVIATION

(Presented by India)

EXECUTIVE SUMMARY

As enshrined in the Preamble to the Convention on International Civil Aviation (Chicago Convention), one of the fundamental tenets is the safe and orderly conduct of international civil aviation. This working paper aims to bring out practices that adversely impact the ability of Contracting States to develop international civil aviation in an orderly manner.

Action: The Assembly is invited to:

- recognize that the orderly conduct of international civil aviation, as enshrined in the Preamble to the Chicago Convention, requires adequate safeguards to ensure the stability and sustained development of aviation services globally;
- note that the uncoordinated migration of trained aviation personnel, particularly pilots, aircraft engineers, aircraft technicians, and cabin crew, without standardized notice periods adversely impacts the ability of Contracting States to maintain orderly and safe aviation operations; and
- request the Air Transport Regulation Panel (ATRP) to develop specific guidance materials for a model Code of Conduct for the Contracting States to ensure that migration of trained aviation staffing, without any prior notice, must be balanced against the legitimate interests of States to maintain operational continuity and aviation safety standards.

<i>Strategic Goals:</i>	This working paper relates to Strategic Goal – The Economic Development of Air Transport Assures the Delivery of Economic Prosperity and Societal Well-Being for All.
<i>Financial implications:</i>	No direct financial implications for ICAO
<i>References:</i>	Convention on International Civil Aviation (Chicago Convention) CAR Section 7, Series X, Part II, Issue III published by India

1. INTRODUCTION

1.1 The Preamble to the Convention on International Civil Aviation (Chicago Convention), *inter-alia*, states “*THEREFORE, the undersigned governments having agreed on certain principles and arrangements in order that international civil aviation may be developed in a safe and orderly manner.....*”

1.2 The Indian civil aviation market which had been witnessing exponential growth, prior to the onset of the Covid-pandemic, has recovered and achieved domestic capacity exceeding pre-pandemic levels. With Indian domestic aviation market slated to continue to show double digit growth annually for the next decade, Indian carriers have placed large aircraft orders and have definitive plans for induction of technical and skilled personnel to be able to meet the growing requirement of continuously expanding fleets.

1.3 In the backdrop of the aforesaid, this working paper will attempt to identify issues which are being faced by civil aviation sector in India. These issues impact India’s ability to effectively develop international civil aviation in an orderly manner and suggest recommendations to ensure that this adverse impact is minimised.

2. ISSUE

2.1 India's domestic aviation market has experienced unprecedented growth, with passenger traffic rising from 61 million (2013-14) to 166 million (2024-25) with an increase of 135%. Combined aircraft orders across Indian carriers exceed 2,000 units, with domestic passenger traffic projected to reach 300 million by 2030.

2.2 This rapid expansion of civil aviation necessitates skilled and technically sound staffing to be recruited and retained. However, certain practices by Contracting States adversely impact India's ability to develop its international civil aviation in an orderly manner, contrary to the principles of the Chicago Convention and Article 44's guarantee of fair opportunity for development.

2.3 For instance, Indian carriers’ ability to deploy the additional aircraft, being inducted into their fleet, is adversely impacted by competing carriers of other Contracting States which tend to recruit technical and skilled staffing from Indian carriers without any notice to such Indian carriers, thereby adversely impacting India’s ability to develop its civil aviation sector in an orderly manner.

2.4 To scale up operations, Indian airlines invest substantial time and resources in recruiting new pilots, engineers, technicians, aircraft maintenance engineer (AMEs), and cabin crew, and subsequently in their professional development, particularly advancing fresh pilots to Pilot-in-Command status. The Indian government and aviation stakeholders have introduced multiple initiatives to encourage the establishment of flying training organisations (FTOs), creating a robust staffing training pipeline to support Indian aviation growth. For instance, the Airports Authority of India (AAI), a government-owned enterprise, has rationalized land rentals to make FTO operations more affordable and eliminated revenue sharing by FTOs established at AAI-owned airports. Similarly, other stakeholders such as State governments and private airports are providing incentives and reduced charges to enterprises establishing FTOs within their respective jurisdictions.

2.5 However, airlines from other Contracting States tend to recruit experienced pilots, engineers, technicians, and cabin crew from Indian carriers, preventing India's civil aviation sector from achieving planned and orderly growth. This practice creates a vicious cycle where Indian carriers are forced

to continuously recruit and train replacement personnel by diverting resources from expansion activities and operational improvements. The impact is particularly severe for specialized roles such as AMEs and type-rated pilots, where replacement training can take months or even years. This practice creates an unfair competitive disadvantage where Indian carriers effectively subsidize the training costs of foreign airlines while bearing the operational disruption costs themselves.

2.6 For Indian carriers having combined domestic-cum-international operations, any loss of technical and skilled staffing tends to first impact their ability to serve international markets, given the current and planned scale of their international operations. These challenges faced by staffing migration also create a cascading effect across multiple operational dimensions. Operational disruptions, including frequent flight cancellations and schedule modifications, directly contribute to increased training costs and inefficient resource allocation. These immediate challenges create impediments to planned fleet expansion and route development, as carriers must focus resources on stabilizing current operations rather than pursuing growth initiatives. The instability further undermines long-term human resource planning and investment, making it difficult for airlines to build sustainable workforce strategies in a rapidly evolving Indian market. Additionally, these challenges cause economic losses that affect Indian carriers' ability to compete in international markets, potentially limiting the country's capacity to capitalize on its position as one of the world's fastest-growing aviation markets and achieve its ambitious target of 300 million domestic passengers by 2030. These delays in deploying planned capacity in line with aircraft induction impacts Indian civil aviation entities economically as well, thereby vitiating the concept of "Equality of Opportunity" enshrined in the Chicago Convention.

2.7 The Indian government has recently issued Civil Aviation Requirement (CAR) Section 7, Series X, Part II, Issue III mandating minimum notice period and issuance of No Objection Certificate for first officers and commanders, which has ensured that conduct of civil aviation in the Indian domestic market is in an orderly manner, in so far as movement of pilots amongst Indian carriers is concerned.

3. CONCLUSION

3.1 Through this working paper, India would like to raise its concern on the repeated tendency of the carriers of some Contracting States to induct the trained technical staffing of the Indian carriers without any consultation/notice, thereby potentially causing disruption in the orderly conduct of civil aviation in India and would urge development of a Code of Conduct on movement of staffing amongst Member States, to mitigate the adversarial impact upon the Indian carriers of the issues detailed hereinabove. Such a safeguard would help carriers of all Member States to ensure civil aviation operations are conducted in an orderly manner.

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