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ECONOMIC DEVELOPMENT

Report

Sixth Worldwide Air Transport Conference

Sustainability of Air Transport

ICAO Headquarters, Montréal, 18–22 March 2013

ATC conf



| ICAO

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**SIXTH WORLDWIDE AIR TRANSPORT CONFERENCE (ATCONF/6)
(2013)**

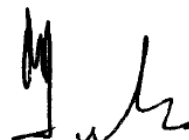
LETTER OF TRANSMITTAL

To: President of the Council

From: Chairperson, Sixth Worldwide Air Transport Conference (ATConf/6)

I have the honour to submit the report of the meeting of the Sixth Worldwide Air Transport Conference (ATConf/6), which was held in Montréal, from 18 to 22 March 2013.

M. Benchemam
Chairperson



Montréal, 22 March 2013

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INTRODUCTION

Site and duration of the Conference

1. The Sixth Worldwide Air Transport Conference (ATConf/6) was convened in the Assembly Hall of the Headquarters of the International Civil Aviation Organization (ICAO) in Montréal at 0930 hours on 18 March 2013. Mr. R. Kobeh González, President of the Council, opened the Conference, which was also addressed by Mr. T. Rifai, Secretary General of the World Tourism Organization (UNWTO), and Ms. K. Macaulay, Chairperson of the Air Transport Committee (ATC). Mr. B. Djibo, Director, Air Transport Bureau, introduced the Conference Secretariat. The Conference completed its work on 22 March 2013.

Attendance

2. The meeting was attended by members and observers nominated by 131 Member States and 39 international organizations, as well as by advisors and others as shown in Appendix C — List of Delegates.

Officers and Secretariat

3. The following officers were elected:

Chairman of the Conference:	Mr. M. Benchemam (Algeria)
Vice-Chairman:	Mr. B. Susantono (Indonesia)

4. Mr. B. Djibo, Director of the Air Transport Bureau, served as Secretary of the Conference, and Mrs. N. Teyssier, Chief, Economic Analysis and Policy Section, served as Deputy Secretary. Assistant Secretaries were Mrs. M. Boulos, Mr. F. Malaud, Mr. J. Simon, Mr. P. Villard, and Mr. Y-Z. Wang; Mr. J. Byerly, Mr. J. de la Cámara, Mr. B. Péguillan, and Mr. Evalou Gngang, acted as Advisors to the Conference.

5. Administrative and language services were provided under the supervision of Dr. F. Liu, Director, Bureau of Administration and Services, Mr. O. Fabrici, Acting Chief, Conference and Office Services Section, Mrs. D. Rahmani, Chief, Documents Management and Outsourcing Section, and Mr. V. Samochkine, Chief, Interpretation Section.

Agenda

6. The initial agenda for the meeting was approved by the Council of ICAO on 27 February 2012 (C-DEC 195/1, refers). The revised agenda shown hereunder, was approved on 31 January 2013 (EB 2013/4, refers).

1. GLOBAL OVERVIEW OF TRENDS AND DEVELOPMENTS

1.1 **Industry and regulatory developments:** The Conference will review major developments in the air transport industry and progress in regulatory change since the last

air transport conference (ATConf/5, 24-29 March 2003). This item will cover such areas as: airline alliances, consolidation and cooperative arrangements, low cost carrier models, airline economics and viability, and some major challenges facing the industry (such as the negative effect of fuel price volatility). The Conference will assess the impacts of these developments on the market and regulatory evolution.

- 1.2 **Other areas of ICAO's work that may have economic implications:** The Conference will receive reports on progress in other areas of ICAO's work (e.g. aviation safety, security and environment) that may have economic implications on air transport development or on economic regulation (such as financing).

2. EXAMINATION OF KEY ISSUES AND RELATED REGULATORY FRAMEWORK

- 2.1 **Market access:** This item will cover the exchange of commercial rights — primarily beyond Third and Fourth Freedoms, more flexibility for all cargo services, liberalization of auxiliary services (e.g. ground handling); regional or plurilateral approaches, prospects for multilateralism, airline capacity and airport access issues, including slot allocation and night-flight restrictions.
- 2.2 **Air carrier ownership and control:** This item will cover issues relating to the relaxation of rules for airline designation and authorization — moving beyond national ownership and control requirements; foreign investment in national airlines; and regulatory arrangements to facilitate airline access to international capital markets.
- 2.3 **Consumer protection:** This item will cover issues relating to consumer protection, air passenger rights, related regulatory approaches and industry practices (including conditions of carriage, industry commitments, and airline insolvency); airline pricing transparency; development of ICAO guidance material, and compatibility or harmonization of regulatory approaches.
- 2.4 **Fair competition:** This topic will cover issues relating to avoidance of unfair competitive practices; impact of industry consolidation and concentration; the effect of economic regulatory frameworks on the airline industry; and compatibility or harmonization in application of competition laws/rules.
- 2.5 **Safeguards:** This topic will cover issues relating to sustainable and effective participation of all States, particularly developing countries, in air transport; assurance of services; and avoidance of unilateral action impinging on air transport.
- 2.6 **Taxation of and other levies on international air transport:** This item will address issues relating to taxes/charges/fees imposed on civil aviation; the impact of taxation or non-aviation related levies on the development of air transport, and their implications for ICAO's policies on taxation and charges.
- 2.7 **Economics of airports and air navigation services:** This agenda item will address issues relating to the outcome of the Twelfth Air Navigation Conference (AN-Conf/12, Montréal, 19-30 November 2012) with respect to the economic impact of aviation system block upgrades (ASBUs). Of particular concern will be issues relating to how current ICAO policies and guidance can be applied and how to best respond to ASBU financing challenges. The Conference will be presented with status reports on the financial situation

of airports and air navigation services providers, implementation of recommendations resulting from the 2008 Conference on the Economics of Airports and Air Navigation Services (CEANS), and will consider related issues such as funding of regulatory oversight functions (i.e. for safety, security, and economic oversight of airport and air navigation services).

- 2.8 **Implementation of ICAO policies and guidance:** This item will address the relevance and effectiveness of existing ICAO policies and guidance on the economic regulation of international air transport; their application or implementation by States; and measures to improve the situation.

Working arrangements

7. The Conference met as a single body. Formal consideration of the agenda items was preceded on Sunday, 17 March 2013 by a Pre-conference Symposium, with the Conference *per se* commencing on Monday, 18 March.

8. The rules of procedure were the *Standing Rules of Procedure for Meetings in the Air Transport Field* (Doc 8683). Rule 26, which calls for the preparation of summary minutes, had been suspended by the Council.

9. Discussions in the main meeting were conducted in Arabic, Chinese, English, French, Russian and Spanish. A list of the documentation associated with the work of the Conference is included in Appendix D. Some working papers were available in one language only. The report was issued in Arabic, Chinese, English, French, Russian and Spanish.

10. The Conference delegated authority to the Chairperson to approve the yellow cover Report.

Agenda Item 1: Global overview of trends and developments**1.1: Industry and regulatory developments****1.1.1 Documentation**

1.1.1.1 The Conference considered Agenda Item 1.1 based on the following working papers: WP/17, WP/22 and WP/23 (Secretariat), WP/33 (United Arab Emirates), WP/39 (Egypt), WP/70 Revised (Canada, Germany, Singapore, United Arab Emirates, United States, International Air Transport Association (IATA) and the International Air Cargo Association (TIACA)), WP/53 (presented by Ireland on behalf of the European Union (EU) and its Member States and by the other Member States of the European Civil Aviation Conference (ECAC)), WP/56 (Colombia on behalf of the Latin American Civil Aviation Commission (LACAC)), WP/57 (Chile on behalf of LACAC), WP/65 (World Tourism Organization (UNWTO)), WP/ 102 (Asociación Latinoamericana de Derecho Aeronáutico y Espacial (ALADA)), WP/100 (Airports Council International (ACI)), and WP/80 (Civil Air Navigation Services Organisation (CANSO)). The following information paper was also noted by the Conference: IP/10 (Indonesia).

1.1.2 Discussion

1.1.2.1 The Conference supported the Secretariat working papers presented on the achievements since ATConf/5, the sustainability of economic development of air transport and the air transport value chain. The Conference also recognized the value of the work accomplished since ATConf/5 in assisting States in the process of liberalization. It was requested that ICAO ensure that guidance on liberalization be kept current, including the updating of liberalization indicators.

1.1.2.2 Noted were the developments that have taken place in the field of air transport which relate to the emergence of alliances and mergers between airlines. The Conference recognized that there would be value in studying the positive and negative impact on the air transport market, in particular with respect to compliance with competition standards and the prevention of monopolies.

1.1.2.3 Recognizing the close interrelationship between air transport and tourism, the Conference noted the need for closer cooperation and collective action beyond functional “silos” of air transport and tourism as well as the need to foster coordination among all interested stakeholders in general, and between the World Tourism Organization (UNWTO) and ICAO in particular.

1.1.2.4 Various views were expressed on the subject of the pace of liberalization. Some States mentioned the benefits of accelerated liberalization while others felt that different realities and specific situations for States may impact the pace of liberalization. It was argued by other States that a balance between fair competition and further liberalization was required and it was stated that unilateral actions by States may hamper the development of international air transport.

1.1.2.5 The important role that ICAO plays in promoting liberalization was recognized and concern was raised with respect to the funding of ICAO work in the field of air transport. It was considered that ICAO is the optimum forum to advance such work and support was expressed for the establishment of a dedicated voluntary fund to strengthen the ICAO role in this field, in accordance with ICAO rules of governance and policies.

1.1.2.6 The Conference noted the importance of the ratification of the Convention for the unification of certain rules for international carriage by air (Montreal Convention 1999 – MC99). There was strong support for promoting the ratification of MC99 by States which have not done so and for ICAO to provide assistance.

1.1.2.7 The subjects of safety and State sovereignty of airspace were considered to be outside the scope of the Conference and it was suggested that the issues should be discussed by the Assembly.

1.1.2.8 Finally, the International Labour Office conveyed the points of consensus adopted at an ILO Global Dialogue Forum held in February 2013.

1.1.3 Conclusions

1.1.3.1 As a result of the documentation considered and ensuing discussions on industry and regulatory developments under Agenda Item 1.1, the Conference concluded that:

- a) ICAO follow up work relating to ATConf/5, in the field of economic regulation, facilitated and assisted States in adapting to changes in the process of regulatory evolution. The continuation of such work would be beneficial to States in the development of air transport;
- b) with a view to fostering sustainable development of air transport, profitability differences within the air transport value chain, fragmentation in the regulatory framework, challenges associated with financing the air transport system, infrastructure capacity constraints and unilateral actions by States that have an impact on international air transport must be recognized as impediments to sustainable development of air transport and eliminated in order to cope with the expected growth of world air traffic while fostering sustainable development of the air transport system;
- c) the cost of fuel is largely dependent on market forces and the possibility of regulatory intervention appears unlikely. However, it is imperative that the regulatory framework for the development of air transport foster strategies to mitigate the negative economic impact of fuel price volatility;
- d) during the past decade, stakeholders of the air transport value chain have been operating in an increasingly competitive environment. These stakeholders are interdependent; operating costs and the operational environment impact the value created by the air transport industry;
- e) created initially to respond to market regulation restrictions and to remain competitive and present on the market, alliances have become increasingly complex and interrelated in terms of cooperation frameworks and enormous marketing powers. Despite all the features and benefits of alliances and mergers in the air transport industry, there are drawbacks and flaws which need to be addressed and ICAO should conduct studies on this issue;
- f) both States and relevant international organizations should take a broad, homogeneous and sustainable approach to air transport and tourism policies;

- g) taking into consideration the different realities of States, it is recognized that liberalized aviation markets have generally produced significant growth, development and social benefits for States that have embraced them;
- h) in order for ICAO to play an important role in air transport liberalization, a dedicated air transport fund may be established with a view to seeking voluntary contributions from Members States so as to enhance the work of the Organization in this field, provided that such a fund is administered in accordance with ICAO rules of governance and policies; and
- i) the MC99 has been an effective tool in determining air carriers liabilities and its implementation should be improved so as to provide important benefits to all Parties.

1.1.4 Recommendations

Recommendation 1.1/1 — Industry and regulatory developments

The Conference recommends that:

- a) States should recognize the importance of national and regional regulatory frameworks in ensuring compliance of alliances with competition standards and in preventing monopolies; States should also give due consideration to the benefits that alliances create;
- b) States should consider the creation of mechanisms that allow for closer co-operation and co-ordination between their tourism and air transport authorities; States should also support an increased co-operation between ICAO and UNWTO on key issues of common interest; States should support and encourage the universal adoption of MC99;
- c) ICAO should continue to monitor developments, conduct studies on major issues of global importance, provide a set of basic principles to States and share its analyses on the development of the air transport industry with States, international organizations and the industry;
- d) ICAO should update and advance its guidance material on the regulation of international air transport. In particular, it should continue to update the Template Air Services Agreement (TASAs) to keep pace with regulatory evolution and to update liberalization indicators. ICAO should also continue to develop relevant databases such as the *Database of the World's Air Services Agreements* (Doc 9511), as well as case studies of liberalization experiences;
- e) ICAO should continue to assist States with air transport liberalization efforts; this could be undertaken, inter alia, through the development of additional training courses, regional seminars or similar activities for the benefit of States, in accordance with available resources;
- f) ICAO should be the only forum for initiating global solutions for the development of a sustainable air transport system for all interested parties; ICAO should continue to cooperate with international and regional organizations and with the industry in order to monitor impediments to a sustainable air transport system and define, in a cooperative

manner, key strategies to overcome impediments;

- g) ICAO should establish an air transport fund in order to seek voluntary contributions from Member States with a view to enhancing the work of the Organization in this field. This fund should be administered transparently in accordance with relevant ICAO rules of governance and policies; and
- h) ICAO should provide assistance with the ratification of MC99, if so requested by a State.

Agenda Item 1: Global overview of trends and developments
1.2: Other areas of ICAO's work that may have economic implications

1.2.1 Documentation

1.2.1.1 The Conference considered Agenda Item 1.2 based on the following working papers: WP/18 (Secretariat), WP/37 (Cuba), and WP/58 (22 Member States, Members of Latin American Civil Aviation Commission (LACAC)).

1.2.2 Discussion

1.2.2.1 A number of delegations stated that aviation security is critical to the safe, secure and orderly development of international civil aviation. The Conference unanimously supported WP/18, presented by the Secretariat, on aviation security costs and related charges, and adopted the recommendations therein. A view was expressed concerning the negative impact that international air transport suffers as a result of the use of civil aviation in activities that cannot be accepted in the context of the Convention on International Civil Aviation, as such activities not only jeopardize the development of international civil aviation, but also its economic development.

1.2.2.2 Regarding the information provided by Cuba on the impact in the civil aviation sector due to the United States (US) embargo, the delegations from some Member States supported Cuba's position and the recommendations proposed in the paper. Cuba argued that the US embargo was a unilateral decision, contrary to the spirit of the Convention on International Civil Aviation, and stated that it impacted adversely on the development of civil aviation in Cuba. Further, they expressed the view that ATConf/6 was the appropriate forum at which to address the issue, as the Conference dealt with the sustainability of air transport. The US stated that the matter was a bilateral political issue and was not suitable for discussion during the Conference. The Secretariat advised that the issue had been addressed during the 37th Session of the ICAO Assembly, which was the governing body of the Organization, and stated that ATConf/6 did not have the authority to resolve the issue. In closing, Cuba advised of its intention to bring the issue to the attention of the upcoming 38th Session of the ICAO Assembly.

