



ASSEMBLY — 42ND SESSION

EXECUTIVE COMMITTEE

Agenda Item 22: Other high-level policy issues to be considered by the Executive Committee

THE VENEZUELAN STATE'S POSITION ON UNILATERAL COERCIVE MEASURES THAT NEGATIVELY AFFECT INTERNATIONAL CIVIL AVIATION

(Presented by Venezuela (Bolivarian Republic of))

EXECUTIVE SUMMARY

The purpose of the following working paper is to describe the negative impact on international civil aviation of the unilateral coercive measures imposed on the Venezuelan State, in a spirit of avoiding friction and promoting cooperation between nations and peoples of the world in order to preserve friendship and understanding among them.

The above draws attention to the fact that the measures applied against the Bolivarian Republic of Venezuela constitute actions contrary to the spirit of the Convention on International Civil Aviation, undermining relations between the Member States of the International Civil Aviation Organization (ICAO) by restricting the conclusion of contracts with other States and imposing sanctions on companies or States that conclude contracts with the Bolivarian Republic of Venezuela, with no thought for the negative consequences of such actions, which jeopardize safety and international air navigation.

The measures seek to prevent the Venezuelan State from complying with international safety standards by placing restrictions on our acquisition of aircraft, parts and new technologies, among other things, pertaining to international civil aviation, in an immoral fashion and with the intent of creating an adverse and negative scenario for our Republic as it attempts to comply with the objectives of the ICAO.

Action: The Assembly is invited to:

- Request ICAO to comply with the objectives established in Article 44 of the Convention on International Civil Aviation, given that the actions in question put international civil aviation at risk; and
- Request the Council to conduct research into those situations that affect Contracting States in accordance with Article 55c) of the Convention on International Civil Aviation and to present its results at the next Assembly.

<i>Strategic Goals:</i>	This working paper relates to all Strategic Goals of ICAO.
<i>Financial implications:</i>	Not applicable.
<i>References:</i>	Doc 7300/9, the Convention on International Civil Aviation List of the United States Department of the Treasury Office of Foreign Assets Control

¹ Spanish version provided by Venezuela (Bolivarian Republic of).

1. INTRODUCTION

1.1 The Bolivarian Republic of Venezuela has repeatedly brought up the negative consequences for international civil aviation of the arbitrary measures adopted unilaterally against the Venezuelan State, in contravention of the spirit and purpose of the Convention on International Civil Aviation (the “Chicago Convention”), to which 193 States are party and which entails an obligation not only to comply with its content but also to act within the framework of its guiding principles.

1.2 In application of those principles, the ICAO Assembly has within its remit the establishment of policies and objectives to promote the development of international air transportation, yet the unilateral measures imposed on the Venezuelan State hinder the continuous growth that should underpin air transportation and that should be guaranteed by this Organization.

2. NEGATIVE CONSEQUENCES OF THE IMPOSITION OF UNILATERAL MEASURES AGAINST THE VENEZUELAN STATE

2.1 The negative consequences for international civil aviation are beyond dispute; it nevertheless seems pertinent to highlight some examples in this working paper.

2.2 The Venezuelan State has been the principal victim of the negative consequences of the aforementioned measures, since they have prevented the Republic’s development and progress in international civil aviation, one of the principles that ICAO should defend, especially for developing countries, having due regard for balance and equality of opportunity among the Contracting States to the Convention on International Civil Aviation.

2.3 In that respect, the negative impact is not limited to the Venezuelan State but, on the contrary, extends to the companies engaged in aviation activities, given that aircraft maintenance organizations, airport service operators and airlines are prevented from developing their business in accordance with the relevant provisions, being limited in their negotiations with other companies in the world, as these are in turn constrained by the threat of sanctions similar to those imposed on the Bolivarian Republic of Venezuela.

2.4 The unilateral measures referred to in this working paper should be seen by States as an obstacle to progress, for by preventing negotiations with the Venezuelan State and with the companies active in the Republic, they seek to make it impossible for our State to continue developing, from every point of view, since without the means to acquire inputs that permit the evolution of the aviation market, the Venezuelan State is left with no opportunities for growth and placed on an unequal footing.

2.5 The measures contravene the provisions of Article 44 of the Chicago Convention, specifically subparagraph (f),

“Insure that the rights of contracting States are fully respected and that every contracting State has a fair opportunity to operate international airlines.”

Likewise, subparagraph (g),

“Avoid discrimination between contracting States

3. CONCLUSION

3.1 The Assembly is requested, based on Article 55 of the Chicago Convention, which sets forth permissive functions of the Council and provides that the Council may: “*conduct research into all aspects of air transport and air navigation which are of international importance, communicate the results of its research to the contracting States, and facilitate the exchange of information between contracting States on air transport and air navigation matters*”, and in view of the impact that these unilateral measures have on safety, international air navigation capacity and efficiency, security, environment, facilitation and the economic development of international air transport, to address this situation in furtherance of the objectives of this Organization.

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