

COELUM.

New Contingency Plan for Civil Aviation in case of Events Relating to Public Health.
by Jessi Saba



AUGUST NEWS on Mexican Aviation

COELUM: Pronunciation: 'che-l&m, is Latin for airspace or sky. The Romans began questioning the rights they had in the space above the land they owned and to how high above did that right extended to. Ad coelum et ad inferos, they discussed, meaning that their right of property would extend as high up to the heavens and down to hell.

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Since December 2019 when COVID-19 first appeared in Wuhan, China, and spread rapidly around the globe in the following months, all countries have been facing challenges that were not even thinkable before, difficulties that have created serious healthcare issues, and closures that have caused a gigantic economical struggle throughout the world, among others. All these challenges have obligated governments from all over the world to take measures, to rethink concepts that we had grown within, that we thought were unchangeable. Governments and public officers are facing one of the most difficult challenges of all – to rethink, reformulate, and plan for the future considering all the necessary prevention measures, to protect its citizens and to procure the recovery of the economy of each country.

Mexico, particularly, has not taken any considerable measure in the economic field. No aid is being provided by the government at all, and no action has been announced by our government that could anticipate any sort of aid to be provided to companies and individuals. Therefore, economically speaking, all Mexicans are on their own. It is also important to note, that Mexico was one of the few countries that did not impose restrictive measures related to air transportation, allowing the airlines to operate as demand required, which certainly benefited the aviation industry in Mexico, as operations did not cease.

Regardless of the above, Mexico has started the slow reopening of businesses, the lifting of certain restrictions, and with such openings, new regulations are required to come into place, at least in matters relating to healthcare.

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On August 1, 2020, Mandatory Circular (*Circular Obligatoria, the “Circular”*) CO SA-09.1/13 R3 was published by the Federal Agency of Civil Aviation (AFAC) and the General Directorate of Health during Transport. Such Circular sets a contingency plan for civil aviation in case of relevant events relating to public health, such as a pandemic.

The Circular, has the following objectives:

- 1) “Establish a contingency plan relating to civil aviation upon a sanitary contingency, to confront the spread of any transmittable disease, that represents a risk or an emergency for public health of international relevance;
- 2) Maintain the necessary safety conditions relating to the operation of air terminals for benefit of its passengers, the society in general, and the economy, in respect to matters relating to air transportation;
- 3) Aid in the continuity and sustainability process of the operations involving air transportation;
- 4) Minimize the risk of exportation, importation, and spread of any transmittable disease through air transportation during a sanitary contingency;
- 5) Detect potential cases within users of air transportation, and, notify them of their conditions and further channeled to the corresponding healthcare centers; and
- 6) Broadcast a permanent sanitary vigilance and measurement system throughout all aerodromes of the national airport system.”¹

The Circular, is therefore applicable in all civil airdromes within Mexican territory, and to all air transport concessionaires and permit holders, or any other person who uses an aerodrome located in Mexican territory, including passengers, authorities, visitors, employees, airport service providers, and business that remain inside an airport in Mexico, although, the Circular is also sort of ambiguous in respect to the responsibility of each of the

1.-<http://www.sct.gob.mx/fileadmin/DireccionesGrales/DGAC-archivo/modulo2/co-sa-09-1-13-r3.pdf>

parties involved in the transportation. It is not completely clear if certain responsibilities are to be carried by the airport authority or by each airline, causing confusion in the procedures to be followed.

The Circular takes as reference for the implementation of actions, the Pandemic Alert Levels published by the World Health Organization (“WHO”)², and the Ministry of Health in collaboration with the AFAC, will be in charge of advising to the relevant parties, and the public in general of the Pandemic Levels at the time and any variation to the same. Each phase, involves a different procedure, and such procedure must be habilitated within 48 hours of the pandemic phase change.

This study will focus on the mains aspects of the Circular, mostly involving airlines, passengers, and airline crew.

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Guidelines Applicable to Air Transport Concessionaires and Permit Holders

- **Airline Crew**

- All airline crew members must be familiar with any general declaration of public health issued by the WHO;

- In case of identifying a passenger with signs/symptoms of the disease, airline crew members must:

- Isolate the passenger to the extent possible; and
- Use appropriate equipment for personal protection and provide such equipment to the affected passenger.

- **Aircraft Commander**

- Will be required to notify Air Navigation Services of the existence of a possibly infected passenger, and provide all information associated with the flight. These communications with Air Navigation Services will follow the guidelines under ICAO document 4444³; and

- Will be required to complete a general declaration pursuant to Annex 9 on Facilitation as issued by the ICAO, which must be delivered to the health authorities in the airport of arrival.

- **Airline**

- Will be required to sanitize the aircraft following manufacturer guidelines in case a prospective infected passenger it identified onboard.