1.2.2.3 There was general support for the conclusions and recommendations presented by Chile on behalf of 22 Member States, Members of the Latin American Civil Aviation Commission (LACAC), relating to the cost-effectiveness of the Safety Oversight Cooperation System (SRVSOP). Several States expressed support for this type of regional cooperation, which results in cost savings for all stakeholders. However, the Conference noted that safety systems such as the SRVSOP and the associated activities should not be confused with ICAO's Regional Aviation Safety Groups (RASGs) or the Regional Safety Oversight Organizations (RSOOs).

1.2.3 Conclusions

1.2.3.1 On the basis of documentation and its discussion, the Conference reached the following conclusions:

- a) aviation security is critical to the safe, secure and orderly development of international civil aviation throughout the world, and the various security challenges

which the international air transport sector faces today will continue to be a significant cost-driver;

- b) the implementation of enhanced and new security measures and functions for airports and air navigation services providers (ANSPs), including security oversight, will result in additional costs. States are encouraged to observe the policies on security charges in *ICAO's Policies on Charges for Airports and Air Navigation Services* (Doc 9082) when determining the costs to be recovered from users and end-users through charges;
- c) ICAO policies and guidance on economic aspects of aviation security remain relevant: the 2008 Conference on the Economics of Airports and Air Navigation Services (CEANS) recognized that the current ICAO policies for the cost recovery of security measures at airports and ANSPs remained adequate and recommended that States ensure effective implementation;
- d) the issue raised by Cuba had previously been addressed by the sovereign body of ICAO during the 37th Session of its Assembly, which decided that this matter should be brought to the attention of the President of the Council, whose good offices had been involved in this issue on previous occasions, and the statement of Cuba of its intention to bring the issue to the attention of the upcoming 38th Session of the ICAO Assembly was noted; and
- e) the SRVSOP has generated significant cost savings for participating States, which has translated into benefits for operators; training, assistance to States, multinational activities, implementation, seminars and other activities could not have taken place without the SRVSOP or, alternatively, the cost would have been prohibitive for most States; and cooperation between States in the Region has been facilitated through standardization of training at a regional level.

1.2.4 Recommendations

1.2.4.1 As a result of the documentation considered and ensuing discussion on other areas of ICAO's work that may have economic implications under Agenda Item 1.2, the Conference adopted the following recommendations:

Recommendation 1.2/1 — Other areas of ICAO's work that may have economic implications

The Conference recommends that:

- a) States should ensure that the current ICAO policies for cost recovery of security measures and functions at airports and ANSPs are implemented so that security user charges are reasonable, cost-effective, and foster harmonization worldwide;
- b) States are encouraged to incorporate the four key charging principles of non-discrimination, cost-relatedness, transparency and consultation with users in national legislation, regulation or policies, as well as in air services agreements, in

order to ensure compliance by airport operators and ANSPs;

- c) States should increase participation in their respective safety regional groups;
 - d) States are invited to note the cost-effectiveness that can be achieved through regional cooperation and are encouraged to establish management and economic targets and indicators, as the Latin American States have done; and
 - e) ICAO should take all relevant measures to ensure widespread awareness and knowledge of its policies and encourage use of its guidance material on aviation security costs and related charges.
-

Agenda Item 2: Examination of key issues and related regulatory framework
2.1 : Market access

Note: The Conference considered this Agenda Item in three parts: a) market access liberalization; b) air cargo services; and c) other market access matters.

a) Market Access Liberalization

2.1 .1 Documentation

2.1 .1.1 The Conference considered traffic rights under Agenda Item 2.1 based on the following working papers: WP/13 (Secretariat), WP/28 (Chile), WP/97 (China), WP/40 (Egypt), WP/82 (Indonesia), WP/34 (New Zealand), WP/78 (Singapore), WP/44 Revised (Turkey), WP/93 (United Arab Emirates), WP/60 (United States), WP/103 (Venezuela), WP/54 (presented by Ireland on behalf of the European Union (EU) and its Member States and by the other Member States of the European Civil Aviation Conference (ECAC)), WP/63 (World Tourism Organization (UNWTO)), WP/67 (International Air Transport Association (IATA)) and WP/81 (International Federation of Air Line Pilots' Associations (IFALPA)) and WP/99 (International Transport Workers' Federation (ITF)).

2.1 .1.2 The following information papers were also noted by the Conference: IP/3 (Australia), IP/17 (Brazil), IP/5 (Poland), IP/14 (Republic of Korea), IP/19 (54 Member States of African Civil Aviation Commission (AFCAC)), IP/6 (22 Member States of Latin American Civil Aviation Commission (LACAC)) and IP/8 (World Trade Organization (WTO-OMC)).

2.1 .2 Discussion

2.1 .2.1 There was general recognition of the broad benefits that liberalization of air transport provides to States, the industry and consumers, as well as its contribution to the global economy, trade, tourism, community development and job creation and support was expressed for the need for further market access liberalization. The discussion focused on the approaches and pace of liberalization by States, as well as on the need to consider the interests of all stakeholders, including labour.

2.1 .2.2 Many endorsed the view that due to the disparity in States' developmental stages and air transport requirements, States should pursue liberalization at their own pace and apply approaches suitable to their needs and national situation. At the same time, there was general agreement on the need to modernize the global regulatory framework on market access so as to adapt to the changes of a globalized business environment; also recognized was the need for ICAO to play a leadership role in facilitating regulatory evolution. In this regard support was voiced for the proposal that ICAO develop a long-term vision for global liberalization of air transport, including multilateral solutions, bearing in mind the interests of all States and aviation stakeholders.

2.1 .2.3 Some States emphasized the close link between market access and fair competition, while other States were of the view that market access and fair competition are not necessarily linked.

2.1 .2.4 A large number of States expressed support for the proposal that ICAO develop an international agreement, building on past achievements and existing liberalized regulatory arrangements, for States to use in further liberalizing market access. The Conference noted, however, that substantial

work might be required in this regard, and that the provisions of the Multilateral Agreement on the Liberalization of International Air Transportation (MALIAT), and the reasons for which more States have not joined, should be considered. It was also suggested that this exercise be undertaken through consultation with experts (e.g., Air Transport Regulation Panel (ATRP)), States, the industry, and other aviation stakeholders, and that prior to committing to the project, ICAO should conduct a survey to analyse the needs of States, and assess the value, and resources required, for developing such an agreement. In addition, the Conference noted the proposed draft text of a multilateral agreement on market access liberalization provided by a State.

2.1 .2.5 In light of the lengthy process required for developing multilateral agreements, there was wide-spread support for the proposal that States should continue to liberalize market access through existing avenues, including bilateral, regional and plurilateral arrangements.

2.1 .3 Conclusions

2.1 .3.1 As a result of the documentation considered and ensuing discussion on the subject of market access liberalization under Agenda Item 2.1, the Conference concluded that:

- a) liberalization has provided broad benefits for States, consumers, airlines, airports, communities and national economies. Increased access to the international market for air service providers allows the air transport sector to maximize its contribution to the global economy;
- b) liberalization is a means and process, not an end. The objective of regulatory evolution is to create a favourable environment in which international air transport may develop and flourish in an orderly, efficient, economical and sustainable manner, without compromising safety and security, while respecting social and labour standards;
- c) States have pursued liberalization of market access in various ways and at different paces according to needs, conditions and policy goals, and have achieved considerable progress and success. However, there is an increasing need to modernize the decades-old regulatory regime to adapt to a changed global economic and business environment and to meet the requirements of States, the industry and consumers in the 21st Century;
- d) there is strong endorsement from the aviation community for further liberalization of air transport, and for ICAO's engagement in facilitating such efforts. There is broad support for ICAO, working closely with all parties concerned, to take the lead in exploring ways by which to expand market access, including long-term multilateral solutions, recognizing that States will pursue liberalization at their own pace according to their needs; and
- e) in the short term, States should continue to pursue market access liberalization according to situations and requirements, using existing avenues such as the Multilateral Agreement on the Liberalization of International Air Transportation (MALIAT), while ICAO should continue to provide guidance and assistance to States in facilitating the process.

2.1 .4 **Recommendations**

Recommendation 2.1/1 — Market access liberalization

The Conference recommends that:

- a) States should continue to pursue liberalization of market access at a pace and in a manner appropriate to needs and circumstances, giving due regard to the interests of all stakeholders, the changing business environment and infrastructure requirements;
- b) ICAO should develop and adopt a long-term vision for international air transport liberalization, including examination of an international agreement by which States could liberalize market access, taking into account the past experience and achievements of States, including existing market access liberalization agreements concluded at bilateral, regional and multilateral levels, as well as the various proposals presented during the Conference;
- c) ICAO should work with all parties concerned, undertaking consultation with experts, States, the industry, interested organizations and other stakeholders to build a common understanding and obtain consensus for the development of the long-term vision and related regulatory arrangements;
- d) ICAO should continue to provide guidance and assistance to States in facilitating market access liberalization, using facilities such as the ICAO Air Services Negotiation Conference (ICAN); and
- e) ICAO should keep its policy guidance on air transport regulation and liberalization current and responsive to changes and to the needs of States, and consider additional means by which to facilitate liberalization.

b) *Air Cargo Services*

2.1 .5 **Documentation**

2.1 .5.1 The Conference considered air cargo services issues under Agenda Item 2.1 based on the following working papers: WP/14 (Secretariat), WP/34 (New Zealand), WP/36 Latin American and Caribbean Air Transport Association (ALTA), International Air Transport Association (IATA) and WP/96 (The International Air Cargo Association (TIACA)).

2.1 .6 **Discussion**

2.1 .6.1 The Conference discussed the subject of air cargo liberalization together with the deliberation on market access liberalization.

2.1 .6.2 Recognizing the distinct features of air cargo operations some support was voiced for the proposal that ICAO develop an international agreement for the liberalization of air cargo. Pending such an agreement, States were encouraged to continue liberalization of air cargo services using existing vehicles,

including bilateral, regional or multilateral approaches. Attention was drawn to the fact that States may join the Multilateral Agreement on the Liberalization of International Air Transportation (MALIAT) on a cargo-only basis; The Conference noted that the provisions of the MALIAT, and the reasons for which more States have not joined, should be considered.

2.1 .6.3 A view was expressed that the development of an international agreement for the liberalization of air cargo transport has a potential risk of leading to competitive distortions between all cargo carriers and passenger air carriers transporting freight, and that such risk should be thoroughly studied and prevented.

2.1 .7 Conclusions

2.1 .7.1 As a result of the documentation considered and ensuing discussion on the subject of air cargo services under Agenda Item 2.1, the Conference concluded that:

- a) air cargo plays an important role in the global economy. The growth and expansion of air cargo services is beneficial for the sustainable development of air transport, and contributes significantly to global trade and economic development;
- b) the distinct features of air cargo services need to be given due consideration by States when making air service arrangements;
- c) States have used various vehicles in liberalizing air cargo services, including bilateral, regional and plurilateral arrangements, some of which are open for other States to join, such as the Multilateral Agreement on the Liberalization of International Air Transportation (MALIAT); and
- d) ICAO guidance on liberalization of air cargo services remains relevant, and its use by States should be encouraged. In this regard, there is broad support for ICAO to play a leadership role in facilitating further liberalization, and some support for ICAO to develop a multilateral agreement specifically focussed on air cargo, taking into account the need to ensure that such agreement does not lead to competitive distortions between all cargo carriers and passenger air carriers transporting freight, and that it is aligned with ICAO's liberalization efforts on overall market access for international air transport.

2.1 .8 Recommendations

Recommendation 2.1/2 — Air cargo services

The Conference recommends that:

- a) States should give due regard to the distinct features of air cargo services when exchanging market access rights in the framework of air service agreements and grant appropriate rights and operational flexibility so as to promote the development of these services;
- b) States should continue to liberalize air cargo services through all available avenues, and to

share experiences with other States;

- c) ICAO should take the lead in the development of a specific international agreement to facilitate further liberalization of air cargo services, taking into account past experiences and achievements, views of States on existing arrangements, and suggestions made during the Conference; and
- d) in the development of new regulatory arrangements on air cargo, ICAO should engage all parties concerned, and should undertake consultation with experts, States, the industry and interested stakeholders.

c) *Other Market Access Matters*

2.1.9 **Documentation**

2.1.9.1 The Conference considered other market access matters under Agenda Item 2.1. based on the following working papers: WP/11 (Secretariat), WPs/8 Revised (Secretariat), WP/87 (Republic of Korea), WP/25 (presented by Bahrain on behalf of Arab Civil Aviation Commission (ACAC)), WP/89 Airports Council International (ACI)), WP/64 (United States) and WP/99 (International Transport Workers' Federation (ITF)).

2.1.9.2 The following information papers were also considered by the Conference: IP/9 (South Africa) and IP/11 (presented by Ireland on behalf of the European Union (EU) and its Member States and by the other Member States of the European Civil Aviation Conference (ECAC)).

2.1.10 **Discussion**

2.1.10.1 On the subject of slot allocation, the Conference noted that insufficient airport slot capacity has a negative impact on the ability of air carriers to exercise market access rights. This problem cannot be resolved with short-term solutions and must be addressed with a broader, long-term perspective through the planning of infrastructure development.

2.1.10.2 Different views were expressed regarding the policies and practices applicable to the allocation of slots at constrained airports. Some States favored slot rules that give preference to airlines from developing countries. Other States disagreed, emphasizing that slots should be allocated in accordance with the principles of non-discrimination and equal opportunity, as expressed in the IATA's Worldwide Slot Guidelines (WSG).

2.1.10.3 Notwithstanding these differences, there was support for greater transparency through the publication of additional information regarding slot allocation at constrained airports.

2.1.10.4 It was suggested that ICAO continue to monitor the issues relating to slot allocation, including States' practices in handling the issues of slot allocation, and share information on significant developments, including information on airport and air traffic management (ATM) capacity demands and/or constraints.

2.1 .10.5 On the subject of night curfews, the Conference noted that night curfews or night flight restrictions remain an issue of concern to States. It was acknowledged that such restrictions are closely linked to specific local situations and that the restrictions can significantly affect market access and the operation of international air services; the need to consider the two perspectives was noted. There was broad support for the application by States of the ICAO “Balanced Approach” when dealing with airport noise management issues.

2.1 .10.6 Support was expressed for the proposal that certain types of business aviation operations should be treated as non-commercial aviation, and that ICAO should consider providing appropriate guidance in this regard in order to harmonize the development of business aviation which is an important component of a comprehensive international air transport system.

2.1 .11 Conclusions

2.1 .11.1 As a result of the documentation considered and ensuing discussion on the issues of slot allocation, night flight restrictions and business aviation under Agenda Item 2.1, the Conference concluded that:

- a) slot allocation is linked to specific local situations but also affects market access and the operation of international air services. As air traffic continues to grow, slot shortages will increase and will likely spread to other airports. While a global solution is difficult to prescribe as situations vary between States and between airports, there is a need for greater transparency regarding slot allocation rules and procedures, as well as a need for exploring how States and concerned stakeholders might work together towards their improvements;
- b) ICAO has addressed the issue of slot allocation and has developed related guidance for use by States, which remains relevant. Where a State encounters difficulties over slot allocation with other countries, the most practical approach for resolution is through consultation with parties concerned in accordance with relevant rules, such as IATA’s Worldwide Slot Guidelines (WSG), and available dispute settlement mechanisms;
- c) night flight restrictions are also linked to specific local situations but also affect market access and the operation of international air services. With the continued growth of air traffic, this issue will intensify;
- d) ICAO has developed a “Balanced Approach” policy to aircraft noise management, which should be used by States to address aircraft noise issues and develop relevant policy. States may resolve difficulties or disputes over night flight restriction issues through available consultation and dispute settlement mechanisms;
- e) there is general agreement that States should give due consideration to long-term capacity requirements when planning aviation infrastructure development; and
- f) as market liberalization evolves, there are other emerging issues of general interest to States and aviation stakeholders such as the treatment of business aviation. ICAO should play a role in monitoring the developments and develop relevant guidance.

