



WORKING PAPER

ASSEMBLY — 41ST SESSION

ECONOMIC COMMISSION

Agenda Item 39: Other issues to be considered by the Economic Commission

**ICAO PARADIGM SHIFT TOWARDS CIVIL AVIATION
EMBARGOES**

(Presented by Islamic Republic of Iran)

EXECUTIVE SUMMARY

This working paper invites the international civil aviation community to consider that the detrimental impact of the United States embargoes on the civil aviation of Islamic Republic of Iran (I.R. Iran) has a direct impact on the safety of civilian passengers along with its ramifications in aviation industry and urges the International Civil Aviation Organization (ICAO) to take practical steps to put an end to the unilateral and extraterritorial embargoes of the United States against the civil aviation system of I.R. Iran. The utilized economic, commercial, and financial embargoes not only violate the United States recognized obligations under Chicago Convention and impede implementing ICAO Global Air Navigation Plan (GANP) but also contravenes fundamental human rights.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objectives: <i>Economic Development of Air Transport</i>
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<i>Financial implications:</i>	
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<i>References:</i>	Doc 7300 – <i>Convention on International Civil Aviation</i> Doc 9750 – <i>Global Air Navigation Plan</i> Doc 9859 – <i>Safety Management Manual (SMM)</i>
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1. INTRODUCTION

1.1 Respecting the unique position of the country in the Middle East Region, it is apparent that the Civil Aviation System of I.R. Iran plays a pivotal role as a wide geographical bridge in international civil aviation.

1.2 As it is well documented, measures taken by Civil Aviation System of I.R. Iran as a whole to aid continuity of global air transportation during the times of crises in the Middle East Region have always been recognized impressive despite the imposed embargoes on the whole parts of the civil aviation industry of the country.

1.3 Having a monopoly over the manufacture of aircraft and spare parts and other aviation technologies being used mostly in the civil aviation of I.R. Iran, the United States has disregarded the principles set up in the Preamble to the Chicago Convention of which the United States is not only a signatory but also a founder State.

1.4 The principles accentuate that international civil aviation should be developed in a safe and orderly manner and that international air transport services should be established on the basis of equality of opportunity and be utilized perfectly and affordably.

1.5 ICAO in GANP which is the most strategic document underscores that the plan is intended to modernize civil aviation throughout the world and harmonize national, regional and sub-regional measures. It is well settled in the plan that achieving sustainable growth of international air transport strongly relies on a high-performing and seamless global air navigation system and such a system is regarded to support the safe and orderly development of international civil aviation through the collaborative integration of humans, information, technology, facilities and services.

1.6 ICAO evidently underlines that sustainability of aviation around the world depends on a performance-driven, service-oriented and technologically advanced air navigation system to achieve a more effective connectivity of passengers and goods.

1.7 Taking ICAO statements into account, I.R. Iran underlines that the United States embargoes against the civil aviation system in respect of the following aspects are contrary to the ICAO GANP and basic human rights:

- a) purchase of United States and non- United States manufactured aircraft and related spare parts;
- b) indispensable Communication and Navigation Systems required for Air Traffic Management as well as facilities used to develop SWIM infrastructures encompassing either United States or non-United States built technology;
- c) aircraft fuel in non- United States based airports;
- d) ground handling and other required systems for airport services; and
- e) information services essential for aircraft navigation and safety such as Jeppesen airway manual and data driven maps.

2. **DELETERIOUS EFFECTS OF UNITED STATES EMBARGOES ON CIVIL AVIATION SAFETY IN IRAN**

2.1 The draft report, A35-WP/311-EC/48 issued by ICAO on 4 October 2004, includes the arguments and the consideration of the EC, under Agenda Item 27, addressed the U.S. embargo, as may affect aviation safety, is a complex, delicate and sensitive issue and the EC could not resolve it. It was therefore, decided that the views expressed to be brought to the attention of the President of the Council to follow up the issue through his “good offices”.

2.2 Following the assessment of ICAO, a report was issued on 9 May 2005 stating that, in fact, the United States embargoes on I.R. Iran had endangered the safety of civil aviation in I.R. Iran, and it is contrary to the provisions and objectives of the Chicago Convention. Among other recommendations, ICAO recommended, “the United States should recommit to the Chicago Convention.” (See the Report of the fact-finding mission to the I.R. of I.R. Iran on 17 July 2005-TC4/3.33-13).

2.3 Lots of innocent people lost their lives in crashes of aging Iranian aircraft as the direct consequence of the embargoes imposed by the United States against the civil aviation system of I.R. Iran. Therefore, it is necessary that the ICAO as one of the United Nations agencies and in line with its promulgated objectives intervene in the embargoes imposed by the United States against the Civil Aviation System of I.R. Iran. This highlights that the civil aviation industry has become a suitable vehicle for industrialized States like the United States to impose their political will on vulnerable States while it is expected that civilian passengers should not be the victims of the political power.

2.4 Contracting States are separately and jointly responsible for the worldwide air transport safety. The subject of safety in aviation concerns the most fundamental right for human beings, which is the right to life. Concern respecting human beings is well articulated in an Iranian poem of the eighth century:

*Human beings are members of a whole,
In creation of one essence and soul,
If one member is afflicted with pain,
Other members uneasy will remain,
If you have no sympathy for human pain,
The name of human you cannot retain.*

3. **CONCLUSION**

3.1 As it is elucidated in this working paper the coercive embargoes on the civil aviation system of I.R. Iran clearly not only violates the principles and objectives of the Chicago Convention of which the United States is a leading creator but also contravenes ICAO GANP. Several air accidents occurred in Iran as the direct consequences of the United States embargoes against the civil aviation system of I.R. Iran as a Contracting State. Therefore, it is necessary to dedicate a separate chapter to ICAO related documents to consider air accidents from the perspective of embargo.

3.2 ICAO is expected to consider the enforcement policy to enforce the United States to fulfil its mandates respecting the Chicago Convention.