Guidelines Applicable to National and International Departure Gates

All passengers and crew members will have to comply with certain procedures, as set out below, as required by the Pandemic Alert Level:

- Inform and confirm that all passengers have a Questionnaire on Risks Factors in Travelers⁴;
- The questionnaire mentioned above shall also be completed by airline crew members;
- In case a passenger is deemed to pose a risk to public health, he will be removed of the airdrome by authorized personnel for medical inspections; and

2.- <https://www.who.int/csr/disease/swineflu/phase/en/>

3.- <https://ops.group/blog/wp-content/uploads/2017/03/ICAO-Doc4444-Pans-Atm-16thEdition-2016-OPSGROUP.pdf>

4.- Available in AFACs website (<http://afac.hostingerapp.com>)

5.- Available in AFACs website (<http://afac.hostingerapp.com>)

- All areas under control of such airline in which passenger contact is possible (such as counters), will have to be sanitized before and after each flight.

Guidelines Applicable to International Arrival Gates

All passengers and crew members will have to comply with certain procedures, as set out below, as required by the Pandemic Alert Level:

- Crewmembers will be required to advise passengers of the existence of the Questionnaire on Risks Factors in Travelers⁵, as well as the printed forms available in the immigration area, which the airport will be required to have printed.

Guidelines Applicable to Resume Operations to and from Mexico

- **Airline Crew**
 - Airlines will be required to set rules and procedures to advert, detect, and handle situation in which passengers may pose a public health risk;
 - Procedures must be in place to isolate such passenger(s), and maintain protection equipment; and
 - Procedures must be in place to safeguard the transport of crew members flights that involve overnights.
- **Aircraft Sanitization**
 - The aircraft will have to be sanitized regularly, and in any case, within a 2-meter radio from the place were a possible infected passenger was seated; and

- The product used for sanitization will have to comply with manufacturer guidelines.

Service Providers

- The Agreements with airport service providers will have to be amended to incorporation guidelines on prevention of the spread of a contagious disease.

Staff Training

- Airline staff will have to be trained to be ready to take any action necessary to address any prospective health concerns, and they must be instructed in preventive measures for the spread of contagious diseases.

The Circular issued is certainly a positive measure taken by the AFAC to try to control, as much as possible, the health of passengers and all parties and members involved in air transportation. It was certainly needed and required, in order for passengers, crew members and service providers to feel safe, and be safe for everyone's benefit.

5.- Available in AFACs website (<http://afac.hostingerapp.com>)

Mexican aerospace industry would recover in 2022.

As a result of the global health emergency due to the covid-19 pandemic, the demand of the Mexican aerospace industry has contracted between 30 and 40%, this means a recovery to 2019 levels would occur until the end of 2021. For now, the industry's main challenge is the drop in demand and liquidity of companies to support operations. However, the global crisis could generate readjustments in the supply chains where Mexico could position itself and mitigate the effects of the pandemic. www.a21.com.mx/aeronautica/2020/08/04/industria-aeroespacial-mexicana-se-recuperaria-en-2022 August 04, 2020.

In the first semester of 2020, Mexican Airports lost 90% of passengers.

In the first semester of 2020, the three companies who own most of the airports in Mexico, reported losses of up to 90% of air traffic since the activities and tourism stopped because of the pandemic. It should be kept in mind that at least one million of jobs are related to the air industry, or, in other words, the 3% of the Gross Domestic Product. www.elceo.com/negocios/aeropuertos-de-mexico-pierden-90-de-pasajeros-en-primer-semester-de-2020/ August 12, 2020.

Latin American governments have let us down: IATA.

Some airlines in Latin America have been out of business for more than five months due to government restrictions in certain countries, such as Argentina, Colombia and Paraguay, amongst others. For this reason, IATA estimates that Latin American airlines will lose about four billion dollars in 2020 and the number of passengers will drop to about 55% as compared to last year's numbers. As a result, the organization has changed its campaign shifting from seeking financial support from Latin American governments. As an example, countries such as Mexico were never willing to give financial support to the airline industry. www.a21.com.mx/aerolineas/2020/08/20/los-gobiernos-de-america-latina-nos-han-defraudado-iata August 20, 2020.

IATA calls on passengers to wear face masks.

The International Air Transport Association (IATA) has called on passengers worldwide to wear mask during their travels as a precautionary and safety measure against the covid-19 pandemic. In fact, IATA has recalled that Airlines worldwide have the right to deny access to people who do not comply with the regulations required by the airlines themselves. As David Powell, IATA's medical consultant, stated "This is not just about protecting you. It's also about protecting everyone on board an aircraft". www.a21.com.mx/aerolineas/2020/08/24/usen-cubre bocas-pide-iata-viajeros August 24, 2020.

The industry is ready to restart: ALTA.

