

Doc 9587



Policy and Guidance Material on the Economic Regulation of International Air Transport

Approved by the Secretary General
and published under his authority

Third Edition — 2008

International Civil Aviation Organization

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FOREWORD

1. This is the third edition of Doc 9587, a compendium of the conclusions, decisions and guidance material developed by ICAO for its Contracting States concerning the economic regulation of international air transport. The origin of this compilation is Doc 9440 prepared pursuant to Assembly Resolution A23-17 and published in 1984, which was replaced by the first edition of Doc 9587 issued in 1992. The present document updates the second edition issued in 1999 and incorporates new policy guidance developed by the Organization since then.

Content and structure

2. The conclusions, decisions and guidance material included in the main text are those dealing with economic aspects of international air transport regulation which have received the endorsement of either the Assembly or the Council. In light of the changing regulatory scene, efforts have been made to provide in this single document a comprehensive coverage of all the relevant ICAO policies and guidance material. To improve user-friendliness and for ease of reference, the main body of the present edition has been structured into eight parts, each under a broad regulatory topic. It has incorporated some new policy guidance on emerging issues such as aviation safety and security, and environmental protection, which also bear on the economic regulation of air transport.

3. In addition, this document includes six appendices to provide additional guidance material, mostly developed by a panel of experts or the Secretariat, and approved by the Secretary General. The first three appendices remain the same as in the previous edition, namely: Appendix 1 — Guidelines for non-scheduled air services, Appendix 2 — Guidance material on the avoidance or resolution of conflicts over the application of competition laws to international air transport, and Appendix 3 — Preferential measures for developing countries in the economic regulation of international air transport. The three new appendices are: Appendix 4, which presents the conclusions, model clauses and recommendations of the fifth Worldwide Air Transport Conference (ATConf/5); Appendix 5, which contains the ICAO Template Air Services Agreements (TASAs); and Appendix 6, which reproduces Assembly Resolution A36-15, Consolidated statement of continuing ICAO policies in the air transport field.

Sources and related publications

4. As reflected in this document, ICAO's policies in the air transport field stem from certain Articles of the *Convention on International Civil Aviation* (Chicago Convention), the International Air Services Transit Agreement, the International Air Transport Agreement, and relevant Assembly resolutions. In October 1998, the Assembly adopted Resolution A32-17 to consolidate all earlier Assembly resolutions relating to air transport into a single one, which constitutes a consolidated statement of continuing ICAO policies in the air transport field. This consolidated statement has since been updated regularly by subsequent Assembly resolutions, the most recent one being Resolution A36-15.

5. In addition to the above, the present document also includes: relevant text from other Assembly resolutions (e.g. on environmental protection) and Council resolutions, statements and decisions; declarations of relevant ICAO conferences; recommendations adopted by five worldwide Air Transport Conferences (1977, 1980, 1985, 1994 and 2003) that have been approved by the Council; and relevant recommendations developed by the Panel of Experts on the Machinery for the Establishment of International Fares and Rates and by the Air Transport Regulation Panel (formerly the Panel of Experts on the Regulation of Air Transport Services) that have been endorsed by the Council.

6. The following publications provide background for the conclusions and decisions in the present document, along with additional guidance material:

Convention on International Civil Aviation (Doc 7300)
Assembly Resolutions in Force (as of 28 September 2007) (Doc 9902)
Report of the Special Air Transport Conference (Doc 9199)
Report of the Second Air Transport Conference (Doc 9297)
Report of the Third Air Transport Conference (Doc 9470)
Report of the Worldwide Air Transport Conference (ATConf/4 – 1994) (Doc 9644)
Report of the Worldwide Air Transport Conference (ATConf/5 – 2003) (Doc 9819)

7. Of particular relevance is the *Manual on the Regulation of International Air Transport* (Doc 9626), prepared by the Secretariat at the request of the Council, which is a basic reference document on the economic regulation of international air transport and which complements and supplements the present document. It contains descriptive and analytical material on existing regulatory process and structure at the national, bilateral and multilateral levels, as well as regulatory content and key issues.

8. Guidance material concerning other specific areas of international air transport regulation not included in this document can be found in the following publications:

Airport and air navigation services economics and management

ICAO's Policies on Charges for Airports and Air Navigation Services (Doc 9082)
Manual on Air Navigation Services Economics (Doc 9161)
Airport Economics Manual (Doc 9562)
Manual of Airport and Air Navigation Facility Tariffs (Doc 7100)
Report on Financial and Related Organizational and Managerial Aspects of Global Navigation Satellite Systems (GNSS) Provision and Operation (Doc 9660)
Report of the Conference on the Economics of Airports and Air Navigation Services (ANSCConf 2000) (Doc 9764)

Facilitation

Annex 9 — *Facilitation*
Dynamic Flight-related Public Information Displays (Doc 9249)
Machine Readable Travel Documents (Doc 9303)
International Signs to Provide Guidance to Persons at Airports and Marine Terminals (Doc 9636)
Access to Air Transport by Persons with Disabilities (ICAO Circular 274)
Guidelines on Passenger Name Record (PNR) Data (ICAO Circular 309)

Taxation

ICAO's Policies on Taxation in the Field of International Air Transport (Doc 8632)

Environmental protection

Guidance on Aircraft Emissions Charges Related to Local Air Quality (Doc 9884)
Guidance on the Use of Emissions Trading for Aviation (Doc 9885)

Future revision

9. The present edition incorporates conclusions and decisions adopted by the Assembly and the Council which are in effect as of 8 October 2004. Pursuant to Assembly Resolution A36-15, which, *inter alia*, directs the Council to keep the guidance contained in this document current and responsive to the requirements of the Contracting States, the compilation will be updated or revised from time to time in light of future decisions of the Assembly and the Council.

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