2.1 .12 Recommendations**Recommendation 2.1/3 — Other market access matters****The Conference recommends that:**

- a) in dealing with the issues related to slot allocation and night flight restrictions, States should give due consideration to the needs and concerns of other States and make every effort to resolve any concerns through consultation in a spirit of sympathy, transparency, mutual understanding, and cooperation;
- b) with respect to night flight restrictions, States should respect and follow the ICAO Balanced Approach principle in regulatory action on aircraft noise management at airports;
- c) States should give due consideration to long-term capacity demands of air transport in planning the development of aviation infrastructure;
- d) ICAO should continue to monitor both the situation and States' practices in handling the issues of slot allocation and night flight restrictions, raise awareness of the relevant ICAO policy guidance, and encourage its use by States and concerned parties; and
- e) ICAO should continue to develop policy guidance for States on economic regulation of air transport and develop guidance on emerging issues of global importance, including business aviation.

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Agenda Item 2: Examination of key issues and related regulatory framework
2.2: Air carrier ownership and control

2.2.1 Documentation

2.2.1.1 The Conference considered Agenda Item 2.2 based on the following working papers: WP/12 (Secretariat), WP/94 (Brazil), WP/29 (Chile), WP/38 (Cuba), WP/41 (Egypt), WP/84 (Indonesia), WP/34 (New Zealand), WP/49 and WP/50 (Ireland on behalf of the European Union (EU) and its Member States and by other Member States of the European Civil Aviation Conference (ECAC)), WP/59 (22 Member States, Members of the Latin American Civil Aviation Commission (LACAC)), WP/63 (World Tourism Organization (UNWTO)), WP/67 (International Air Transport Association (IATA)), WP/81 (International Federation of Air Line Pilots' Associations (IFALPA)) and WP/99 (International Transport Workers' Federation (ITF)).

2.2.1.2 The following information paper was also noted by the Conference: IP/20 (AFCAC).

2.2.2 Discussion

2.2.2.1 There was wide recognition of the benefits of liberalizing air carrier ownership and control, and the need to adapt the current regulatory regime to meet the needs of the 21st Century. It was also recognized that liberalization may have various implications for labour, which should continue to participate as an important stakeholder for the development of the air transport industry. There was general endorsement that ICAO is the appropriate forum by which to promote and facilitate further liberalization in this area.

2.2.2.2 There was virtually unanimous support for ICAO to take the lead and initiate work to develop an international agreement to facilitate liberalization of air carrier ownership and control, building on past achievements and experiences. In light of the disparity in States' needs and circumstances, the agreement could be for signature by "willing and ready" parties initially and open for accession by other parties subsequently. There was broad agreement that such work should take into consideration the importance of ensuring safety and security, the principle of reciprocity, and the need for safeguards to allow a gradual and progressive adaptation. It was acknowledged that this work should also take account of regional liberalization experiences, the rules under various States' domestic laws, and the effects on all stakeholders, including labour.

2.2.2.3 The Conference noted the distinction drawn between a State's decision with respect to the ownership and control requirement of its national airlines under domestic law, and the discretion of a State to maintain or remove restrictions on ownership and control of designated airlines of other States under bilateral air service agreements.

2.2.2.4 There was also broad support for encouraging States to continue to liberalize air carrier ownership and control through various existing measures, including that of adopting the alternative criteria for designation of airlines based on "principal place of business and effective regulatory control", as recommended by ICAO. In addition, many States expressed support for ICAO work required to update guidance in this area as necessary.

2.2.3 Conclusions

2.2.3.1 As a result of the documentation considered and ensuing discussion under Agenda Item 2.2, the Conference concluded that:

- a) since ATConf/5, States and the industry have continuously called for liberalization of air carrier ownership and control in order to adapt to an ever more global and competitive economic environment. Although diverging views and regulatory approaches remain, there has been increasing recognition of the benefits of liberalization;
- b) more States are willing to liberalize and adopt a flexible approach in dealing with airline designation requirements under bilateral air service agreements. Considerable progress has also been achieved at the regional level, as several regions or sub-regions adopted arrangements in liberalizing air carrier ownership and control among their respective members, including permitting cross-border investments and airline mergers;
- c) there was general agreement that each State may choose its own path and pace in liberalization of air carrier ownership and control, and that safety and security remain of paramount importance in any regulatory change. Due consideration should also be given to the interest of all stakeholders, including that of labor. States have used various means in the liberalization of air carrier ownership and control, including unilateral, bilateral, regional, plurilateral and multilateral approaches;
- d) ICAO has developed considerable guidance for use by States in liberalization of air carrier ownership and control, which needs to be kept current and responsive to changes and to the requirements of States;
- e) there is broad and strong support for ICAO to continue to play a leadership role in facilitating further liberalization and in modernizing the global regulatory framework, including the development of a multilateral agreement to facilitate liberalization of air carrier ownership and control in order to meet the changing economic environment and requirements of States for the efficient and sustainable development of air transport; and
- f) ICAO should work with concerned parties and aviation stakeholders in developing new regulatory frameworks. Before a new long-term regulatory regime is in place, States could consider some short-term options proposed during the Conference for liberalization, for example waiver of ownership and control restrictions in bilateral air services agreements.

2.2.4 Recommendations

Recommendation 2.2/1 — Air carrier ownership and control

The Conference Recommends that:

- a) States should continue to liberalize air carrier ownership and control, according to needs

and circumstances, through various existing measures, such as waiver of ownership and control restrictions in bilateral air services agreements, and those recommended by ICAO. Regional organizations should, in cooperation with ICAO, play a role in facilitating and assisting States in the liberalization process;

- b) ICAO should continue to promote its policy guidance on air carrier ownership and control and encourage States to use its guidance in regulatory practice. It should keep its policy guidance current and responsive to changing situations and to the requirements of States; where required, ICAO should study and develop guidance on important issues that may arise as liberalization progresses;
- c) ICAO should initiate work on the development of an international agreement to liberalize air carrier ownership and control, taking into consideration safety and security concerns, the principle of reciprocity, the need to allow a gradual and progressive adaptation with safeguards, the need to take account of regional experiences, the requirements of various States' domestic laws, and the effects on all stakeholders, including labour;
- d) ICAO should involve all parties concerned in the development of the international agreement, and should undertake consultation with experts, States, aviation stakeholders and interested organizations.

Agenda Item 2: Examination of key issues and related regulatory framework
2.3: Consumer protection

2.3.1 Documentation

2.3.1.1 The Conference considered Agenda Item 2.3, based on the following working papers: WP/5, WP/15, WP/20 (Secretariat), WP/70 (Canada, Germany, United Arab Emirates, United States, International Air Transport Association (IATA) and the International Air Cargo Association (TIACA)), WP/30 (Chile), WP/31 (World Tourism Organization (UNWTO)), WP/43 (Saudi Arabia, on behalf of a group of Arab States), WP/45 (United States), WP/47 (Members of the African Civil Aviation Commission (AFCAC)), WP/55 (Ireland, on behalf of the European Union (EU), its Member States and by the other Member States of the European Civil Aviation Conference (ECAC)), WP/68 (IATA, the Arab Air Carriers Organization (AACO), the Association of Asia Pacific Airlines (AAPA) and the Latin American and Caribbean Air Transport Association (ALTA)), WP/77 (South Africa), WP/79 (Singapore), WP/83 (Indonesia), WP/91 (Airports Council International (ACI)), WP/95 (Brazil), WP/98 (China), WP/69 and WP/102 (Asociación Latinoamericana de Derecho Aeronáutico y Espacial (ALADA)).

2.3.1.2 The following information papers were also noted by the Conference: IP/1 (Secretariat), IP/7 (Members of LACAC), IP/15 (Korea), and IP/21 (Australia).

2.3.2 Discussion

2.3.2.1 The Conference expressed unanimous support for the need to protect consumers of air transport services. It was also noted that the effectiveness of regulatory responses adopted by States would benefit from increased convergence and compatibility.

2.3.2.2 There was broad support for the view that ICAO, as the best forum for addressing matters relating to international air transport, should play a leadership role in the development of high-level, non-prescriptive core principles on consumer protection. It was recognized that, in developing such core principles, it will be necessary to seek an appropriate balance between the need for consumer protection and industry competitiveness. It was also noted that the development of such core principles must allow flexibility with respect to State implementation, taking into account specific social, political and economic characteristics. Educating consumers to help them make informed choices on key aspects of air travel was considered an important aspect of consumer protection.

2.3.2.3 Several States and organizations noted that the development of core principles on consumer protection should be in line with existing instruments, notably the Convention for the Unification of Certain Rules for International Carriage by Air, adopted in Montréal on 28 May 1999 (i.e. the “Montréal Convention”). In this regard, States who have not done so were encouraged to become parties to the Montréal Convention.

2.3.2.4 Regarding the development of the core principles on consumer protection in an efficient and expedient manner, support was expressed for the creation of a dedicated ad hoc group, which could emanate from existing ICAO bodies such as the Air Transport Regulation Panel (ATRP). Experts designated by Member States from different regions should be invited to participate.

2.3.2.5 In view of the benefits of providing users of air transport services with clear information on prices, there was support for the need to include price transparency as part of the core principles on consumer protection.

2.3.2.6 States supported measures aimed at enhancing air transport connectivity and endorsed cooperation in the identification of impediments thereto. With respect to further work in this area to be undertaken by ICAO, particularly that focused on cost-benefit analyses, it was suggested that further consideration is required, including that of the Aviation Security Panel (AVSECP) and the Facilitation Panel (FALP).

2.3.2.7 The World Tourism Organization (UNWTO) informed the Conference of its decision to make adjustments to the process regarding the development of its draft convention on the protection of tourists pending review of the outcome of the Conference. The Conference agreed on the need to avoid the application of different sets of rules, based on whether a person is considered an air passenger or a tourist, notably in cases of massive disruptions or instances of “force majeure”.

2.3.2.8 Some States expressed support for initiating this work without delay with the view to achieving the adoption of the first conclusions during the 38th ICAO Assembly.

2.3.3 Conclusions

2.3.3.1 As a result of the documentation considered and ensuing discussion on consumer protection under Agenda Item 2.3, the Conference concluded that:

- a) the importance of protecting the interests of consumers is universally supported, as is the need for convergence and compatibility;
- b) core principles on consumer protection, covering such issues as price transparency and assistance to passengers in the event of delays, cancellations and denied boarding, as well as persons with disabilities, would benefit both passengers and operators;
- c) States should be encouraged to become parties to the Convention for the Unification of Certain Rules for International Carriage by Air, adopted in Montréal on 28 May 1999;
- d) States should enhance air transport connectivity and work to identify and remove impediments thereto; States should ensure that passenger data and information available to government authorities, airlines, airports and other relevant sources are provided to ICAO to facilitate these efforts; and
- e) there is need for a coordinated approach amongst organizations, including UNWTO.

2.3.4 Recommendations

Recommendation 2.3/1 — Consumer protection

The Conference Recommends that:

- a) ICAO should continue to monitor consumer protection developments and to play a leadership role in developing policy guidance, taking into account the interests of States, the industry, air travellers and other aviation stakeholders;
- b) ICAO should, in particular, develop, in the short term, a set of high-level non-prescriptive core principles on consumer protection which strike an appropriate balance between protection of consumers and industry competitiveness and which take into account the needs of States for flexibility, given different State social, political and economic characteristics; these core principles should be consistent with existing instruments, in particular the Convention for the Unification of Certain Rules for International Carriage by Air, adopted in Montréal on 28 May 1999;
- c) ICAO should establish a dedicated ad hoc group drawn from existing bodies such as the Air Transport Regulation Panel (ATRP), including experts designated at ICAO's invitation by States or regional bodies, with a view to facilitating the development of the core principles in an efficient and expedient manner;
- d) ICAO should continue to play a leadership role in consumer protection in air transport and should cooperate with other international organizations, including UNWTO, in areas of common interest with a view to, inter alia, avoiding duplication of efforts;
- e) States should foster the adoption and implementation of consumer protection measures aimed at increasing the connectivity provided by air transport; and
- f) ICAO should take necessary action, possibly through the involvement of adequate bodies such as the Aviation Security Panel (AVSECP) and the Facilitation Panel (FALP), for subsequent work on cost-benefit analysis related to air transport connectivity.

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Agenda Item 2: Examination of key issues and related regulatory framework
2.4: Fair competition

2.4.1 Documentation

2.4.1.1 The Conference considered Agenda Item 2.4. based on the following working papers: WP/4 (Secretariat), WP/32 (The United Arab Emirates), WP/39 (Egypt), WP/48 (Member States of African Civil Aviation Commission (AFCAC)), WP/51 (Presented by Ireland, on behalf of the European Union (EU) and its Member States and by the other Member States of the European Civil Aviation Conference (ECAC)), WP/62 (United States), WP/85 (Korea), WP/86 (Korea), WP/90 (Airports Council International (ACI)), WP/99 (The International Transport Workers Federation (ITF)).

2.4.1.2 The following information papers were also noted by the Conference: IP/4 (Ireland) and IP/14 (Korea).

2.4.2 Discussion

2.4.2.1 The principle of fair and equal opportunity is enshrined in the Convention on International Civil Aviation (the Chicago Convention) where States have agreed that international air transport services “may be established on the basis of equality of opportunity” and every State “has a fair opportunity to operate international airlines”.

2.4.2.2 A broad range of issues were raised under the topic of fair competition. A number of States focused on the challenges faced by smaller airlines, especially those from developing countries, when competing against much larger carriers, a challenge made more difficult in some cases by airline mergers and alliances as well as by unilateral or discriminatory measures that deny equitable opportunities. Others focused on issues linked to the inconsistent application of competition laws and policies, including standards for granting antitrust immunity. Some States noted the negative effects on competition caused by barriers to market access. Other States stressed that market liberalization must go hand-in-hand with concrete measures to ensure fair competition.

2.4.2.3 A number of States supported work by ICAO to establish core principles on fair competition, both to provide a clearer understanding of what is fair and unfair and to indicate appropriate measures to address problems. Among the measures identified were the establishment and effective enforcement of competition laws applicable to international air transport, clear and strong rules on state aids, and the inclusion of appropriate fair competition clauses in air services agreements based on ICAO templates. Other States mentioned principles of fair competition aimed at blocking control of markets by dominant carriers, ensuring all carriers equitable access, prohibiting discrimination and barring abusive practices. However, a number of other States disagreed with the proposal to establish core principles citing a) that attempts to reach consensus on core principles would prove impossible given the major differences in State views and practices; b) that issues of fairness can be effectively handled in existing bilateral channels and through use of ICAO template language; c) that many airlines and airports are State-owned (hence core principles that challenge this fact would be contrary to the principle of State sovereignty in the Chicago Convention); and d) that core principles on fair competition might be misinterpreted or misused as a barrier to competition.

