



Mr. Shahrukh Nusrat  
Director General  
Pakistan Civil Aviation Authority  
Head Quarters  
Jinnah International Airport,  
Karachi-75200  
Pakistan

Date 28/05/2019

Dear Mr. Nusrat

### **IATA Comments on Pakistan National Aviation Policy 2019**

The International Air Transport Association (IATA) is a global trade association for airlines representing over 290 airline members and accounting for 82% of total global air traffic. Our members include Pakistan International Airlines and major foreign airlines that operate services to/from Pakistan.

IATA thanks the Pakistan Civil Aviation Authority (PCAA) for the invitation to participate in the industry meeting to discuss the draft National Aviation Policy (NAP) 2019 on 4 March 2019. IATA agrees with the Government of Pakistan ("the Government") that aviation plays a pivotal role in the growth of trade, tourism and economy and believes that sound aviation policy based on international standards and industry best practices and a close alignment between industry and the Government will help Pakistan to maximize the full potential of its aviation growth. In particular, the ICAO Standards and Recommended Practices ensure that civil aviation operations and regulations in Pakistan conform to global norms while ICAO documents such as Doc 9082 on charges for airports and air navigation services offer additional guidance on specific topics. Adoption of internationally recognized programs by IATA, such as the IATA Operational Safety Audit (IOSA) and IATA Safety Audit for Ground Operations (ISAGO) programs further demonstrates Pakistan's firm intention to improve aviation safety performance and enhances PCAA's overall oversight capability. IATA is pleased to note Pakistan International Airlines and Gerry's dnata are already registered in the IOSA and ISAGO programs respectively and hopes to see a wider adoption of the programs in Pakistan in the near future.

NAP 2019 is a comprehensive policy document that will guide the growth of the aviation industry in Pakistan. As such, IATA is keen to support the Government in the implementation of NAP 2019 and the development of associated guidelines and rules to ensure that they are aligned with international standards and industry best practices.

In this regard, IATA would like to take the opportunity to highlight two areas of the NAP 2019 that appear to contradict international standards and industry best practices and respectfully requests the Government to reconsider the respective policies to ensure a competitive yet flexible operating environment for airlines that will allow them to fully support aviation growth in Pakistan:

#### **1. Policy Guidelines for International Operations**

IATA would like to highlight our concern about the 80% punctuality requirement under NAP 2019 as it focuses on punctuality and not performance. When benchmarked against the performance of other international airports, 80% is also an unrealistic target and this could impact airline historic. In addition, a regularity requirement of over 90% departs from the 80:20 use it or lose calculation used by the industry. This not only reduces the flexibility of airlines but is a departure from the Worldwide Slot Guidelines (WSG) which is accepted by the global air transport community as the single set of standards for the management of airport slots. The regularity requirement could result in the loss of historic and force airlines to operate unnecessarily with low loads.

IATA would like to suggest that the Government align the policy guidelines for international operations to the international best practices as set out in the WSG (<https://www.iata.org/policy/slots/Documents/wsg-edition-9-english-version.pdf>).



## 2. Data Submission for Tracking of Service Quality

IATA would like to register our concern on the requirement for airlines to submit data on a monthly basis for the tracking of the quality of services provided by airlines. IATA believes that appropriate regulations which are globally coordinated can give passengers confidence while ensuring the freedom to fly. However, regulations on consumer protection should reflect the principle of proportionality and the Government should carefully weigh the policy objectives and the administrative burden it adds to airlines. In this regard, the Government may wish to reconsider the data submission requirement for airlines.

As a reference, the Government may wish to refer to a set of core principles on consumer protection affirmed by IATA member airlines that was developed in accordance with the Montreal Convention 1999, which Pakistan has been a party to since ratification in 2007 (see [Annex A](#)). IATA would be happy to support the Government in developing policy guidelines that strike a balance between ensuring consumer benefits, while maintaining competitiveness and flexibility in the marketplace.

Please feel free to contact the IATA country manager in Pakistan, Mr. Mustafa Khan ([khanm@iata.org](mailto:khanm@iata.org)) if you have any questions. Thank you.

Yours Sincerely

Vinoop Goel  
Regional Director – Airports & External Relations  
Asia-Pacific  
IATA

cc. Mustafa Khan, Country Manager, Pakistan

## Annex A: Core Principles on Consumer Protection

- National and regional legislation should be consistent and in accordance with the international treaty regimes on air carrier liability, established by the Warsaw Convention 1929 (and its amending instruments) and the Montreal Convention 1999;
- National and regional legislation should not interfere with another State's ability to make legitimate policy choices.
- Passenger rights legislation, in accordance with the Chicago Convention 1944, should only apply to events occurring within the territory of the legislating State, or outside that territory with respect to aircraft registered there.
- Passenger rights legislation should allow airlines the ability to differentiate themselves through individual customer service offerings, thereby giving consumers the freedom to choose an airline that corresponds with their desired price and service standards. Governments should consider acknowledging voluntary industry commitments; government regulations should form the "lowest common denominator" and market forces should be allowed to determine additional standards of service levels.
- Passengers should have access to information on their legal and contractual rights and clear guidance on which regime applies in their specific situation;
- Passengers should have clear, transparent access to the following information:
  - Fare information, including taxes and charges, prior to purchasing a ticket;
  - The airline actually operating the flight in case of a codeshare service;
- Airlines should employ their best efforts to keep passengers regularly informed in the event of a service disruption;
- Airlines will establish and maintain efficient complaint handling procedures that are clearly communicated to passengers;
- Airlines should assist passengers with reduced mobility in a manner compatible with the relevant safety regulations and operational considerations;
- Passenger entitlements enshrined in regulations should reflect the principle of proportionality and the impact of extraordinary circumstances;
  - There should be no compromise between safety and passenger rights protection
    - Safety-related delays or cancellations, such as those resulting from technical issues with an aircraft, should always be considered as extraordinary circumstances such as to exonerate air carriers from liability for such delays and cancellations;
  - The industry recognizes the right to re-routing, refunds or compensation in cases of denied boarding and cancellations, where circumstances are within the carrier's control;
  - The industry recognizes the right to re-routing, refunds or care and assistance to passengers affected by delays where circumstances are within the carrier's control;
  - In cases where delays or disruptions are outside an airline's control, governments should allow market forces to determine the care and assistance available to passengers;
  - The responsibilities imposed by the regulator, related to both care and assistance as well as compensation, must be fairly and clearly allocated between the different service providers involved and should not impact on the contractual freedom of all service providers.
- Passengers should be treated comparably across transport modes, taking into account the particularities of each;
- Legislation should be clear and unambiguous