

RECOMMENDATION 115/2010*

On Legal Framework for Regulation of Civil Aviation in the BSEC Member States

1. The Parliamentary Assembly of the Organisation of the Black Sea Economic Cooperation (PABSEC) recognises that civil aviation brings people closer together, promotes economic growth and facilitates trade. The PABSEC supports mobilized efforts that provide an enabling environment for sustained growth of the civil aviation sector.
2. The Assembly recalls the Declaration on Cooperation in the Sphere of Transport in the BSEC Region on the Occasion of the 15th Anniversary of the BSEC adopted in Istanbul on 5 July 2007 which states that “civil aviation has not been given the attention it deserves in BSEC transport agenda up to now and that fostering cooperation in this field holds great potential for the transport in the BSEC region, without prejudice to international obligations of the Member States”.
3. The Assembly also recalls the Declaration on Prospects of Cooperation in the Field of Transport in the BSEC Region adopted by the Meeting of Ministers of Transport of the BSEC Member States in Yerevan on 27 March 2009, which underlines “the need for developing further cooperation in the civil aviation sector”.
4. The Assembly also recalls the Joint Declaration on Strengthening the Cooperation in the Field of Transport in the BSEC Region “Through enhanced BSEC regional transport co-operation towards a sustainable economic growth and prosperity” adopted by the Meeting of Ministers of Transport of the BSEC Member States in Sofia on 15 April 2010, which stresses the “need for developing cooperation in the civil aviation sector and exploration of the possibilities for cooperation”.

* *Rapporteur: Mr. Michael Yemelianov, Chairman of the Committee – Russia.*

Assembly debate on 2 June 2010 (see Doc.: GA35/LC35/REP/10, Report of the Legal and Political Affairs Committee “Legal Framework for Regulation of Civil Aviation in the BSEC Member States” discussed in Durres on 21-22 April 2010; Rapporteur: Mr. Kemalettin Goktas, Member of the Committee – Turkey)

Text adopted by the General Assembly in Belgrade on 2 June 2010

5. The Assembly acknowledges that civil aviation cannot be perceived merely as a system of moving people and goods. Civil aviation has important economic impact in relation to employment and income, foreign exchange, trade and exports, communication and technology. The aviation industry is a major generator of employment and economic activity. It facilitates trade, helps countries to participate in the global economy and in globalized production. Civil aviation plays a major role in supporting tourism. It facilitates the delivery of emergency and humanitarian aid.
6. The Parliamentary Assembly stresses the importance of enforcing the best practices in civil aviation regulations and policies, which are based on international standards and tailored to align with national regulatory frameworks and, therefore, underlines the role of civil aviation authorities and ministries of transport that govern aviation activities to ensure secure aviation and to maintain a competitive civil aviation environment in accordance with international conventions and standards.
7. The Assembly notes with satisfaction that the civil aviation industry in the region has successfully dealt with heightened global concerns about high fuel prices and economic recession. It welcomes the global community's consensus to accelerate action aimed at mitigating its environmental impact of these challenges, while taking action to preserve and enhance the economic and social benefits of the industry.
8. Parliamentarians stress the need to increase security at airports and in aircrafts as counteracting measures against the growing menace of terrorism. It is important to assess terrorist threats to the security of civil aviation and to review the effectiveness of some of the major policies and measures for civil aviation safety introduced at national and international levels.
9. The Assembly expresses concern that unstable political climate and unresolved conflicts in the region undermine bilateral relations in civil aviation activities. Within this context, conflict resolution on the basis of economic integration becomes priority for the Black Sea region. It is important to develop, expand, and implement stability policies in a new spirit of partnership and cooperation based on trust, confidence, and a higher level of political and economic collaboration.
10. The Assembly welcomes the efforts of the countries at the international level in the framework of the International Civil Aviation Organization (ICAO), the European Civil Aviation Conference (ECAC), the European Organization for the Safety of Air Navigation (EUROCONTROL), the European Aviation Safety Agency (EASA), and the Joint Aviation Authorities of Europe (JAA), and stresses that enhancement of state regulation of civil aviation activities and strengthening cooperation with specialized international and regional organizations will further pave the way toward better deployment of international standards and their adaptation to specific national contexts.
11. **Therefore, the Assembly recommends** that the Parliaments and the Governments of the BSEC Member States:
 - i. *further improve* institutional framework necessary for efficient state regulation system in the civil aviation sphere, in order to monitor the growth of civil air transport, its competitiveness, and infrastructure development;

- ii. *elaborate on* national strategies and action plans ensuring efficient regulation of civil aviation activities, where necessary;
- iii. *strive to* ensure flight safety and protection of passengers, crew members, aircraft, and airport equipments by stringent application of existing national norms, regulations, procedures and practices;
- iv. *diligently review* all aspects linked to the flight safety and security with the objective of further improving national legislation in this field and to ensure minimum safety standards for every aspect of aviation;
- v. *improve* the existing systems of regulation and monitoring at airports and in aircrafts, and their compliance with the international requirements;
- vi. *take measures* to make efficient use of the state enterprise resources in development of the civil aviation industry so as to ensure environmental protection against the negative impact of aircraft traffic emissions;
- vii. *simplify the* formalities related to operation processes at airports and in the air transport sector, with due regard to the necessary aviation security requirements;
- viii. *promote* harmonization of civil aviation safety regulations, standards, procedures and associated processes employed in the manufacture, maintenance and operation of the civil aviation system;
- ix. *ensure* improvement of training and qualification methods for aeronautic personnel according to international standards and requirements;
- x. *build* more effective collaborative business relations with the specialised regional or international entities, so as to share knowledge about new concepts in the field of civil aviation development that will nurture the regional cooperation and collaborative action;
- xi. *encourage* cooperation between national governments so as to focus on topical issues in the enhancement of a legal and regulatory framework pertinent to state regulation of civil aviation activities;
- xii. *support* the initiative of the BSEC to consider the potential cooperation in the civil aviation sector within the framework of the BSEC Working Group on Transport.

12. **The Assembly invites** the BSEC Council of the Ministers of Foreign Affairs to consider this Recommendation.