The air industry in Latin America is ready to restart operations, as it can be seen in the number of flight searches, which has increased considerably in recent months, with the Sao Paulo-Buenos Aires route being the main one, with a 90% increase between June and August, stated José Ricardo Botelho, director general of the Latin American and Caribbean Air Transport Association (ALTA). Likewise, the airlines and airports of the region have implemented appropriate sanitary protocols, derived from the work-sheets of associations such as the International Civil Aviation Organization (ICAO) to restore confidence in travelers that the industry will not be a route of contagion of covid-19. www.a21.com.mx/aerolineas/2020/08/25/la-industria-esta-lista-para-reiniciar-alta August 25, 2020.

The New International Airport of Mexico City (NAIM) will be transformed into an ecological park.

The President of Mexico, Andrés Manuel López Obrador, announced the construction of an ecological park on the 12,000 hectares that were originally destined for the New International Airport of Mexico City (NAIM). They foresee that it will be finished in 2021, depending on the development of the sanitary emergency created by the pandemic. It would seek the recovery of water bodies and once completed, it will become one of the largest urban parks in the world. www.a21.com.mx/aeropuertos/2020/08/25/convertiran-naim-en-parque-ecologico August 25, 2020.

Covid-19 will leave permanent scars on travelers.

Air travelers will have permanent consequences on the way they travel, even after the covid-19 pandemic is gone and the worst effects of the pandemic have passed. Self-service kiosks and the use of biometric technology at airport gates are examples of what could be seen in airports of the future more widely, as their use was already booming even before the pandemic. Even so, prior to the pandemic, surveys conducted to air travelers indicated that the majority would appreciate the use of efficient technologies to automatize their travel. Now, with the pandemic, travelers are likely to take a more positive view of these solutions. www.a21.com.mx/aerolineas/2020/08/26/covid-19-dejara-secuelas-permanentes-en-los-viajeros August 26, 2020.

Behavior of the Mexican domestic air market in 2020.

In the first half of 2020, 13.3 million domestic passengers were transported, which contrasts significantly with the 25.6 million who traveled in the first half of 2019. Although traffic volumes are growing, they still show a 48% drop. While domestic passenger volumes declined by 8% between January and February 2020, the market collapsed in March and April with negative volumes of 23% and 87%, respectively, month over month. The worst impact was felt in April when traffic volumes bottomed out and the domestic market began to rise at the end of May, showing the first positive traffic growth with 500,000 passengers carried in June 2020, a figure not seen since March 2019. www.americaeconomia.com/analisis-opinion/comportamiento-del-mercado-aereo-nacional-mexicano-en-2020 August 28, 2020.

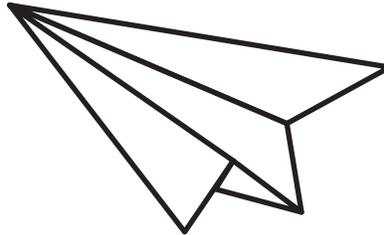
The arrivals of foreigners by air transport falls 82%.

Air arrivals in Mexico during July registered a drop of 82.2%, accounting for 295,207 people, linking a third month of slight recovery from April's 98.6% drop as a result of the Covid-19 pandemic. The relevance of air travelers for Mexico is that they generate 80% of the tourism currency and it is not expected that there will be a recovery in the short term; it is estimated that it will take a couple of years before they return to pre-pandemic levels. www.eleconomista.com.mx/empresas/Cae-82-la-llegada-de-extranjeros-a-Mexico-por-avion-durante-julio-20200828-0005.html August 28, 2020.

Mexico exceeds one million passengers.

For the first time since March 2020, commercial passenger airlines surpassed the one million-passenger mark after carrying only 385,641 passengers in May at the domestic level. The statistics show a recovery in air transportation, after 3,142,005 domestic passengers were registered in the country in March, before the covid-19 pandemic started in Mexico. www.a21.com.mx/aeropuertos/2020/08/26/mexico-supera-el-millon-de-pasajeros August 28, 2020.

In this month extract was prepared by A. Frago, A. De la Fuente, P. Arandia, R. Nerio, R. Mancilla, M. Castro, J. García.



JESSI SABA

Admitted to practice law in 2013. Ms. Jessi Saba, of Mexican nationality obtained her law degree at Universidad Iberoamericana, México. She has been admitted at the secondment program for the Aviation Working Group, and holds the Certificates of International Air Law; Airline Contract Law; Aircraft Acquisition and Financing; and Law of Aviation Insurance by the International Air Transport Association (IATA).

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PRACTICE AREAS: Aviation Law, Aircraft Contract Law, Corporate Law.

mail: jsaba@asyv.com

sierra

Prol. Reforma No. 1190 25th Floor,

Santa Fe México D.F. 05349

t. (52.55) 52.92.78.14

f. (52.55) 52.92.78.06

www.asyv.com / www.asyv.aero

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