2.4.2.4 Notwithstanding these differences, there was broad agreement that fair competition is an important general principle in the operation of international air services, and that States should give due

consideration to the concerns of other States when applying competition laws to international air transport. There were discussions over whether all States should adopt specific competition laws relating to international air transport. There was agreement, however, that cooperation among existing competition authorities should be encouraged in order to foster more compatible approaches and that ICAO could play a leading role in facilitating this process. In this regard, States voiced support for the further development of ICAO guidance on competition issues, for the development by ICAO of a compendium of competition policies and practices, and for the organization by ICAO of an exchange forum of competition authorities to enhance cooperation, dialogue and exchange of information (possibly on the lines of, or in conjunction with, ICAO Air Services Negotiations Conference (ICAN)).

2.4.2.5 On a different issue, it was noted that competition among airports has increased, and it was suggested that this should allow a “lighter regulatory touch” under which the commercial partners would consult the outcome on matters such as charges. This suggestion was opposed by a number of States, who stressed that regulatory authorities must continue to supervise, although it was noted that different levels of regulatory oversight could be considered.

2.4.2.6 The Chairperson, supported by the Vice-Chairperson, formed an ad-hoc group in order to help accelerate the work of the Conference in reaching consensus on the different views expressed at the meeting. The ad-hoc group was composed of representatives from the Member States of Indonesia, Ireland, Republic of Korea, Russian Federation, United Arab Emirates and United States of America.

2.4.3 Conclusions

2.4.3.1 As a result of the documentation and ensuing discussion on fair competition under Agenda Item 2.4, the Conference concluded that:

- a) In accordance with the Chicago Convention, fair competition is an important general principle in the operation of international air services;
- b) ICAO policies on competition are still valid, based on observed practices, such as the inclusion of ICAO model clauses on competition in air services agreements. ICAO should continue to monitor developments and update, as necessary, its policies and guidance in response to changes in the industry and State practice;
- c) there is a recognized need for States to give due consideration to the concerns of other States in the application of national or regional competition laws and policies to international air transport as well as a need for cooperation among competition authorities, including in the context of approval of alliances and mergers; and
- d) in this regard, ICAO should play a leadership role in identifying and developing tools to promote dialogue and the exchange of information among interested authorities with the goal of fostering more compatible regulatory approaches. Such tools could include the development by ICAO of a detailed compendium of national and regional competition policies and practices as well as the development of a facility that would serve as a forum for the enhancement of cooperation, dialogue and exchange of information.

2.4.4 Recommendations

Recommendation 2.4/1 — Fair competition

The Conference recommends that:

- a) States should take into consideration that fair competition is an important general principle in the operation of international air services;
 - b) States, taking into account national sovereignty, should develop competition laws and policies that apply to air transport. In doing so, States should consider ICAO guidance on competition;
 - c) States should give due consideration to the concerns of other States in the application of national and/or regional competition laws or policies to international air transport;
 - d) States should give due regard to ICAO guidance in Air Services Agreements (ASAs) and national or regional competition rules;
 - e) States should encourage cooperation among national and/or regional competition authorities, including in the context of approval of alliances and mergers;
 - f) ICAO should develop tools such as an exchange forum to enhance cooperation, dialogue and exchange of information between Member States to promote more compatible regulatory approaches toward international air transport;
 - g) ICAO should develop a compendium of competition policies and practices in force nationally or regionally; and
 - h) ICAO should continue to monitor developments in the area of competition in international air transport and update, as necessary, its policies and guidance on fair competition through the Air Transport Regulation Panel (ATRP).
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Agenda Item 2: Examination of key issues and related regulatory framework
2.5: Safeguards

2.5.1 Documentation

2.5.1.1 The Conference considered Agenda Item 2.5 based on the following working papers: WP/3 (Secretariat) and WP/63 (World Tourism Organization (UNWTO)).

2.5.2 Discussion

2.5.2.1 There was general agreement with respect to the continued need for safeguards in the liberalization process in order to ensure the effective and sustained participation of all States in the international air transport system, as enshrined in the Chicago Convention. Many States considered ICAO guidance in this field to be useful for policy making and for the development of their air transport industry.

2.5.2.2 There was virtually unanimous support expressed with respect to the prevailing relevance and validity of ICAO's guidance on safeguard measures concerning participation, assurance of service and State aid/subsidies, essential air service and tourism development route scheme, and avoidance of unilateral action, as well as for the need for ICAO to keep its guidance current and responsive to the changes and requirements of States.

2.5.2.3 It was widely agreed that in regulatory practices, States should follow the ICAO policy guidance on safeguards according to their needs and situation. Particular emphasis was placed on the view that States should refrain from taking unilateral action that would negatively affect other States and the orderly, efficient and sustainable development of air transport.

2.5.2.4 The Conference noted the view that safeguard measures should not be used as a tool to hinder the liberalization progress. Noted also was a suggestion that ICAO should work with States, interested organizations and stakeholders to promote its guidance, and should consult States concerned when developing guidance on safeguard measures.

2.5.3 Conclusions

2.5.3.1 As a result of the documentation considered and ensuing discussion on safeguards under Agenda Item 2.5, the Conference concluded that:

- a) in the liberalization process of international air transport, there is a continued need for safeguards by some States due to the disparity in the stages of the development, strength of air carriers, and geographical locations, as well as the need to ensure sustainable development;
- b) the guidance developed by ICAO on safeguard measures pertaining to effective participation in international air transport, assurance of service and State aid/subsidies, essential air services, and avoidance of unilateral action, continues to

be relevant, and should be kept current and responsive to changes and States' requirements; and

- c) in regulatory practices, States should give due regard to the common interest of the aviation community and the concerns of other States. Particular attention should be given to the ICAO policy guidance on the avoidance of unilateral action that could negatively affect the efficient and sustainable development of international air transport.

2.5.4 Recommendations

Recommendation 2.5/1 — Safeguard Measures

The Conference recommends that:

- a) in the liberalization process, States should give due regard to the principles agreed upon by the aviation community at the various ICAO fora pertaining to safeguard measures designed to ensure the sustained and effective participation of all States in international air transport, including the principle of giving special consideration to the interests and needs of developing countries;
 - b) in regulatory practices, States should refrain from taking unilateral action that would negatively affect the common interest of the aviation community and the efficient and sustainable development of international air transport;
 - c) ICAO should actively promote and encourage States to use the relevant ICAO guidance on safeguard measures in their regulatory practices, and to share with ICAO and other States their experiences in liberalization; and
 - d) ICAO should continue to monitor developments with respect to safeguards, and should keep related guidance current and responsive to changes and needs of States and, where required, work with States, interested organizations and aviation stakeholders to develop further guidance.
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Agenda Item 2: Examination of key issues and related regulatory framework
2.6: Taxation of and other levies on international air transport

2.6.1 Documentation

2.6.1.1 The Conference considered Agenda Item 2.6 based on the following working papers: WP/10 (Secretariat), WP/26 (presented by Bahrain on behalf of the Arab Civil Aviation Commission (ACAC)), WP/66 (World Tourism Organization (UNWTO)), and WP/75 (Airports Council International (ACI) and International Air Transport Association (IATA)).

2.6.2 Discussion

2.6.2.1 There was general agreement that the proliferation of various taxes and duties on air transport has a negative economic impact on the sustainable development of air transport and on the protection of the consumer. The Conference expressed concern that the proliferation of taxes goes beyond the current scope of ICAO policies on taxation of international air transport, as contained in Doc 8632, *ICAO Policies on Taxation of International Air Transport*.

2.6.2.2 The Conference confirmed that ICAO policies on taxation in Doc 8632 remain valid and that ICAO should vigorously promote them. It also recognized that there was value in States making use, in bilateral agreements, of the optional regulatory arrangement proposed by the Secretariat on the imposition of taxes on the sale or use of international air transport.

2.6.2.3 A view was expressed that States have sovereignty over taxation matters and that governments should have flexibility regarding the pursuit of income from taxes, according to their economic situation, and that air transport should not be exempted.

2.6.2.4 Also expressed was the view that all taxes applied should be fair, equitable and non-discriminatory and that States should avoid imposing taxes where this could lead to market distortions. In addition, a view was expressed that taxes are an impediment that divert revenues, which could be used to improve the air transport system.

2.6.2.5 There was general support for ICAO to work with relevant organizations on assessing the economic impact of taxes imposed on air travel and on the industry. However, a view was expressed that it was for States to determine how to measure such impact.

2.6.3 Conclusions

2.6.3.1 As a result of the documentation considered and ensuing discussions on taxation of international air transport under Agenda Item 2.6, the Conference concluded that:

- a) the air transport industry has, in recent years, witnessed the proliferation of various types of taxes and levies. This trend, coupled with the lack of transparency and discriminatory practices against air transport vis-à-vis other modes of transport, is causing serious concern within the industry, and will have a negative impact on the sustainable development of air transport, ultimately affecting national economic development, in particular in developing countries;

- b) notwithstanding the political and financial difficulties faced by many States and the resulting pressure on regulators, airport operators and air navigation services providers to accept the diversion of taxation, policy makers and national governments are encouraged to consider measures to help improve the situation; and
- c) ICAO has clear policies on taxation and user charges, which remain valid. States should be urged to apply these policies in regulatory practices, in accordance with Assembly Resolution A37-20, Appendices E and F. ICAO should continue to take the necessary measures to enhance States' awareness of its policies on taxation and user charges and promote application more vigorously.

2.6.3.2 The Conference noted that States should give consideration to the following regulatory arrangement to include in the Template Air Services Agreement (TASA) Article on Taxation as an option for use at their discretion in air services agreements:

".... Each party shall undertake to reduce to the fullest practicable extent and make plans to eliminate as soon as its economic conditions permit all forms of taxation on the sale or use of international air transport, including such taxes for services which are not required for international civil aviation or which may discriminate against it."

2.6.3.3 This clause is an option for use by States at their discretion. States may instead choose to use the arrangement in a Memorandum of Understanding (MoU) or a Memorandum of Cooperation (MoC). These will be reflected in the Explanatory Notes along with the clause in the TASA Article on Taxation.

2.6.4 Recommendations

Recommendation 2.6/1 — Taxation of International Air Transport

The Conference recommends that:

- a) States should apply ICAO policies on taxation in regulatory practices, in accordance with Assembly Resolution A37-20, Appendix E. Since ICAO has clear policies on taxation, which remain valid, States should ensure that the policies are followed by relevant authorities in charge of taxation so as to avoid imposing discriminatory taxes on international aviation which may have a negative effect on the competitiveness of the aviation industry and impact States' national economies;
- b) States should avoid double taxation in the field of air transport;
- c) ICAO should continue to take the necessary measures to enhance States' awareness of its policies on taxation and promote application more vigorously; and
- d) ICAO should collaborate with relevant industry associations to develop analysis and guidance to States on the impact of taxes and other levies on air transport.

Agenda Item 2: Examination of key issues and related regulatory framework
2.7: Economics of airports and air navigation services

Note: The Conference considered this Agenda Item in three parts: a) modernization of the aviation system; b) funding of oversight functions; and c) infrastructure management.

a) Modernization of the Aviation System

2.7.1 Documentation

2.7.1.1 The Conference considered Agenda Item 2.7 a) based on the following working papers: WP/19 and WP21 (Secretariat), WP/52 (presented by Ireland, on behalf of the European Union (EU) and its Member States and by the other Member States of the European Civil Aviation Conference (ECAC)), WP/101 (Member States of African Civil Aviation Commission (AFCAC)), WP/88 (Airports Council International (ACI)), WP/74 (Airports Council International (ACI), Civil Air Navigation Services Organisation (CANSO) and International Air Transport Association (IATA)).

2.7.2 Discussion

2.7.2.1 There was general support for the Secretariat's working papers on the modernization of the aviation system. The Conference deemed that the current ICAO policies and guidance on charges were relevant, including those on airport and air navigation services funding through user charges. Many States were of the opinion that further guidance should be developed with regard to financing the air navigation services block upgrades (ASBUs). Other States expressed the view that there was no need to develop further guidance as it was considered both premature and redundant to develop a new manual on financing the air transport system. Further, it was expressed that creating a new manual with the intention to complement the existing guidance material would likely be counterproductive and hinder ICAO's efforts to promote the use of key funding principles contained in existing guidance.

2.7.2.2 It was noted that the future air navigation system will be complex and very costly, and that there would be a need to develop new financing mechanisms. Support was expressed for work to be undertaken on the schemes of economic incentives, "best equipped, best served" and "most capable, best served" concepts, and performance-based approaches from a gate-to-gate perspective. Some States were of the view that ICAO should develop new guidance material to address such issues, while others felt that the relevance of the recently updated guidance material contained in *ICAO's Policies on Charges for Airports and Air Navigation Services* (Doc 9082) and in the forthcoming fifth edition of the *Manual on Air Navigation Services Economics* (Doc 9161) should be first assessed.

2.7.2.3 There was consensus on the need to establish a multi-disciplinary working group composed of ICAO, representatives of States and all other interested parties in order to further consider these issues. It was suggested that the working group could, initially, seek to determine the parameters and definitions of, for example, service priority policies and ascertain the effectiveness of these policies. Subsequently, the working group could consider how the policies might be applied in practice and, finally, how they could be reflected in existing ICAO policies and other guidance material. The working group could present its findings to the Airport Economics Panel (AEP) and the Air Navigation Services Economics Panel (ANSEP) to determine if and how the existing guidance could be amended to incorporate the findings of the working group. It was finally noted that determining whether such practices are consistent with ICAO's policy on non-discrimination was necessary.

2.7.3 Conclusions

2.7.3.1 As a result of the documentation considered and ensuing discussion on modernization of the aviation system, the Conference concluded that:

- a) ICAO policies and guidance on funding air transport infrastructure through airport and air navigation services charges, through pre-funding of projects and through the allocation of global navigation satellite system (GNSS) costs remain valid;
- b) The relevance of the recently updated ICAO policies and guidance material contained in *ICAO's Policies on Charges for Airports and Air Navigation Services* (Doc 9082) and the *Manual on Air Navigation Services Economics* (Doc 9161) should be assessed in the context of the modernization of the air transport system; and
- c) A multi-disciplinary working group should be established in order to consider the economic and operational challenges associated with the air navigation services upgrades in particular, and with financing the air transport system in general.

2.7.4 Recommendations

Recommendation 2.7/1 — Modernization of the air transport system

The Conference recommends that:

- a) States should continue to implement ICAO policies and guidance that can be applied to funding air transport infrastructure through airport and air navigation services charges;
- b) ICAO, in cooperation with States, international organizations and the industry, should establish a multi-disciplinary working group to consider the challenges associated with the establishment of operational and economic incentives, such as service priority, to allow early benefits of new technologies and procedures, as described in the aviation system block upgrade (ASBUs) modules, to support operational improvements, while maximizing safety, capacity and overall system efficiency, taking into account the specific needs expressed at the Twelfth Air Navigation Conference (AN-Conf/12); and
- c) ICAO should undertake measures to ensure widespread awareness and knowledge of its policies and guidance and other material related to funding infrastructure and ensure that they remain relevant, current, and responsive to the changing situation.

b) *Funding of Oversight Functions*

2.7.5 Documentation

2.7.5.1 The Conference considered Agenda Item 2.7 b) based on the following working papers: WP/7 (Secretariat), and WP/76 (Bangladesh).

