



International Civil Aviation Organization
South American Regional Office

Fifth Virtual Meeting of Directors General of Civil Aviation of the South American (SAM) Region on the Response to COVID-19

(Lima, Peru, 11 August 2021)

RV5/DGAC - WP/05

11/08/2021

Agenda Item 1: Preparation of the SAM Region for HLCC 2021

MEASURES AND CHALLENGES FACED DURING THE RECOVERY OF AIR TRANSPORT

(Presented by Brazil)

SUMMARY

This paper presents the main challenges for member States in the recovery of air transport.

Accordingly, the Fifth Virtual Meeting of Directors General of Civil Aviation of the SAM Region on the Response to COVID-19 is invited to:

- a) Promote, in coordination with the health authorities of each State, the adoption of adaptable, non-discriminatory, and harmonised risk management that is guided by scientific evidence to the extent possible, ensuring the interoperability of vaccination certificate and test control systems;
- b) Recognise the important role of fair competition and non-discrimination for the sustainable development of aviation in our Region;
- c) Recognise the importance of non-discrimination of vaccines when required as a condition of entry into countries; and
- d) Coordinate a common position to be presented by the Region at the High-level Safety Conference on COVID-19.

1. BACKGROUND

1.1 It is well known that, since the outbreak of COVID-19, practically all States, particularly in the Latin American Region, are suffering the impact of the pandemic. Perhaps one of the most severely impacted areas of the economy has been the air transport sector, since two of its basic assumptions of development, *i.e.*, economic growth and freedom of movement of people, are at the core of the crisis.

1.2 In this context, ICAO will hold the High-level Safety Conference on COVID 19, from 12 to 22 October 2021, with the purpose of contributing towards aviation's safe and efficient recovery from the current crisis, building the foundations to strengthen aviation resilience and make it more sustainable in the future. On that occasion, States are expected to sign their commitment to the rapid and efficient recovery of international air transport through the adoption of a High-level Declaration.

1.3 With global air transport expected to recover soon, it is important that States and industry enable a safe and efficient recovery while providing guidance for a risk management strategy with harmonized and transparent health protocols and agreed practices among States. However, it is even more important that States, in developing their policies to support the industry, do not forget the balance necessary for sustainable and competitive air transport.

1.4 Therefore, this working paper presents some considerations on the common challenges for the recovery of the sector and invites States to evaluate the possibility of joint positioning of the region at the ICAO High Level Conference.

2. ANALYSIS

2.1 In the current context of air transport recovery from the crisis, the civil aviation sector will face two main challenges.

2.2 First, the COVID 19 crisis led States to adopt rather restrictive border control measures, which had a huge impact on air transport. Given the need to open borders for the safe return of air operations, a coordinated risk management strategy is needed that is adaptable, proportionate, non-discriminatory, guided by scientific evidence, and harmonised to the greatest extent possible. It should also be based on common epidemiological criteria, testing or vaccination requirements, supported by periodic reviews, monitoring and timely exchange of information between States, accepting, at least, all vaccines authorised for use by the World Health Organization (WHO). In other words, the establishment of border health control measures should take into account consistent criteria and risk analysis so that unnecessary or low-impact restrictions are not imposed to control the pandemic.

2.3 In addition, it is important to support coordinated efforts by countries to ensure the interoperability of digital applications that keep passenger vaccination and testing information. These applications should also ensure secure transmission and validation of pandemic-related evidence, certification of vaccination and recovery, safeguarding privacy and providing non-digital accessibility. It is understood that this measure is critical for air travel facilitation and for vaccination certification or testing measures to be effectively implemented.

2.4 The second challenge concerns the basis on which the economic recovery of the sector will take place. It is recognised that, in acting to mitigate the negative impacts of the pandemic on air transport, regulatory easing measures must benefit all operators homogeneously, and not cause discrimination among them, so as not to unbalance fair competition in the sector. This attitude has provided international air transport the significant development we have witnessed in recent decades. Thus, when dealing with measures to support the sector, it is recognised that those that benefit the greatest possible number of operators, regardless of their nationality, are preferable, such as measures to make regulations more flexible.

2.5 Likewise, State contribution is an extreme measure that should only be used when market measures are unable to succeed, by acting on market failures. Thus, countries that still maintain limitations to foreign investment in airlines may take this opportunity to reconsider such a limitation since it deprives companies of a possible source of financing that is based on market tenets and, therefore, cannot be considered as unfair to competition.

3. **CONCLUSION**

3.1 This working paper submits to the consideration of the Directors General of Civil Aviation of the SAM Region two of the main challenges that, from Brazil's point of view, air transport will face in its recovery process from the current crisis. These challenges will surely be discussed during the ICAO High Level Safety Conference on COVID-19 and will require a coordinated stance of our Region, especially considering the strong impact of the crisis on Latin American aviation.

3.2 Health measures, although necessary for the prevention, containment and management of COVID-19 cases, must be based on scientific evidence and applied proportionally to the epidemiological risk identified in the countries of origin. Furthermore, as vaccination advances in the countries, it is necessary to ensure the interoperability of digital systems containing passenger health information, with a view to facilitating international air transport. In summary, it is necessary for States and industry to adopt consistent and effective pandemic control measures, while allowing the safe and efficient resumption of air operations.

3.3 Finally, Brazil considers that it is important to take advantage of this moment of recovery of the sector to reinforce the basic principles that have allowed the sustainable development of the aviation industry and that are enshrined in the Chicago Convention, namely fair competition and non-discrimination.

4. **SUGGESTED ACTION**

4.1 The Fifth Virtual Meeting of Directors General of Civil Aviation of the South American (SAM) Region on the Response to COVID-19 is invited to:

- a) Promote, in coordination with the health authorities of each State, the adoption of adaptable, proportionate, non-discriminatory risk management that is guided by scientific evidence, and harmonised to the greatest extent possible, also ensuring the interoperability of vaccination certificate and testing control systems;
- b) Recognise the important role of fair competition and non-discrimination for the sustainable development of aviation in our Region;
- c) Recognise the importance of non-discrimination of vaccines when required as a condition of entry into countries; and
- d) Coordinate a common position of the Region at the High-level Safety Conference on COVID-19.