



WORKING PAPER

ASSEMBLY — 42ND SESSION

ECONOMIC COMMISSION

Agenda Item 27: Other issues to be considered by the Economic Commission

**CONTRIBUTION OF AERIAL WORK IN DISASTER AND EMERGENCY SITUATIONS –
EXPERIENCE OF LACAC MEMBER STATES**

(Presented by Chile)

EXECUTIVE SUMMARY

Aerial work can be understood as all commercial aerial activity other than the transportation of people, cargo or mail that is performed by aircraft, such as firefighting; support for agriculture and construction; aerial photography and filming; survey and surveillance flights; cloud seeding; medical evacuations, etc.

As a result of various natural phenomena, especially those derived from extreme weather and climate change (forest fires, floods, landslides, etc.), many States have faced emergencies that endanger life, the subsistence of populations, communications, connectivity and access to basic services and, in general, alter many people's living conditions.

In these scenarios, support, rescue and supply activities are essential, and most of them can be carried out speedily and efficiently by aircraft.

This Working paper highlights the importance of aerial work and special air services for disaster response and for economic development in general, and the need for States to conclude agreements to facilitate such activities by eliminating barriers to access to each other's markets and simplifying administrative and operational procedures, without of course neglecting safety considerations. A noteworthy example of collaboration in this area is the Memorandum of Understanding (MoU) adopted in 2023 by the Latin American Civil Aviation Commission (LACAC).

Action: The Assembly is invited to:

- a) note the information presented in this Working paper and in particular of the collaborative experience in Latin America in facilitating aerial work for foreign operators; and
- b) include this matter in the work programme of the Organization, with a view to considering general guidance or model agreements for States to facilitate foreign operators' access to markets for aerial work, especially in cases of urgent need.

<i>Strategic Goals:</i>	This working paper relates to Strategic Goal: <i>The Economic Development of Air Transport Assures the Delivery of Economic Prosperity and Societal Well-Being for All</i>
<i>Financial implications:</i>	None
<i>References:</i>	Doc 7300, <i>Convention on International Civil Aviation</i>

¹ Spanish version provided by Chile.

1. INTRODUCTION

1.1. The direct and indirect impact of the air transport industry on the economy and development of nations and the remarkable work carried out by the International Civil Aviation Organization (ICAO) in establishing a regulatory framework – comprising not only the treaties that constitute international air law, but also the network of air services agreements that make development possible – are well known and usually widely disseminated. However, due to its more limited geographical scope, aerial work or specialized air services, i.e. all those activities carried out for profit by means of aircraft and which do not involve the carriage of persons or goods from one place to another, are not covered by an adequate regulatory framework when their scope is international or cross-border. Aerial work has several features that distinguish it from transport services, such as the type and size of the aircraft used; the frequent use of helicopters and, more recently, remotely piloted aircraft systems (RPAS); a high degree of specialization and thus a scarcity of qualified personnel; the fact that it arises out of contingencies or unforeseen circumstances, which means that it is inherently irregular and requires faster administrative action; and its close connection to relief services in the event of emergencies, disasters, and health, social and other needs.

1.2. Although it is a considerably smaller market than air transport, we should not underestimate its potential for development or the importance it could acquire for States' economies and, particularly, for their ability to prevent and respond to natural and human-induced disasters. Many countries every year face the dire consequences of forest fires, floods, landslides, earthquakes, etc., or have important needs relating to the expansion of their agriculture, mining, construction or fishing industries. In all these areas, support from aerial work is essential. Geographical and climate conditions can increase the difficulty of responding to such events and providing connectivity and assistance when ground communications are damaged. A further factor impacting the development of these services is that they are usually limited to domestic operations, because of the size and range of the aircraft used and the connection to events in the immediate locality. Yet, given the points made in previous paragraphs, cross-border development of aerial work is conceivable and could benefit those living in neighbouring or nearby countries, and that would require the removal of potential barriers.

1.3. However, not all States have the necessary economic or aeronautical resources – specifically, enough suitable aircraft and crews qualified for those operations. We have seen this in the Latin American region, where States have struggled to muster an adequate response in dealing with disasters, accessing remote areas or sending in medical and other supplies. In Chile, there are around 120 aerial work operators of various kinds, all of them certified to the highest safety standards and equipped with modern fleets of airplanes and helicopters. This is also the case in certain other States in the region, but for many States the reality is very different.

2. ANALYSIS: THE LATIN AMERICAN EXPERIENCE

2.1. The minimum requirements for the provision of commercial air services generally cover aircraft technical specifications, crew capabilities and commercial and operational permits, all of which are subject to the national regulations of each State and must comply with the procedures established by each authority. However, if such services are provided in a territory other than the one where an aircraft is registered or a supplier company is based, additional requirements and even prohibitions or restrictions will arise. For air transport services, there is a degree of uniformity in the procedures to follow to obtain the necessary accreditations and carry out the activity in a foreign country. For aerial work, however, there is not the same standardization in the form or content of agreements, and no adequate coordination to facilitate and liberalize their application in other States.

2.2. With this in mind, and considering also that some States of the region have larger and more modern aircraft fleets and a sufficient number of technically qualified pilots and operators, with capabilities that can be deployed in the territory of other States, in 2023 the Latin American Civil Aviation Commission (LACAC) launched an initiative to facilitate collaboration in aerial work, allowing operators from one Member State to perform aerial work in the territory of another Member State in emergency situations or whenever necessary to support local operators or supplement capacity, with a view to opening up access to such businesses in a non-discriminatory manner. To that end, a Memorandum of Understanding (MoU) was drawn up whereby, without impairing safety, the parties undertake to simplify and expedite the procedures relating to aircraft specifications, crew capabilities and the issuance of permits in the event of officially declared emergencies or in similar situations as determined by each State.

2.3. The MoU aims to grant equal treatment to the aerial work operators of the other signatory States; the text can be consulted at https://clac-lacac.org/documents/?lang=en#MoU-EstMie_eng. In this regard, it set out undertakings on, among other matters: accurately informing interested parties of the organization, department or person to contact in order to carry out an aerial work operation; simplifying and expediting certification procedures for operators from the other Parties, through the recognition and validation of documents issued in the State of origin of the company concerned; facilitating the validation of licences issued by the other Parties to crew members and other technical personnel; simplifying and expediting the procedures for the operation of aircraft maintenance organizations that provide services to foreign aerial work operators; creating a directory of foreign aerial work companies giving information on their authorizations, certifications, licences and technical capabilities, in order to facilitate the granting of permits in the future; exchanging information, technological know-how, technical regulations and procedures manuals on best practices and regulation of aerial work.

2.4. We believe that this instrument is a useful initiative; there are now 11 States Parties, out of a total of 22 LACAC Member States. It has already been successfully applied to deal with climate emergencies faced by countries of the region, such as the forest fires in Patagonia on the southern border of Argentina and Chile between October and March 2025, when aircraft from both States were able to fight the fire without regard to borders. We therefore believe that this tool could provide inspiration in drafting general guidance material for ICAO Member States seeking to incentivize aerial work in their territories.

2.5. Although the concept of traffic rights is not applicable to aerial work, progress can be made in opening up markets and removing barriers to competition in order to expand the range of services on offer to States and to the population at large, especially in emergency and disaster situations that threaten the life and subsistence of people and communities, by applying the same liberalizing approach as that promoted by ICAO in the field of air transport.