2.7.5.2 The following information paper was also noted by the Conference: IP/12 (presented by Ireland, on behalf of the European Union (EU) and its Member States and Eurocontrol).

2.7.6 Discussion

2.7.6.1 Many States considered that the provisions on oversight functions included in ICAO's policies on charges in Doc 9082 (namely safety, security and economic oversight) were sufficient. Other States expressed that current ICAO policies addressed only airport and air navigation services but not the funding of oversight functions at the State or regional level. It was therefore suggested that ICAO develop further guidance material to cover charges for oversight functions at the State and the regional levels, while ensuring that such charges do not duplicate charges already applied at the airport or the air navigation services level.

2.7.6.2 The Conference was reminded of the discussion that took place at the 37th Session of the ICAO Assembly regarding "safety charges", noting that their application must be consistent with existing ICAO policies on charges.

2.7.6.3 The Conference gave full consideration to a proposal to establish a \$5 passenger-based safety and security charge that would be collected by IATA and administered by the Technical Co-operation Bureau of ICAO. Nevertheless, this proposal was deemed contradictory to ICAO's key charging principles of cost-relatedness, transparency, non-discrimination and consultation with users. It was noted that cost-effectiveness for oversight functions could be achieved through a regional approach (for instance, through the establishment of, or the participation in, a regional safety/security oversight organization).

2.7.7 Conclusions

- a) the functions of safety, security and economic oversight are a State responsibility. To fund such functions, States can choose government funds or charges. Indeed, for some States with limited financial resources, it is not always possible or practical to use Government funding;
- b) the guidance developed by ICAO on funding of oversight functions at the airport air navigation service provider (ANSP) level continues to be relevant and should be kept current for use by States according to need. Based on ICAO's policies on charges in *ICAO's Policies on Charges for Airports and Air Navigation Services* (Doc 9082) additional guidance was developed on funding of the safety oversight function at the regional level through charges. Nevertheless, given the challenges associated with funding oversight functions at the State and regional levels, ICAO's policies and guidance should be further developed; and
- c) the proposal for a passenger-based charge to fund safety and security oversight activities was not in line with ICAO's policies on charges, in particular those concerning cost-relatedness of the proposed charges, transparency, non-discrimination and consultation with users.

2.7.8 Recommendations

Recommendation 2.7/2 — Funding of oversight functions

The Conference recommends that:

- a) ICAO should continue to develop guidance material on the sustainable funding of the safety and security oversight functions at the State level while monitoring the situation for economic oversight funding, ensuring that users are not charged multiple times for such functions; and
- b) ICAO should further explore possibilities for the establishment of new mechanisms to ensure the sustainable funding of the oversight functions at the State and regional levels, including user charges that are in line with *ICAO's Policies on Charges for Airports and Air Navigation Services* (Doc 9082), taking into account the various situations encountered by different States.

c) *Infrastructure Management*

2.7.9 Documentation

2.7.9.1 The Conference considered Agenda Item 2.7 c) based on the following working papers: WP/6 and WP/9 (Secretariat), WP/92 (Republic of Korea), WP/88 (Airports Council International (ACI)), WP/71, WP/72, and WP/73 (Civil Air Navigation Services Organisation (CANSO)), and WP/99 (International Transport Workers' Federation (ITF)).

2.7.9.2 The following information papers were also noted by the Conference: IP/2 (Secretariat), IP/18 (Brazil) and IP/16 (Indonesia).

2.7.10 Discussion

2.7.10.1 The Conference supported the Secretariat working papers on infrastructure management and recognized the benefits of establishing autonomous entities to operate airports and air navigation services. There was consensus regarding the positive effect of good governance and a meaningful, regular and mutually beneficial consultation process between providers and users in the management of airports and air navigation services. A view was expressed that all interested parties should be included in the consultation process, including labour.

2.7.10.2 The results of the two ICAO surveys on the implementation of the Conference on the Economics of Airports and Air Navigation Services Economics (CEANS) were noted, and ICAO was requested to continue to collect information from States on the level of implementation of the policies on charges for airports and air navigation services, and publish and regularly update this information in the form of a Supplement to Doc 9082, as well as to monitor changes in airport and ANSP commercialization and privatization.

2.7.10.3 The Conference noted that non-aeronautical revenues are essential for the financial sustainability of airports and that the majority of airports worldwide are suffering losses; with most airports with traffic under one million passengers not breaking-even.

2.7.10.4 A proposal was put forward, according to which airports are not required to use non-aeronautical revenues to reduce charges through the “single-till” and that airports may retain non-aeronautical revenues to finance future investments. This proposal was supported by some States, while many others were of the opinion that ICAO’s policies on charges in Doc 9082 provide sufficient flexibility for a State to select whether an airport should operate under a single-till, a dual-till, or a hybrid-till arrangement. Another proposal was tabled for consideration by the Conference, arguing that economic oversight of airports should be kept to a minimum. A view was expressed that States should ensure that the interests of providers and users should be balanced through economic oversight and should be for the protection of end-users.

2.7.10.5 Finally, the Conference encouraged ICAO to continue ensuring widespread awareness and knowledge of its policies on user charges and its other guidance material.

2.7.11 Conclusions

2.7.11.1 As a result of the documentation considered and ensuing discussion, the Conference concluded that:

- a) experience gained worldwide indicates that where airports and air navigation service providers (ANSPs) are operated by autonomous entities, overall financial situations and managerial efficiency have generally improved, and that good governance and performance benchmark has driven performance upward and the private sector has been essential for the development of airport and air navigation infrastructure worldwide;
- b) as illustrated in responses to the two ICAO surveys, the 2008 Conference on the Economics of Airports and Air Navigation Services (CEANS) recommendations have been implemented in most States that have responded to the survey; however, the implementation rate of some specific recommendations needs to be improved;
- c) with regard to airports, non-aeronautical revenues are essential for the financial sustainability of airports worldwide;
- d) ICAO’s policies on charges in *ICAO's Policies on Charges for Airports and Air Navigation Services* (Doc 9082) provide enough flexibility for States to decide whether an airport should apply a single-till, a dual-till or a hybrid-till arrangement; and
- e) for relations and consultations with users to be mutually beneficial, there are a number of fundamental principles, processes and tools that should be observed, and Civil Air Navigation Services Organisation (CANSO) Guide to Customer Relationship Management may serve as a reference document.

2.7.12 Recommendations

Recommendation 2.7/3 — Infrastructure Management

The Conference recommends that:

- a) States should consider the establishment of autonomous entities to operate airports and ANSPs, taking into account economic viability as well as the interests of the users and other interested parties, and ensure that the recommendations made at Conference on the Economics of Airports and Air Navigation Services (CEANS) are implemented;
 - b) States should promote quality air navigation services performance through good governance;
 - c) ICAO should take relevant measures to ensure widespread awareness and knowledge of its policies on user charges and its guidance material related to governance, ownership, control and management of airports and air navigation service providers (ANSPs), and ensure that they remain relevant, current, and responsive to the changing situation; and
 - d) ICAO should continue to monitor changes in airport and ANSP commercialization and privatization, collect information from States on the level of implementation of the policies on charges for airports and air navigation services, and publish and regularly update this information in the form of a Supplement to Doc 9082.
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Agenda Item 2: Examination of key issues and related regulatory framework
2.8: Implementation of ICAO policies and guidance

2.8.1 Documentation

2.8.1.1 The Conference considered Agenda Item 2.8 based on the following working papers: WP/16 and WP/24 (Secretariat), WP/61 (United States), WP/27 (presented by Bahrain on behalf of Arab Civil Aviation Commission (ACAC)), WP/42 (presented by Morocco on behalf of a group of Arab States), WP/63 (World Tourism Organization (UNWTO)), and WP/99 (International Transport Workers' Federation (ITF)).

2.8.1.2 The following information paper was also noted by the Conference: IP/17 (Brazil).

2.8.2 Discussion

2.8.2.1 The Conference unanimously recognized ICAO's leadership role in the economic regulation of international air transport and in the development of comprehensive policy guidance. States expressed support for ICAO's activities with respect to updating, enhancing and promoting its policies, guidance and other material related to economic regulation. There was general support for the need to keep ICAO principles, policies and guidance current and responsive to the changing situations and requirements of States. There was also general support for ICAO to continue to promote awareness and explore means by which to enhance the status of its policies for wider use and adherence by States.

2.8.2.2 Regarding a possible new Annex to the Chicago Convention, there was no consensus on its development as of today. However there was general recognition of the usefulness of such an Annex to enhance the implementation of ICAO policies and guidance. One view expressed that the new Annex may impinge on State sovereignty and be at odds with the need for States to liberalize air transport at their own pace. The different nature between standards and recommended practices (SARPs) adopted in the technical field and ICAO guidance in the air transport field was also mentioned. Other States supported the idea of establishing a new Annex but considered that such an undertaking would require further consideration. Many delegates requested that this issue be considered jointly by ICAO and States with a view to conducting analyses on the scope and content of a new Annex.

2.8.2.3 The Conference also unanimously supported the need to establish priorities for ICAO's work in the air transport field. Regarding the practicalities of such a prioritization, different views were expressed. Some States considered that the Conference, in its earlier deliberations, had established the following areas as priorities: market access, air carrier ownership and control, fair competition and consumer protection; others suggested that the issues of infrastructure financing and taxation should also be considered as priorities, stating that all ATConf/6 agenda items are of equal importance and interrelated. It was suggested that these priorities should be established on the basis of usefulness, time constraints, complexity of tasks, and available resources. Finally, it was agreed that air transport is a priority for the Organization and that the new ICAO Strategic Objective, namely Economic Development of Air Transport, has equal status in importance as all other ICAO Strategic Objectives.

2.8.2.4 It was also pointed out that during the Twelfth Air Navigation Conference (ANConf/12) and the High-Level Conference on Aviation Security (HLCAS), no prioritization had been carried out. To

assist ICAO in this prioritization, it was suggested that a State letter be disseminated requesting views on the priority issue. Considering the limited time available, the proposal was not considered realistic within the existing time frame leading to the 38th Session of the ICAO Assembly.

2.8.2.5 Finally, the meeting was reminded that according to ICAO procedures, the priorities should be established by the ICAO Council.

2.8.2.6 The proposal to develop an electronic arbitration mechanism for dispute settlement in national legislation was discussed by the Conference but there was no support expressed for the proposal.

2.8.2.7 A view was expressed that ICAO should recognize the interests of aviation workers in its guidance material.

2.8.3 Conclusions

2.8.3.1 From the documentation and ensuing discussions on the implementation of ICAO policies and guidance under Agenda Item 2.8, the Conference concluded that:

- a) air transport is a priority, as already recognized by the Council which adopted a new Strategic Objective: Economic Development of Air Transport. The leadership role of ICAO in economic regulation of international air transport, and in the development of comprehensive policy guidance to assist States in the creation of a favourable regulatory environment for the sustainable development of air transport and for the benefit of all stakeholders, is indisputable;
- b) ICAO policies and guidance material on the economic aspects of international air transport regulation remain relevant but need to be kept current and responsive to the changing situations and needs of States and aviation stakeholders;
- c) there is a need for ICAO, in cooperation with the industry, to ensure widespread awareness and improved implementation of its policies as well as use of its guidance material on economic regulation; and
- d) there is a need for ICAO to conduct analyses on the scope and content of a possible Annex to the Chicago Convention on sustainable economic development of air transport, and to work jointly with States on the usefulness and feasibility of such an Annex, including exploring other acceptable solutions.

2.8.4 Recommendations

Recommendation 2.8/1 — Implementation of ICAO policies and guidance

The Conference recommends that:

- a) States should recognize the importance and relevance of ICAO policies and guidance and give due regard to them in regulatory practices;
- b) States should exert all efforts to ensure adherence to commitments relating to provisions of

Assembly Resolutions in the air transport field;

- c) States are encouraged to incorporate ICAO principles, policies and guidance in national legislations, rules and regulations, and in air services agreements;
 - d) ICAO should continue to promote its policy guidance on the economic regulation of international air transport, and encourage States to use such guidance in their regulatory practice;
 - e) ICAO should ensure that policies, guidance and other material related to economic regulation remain relevant, current, and responsive to changing situations and requirements of States;
 - f) ICAO should, in cooperation with States, continue to consider additional ways and means by which to enhance the status of its policies for the sustainable economic development of the air transport system, and should assess the value of a possible new Annex to the Chicago Convention on sustainable economic development of air transport, or other acceptable solutions; and
 - g) ICAO should establish priorities for its future work in the economic regulation of air transport on the basis of the recommendations of the Conference.
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**Opening remarks by the President of the Council of
the International Civil Aviation Organization (ICAO), Mr. Roberto Kobeh González,
at the Opening Session of the Sixth Worldwide
Air Transport Conference**

(Montréal, 18 March 2013)

On behalf of the Council and the Secretary General of ICAO, I am delighted to welcome you all to the Sixth Worldwide Air Transport Conference.

An Air Transport Conference is convened approximately every ten years. The purpose is to update ICAO policies for the long-term growth of international civil aviation. At the fifth conference in 2003, we focused on liberalization. This year, we take a giant step forward and consider the overall sustainability of air transport.

By sustainable, we mean safe, secure and environmentally friendly operations, for both passenger and cargo traffic, that provide airlines, airports, air navigation service providers (ANSPs) and other partners of the air transport value chain with a reasonable expectation of profitability. It also means supporting competitive economies and promoting balanced regional development.

We have done well in the first three categories. Aviation is as safe as it has ever been, with 2012 the safest year in history in terms of fatalities. Aviation is also as secure as ever, with many valuable lessons learned from the events of 9/11. And today's modern aircraft are by far quieter and more energy efficient than their predecessors. In these three areas, we are committed to keep improving on this solid performance.

Where we have not done so well is in facilitating the profitable growth of the sector.

Aviation currently maintains around 60 million jobs worldwide, generates more than 2 trillion dollars in economic activity and carries annually more than half of the 1 billion international tourists. Air transport is more than ever an essential driver for economic, social and cultural development across the globe. And it is projected to keep growing.

ICAO's long-term forecast is for scheduled traffic to more than double by the year 2030, from 2.9 billion passengers last year to more than 6 billion. The number of departures should also double, from 30 million to 60 million a year over the same period. On the cargo side, the total value of goods transported by air represents 35 per cent of all international trade and 0.5 per cent by volume, a trend that is expected to continue in the future.

The potential benefits of growth are enormous – but there is a good chance that they won't fully materialize unless we create the appropriate context for an economically sound global air transport system for all stakeholders.

That sets up our challenge for the next five days – to come up with practical and concrete recommendations for adapting the global regulatory framework to the realities of the 21st century.

One of the critical issues we will address is market access. It is fundamental to an efficient global air transport system, yet it is currently highly constricted. We must respond to the persistent requests for greater freedoms for the industry and for a multilateral approach to eventually replace the prevalent bilateral system.

A related and equally pressing issue is air carrier ownership and control. More flexible rules are needed for airline designation and authorization, foreign investment in national airlines, and airline access to international capital markets.

We need to propose measures to support the financial health of the air transport industry. For example, profitability differences between air carriers and other stakeholders of the air transport value chain must be minimized or eliminated if sustainability is to be achieved.

