



ASSEMBLY — 37TH SESSION

ECONOMIC COMMISSION

Agenda Item 49: Liberalization of international air transport services

PROMOTE ICAO PARTICIPATION IN THE DEVELOPMENT OF AIR TRANSPORT

(Presented by Venezuela (Bolivarian Republic of))

EXECUTIVE SUMMARY

This paper outlines Chicago Convention objectives as they constitute the conceptual and legal framework on the basis of which ICAO had always worked and is requested to continue doing so in order to maintain its leadership role in the field of air transport, especially in elaborating guidance material on regulation policies of air transport, in light of the actual tendency to liberalize international services of air transport. This will provide States with the necessary tools to gradually implement liberalization of international air services and to progressively move from a bilateral negotiation system to a multilateral system, according to States' interests. To reach this objective, we propose convening an international conference on air transport.

**Action:** The Assembly is invited to:

- a) study the content of this paper; and
- b) convene an international conference on air transport.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objectives D — Efficiency — Enhance the efficiency of aviation operations, E — Continuity — Maintain the continuity of aviation operations, and F — Rule of Law — Strengthen law governing international civil aviation.
<i>Financial implications:</i>	
<i>References:</i>	Doc 9902, <i>Assembly Resolutions in Force</i> (as of 28 September 2007), Resolution A36-15: <i>Consolidated statement of continuing ICAO policies in the air transport field</i> Doc 9626, <i>Manual on the Regulation of International Air Transport</i> , second Edition, 2004 Doc 9587, <i>Policy and Guidance Material on the Economic Regulation of International Air Transport</i> Doc 7300, <i>Convention on International Civil Aviation</i> , Ninth Edition

<sup>1</sup> Spanish version provided by Venezuela..

## 1. INTRODUCTION

1.1 During its 36th Session, the Assembly adopted Resolution A36-15, *Consolidated statement of continuing ICAO policies in the air transport field*. A revised version of that Resolution is submitted to this Assembly for review and adoption, in working paper A37-WP/20, dated 5/7/10.

## 2. JUSTIFICATION

2.1 Based on the principle that the Convention on International Civil Aviation aims mainly at creating and preserving friendship and understanding among the nations of the world and preventing any actions that can become a threat to the general security; and promoting cooperation among nations so aviation can develop in a safe and orderly manner.

2.2 Noting that ICAO strives to develop necessary principles and techniques to facilitate and improve international air navigation and to encourage the organization and development of international air transport, in order to promote aviation safety in international air navigation and to prevent discrimination between Contracting States while ensuring that their rights are fully respected as sovereign States and that every Contracting State has a fair opportunity to operate international airlines.

2.3 Given the fact that States' equal rights do not mean that we should underestimate that exercising such rights depends on operational capacity.

2.4 Given the fact that the potential capacity of States to operate air services is measured by the traffic that it can generate depending on its population, its economic means and its expenses in providing for aviation operations.

2.5 In demonstrating the existing disequilibrium in international air transport which is the result of the inequality in the capacities to operate air services between Developed and Developing Countries.

2.6 Reiterating the necessity to establish a minimum of similar principles in legal and technical regulations in the field of international air transport.

2.7 Affirming that air transport is a precious element in promoting economic development on both national and international levels.

2.8 Stressing the fact that ICAO prepares guidelines, statistical analysis and economic studies that encourage the development of air transport.

## 3. PROPOSED MEASURES TO BE APPLIED BY ICAO AND MEMBER STATES

3.1 We propose that ICAO should have the necessary resources to promote and execute all activities aiming at developing air transport. We specifically suggest that ICAO hold an international conference on advantages and disadvantages of liberalization of air transport. The Conference should examine, inter alia, the conditions for markets access, the capacity of operating air services, the mechanism to fix the fares of proposed air services, the effective ownership and control of operators and air freight.

3.2 We propose that Contracting States encourage, promote, and support the activities that ICAO had achieved and will continue to implement in air transport field.