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Women on Board: Women's Rights in Aviation.

By Nebai García

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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 how high above them those rights would extend. They decided on, Ad coelum et ad inferos, meaning that their property rights would extend as high up as the heavens and all the way down to hell.

By Nebaí García

March 10th, 2025, marked the first commemoration of "Mexican Women's Day in the Aeronautical and Space Sector." This date has provided greater visibility to women's participation and contributions in this industry, yet it also helped to identify the conditions under which women in aviation develop their professions and brings to light the gender gap in this sector.

The role of women in the aeronautical industry has evolved significantly since the beginning of aviation, however, their participation in this industry remains limited, as the persisting gender stereotypes hinder their equal development compared to men. According to the Mexican College of Air Pilots, women represent approximately 2% of the workforce in the Mexican aeronautical sector. Broken down by role, only 1.5% are commanders, 2.4% are mechanics, 3% hold general management or leadership positions, and 16% are airport directors¹. There are nearly 2,000 Mexican pilots, and women represent 5% of them.

"Gender equality cannot be achieved if women believe that the balance between their personal life and their career is not achievable nor guaranteed by the law."

The lack of visible representation makes it difficult for more women to believe they can pursue a career in the aeronautical or space industry, coupled with a gap that prevents those already in the sector from advancing. Visibility comes not only from statistics or publicity, but from a normative, labor and humanitarian perspective, by acknowledging the biological, social and cultural differences between men and women and providing the necessary elements that can effectively guarantee that factors such as pregnancy, postpartum and breastfeeding will not be considered as an impairment for women to continue their careers in aviation and any other profession they want to pursue for their individual growth, without making them choose between motherhood and their careers.

Article 2 of the Federal Labor Law states that labor legislation should aim to foster a balance between productive factors and social justice, considering among several principles, building a substantive equality by eliminating discrimination against women, thus generating equal opportunities.

Gender equality cannot be achieved if women believe that the balance between their personal life and their career is not achievable nor guaranteed by the law.

In an effort to provide legal protection to women's rights in aviation, on September 20, 2023, the Commission of Transports and Communications of the Chamber of Deputies approved an initiative to reform articles 33 and 47 bis sections II and IX of the Civil Aviation Law order to allow them to transport

1.-Avilés, Rosario. "Mujeres en la aviación: Desafíos y oportunidades." A21, 8 marzo de 2024, disponible en <https://a21.com.mx/despegues-y-aterizajes/2024/03/08/mujeres-en-la-aviacion>.

of breast milk and the necessary tools for its extraction as carry-on baggage, notwithstanding the presence of the infant on board of the aircraft.

On July 30, 2024, the Permanent Commission of the Senate urged the Civil Aviation Federal Agency (AFAC) to provide the necessary training to airports security agents and personnel to allow the transport of breast milk and the tools for its extraction as carry-on baggage, considering that while several airports within the Mexican territory have set up nursing areas for female passengers, pilots, flight attendants and administrative workers to be able to safely breast feed their infants if necessary, the vast majority of airport staff is not familiarized with this reforms and does not allow the transport of formula, breast milk, toddler drinks and baby/toddler food (to include puree pouches) in quantities greater than 3.4 ounces or 100 milliliters. In this regard, in 2018, the United States of America passed a Bill called "Friendly Airports for Mothers" which established, among other things, that breast milk is considered a medical need for infants, hence it is not only the mother's right, but it is a children's right to have access to it at any time during flights.

The TSA released several directives in connection with the transport of breast milk and secured the mothers and children's rights to have access to it regardless². It is now up to the majority of actors in this sector to keep on pushing AFAC in order for them to take effective action, issue new directives and guarantee the access to a basic right for women and children, so that the reforms to the Civil Aviation Law can be approved and published in the Federal Official Gazette.

"A safe space for women means there is a safe space for all."

However, it is not only the rights that come along with motherhood that need to be acknowledged by the law or by the Authorities in charge of guaranteeing those rights, it is also a change in the public's perspective of the women participating in the aviation industry, not only as pilots, mechanics, traffic control agents, etc., but also in all other careers that directly or indirectly interact with this sector. Big law firms, such as Sierra Abogados, that have believed in their women colleagues and have promoted a safe environment for their personal and professional growth, making it accessible for them to start as paralegals until they become partners; collaborations with Universities promoting the aviation industry for women to explore and make a career in it, such as the Aeronautical Diploma Course at the Instituto Tecnológico Autónomo de México (ITAM), that has been coordinated by a woman for over 5 years; a woman in charge of the presidency of the National Chamber of Air Transport (CANAERO), are a few examples of what can be done so that more and more women know that there is a place for us in this industry and that professional growth is accessible and achievable without quitting our personal dreams and expectations.

Women's participation in this industry must not only be larger in numbers, but must also be substantial and occur under dignified, equal, and violence-free conditions. Therefore, efforts must be made to eradicate attitudes, stereotypes, and prejudices that undermine gender equality. A safe space for women means there is a safe space for all.

2.- <https://www.tsa.gov/travel/tsa-cares/traveling-children>

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NEBAÍ GARCÍA Associate

Nebái has over 17 years of experience both in the public and private aviation and airport sector, working as a government officer at the now Civil Aviation Federal Agency and Aeropuertos y Servicios Auxiliares; in the private sector, she has been negotiating contracts with airport groups, assisting in various litigations related to aviation accident investigations. Likewise, she has been responsible for carrying out the necessary procedures for the start of operations of several foreign airlines in Mexico, from the incorporation of a permanent establishment in Mexico to the monitoring of their regulatory obligations; addressing requirements from immigration, tax, and jurisdictional authorities, as well as studying the various proposed reforms regarding passenger rights.

Education

- Attorney at law by Universidad Nacional Autónoma de México in Mexico City.
- Diploma Course in Aeronautical Law by the Instituto Tecnológico Autónomo de México (ITAM).
- Certification in Corporate Translation at the Instituto Superior de Estudios en Traducción e Interpretación (ISETI).

Languages

- English
- Spanish
- French



Prol. Reforma No. 1190 25th Floor,
Santa Fe México D.F. 05349
t. (52.55) 52.92.78.14
www.asyv.com / www.asyv.aero

Find us in



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www.linkedin.com/company/asyv

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