At the same time, growing competition among airlines and between airline alliances, coupled with an increase in concentration in some markets, have raised concerns over fair competition. And as liberalization expands around the world, safeguards will continue to be needed to promote the sustainable and effective participation of all States in the global marketplace, particularly developing countries.

Let us not forget the passenger. Consumer protection is more widespread today in many parts of the world, but there are no global rules. On the issue of price transparency, how do we encourage convergence of national or regional schemes towards an international model?

Another widespread and complex barrier to sustainability is taxation. States are increasingly imposing taxes and levies on air transport service providers and users. The reasons may be legitimate, but they still have a serious detrimental impact on the growth of air travel.

Then there is the financing of huge investments in airport and air navigation infrastructure. In many cases, this will involve the private sector, which raises a number of crucial governance questions, including State responsibilities under the Chicago Convention.

As you can see, the table has been set for what I expect to be nothing less than a fundamental rethinking of our global regulatory framework.

In my opinion, we must begin with the preamble to the Chicago Convention. It clearly refers to States agreeing to certain principles and arrangements so that international civil aviation may be developed in a safe and orderly manner – and that international air transport services may be established on the basis of equality of opportunity and operated soundly and economically.

This is an extraordinarily lucid, comprehensive and visionary description of sustainable air transport.

Article 44 of the Convention provides direction for the pursuit of sustainability. Among the objectives it sets for ICAO are to:

- a) meet the needs of the peoples of the world for safe, regular, efficient and economical air transport;
- b) prevent economic waste caused by unreasonable competition; and,
- c) ensure that the rights of Contracting States are fully respected, and that every Contracting State has a fair opportunity to operate international airlines.

While the intent of these words written almost 69 years ago remains intact, the world in which we live has changed profoundly and irreversibly. In today's globalized economic and trading environment, it is our responsibility as regulators to question any outdated position or thinking that prevents us from establishing an operationally and financially robust aviation sector.

ICAO has already taken a number of major steps in that direction. The Council recently approved a new Mission Statement for the Organization, which is to “*Achieve the sustainable growth of the global civil aviation system*”.

The Council also approved a new Strategic Objective titled “*Economic Development of Air Transport: Foster the development of a sound and economically-viable civil aviation system.*” It focuses our energies and resources on establishing policies and guidance on air transport regulation, infrastructure management and economics of aviation activities, including consumer protection, taxation, fair competition and user charges. It includes facilitating access to funding for aviation infrastructure and financing of the air transport system as well as for economic regulation and oversight.

Before I conclude, I want to stress the following point. Over the years, air transport conferences like this one have developed practical and comprehensive policies and guidance for States on the economic regulation of international air transport. For some reason, however, they are not implemented as widely as they should. I am concerned about this. Is it because they are not binding? Is it because they are not communicated and promoted well enough? Or do we need more practical tools to enhance their effectiveness?

I would like you to reflect on these questions and suggestions. I want to hear proposals that will encourage States to incorporate ICAO principles, policies and guidance in their national legislations, rules and regulations, and in air services agreements. This will significantly increase the effectiveness of your work here.

Together, we have one week to transform the global regulatory framework. We have five days to formulate a set of recommendations to the next ICAO Assembly in September 2013 that can alter the future course of international civil aviation for decades to come.

It is an opportunity given to very few people in the course of a lifetime. How far we go down that road depends on all of us in this room, on our commitment to change and on our involvement in the discussions.

Above all, let us not forget who we are doing this for. It is for the citizens of the world who, directly or indirectly pay for the services that we provide, either by purchasing tickets or through their taxes. We have a responsibility to uphold their trust in us.

In the spirit of international cooperation, we at ICAO are working in close cooperation with our usual partners, including international organizations, regional commissions and the industry as a whole, especially with the World Customs Organization for cargo issues and the World Tourism Organization for tourism matters.

I am now happy to give the floor to my dear friend, Dr. Taleb Rifai, Secretary General of the World Tourism Organization.

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**Address by the Secretary General of
the World Tourism Organization (UNWTO), Mr. T. Rifai,
at the Opening Session of the Sixth Worldwide
Air Transport Conference**

(Montréal, 18 March 2013)

Thank you, Mr. President, for giving me the opportunity to address this distinguished gathering at the outset of such important deliberations on fundamental international air transport policy issues.

I recognize, and appreciate, the privilege that this represents and I truly believe it reflects a growing recognition of the intrinsic symbiosis between air transport and tourism.

It is also the expression of a growing need to think beyond sectorial “silos” and work closer together. This is Mr. President the only way forward if we are to ensure that air transport and tourism play their part in building the foundations of a more sustainable society in all its three pillars - social, economic and environmental.

Dear Friends

ICAO and UNWTO, sister agencies within the United Nations system, are the global inter-governmental bodies responsible, respectively, for aviation and tourism. As such, it is our obligation to lead by example and show the way for closer and more effective cooperation at all levels.

I am indebted to my good friend Secretary General Raymond Benjamin and to ICAO’s Director of the Air Transport Bureau, Mr. Boubacar Djibo, for recognizing the need for closer collaboration between ICAO and UNWTO and for taking such important steps in making such cooperation possible.

This, my friends, is I believe a defining moment – one which can set air transport and tourism on a path of converging policy on matters of commonality with considerable mutual benefits.

Aviation and Tourism: drivers of economic growth and sustainable development

In 2012, over one billion international tourists travelled the world for the first time in a single year. Over half these tourists arrived at their destination by air, with much higher proportions in long-haul destinations, particularly landlocked and island developing countries.

In their voyages, these tourists generated USD 1.3 trillion dollars in exports for the countries they visited, close to 6 per cent of the world’s exports of goods and services or 30 per cent of service exports alone.

Tourism, which many do not know includes both business and leisure travel, means jobs (1 in 11 jobs worldwide), business opportunities for small and medium enterprises, the renewal of urban and rural areas and, if properly managed, the preservation and promotion of our natural and cultural heritage. Crucially, tourism means poverty reduction. It is enough to mention that all the countries

graduating from the status of Least Developed Countries (LDCs) have tourism as one of their major economic activities.

Tourism has gained particular relevance in emerging economy destinations. Today, nearly half of the one billion international tourist arrivals are to emerging and developing economies, where those arrivals create and maintain jobs and income for those most in need, and its share is expected to expand.

UNWTO forecasts international tourists to emerging economies to grow at double the pace of arrivals in advanced economies over the coming 20 years (4.4 per cent versus 2.2 per cent). At this rate, emerging economies will overtake advanced ones in terms of international tourist arrivals by 2015 and will be receiving over one billion arrivals by 2030.

Tourism is thus a fundamental pillar of the socio-economic progress of developed, emerging and developing economies alike, as so is aviation.

Yet, the growth and expansion of this global phenomena we call tourism would not have been possible without air transport.

The extraordinary progression of international tourism over the last decades – from 25 million tourists in 1950 to over one billion in 2012 – is as much due to advances in air transport as to the rise of the middle class, the growing wealth in industrialized and emerging countries, and the forces of globalization. By the same token, the growth of air transport is intrinsically connected to the expansion of tourism, an expansion set to continue – by 2030, UNWTO forecasts international tourist numbers to reach 1.8 billion, 52 per cent of which will arrive at the visited destinations by air.

UNWTO and ICAO: acting beyond the silos

UNWTO has worked closely with ICAO since we entered into a Working Arrangement in 1978 which established that we should consult each other on questions of common interest to ensure the best possible coordination and avoid duplication of efforts.

More recently, in 2010, our collaboration was strengthened through a Memorandum which clearly identifies several areas of mutual interest and action. Today, I would like to speak about just three of them which are on the Agenda of the present Conference.

First, connectivity and economic regulation. Access by air is key for both developed and developing countries, and consequently, so is air transport market liberalization.

Yet, air service reciprocity continues to take precedence in too many countries over an assessment of the broader economic and social benefits of open markets. Separate sectorial policies on air transport and tourism result in a fundamental, and too often even conflicting, disconnect which constitutes a severe constraint on the development of travel and tourism and thus of its socio-economic benefits.

Today, these ongoing market access constraints are magnified when translated to tourism, with substantial ramifications for major economies and small tourism destinations alike. For many of the world's poorest countries tourism is, or has the potential to be, their major export; but without attractive air services the benefits of tourism for these countries remains limited.

Studies from the World Bank have shown that the measure of connectivity is closely correlated with important economic variables including the degree of liberalization of air transport markets. Air connectivity could be improved through carefully designed regulatory liberalization encompassing market and capital access in the context of tourism and trade, notably in terms of more “open skies”, freeing up air carrier ownership and control restrictions, and developing a framework “beyond bilateralism”.

While the regulatory responsibility lies with sovereign States, ICAO has played a leadership role in air transport liberalization since its first Air Transport Conference in 1977, providing increasingly comprehensive guidance for progressive liberalization to be determined by each State at its own pace. Over the past five Conferences, the approach has moved from “whether to liberalize” to “how to liberalize”. This has produced a wealth of guidance but perhaps still less implementation than desired.

At its last meeting, UNWTO’s Executive Council specified policy limitations on connectivity as a central hindrance to a stronger tourism growth, and established improving connectivity, and notably air connectivity, as a priority for the work of the Organization, to be pursued with ICAO. In this respect, UNWTO would be very much in favour of seeing the discussion on the regularly framework move, with due safeguards, to a clear decision of “let’s liberalize”.

To my second key issue, taxes and other levies. While properly constituted taxes and duties are a fundamental and legitimate fiscal tool of governments worldwide, there is a growing concern regarding a proliferation of levies on both air transport and tourism.

While the industry should naturally contribute its due, this trend can actually produce a net damage to the economy, in particularly in those destinations which are so dependent on air travel. In many cases, taxes and duties are a clear market distortion and a trade barrier as they hamper fair competition between destinations.

This issue needs to be addressed, as with connectivity, by collectively positioning the benefits of air transport and tourism, with cross-silo analysis and guidance to States on the impact of taxes and other levies and by searching, as much as possible, for global solutions that ensure a level playing field such as the one ICAO is currently working on to address the issue of aircraft emissions.

The third issue is that of consumer protection. There is an insufficiency of binding rules at the global level governing the rights and obligations of tourist consumers and travel organizers. UNWTO has initiated a process, with the participation of ICAO, to draft an international convention dealing with the key scope elements identified, including non-binding provisions.

UNWTO has naturally no intention to substitute or duplicate any related regulatory frameworks which have been already adopted by the European Union or other international organizations such as ICAO. This project should contribute to a better protection of both tourists and tourism service providers worldwide by making international and multilateral some of the standards already existing and functioning effectively.

An integrated, collective vision for travel and tourism

As tourism numbers continue to rise, creating more jobs, trade and development, tourism is gaining increasing recognition at national and international levels. This recognition is also increasingly seen on the international stage, with tourism gaining new relevance in the international development agenda.

World leaders meeting at two major summits last year, the United Nations Conference on Sustainable Development (Rio+20) and the G20, agreed that tourism can make an important contribution to many of the world's most pressing challenges.

At the Rio+20 Conference world leaders agreed that tourism can “make a significant contribution to the three dimensions of sustainable development, has close linkages to other sectors, and can create decent jobs and generate trade opportunities”. In the same month, the world's leading economic powers met in Mexico at the G20 Summit to forge the global path to recovery. In their final declaration, these leaders recognized, for the first time in the 13-year history of the G20, “the role of travel and tourism as a vehicle for job creation, economic growth and development”.

Tourism represents air transport's primary, indeed dominant, end user. And tourism is increasingly dependent on air transport. If we are to fulfill these expectations, tourism and air transport need to come closer and work towards an integrated policy position on common issues.

Dear Friends

In spite of recent strides, tourism, the same way as air transport, is often not fully recognized for its value in delivering social and economic benefits and is therefore subject to policies which limit its capacity to grow sustainably.

Speaking as one on the benefits of connectivity and liberalization, on unsubstantiated and harmful taxes, on the rights and obligations of tourist consumers and travel organizers, or on many other areas such as visa facilitation or climate change mitigation, will make our case stronger.

Ensuring coordination amongst airlines, tourism destinations and airport authorities supported, at national level, by the appropriate government direction, and at the global level, by the joint work of UNWTO and ICAO, will help us positioning travel and tourism as a strategic sector, with air transport at its core.

UNWTO is fully committed to the new dimension of fostering closer cooperation and collective action between tourism and air transport at the international level.

This Conference can be instrumental in making my defining moment come to pass and I trust you share the same feeling.

I wish you all the very best for your deliberations over the next five days and stand ready to work with you in ensuring we do play our part in what we want to be a better future for all.

Thank you. Merci.

**Address by the Chairperson of the Air Transport Committee (ATC),
Ms. K. Macaulay,
at the Opening Session of the Sixth Worldwide Air Transport Conference**

(Montréal, 18 March 2013)

I have the honour and the pleasure in my capacity as Chairperson of the Air Transport Committee to join the President of the Council in welcoming you to Montréal and to the Sixth Worldwide Air Transport Conference.

I echo Mr. Kobeh's sentiments in suggesting that this ICAO air transport conference gives us a unique opportunity to transform the global regulatory framework. Planning the sustainability of air transport is a vast and complex undertaking that will require the combined wisdom, expertise and goodwill of everyone in this room.

By your very presence here, from 131 States and 39 international organizations, you show that you are committed to shaping a regulatory environment that makes it possible for us to provide safe, regular, efficient and economical air transport for years to come. This much needed modernization will also respond to the growing demands of users in a rapidly evolving global marketplace.

As a measure of its commitment to the process, ICAO prepared extensively for this high-level meeting-of-the-minds. For close to one year, it engaged in a global dialogue with the world aviation community to fully understand the key issues and concerns of States, industry and users.

In April 2012, the Organization convened an International Air Transport Symposium that explored the barriers to air transport sustainability. Out of that interactive forum emerged preliminary strategies that were tested and further developed during six regional seminars and two meetings. The sessions were intended for both States and industry and were held beginning last July in Rabat, Buenos Aires, Martinique, Senegal, Paris, Ottawa, Washington and, finally, in Hong Kong in January of this year.

Feedback from these exploratory sessions was highly substantive and enlightening. The various views and opinions expressed were instrumental in fine tuning the documents and presentations that will form the basis of our discussions this week on specific policy proposals, all designed to ensure the long-term sustainability and economic development of the global air transport system.

The final element of our preparatory work was the Pre-conference Symposium held yesterday and which many of you attended. I personally found it quite stimulating in delving into the main sustainability policy perspective of all stakeholders in the air transport chain. We wanted participants to be candid, provocative and constructive. We were well served on that score.

I take this opportunity to thank the panelists and moderators for their willingness to take us out of our comfort zone and consider new ways of looking at an aging reality. This is what the President was referring to a few moments ago when he called on us to adapt our thinking and actions to the realities of the 21st century.

There is a powerful image that comes to mind when I think of changing our point of view. When ICAO was created in 1944, what did we see on a map of the world? Geographical and political boundaries. That had been the case for centuries and we shaped our thinking around that concept

of the world. When we saw our first picture of earth taken from outer space, the political boundaries had disappeared. We saw the blue planet in a totally new way. Perhaps the astronauts understood better what the American philosopher and inventor Buckminster Fuller meant when he referred to our planet as Spaceship Earth – where there are no passengers, only crew. We all have to do our share to make it work.

