

**INTERNATIONAL CIVIL AVIATION ORGANIZATION****TWENTY FIFTH MEETING OF THE
ASIA/PACIFIC AIR NAVIGATION PLANNING AND
IMPLEMENTATION REGIONAL GROUP (APANPIRG/25)***Kuala Lumpur, Malaysia, 8 – 11 September 2014***Agenda Item 6: Any Other Business****ADHERENCE TO THE PRINCIPLES AND RECOMMENDATIONS
DETAILED IN ICAO DOCS 9082 AND 9161**

(Presented by IATA)

SUMMARY

This paper requests that ICAO issues a letter reminding States of the key principles and recommendations detailed in ICAO Doc 9082 (*ICAO's Policies on Charges for Airports and Air Navigation Services*) and ICAO Doc 9161 (*Manual on Air Navigation Services Economics*), particularly the provisions relating to consultation with airspace users.

1. INTRODUCTION

1.1 ICAO Doc 9082 (*ICAO's Policies on Charges for Airports and Air Navigation Services*) contains guidance material for States relating to airport and air navigation services charges.

1.2 Doc 9082 encourages States to incorporate four key charging principles, namely non-discrimination, cost-relatedness, transparency and consultation with users into their national legislation, regulation or policies, as well as into their future air services agreements, in order to ensure compliance by airport operators and air navigation service providers.

1.3 ICAO Doc 9161 (*Manual on Air Navigation Services Economics*) provides practical guidance to States to assist in the efficient management of air navigation services and in implementing the provisions of Doc 9082.

1.4 Adequate consultation and transparency supports a collaborative approach to change; something acknowledged as a key success factor in today's complex aviation environment.

2. DISCUSSION

2.1 ICAO Doc 9082 acknowledges the importance of the air transport system to States and its influence in fostering economic, cultural and social interchanges between States. It also acknowledges the economic and financial challenges faced by airports, ANSPs and aircraft operators.

2.2 Consultation with airspace users is one of the four key charging principles detailed in ICAO Doc 9082.

2.3 Doc 9082 (Section 1, Paras 17–19) contains specific recommendations regarding consultation with users on charges and airport and air navigation services planning, namely:

- a) consultation with airport and air navigation services users before changes in charging systems or levels of charges are introduced is important;
- b) the purpose of consultation is to ensure that the provider gives adequate information to users relating to the proposed changes and gives proper consideration to the views of users and the effect the charges will have on them;
- c) users or their representative organizations should also be consulted concerning capacity development and investment plans.

2.4 Doc 9082 (Section 1, Para 21) encourages States to ensure that a clearly defined, regular consultation process with users is established by providers.

2.5 Consultation is needed in order to strike a balance between the respective interests of airports and ANSPs on one hand and of aircraft operators and end-users on the other.

2.6 Consultation and cooperation between airports and ANSPs and aircraft operators is also needed to ensure that the financial burdens facing all stakeholders are shared in a reasonable manner. This particularly applies during periods of economic difficulty.

2.7 Doc 9161 provides practical guidance to States, air navigation services providers, and designated charging and regulatory authorities, to assist in the efficient management of air navigation services and in implementing the provisions of Doc 9082.

2.8 Consultation with users by providers within Asia/Pacific is often not in keeping with the provisions of Docs 9082 and 9161, particularly in terms of:

- a) occurring a sufficient amount of time before changes in charging systems or levels of charges are determined and/or introduced;
- b) users simply being informed of changes and this being deemed *consultation*;
- c) sufficient levels of transparency regarding how the revenue raised by charges will be spent;
- d) adequate and timely consultation concerning capacity development and investment plans.

2.9 To encourage timely and adequate consultation with airspace users by providers the meeting is requested to ask ICAO to write to States reminding them of Docs 9082 and 9161, and the principles and recommendations contained therein, particularly the provisions relating to consultation with airspace users.

3. ACTION BY THE MEETING

3.1 The Meeting is invited to:

- a) note the contents of this paper;
- b) discuss any relevant matters as appropriate;
- c) endorse para 2.9 as a meeting conclusion.