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Agenda Item 8: Statements by delegations of Member States

STATEMENT BY UKRAINE

(Presented by Ukraine)

Mr. President

Distinguished delegates,

I would like to welcome you on behalf of the Ukrainian delegation.

Taking this opportunity, let me reaffirm my country's commitment to the norms and principles of the 1949 Convention on International Civil Aviation (Chicago Convention) as well as Annexes thereto (Standards and Recommended Practices of ICAO) and inform you of the current situation in the sphere of civil aviation in Ukraine as well as about the developments that have taken place over the three years since the 40th Assembly.

Civil aviation plays an important role in Ukraine and, accordingly, receives proper attention from the State in order to maintain a high level of safety and security. Being one of the biggest countries in Europe allows Ukraine to set ambitious plans for further development of this sphere in all aspects.

These past three years have been very challenging for the civil aviation of Ukraine. However, it is true not only for us but for many other Member States as well. All of us faced the severe impact of the COVID-19 pandemic which caused a significant reduction in civil passenger operations when a huge number of aircraft were grounded waiting for restart. Going through this unique challenge for civil aviation worldwide we were able to learn and gain valuable experience on how to continue our work and help each other to overcome the consequences of this pandemic. Responding to this challenge ICAO and all regional safety organizations together with the health authorities worldwide worked tirelessly to create safe rules and directives for civil aviation operators and passengers. The results of this work yielded hope that such cessation of operations will not happen again.

Regardless of the impact of the COVID-19 pandemic in 2020 and the restrictions implemented thereon, in the year 2021 our industry showed a very good tendency to grow and almost reached the pre-pandemic levels by 75-80%. This is a very good result for the aviation industry of the country which since 2014 is being affected by the ongoing armed aggression that resulted in airspace restrictions and a number of safety and security threats.

Mr. Chairman,

Since the beginning of the full-scale armed invasion of Ukraine, on 24 February 2022, the Russian Federation has further shown its total disrespect for the international rules, standards and procedures laid down in the Chicago Convention. This invasion started with attacks on civil aviation infrastructure, mainly airports and surrounding facilities and aviation factories. All the initial reports regarding such acts of unlawful interference have been submitted to ICAO. As investigations move on, we will duly report on them.

As a part of our cooperation with the European Union and our commitment to developing an open, competitive and sustainable civil aviation market, on the 12th of October, 2021, Ukraine and the European Union signed a Common Aviation Area Agreement. This is yet another evidence of Ukraine's commitment to further integrate into the European aviation family at the regional level/ It opened new opportunities for air carriers and passengers and contributed to the improvement of aviation legislation in line with the highest standards in all domains. It also fully aligns with our philosophy of air services liberalization as a key factor of sustainable development.

In order to maintain Ukraine's role in the world aviation industry, our Aeronautical Authority is constantly working on the development and further implementation of the aviation rules in all spheres of its responsibility. First and foremost, we care about the safety and security of the operations in the Ukrainian airspace and stand ready to share with our partners the experience of addressing the risks which arise from the armed conflicts and how to mitigate them. In this regard, Ukraine fully supports the Safer Skies Initiative and the proposals which will be discussed in this context during the Assembly. In addition, we consider that ICAO initiatives and programs to reduce CO2 emissions in aviation should be supported by all Member States.

Having said that, our Delegation would like to draw the attention of this Assembly once again to the situation when one of the ICAO Member States does not observe fundamental provisions of the Chicago Convention and its Annexes, as well as about the negative consequences for the civil aviation in this regard.

It is essential to recall that neglect and disregard of international law by the Russian Federation caused the many tragedies not only for Ukrainian families affected by the unlawful acts of the aggressor state but for citizens of other states as well. In particular, by the downing of the MH17 flight in 2014 which took the lives of 298 innocent people. Only proper actions and risk mitigation measures undertaken by the civil-military coordination system in Ukraine allowed avoiding similar tragedy on February 24, 2022 with the civil aircraft performing flights at that time within the Ukrainian airspace.

Distinguished representatives of the Member-States,

Further to these violations, such actions on the Russian side led to additional infractions of the Chicago Convention, in particular Articles 18, 19, 29 and 31, which were identified during the 226th Session of the Council on the 22nd of June, 2022 as a reaction to the violation by the Russian Federation of the exclusive sovereignty of the Ukrainian airspace, as well as the dual registration of aircraft by the Russian Federation and, in turn, permitting the operation of those aircraft without valid certificates of airworthiness. The ICAO Secretary General informed all Member States about such recognition by the Council in its letter dated 3rd of August 2022. We call upon all Delegations to support the adoption of the ICAO Resolution on this matter to be presented by the Secretariat during this Assembly. Such infractions cannot be left without relevant consequences from the whole aviation world.

Moreover, I would like to remind you that on 15 June 2022, while fulfilling its role as a global safety oversight authority, the ICAO Secretariat issued a “Significant Safety Concern” against the Russian Federation in relation to the treatment of the stolen aircraft. Till now there are no signs of the willingness of the Russian Federation to resolve this Safety Concern.

The effect of these infractions goes far beyond Ukraine itself. Apart from the closure of the entire Ukrainian airspace for civil aviation operations on February 24, 2022, destructions of the airports, air navigation and other related infrastructure in Ukraine, the neighboring countries also suffered from these actions by the Russian Federation. Moldova had to close its airspace for civil aviation operations due to its close location to the conflict zone. Later it managed to reopen operations to the Chisinau airport using certain safe routes. Republic of Poland, Republic of Lithuania, Republic of Latvia, Republic of Estonia and other States, being close to Ukraine also suffered significant losses in traffic (including transit) due to these actions of the Russian Federation. The invasion of Ukraine has led to significant changes in flight patterns between Europe and Asia. This resulted in additional fuel costs, additional CO2 emissions, constraints from scheduling, staffing and so forth. Altogether, this puts additional pressure on the sustainable development of civil aviation in the region, especially during the post-Covid-19 period. Such disrespect of the Convention and the established ICAO rules cannot be left without proper attention of the Assembly. This is crucial to avoid a situation in the future when an ICAO Member State, and a Council Member, faces zero consequences for such irresponsible and brutal behavior.

During the Assembly, we present a model of Antonov 225 “Mriya” (Dream in English) – the heaviest cargo aircraft ever to take to the air. Designed and assembled by the Antonov Company it had its first flight on the 21st of December, 1988 and since then, it set a number of world records. The aircraft was destroyed on February 27, 2022, at Hostomel Airport near Kyiv as a result of the Russian Federation’s unprovoked full-scale invasion of Ukraine. This masterpiece together with a small fragment of its fuselage is presented to the ICAO Museum and now it is exhibited in the Hall of this building.

Even under the circumstances of Russia’s invasion of Ukraine, our airlines continue to operate abroad, demonstrating the strong potential of Ukrainian aviation which will further develop despite all the challenges raised by the actions of the aggressor state.; Our Civil Aviation Authority continues to fulfil all of its obligations under the Chicago Convention; our manufacturers continue to design and build aeronautical products; and, our passengers are waiting to start flying from their homeland as soon as the security situation allows. We invite all members of the civil aviation community to join our efforts to build back safe, secure and sustainable civil aviation operations in Ukraine in every possible way. We remain open to discussing this topic with other Member States during this Assembly.

In conclusion, on behalf of the Ukrainian delegation, I would like to voice our support of ICAO efforts for the development of global civil aviation, reassure the Assembly of our commitment to strictly adhere to the norms and principles of international law and follow ICAO Standards and Recommended Practices.

Thank you Mr. President.

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