I am heartened by the fact that air transport has consistently demonstrated its resilience over the years, in the face of often grave and seemingly insurmountable challenges. Many of us can recall the devastating effects of the first oil shock in the mid-70s, the deep recession of the early 90's, the Asian crisis in 1997, the terrorist attacks in the U.S. on 11 September 2001, the severe acute respiratory syndrome (SARS) outbreak in 2003, and the 2008 to 2009 world financial crisis, to name but a few.

Throughout all of these hardships, global air transport not only survived, but grew. In fact it has doubled in size every 15 years since 1977. This growth highlights how fundamental a thriving air transport sector is – not only to economic prosperity – but to economic recovery and development too.

In closing, I want to emphasize how important the outcomes of this Conference will be to the Air Transport Committee which I have the privilege to Chair. Over the coming months, our work programme will focus on ICAO's role in promoting the sustainability and economic development of air transport, in line with ICAO's recently-adopted Mission and new Strategic Objective in this area. For that, we must have access to the latest thinking and intelligence and much of that will come from the deliberations and recommendations of this Conference.

Ladies and gentlemen, we are engaged in a common venture – to provide States with timely and comprehensive policy guidance, and to encourage States to use that guidance according to their needs and circumstances on a national, bilateral, and multilateral basis.

I thank you in advance for your contribution to this effort and I wish you all a most productive and stimulating Conference!

Closing remarks by the Chairperson of ATConf/6**(Montréal, 22 March 2013)**

Distinguished Delegates,
Ladies and Gentlemen,

I would first like to take this opportunity to express my gratitude not only for electing me as Chairperson of the Conference but also for your active and valuable contribution to the debate that has allowed this meeting to be a great success.

More than 1.000 participants from 131 States and 39 observer organizations attended this Conference. This unprecedented participation highlights the relevance of this event and its paramount role in shaping the future of international air transport.

I want also to commend the Secretary General of ICAO, Mr. Raymond Benjamin and the Secretary General of the World Tourism Organization (UNWTO), Mr. Taleb Rifai, for their initiative to issue, for the first time in the history of both Organizations, a Joint Statement on Aviation and Tourism, demonstrating their willingness to maximize the synergies between their respective sectors.

What have we heard during these 5 days?

We have heard your call for ICAO to exercise a stronger leadership role in air transport economics and regulation as a whole.

We have heard your call to address air transport issues in a global, comprehensive and coherent way.

We have also heard the call for increased and improved cooperation between stakeholders. We have heard your exhortation for dialogue between all stakeholders in the air transport value chain.

But most importantly, we have heard your call for a paradigm shift.

And indeed, this shift is happening as we speak.

Even if it took time to achieve consensus on certain issues, we have agreed on the most important: we can succeed only if we work together.

And the Conference produced significant outcomes in several areas.

Many challenges lie ahead of us:

- as we craft new international agreements on cargo air transport and airlines ownership and control,
- as we prepare core principles on consumer protection; and
- as we seek to embrace compatibility in competition matters.

Together we have established the foundations for change that will secure the sustainable development of air transport. This a paradigm shift away from a fragmented aviation world toward a much more seamless, efficient and integrated world. One example of this integration is the participation of the World Tourism Organization to our efforts, securing the foundations for stronger cooperation and collective action between tourism and air transport at the international level.

I wish to thank States and industry partners who have agreed to commit time, energy and resources to contribute to the formulation of this global strategy.

With that, ladies and gentlemen, before closing I also wish to commend the considerable efforts of the ICAO Secretariat in organizing this Conference and assisting participants, notably interpreters, translators and all staff who work behind the scene.

As was highlighted during the Pre-Conference Symposium last Sunday, we are and will always remain a community of linked interests.

I wish everyone a safe voyage home and declare this Sixth Air Transport Conference officially closed.

List of Participants

CD	Chief Delegate
ALT	Alternate Chief Delegate
ACD	Adviser to Chief Delegate
D	Delegate
COBS	Chief Observer
OBS	Observer
ADV	Advisor

MEMBER STATES*MEMBER STATES/NAMES/POSITION IN DELEGATION*

AFGHANISTAN		Macaulay, K.	ALT
Natiq, Y.	D	Tiede, A.H.R.	D
		Wheelens, A.J.	OBS
ALBANIA		Bollard, J.R.	ADV
Hyseni, H.	CD	Mallett, I.	D
Bloomfield, H.	D		
		AUSTRIA	
ALGERIA		Gehrer, S.	CD
Ben Amara, I.	CD	Binder, F.	ALT
Benchemam, M.	D	Schleifer-Heingärtner, C.	D
Boultif, M.S.	D		
Kechacha, N.	D	AZERBAIJAN	
Laouar, A.	D	Guliyev, F.	CD
Rimouche, N.	D	Baghirzada, E.	D
		Habibzade, E.	D
ANGOLA		BAHRAIN	
Rosas, C.	CD	Alshamalan, I.M.	CD
Junior Jacinto, M.	D	Riadh, K.H.	ACD
Rosa, M.	D		
ARGENTINA		BANGLADESH	
Rodríguez Grellet, A.	CD	Chakraborty, P. K.	D
Tamburelli, P.	CD	Chowdhury, K.A.	D
De Arzuaga Pinto, H.	D	Haque, D.M.	D
González, D.R.	D	Hussain, M.	D
González, R.O.	D	Islam, N.	D
Luongo, N.E.	D	Shameem, M.	D
Tagino, G.I.	D		
ARMENIA		BELGIUM	
Yegonian, A.	D	Durinckx, F.	CD
		Fitzpatrick, D.	D
		Ledur, D.	D
AUSTRALIA		Robert, G.	D
Borthwick, S.	CD		
Lucas, S.	ALT	BENIN	

de Souza, A.J.M.	D	Nikolova-Boteva, T.	D
Houndeton, N.	D	Rachev, A.	D
Iyani, B.B.	D		
BOLIVIA		BURKINA FASO	
Coimbra Busch, L.	CD	Ouedraogo, J.B.	CD
Jacob Escalante, M.	D	Sawadogo, A.	ALT
Urrutia Plaza, J.	D	Dieguimde, M.	D
Vega Guzman, M.	D	Zeba/Traore, L.	D
BOSNIA AND HERZEGOVINA		CAMBODIA	
Ratkovica, D.	CD	Mao, H.	CD
Micic, M.	D	Kunakor, S.	ACD
BOTSWANA		CAMEROON	
Thebe Tsaone, R.	CD	Nkili, R.	CD
Morekisi, G.	ALT	Azoh-Mbi, S.	D
Kebede Eyob, E.	D	Bekolo Ahandza, E.M.	D
		Bobuin Bisiya, W.A.	D
		Boertien, M.	D
BRAZIL		Edou Mvelle, A.R.	D
Pacheco Dos Guarany, M.	CD	Elessa, G.	D
Bertolino, A.	D	Kamhoua, T.	D
Bezerra, R.	D	Labarang, A.	D
Botelho De Queiroz, J.R.	D	Ndum Fidelis, N.	D
Catanant, R.	D	Ongolo Zogo, V.	D
Cavalcante, A.P.	D	Onguetou, M.P.	D
Crema, D.	D	Owona Assoumou, T.	D
Da Cruz, L.	D	Tankam, P.	D
Dalcolmo, B.	D	Zoa Etundi, E.	D
De Andrade, J.	D		
De Macedo Rebouças, A.A.	D	CANADA	
Figueiredo, R.	D	Rioux, M.	CD
Jardim, P.	D	Jones, W.-A.	ALT
Medeiros, N.	D	Allen, M.	D
Silva, R.	D	Bellem, N.	D
Taunay Filho, J.	D	Chaulk, D.	D
Vieira, J.L.	D	Constantin, R.	D
		Cuenco, P.	D
BRUNEI DARUSSALAM		Damours, R.	D
Lim Kee, A.	CD	Delisle, M.	D
Ahmad, H.	D	Eamon, G.	D
Dato Aminudin, Z.	D	Jager, E.	D
Matzan, S.	D	Kaduck, R.	D
Suziyati, H.		Lalumiere, O.	D
		Lee, V.	D
BULGARIA		Loken, M.	D
Dimitrov, V.	CD	Mackeigan, M.	D

Neubauer, F.	D	Xiao, J.	D
Reble, D.	D	Xu, Q.	D
Redah, G.	D	Yang, W.	D
Stacey, C.	D	Zhang, Q.	D
Thachet, J.	D		
		COLOMBIA	
CAPE VERDE		Sancllemente Alzate, A.	CD
Brazao Leao Monteiro, C.A.	CD	Palomino Pineda, J.	ALT
Medina Americo, F.	D	Bejarano, C.	D
Monteiro, C.	D	Garcia, L.	D
Pinheiro Pires De, O.A.	D	Muñoz Gómez, A.	D
		Mantilla Moncaleano, M.S.	D
		Rios Ospina, H.H.	D
		CONGO	
CHAD		Dzota, S.F.	CD
Douga Mahamat, S.	CD	Gassackys Ferréol, C.P.	ACD
Abakar, M.	D	Badila, M.	D
Traouingue, S.	D	Makaya Batchi, B.	D
		Okondza Azouangoli, H.	D
		COSTA RICA	
CHILE		Vargas, J.	D
Alarcón, J.F.	CD		
Binder, J.R.	ALT	CÔTE D'IVOIRE	
Espinoza, C.	D	Coulibaly, S.	D
Lisboa, Á.	D	Silue, S.	C
Novoa, G.	D		
Ortiz Acheritogaray, F.P.	D	CUBA	
Sepúlveda, L.J.	D	Cordero Puig, A.	CD
Silva Duncan, S.	D	Acosta Ortiz, J.	D
		Castillo De La Paz, J.F.	D
CHINA		Nevot González, O.	D
Xia, X.	CD	Nieves, R.	D
Bai, W.	D	Ruiz Rodriguez, Y.	D
Chan Weng, H.S.	D	Vásquez González, M.	D
Chen, M.	D	Vinas Valdés, N.	D
Ding, C.	D		
Freitas Gomes, M.C.	D	CZECH REPUBLIC	
Lam Wai, S.P.	D	Cecak, P.	D
Lei Ka, W.N.	D	Skrna, M.	D
Li Kwok-Chu, R.	D	Zebračkovský, K.	C
Liang, N.	D		
Ma, T.	D	DEMOCRATIC REPUBLIC OF CONGO	
Nan, L.	D	Muaka Mvuezolo, H.	CD
Ng Shung, C.C.	D	Kanyanga Tshimanga, A.	D
Shi, B.	D		
Shum, Y.-L.	D		
Sun, Y.	D		
Tai, F.	D		
Tsang, Y.P.	D		
Wu Chia, C.D.	D		

DENMARK

Ludvigsen, K. CD
 Larsen, K.L. ACD
 Remmer, N. ACD
 Geirhovd, R. D
 Saxe, T. D

DOMINICAN REPUBLIC

Rodriguez Ariza, L. CD
 Abraham, J.L. D
 Mildred Garcia, F. D
 Fernandez Zucco, A. D
 Franco, B. D
 González, A.L. D
 Jacobo, R. D
 Leroux, C. D
 Lister Marin, P. D
 Taveras, J.P. D
 Torres Robiu, J. D
 Valdez Marte, J. D
 Veras Rosario, C.A. D
 Villanueva Santiago, H.A. D

ECUADOR

Terán, A. CD
 Arellano, I. ACD
 Carrera, L. D
 Lara, M.T. D
 Patras, A. D
 Soto, F. D
 Yerovi, R. D

EGYPT

Elzain, S. D
 Ibrahim, A. D
 Mahmoud Abdallah, I.H. D
 Metwally, M. D
 Sherif, M. D

ETHIOPIA

Wosenyeleh, H. CD
 Teferra, M. ALT
 Endeshaw, Y. D
 Mekonnen, T. D
 Yissehak, Z. D

FIJI

Sharma, S. N. CD
 Lagicere, A.G. D
 Mani, R-A.E. D

FINLAND

Tupamaki, M. CD
 Skjäl, J. D
 Vuokila, S. D

FRANCE

Schwach, P. CD
 Bissauge, P-Y. ALT
 Assice, J. D
 Buttin, T. D
 Gerard, C. D
 Lansman, P. D
 Orus, S. D
 Pape, P. D
 Risse, E. D
 Théoleyre, F. D
 Wachenheim, M. D
 Zizi, F. D
 Timsit, L. ADV

GABON

Biye, E.J.D. CD
 Bemengue, S. D
 Epeme. R. D
 Mabignath, S. D
 Mamfoumbi, N. A. D
 Matsoungou, J.-P. D
 Oyinamono, D. D
 Pambault, E.B. D

GAMBIA

Cham, B. D
 Manga, E.S. D
 Nying, C. D

GEORGIA

Latsabidze, A. CD
 Markozia, K. D

GERMANY

Reichle, G. CD
 Goehr, A. ACD

Bartkowski, M.	D	Abeso Fuma, F.	D
Grutter, R.	D		
Hoppe, L.	D	GUINEA-BISSAU	
Lindner, H.	D	Nabiam, N.	CD
Mendel, J-W.	D	Corobum, D.A.	D
Mildenberger, T.	D		
Monning, R.	D	GUYANA	
Schwierczinski U.	D	Sulaman, S.	CD
Wisberg, W.	D		
GHANA		HAITI	
Kwame, M.V.	CD	Flambert, J.M.	CD
Allotey, S.C.M.	D	Descollines, J.D.	ALT
Amaleboba, P.	D	Franck, A.	D
Amedior, J.Q.	D		
Blankson, G.K.	D	HUNGARY	
Cofie, F.	D	Szackmáry, I.	CD
Hanson, A.C.	D	Bárdos Pál, P.	D
Hoffman, C.	D	Sipos, A.	D
Hugh-Tamakloe, E.B.	D	ICELAND	
Obeng-Koranteng, K.	D	Maack, P.K.	CD
Sey, F.	D	Sigurdartottir, H.S.	ALT
Smith, C.P.	D	Alvarsson, K.	D
Tackie-Komme, J.	D	Olafsdottir, I.	D
Valis-Akyianu, S.	D		
GREECE		INDIA	
Damianakis, E.	CD	Mishra, A.	CD
Andritsou, I.	D	Bhave, Y.	D
Vlachou, A.	D	Dutta, S.	D
Zarkadas, S.	D	Harbola, A.K.	D
		Manokaran, R.	D
		Seshadri, S.	D
GUATEMALA		Sukul, P.N.	D
Montufar, L.O.	CD	Zaidi, N.	D
Garzaro Mendez, R.	ACD		
Menez Solis, J.A.	D	INDONESIA	
Rosales Salaverría, H.A.	D	Susantano, B.	CD
		Amir, E.	D
GUINEA		Bakti, H.	D
Keita Elhadj, D.	CD	Chandra, D.A.	D
Cisse, O.	D	Demosta, N.B.	D
Keita, K.	D	Firmantoro, D.	D
Sow, B.	D	Hardianti, M.D.	D
Thiam Sekou, O.	D	Iskandar, Y.	D
		Khusnu, M.	D
GUINEA EQUATORIAL		Kristanto, K.	D
Miko Angue, M.T.	CD	Masri, S.	D

