



LACAC/EA/VII WP/08
06/11/23

**VII EXTRAORDINARY ASSEMBLY
50th Anniversary of LACAC**

(Lima, Perú, 13 to 15 December 2023)

Agenda Item 4: Signing of LACAC MoU's.

MEMORANDUM OF UNDERSTANDING ON LIBERALIZATION OF EXCLUSIVE AIR CARGO SERVICES

BETWEEN THE CIVIL AVIATION AUTHORITIES OF THE MEMBER STATES OF THE

LATIN AMERICAN CIVIL AVIATION COMMISSION (LACAC)

(Working paper Presented by the Executive Committee)

Background

1. At the One Hundred and Thrid Meeting of the Executive Committee, in the city of Caracas, Bolivarian Republic of Venezuela, on October 11 and 12, 2023, the Draft Memorandum of Understanding on the Liberalization of Exclusive Air Cargo Services among the Civil Aviation Authorities of the member States of the Latin American Civil Aviation Commission (LACAC) was presented.

Development

2. The the One Hundred and Thrid Meeting of the Executive Committee approved the text of the Memorandum of Understanding (ATTACHED), adding the expression "and Termination" to Title 3 of the MoU. The Secretariat was also tasked with making the necessary arrangements for the MoU to be signed by the States that deem it appropriate at the upcoming Assembly of the Commission.

Proposed Measures

3. The Extraordinary Assembly is invited to approve the text of the Memorandum of Understanding on the Liberalization of Exclusive Air Cargo Services among the Civil Aviation Authorities of the member States of the Latin American Civil Aviation Commission (LACAC) and invite the Member States of LACAC to sign it.

**MEMORANDUM OF UNDERSTANDING
ON LIBERALIZATION OF EXCLUSIVE AIR CARGO SERVICES
BETWEEN
THE CIVIL AVIATION AUTHORITIES OF THE MEMBER STATES
OF THE LATIN AMERICAN CIVIL AVIATION COMMISSION (LACAC)
WHO SUBSCRIBE IT.**

Considering the successful experience of LACAC member States in the temporary granting of seventh freedom of air traffic rights for full cargo services.

Noting that air cargo transportation has an important role in the economic development of the region and adding to the growing global trend of increasing *e-commerce* and consequently the demand for air cargo transportation.

Reaffirming the principle of sovereignty established in the Chicago Convention and recognizing that States have certain internal procedures to give effect to international instruments on the matter of civil aeronautics.

The representatives of the Civil Aviation Authorities of the subscribing countries, which appear in the attached list (**Attachment**), met in Lima, Peru on December 14, 2023, to discuss issues related to air services between their respective countries and expressed their desire to further promote their aeronautical relations, in a spirit of cooperation and complete understanding, for their mutual benefit, on the basis of free competition; therefore, by virtue of this Memorandum they agreed as follows:

1. Traffic Rights

To complement the traffic rights contained in the Bilateral or Multilateral Agreements and respective Meeting Minutes and/or Memorandums of Understanding that are mutually in force between the subscribers of this Memorandum of Understanding, in the following terms:

The exercise of the traffic rights of the seventh freedom of air will be allowed on a reciprocal basis for full cargo services, scheduled and non-scheduled, to the airlines of the subscribing countries or that sign this Memorandum of Understanding, on equal opportunities, without temporal, geographical or capacity restrictions or limitations.

2. Subscription of this Memorandum of Understanding

This Memorandum of Understanding will be permanently open for signature for other member States of the Latin American Civil Aviation Commission (LACAC). This subscription will be verified by sending an official letter by email or other similar means, addressed to the LACAC Secretariat, which will be communicated through it to the other subscribing States.

3. Validity and Termination

This Memorandum of Understanding will come into force from the date of its respective signature or of the completion of the corresponding internal procedures required for this.

The subscribing States that require an internal procedure after the signing of this instrument will communicate this fact to the LACAC Secretariat; and when said internal procedures have been completed, they will be made known to the aforementioned Secretariat for dissemination among the other subscribers.

Any State that has signed this Memorandum may at any time terminate the effects of this Memorandum by means of a written communication sent to the LACAC Secretariat, which will immediately communicate it to the other subscribing States, and it will take effect six months after said communication is sent.

Done in the Spanish, English, and Portuguese languages in Lima, Peru on December 15, 2023.