Mayrianti, C.	D	Haven, W. B.	D
Murjatmodjo, D.	D	Hepburn, M.	D
Nadir, S.U.	D	Simpson, V.	D
Pamuraharjo, H.	D		
Parto, S.K.	D	JAPAN	
Pertiwi, S.	D	Iizuka, A.	CD
Ramon, A.	D	Furuhata, M.	D
Ratmono, S.	D	Koda, T.	D
Samad, A.	D	Komicha, M.	D
Sari, F.E.	D	Nakamura, E.	D
Soebagio, A.	D	Ohara, E.	D
Suebu, F.	D	Sakai, T.	D
Sumiarsa, E.A.	D	Umezawa, D.	D
Wardhaya, T.	D	Yoshioka, W.	D
Weber, L.J.	D		
Wibawa, H.	D	JORDAN	
Wiharsoyo, Y.	D	Abu Hmaidan, K.A.	CD
		Tarawneh, B.	D
IRAN (ISLAMIC REPUBLIC OF)		Akleh, A.	D
Shahbazilar, H.	CD		
		KAZAKHSTAN	
IRELAND		Bekturov, S.	CD
Fearon, J.	CD	Bekturov, A.	D
Curran, N.	D	Kuttykadam, A.	D
Fitzpatrick, D.	D		
		KENYA	
ISRAEL		Nabukwesi, S.	CD
Romm, G.	CD	Kioko, H.	ALT
Don-Yehiya, I.	D	Achapa, D.	D
Lion, J.	D	Adan, M.	D
Melchior, A.	D	Arika, V.	D
Subissati, P.	D	Aroni, E.N.	D
		Awori, M.	D
ITALY		Bodo, N.	D
Quaranta, A.	CD	Karume, L.	D
Bardaro, A.	D	Mwakio, B.	D
De Laurentis, M.	D	Wakiaga, P.	D
Giannini, G.	D		
Gueli, C.	D	KUWAIT	
Lacriola, G.	D	Alzamel, N.	CD
Laschena, G.	D	Al-Buloushi, N.	D
Padula, E.	D	Alkoot, S.	D
Sezzi, I.	D	Alrajhi, A.	D
		KYRGYZSTAN	
JAMAICA		Imanaliyevich Sultanov, K.	CD
Derby, O.	CD	Abdykadyrovich Nazarov, M.	D
Gordon, M.	D		

		Coulibaly, T.A.	D
LAO PEOPLE'S DEMOCRATIC REPUBLIC		MAURITIUS	
Singkham, V.	CD	Appadu, T.	CD
Simphalyvong, S.	D		
LEBANON		MEXICO	
El Haiby, D.	CD	Retana Rozano, S	CD
Chaouk, H.	OBS	Chavez López, U.	D
		Méndez Mayora, D.	D
LESOTHO		Rosas Torres, M.F.	D
Sesinyi, M.	CD	Valle Álvarez, D.M.	D
Dlangamandla, T.	D		
Mahlatsi Mamoholi, M.	D	MONGOLIA	
Mofubelu, P.	D	Sengee, B.	CD
Morojele, P.	D	Dorj, E.	D
		Ganbaatar, N.	D
LIBYA		Orgodol, E.	D
Sayeh, M.	CD		
Shaebelain, N.	CD	MOROCCO	
Mohamed Naser, I.A.	D	Lakhel, N.	CD
Mohamed, M.	D	Boulmane, A.	D
		Khamlichi, B.	D
LITHUANIA		Lahboubi, A.	D
Veitas, V.	CD	Mansour, M.	D
Danilevicius, V.	D	Mezhar, M.	D
Zegunytė, V.	D	Mohamed, M.	D
		Moumni Hicham, A.	D
MADAGASCAR			
Razafy, R.J.	CD	MOZAMBIQUE	
Mansour S. M.		Pinto, A.	CD
Voahangy, R.	M		
MALAYSIA		NAMIBIA	
Azharuddin, D.	CD	Simana, A.	CD
Ahmad, Z.	D	Limbo, C.	D
Heng, L.Y.	D		
Mazlan, M.R.	D	NEPAL	
Tay, S-H.	D	Ghimire, S.	CD
		Acharya, S.	ALT
MALDIVES		Chitrakar, R.	D
Faizal, I.	CD	Pokharel Rajan	D
Rasheed, A.	D	Rawal, M.S.	D
		Chhetryy, R.K.	ADV
MALI			
Maiga, I.S.	CD	NETHERLANDS	
Khadijathe, C.T.	D	De Groene, P.	CD
		De Jong, H.	D
		De Jonge, W.	D

Mauritz, J.	D	Koefoed, K.	D
Mendes de Leon, P.	D	Kolstad, P.	D
Pel, N.	D	Ovre Tomm, A.	D
		Skaar Knut, M.	D
NEW ZEALAND		Slettvoll, A.S.	D
Matthews, M.	CD		
Mcdonnell, N.	D	PAKISTAN	
Van de Geer, S.	D	Khan, M.Z.	CD
Ward, K.	D	Chachar, M.U.	D
		Ghayas, K.	D
NICARAGUA			
Salazar Sánchez, C.	CD	PANAMA	
Aráuz Betanco, E.	ACD	Vergara,I.	CD
Bonilla Vilchez, C.	D		
Lemus Carrión, E.	D	PARAGUAY	
Real Sequeira, C.	D	Viveros de Bazan, M.L.	CD
		Caballero Canisa, H.R.	D
NIGER		Colman, H.	D
Amadou Seydou, Y.	CD	Torres de Rodríguez, A.	D
Aoua, B.	D	Galeano Marten, J.	D
Halidou, M.	D	Recalde, R.	D
Ibrahima, S.	D	Rojas, A.	D
Madougou Ba, O.	D		
Sidibé, F.	D	PERU	
Yacouba, I.	D	Gamarra Trujillo, R.	CD
		Arámbulo Juárez, R.	D
NIGERIA		Lazo Escalante, J.E.	D
Maduekwe, O. U.	CD	Mantilla De Las Casas, P.	D
Adegorite, O.A.	D	Sotomayor Yalán, D.E.	D
Ajagbe, Y.	D	Vojvodic Vargas, W.M.	D
Alawani, P.O.	D		
Aliu, O.B.	D	PHILIPPINES	
Ene-Ita, A.	D	Ferrer Neil, F.R.	CD
Musa, H.	D	Lotilla, J.P.	CD
Naibi, M.	D	Arcilla, C.	D
Odugbesan, B.	D	Badiola, B.	D
Okoronkwo, P.I.	D		
Osiagwu, J.	D	POLAND	
Ozonwanji, M.O.	D	Olowski, P.	CD
Wariya, J.	D	Polkowska, M.	ACD
		Zagrajek, P.	D
NORWAY			
Nodeland Stein, E.	CD	PORTUGAL	
Aalstad. H.	D	Trinda de Santos, L.	CD
Ek, O.	D	Demée De Brito, F.	ALT
Geirhovd, R.	D	Soares, P.	ALT
Hanssen, A.-K.	D	Faleiro, M.H.	D

QATAR			Alaafi, A.H.	D
			Albalawi, B.	D
Alnoaimi, A.	CD		Almoghraby, A.	D
Al-Haroon, S.	ALT		Bazhair, M.	D
Al-Hajri, M.F.	D		Fallatah Yarub, B.O.	D
Heereman, R.	ADV		Kabli Talal M.B.	D
			Nadrah Essam, J.N.	D
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Park, M.-S.	CD	SENEGAL		
Ahn, S.	D	Hane, A.T.		CD
Bae, J.	D	Dieng, M.		D
Choi, D.	D	Sy, M.M.		D
Hwang Sung, Y.	D			
Jeong, J.	D	SEYCHELLES		
Jung Ji, Y.	D	Faure, G.		CD
Kang Dae, K.	D	Marengo, F.		ALT
Kang, M.	D			
Kim, J-I.	D	SIERRA LEONE		
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Lee Yeong, H.	D	Rogers, E.		D
Min, J.	D			
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Park, H-G.	D	Tan, M.		ALT
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Park Won, S.	D	Hong, L.N.		D
		Marican, Z.		D
		Ng, N.		D
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Novgorodov, A.A.	ACD	Ong, C.Y.		D
Batalov, A.	D	Poh, E.		D
Burkot, A.	D	Sim, M.K.		D
Khvostunkov, A.	D	Song, M.		D
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Hay, D.	D		
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Mnisi, S.	D	Kotil, T.	D
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Al Hosani, H.	D	Nezer, G.	D
Al Hosany, A.	D	Peterson, D.	D
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AAPA		ALTA	
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Gottlieb, W.	OBS	Seligson, D.	OBS
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Lyle, C.	OBS	Dodd, H.	
Rifai, T.	OBS		
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Schlumberger, C.	OBS	Pommer, R.	
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Hiriart, M.
Khadjavi, H.
Khan, A.
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Nazarin, R.
Sankaran, R.
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**NJASAP-NETJETS ASSOCIATION OF
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STRATEGIC AVIATION SOLUTION

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STUDENTS

Almouboudi, Y.

Belanger, J.P.
Brazeau, G.
Cho, H.
Dusablon-Mailhot, L.
Harrington, A.
Hautamaki, J.
Horokhova, N.
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Working papers

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3	2.5	Safeguards for air transport liberalization	Secretariat
4	2.4	Fair competition in international air transport	Secretariat
5	2.3	Consumer protection and definition of passenger rights in different contexts	Secretariat
6	2.7	Commercialization and Privatization of airports and ANSPs	Secretariat
7	2.7	Funding of oversight functions	Secretariat
8 Rev.	2.1	Night-flight restrictions	Secretariat
9	2.7	Implementation of recommendations of CEANS 2008	Secretariat
10	2.6	Taxation on international air transport	Secretariat
11	2.1	Slot allocation	Secretariat
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13	2.1	Expanding market access for international air transport	Secretariat
14	2.1	Liberalizing air cargo services	Secretariat
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22	1.1	Sustainability and Economic development of air transport	Secretariat
23	1.1	The air transport value chain: Industry features in the past decade	Secretariat
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26	2.6	Government policies and their economic impact on airlines	Bahrain on behalf of ACAC
27	2.8	Issuance of Annex 20 to the Convention on International Civil Aviation	Bahrain on behalf of ACAC
28	1.1, 2.1	Proposal for market access liberalization	Chile
29	2.2	Proposal for the liberalization of air carrier ownership and control	Chile
30	2.3	Proposal for the Internationalization and Standardization of the Consumer Protection Regulations in the Field of Air Transport	Chile
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32	2.4	Views of Arab States on fair competition	UAE
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34	2.1, 2.2	The multilateral agreement on the liberalization of international air transportation	New Zealand
36 (E, S)	2.1	Liberalization of air cargo services	ALTA
37	1.2	Impact of the United States economic, commercial and financial embargo against Cuba in the civil aviation sector	Cuba
38	2.2	Designation, ownership and control: Cuba's experiences in negotiations with the countries of the European Union (EU)	Cuba
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49	2.2	Air carrier ownership and control clauses in bilateral air services agreements	Ireland on behalf of EU/ ECAC/
50	2.2	National restrictions on air carrier ownership and control	Ireland on behalf of EU/ ECAC/
51	2.4	Basic principles for fair competition	Ireland on behalf of EU/ ECAC/
52	2.7	Performance of Air Navigation Services	Ireland on behalf of EU/ ECAC/
53	1.1	EU and ECAC industry and regulatory developments	Ireland on behalf of EU/ ECAC/
54	2.1	Liberalization of market access	Ireland on behalf of EU/ ECAC/
55	2.3	Basic principles for consumer protection	Ireland on behalf of EU/ ECAC/
56	1.1	Strategic alliances in the Latin American Region	LACAC
57	1.1	The Dual Oversight Model for the Interchange of Aircraft from Different States	LACAC
58	1.2	Cost effectiveness of the safety oversight cooperation system (SRVSOP)	LACAC
59	2.2	Market Access Restrictions	LACAC
60	2.1	Liberalization of market access	USA
61	2.8	Establishing priorities for ICAO work in the air transport area	USA
62	2.4	Fair competition and regulatory cooperation in the aviation sector	USA
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66 (E)	2.6	A tourism perspective on taxes and duties	UNWTO
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68 Rev. (E)	2.3	Consumer protection: A joined-up approach required between governments and industry	IATA, AACO, AAPA, ALTA
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70 Rev. (E)	1.1,2.3	Promotion of the Convention for the unification of certain rules for international carriage by air (Montreal Convention of 1999)	Canada, Germany, UAE, USA, IATA

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75 (E)	2.6	The economic impact of unjustified and excessive taxation	ACI, IATA
76 (E)	2.7	Funding of oversight functions	Bangladesh
77 (E)	2.3	Consumer protection progress, position and recommendations for a realistic, practical implementation of consumer protection measures	South Africa
78 (E)	2.1	Benefits of air services liberalisation to the Singapore economy	Singapore
79 (E)	2.3	Consumer protection in air transport - Singapore's experience	Singapore
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93 (A, E)	2.1	Potential for developing a multilateral agreement on the liberalization of international air transport	UAE
94 (E)	2.2	Differences between carrier ownership and control principles in designation clauses in air services agreements and national laws regulating the subject	Brazil
95 (E)	2.3	Harmonization of consumer protection regulation	Brazil
96 (E)	2.1	Needed: Rapid liberalization of air cargo services through a new multilateral approach	TIACA
97	2.1	Expansion of market access for international air transport in proactive, progressive, orderly and safeguarded manner	China
98 (E)	2.3	Enhancing consumer protection by legislation	China
99 (A, E, F, S)	2.1, 2.2, 2.4, 2.6, 2.7, 2.8	The Need for a Strategy to Address the Negative Consequences of Continued Liberalisation: Would maritime style “flags of convenience” contribute to sustainable aviation?	ITF
100 (E)	1.1	Market liberalization and its effect on national and regional economies, consumers and communities	ACI
101 (E, F)	2.7	Financing of airports and air navigation services	AFCAC
102 (E)	1.1, 2.3	Promotion of the Convention for the Unification of Certain Rules of International Carriage by Air (1999 Montreal Convention)	ALADA
103 Rev. (S)	2.1	Función de la OACI en la reglamentación del transporte aéreo	Venezuela

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1	2.3	Effectiveness of consumer protection regulations	Secretariat
2	2.7	Financial situation of airports and air navigation service providers	Secretariat
3	2.1	Liberalisation of code share frameworks: Australia’s experience	Australia
4	2.4	EU competition rules	Ireland on behalf of EU
5	2.2	Market liberalization – Polish experience	Poland
6	2.1	Developments in the Liberalization of International Air Transport Services in the Latin American Regions	LACAC
7	2.3	Customer service and total quality criteria and guidelines in air and airport services	LACAC

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8	2.1	Assessing bilateral air services agreement: the WTO's air services agreement projector (ASAP)	WTO
9	2.1	Slot coordination framework in South Africa	South Africa
10	1.1	Indonesia's civil aviation development	Indonesia
11	2.1	Slot Allocation	Ireland on behalf of EU
12	2.7	Funding of oversight functions in Europe	Ireland on behalf of EU, and Eurocontrol
13	2.1	Liberalization of international air transport in Brazil	Brazil
14	2.1, 2.4	Changes in the air transport market and regulatory policies by Low Cost Carriers (LCCs) participation	Republic of Korea
15	2.3	Legal framework and implementation of air passenger protection programme	Republic of Korea
16	2.7	Single air navigation provider of Indonesia	Indonesia
17	2.1, 2.8	Air services agreements prioritization methodology	Brazil
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19	2.1	Africa's Strategy for Market Access and Catalyst for Air Transport Growth	AFCAC
20	2.2	Relaxing the Rules for Airline Designation	AFCAC
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22	2.1	Vietnam's Air Transport Market, Legislations and Regulations and Policy during 2003-2013	Viet Nam

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