



جامعة القاهرة
كلية الاقتصاد والعلوم السياسية
قسم الاقتصاد

الخطة الاستراتيجية المستقبلية للنقل الجوى المصرى مقارنة بتجربة الاتحاد الاوروبى

رسالة لنيل درجة الماجستير فى الدراسات الاوروبية المتوسطة

إعداد

هاله رأفت على رضا
محلل نظم اول بهيئة المعهد القومى للتدريب على اعمال لطيران المدنى

إشراف

الاستاذة الدكتورة/ عادلّة محمد عبد السلام رجب
الاستاذ بكلية الاقتصاد والعلوم السياسية قسم الاقتصاد
جامعة القاهرة

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بعد استيفاء جميع المتطلبات،

اللجنة

م	الاسم	الدرجة العلمية	التوقيع
١	د. حسن أحمد عبيد رئيسا	الاستاذ المساعد المتفرغ بقسم الاقتصاد بكلية الاقتصاد والعلوم السياسية	_____
٢	أ.د. عاذلة محمد عبد السلام رجب مشرفا وعضوا	الاستاذ بقسم الاقتصاد بكلية الاقتصاد والعلوم السياسية	_____
٣	د. فوزى أحمد الجنبيهى عضوا من الخارج	استشارى نظم التحكم والقياسات بوزارة الطيران	_____

الاسم: هالة رأفت على رضا

الجنسية: مصرية

الدرجة: الماجستير

التخصص: الدراسات الاوربية المتوسطة

المشرف: أ.د. عادل عبد السلام رجب

عنوان الرسالة: الخطة الاستراتيجية المستقبلية للنقل الجوى المصرى مقارنة بتجربة الاتحاد الاوروبى

ملخص الرسالة:

من المراجع والابحاث التى تم الرجوع اليها وقرائتها، ومن الواقع العملى المعمول به فى مجال النقل الجوى على مستوى العالم ككل يتبين ان من اهم المفاهيم المعاصرة التى برزت خلال الحقبة القليلة الماضية من الزمن على الساحة المحلية والعالمية هو مفهوم السماوات المفتوحة الذى يعد من القضايا المحورية التى سيتم التعامل من خلالها فى مجال النقل الجوى لما له من اثر كبير فى الاقتصاد القومى والعلاقات الخارجية.

ونتيجة هذا الاثر الهام فسوف يتناول هذا البحث معظم ابعاد مفهوم السماوات المفتوحة المختلفة بدءا من تعريف ماهية السماوات المفتوحة وما هو المقصود بها من ازالة كافة القيود على الحركة الجوية وما يترتب على ذلك من حقوق وواجبات بين شركات الطيران المختلفة بما لا يتعارض مع سيادة الدولة فى حالة تطبيق مفهوم السماوات المفتوحة وارتباطه بتحرير النقل الجوي.

فمن المعلوم أن تحرير النقل الجوى قد ارتبط بازالة كافة القيود المفروضة على شركات الطيران، وتطبيق حرية التسعير وحرية الحركة الذى أسفر عن تخفيف التدخل الحكومى، والاتجاه نحوالخصخصة واقامة كافة التحالفات والتكتلات الاقليمية التى تنطبق مع شروط اتفاقية تحرير الخدمات (GATS).

كذا نجد ان دراسة هذا المفهوم يهتم اساسا بالعلاقة الوثيقة بين حركة النقل والسياحة فى مصر ولكن لابد ان يكون هناك اتفاق على توضيح اثر تحرير هذه الخدمة على زيادة التدفقات السياحية بأنماطها واشكالها المختلفة وخاصة بعد احداث الحادى عشر من سبتمبر لما لمجال السياحة الحيوى من اهمية قصوى فى المساهمة الفعالة فى الاقتصاد القومى، ونجد ان تطبيق سياسة السماوات المفتوحة فى دول جنوب حوض البحر الابيض المتوسط ومن بينها مصر تعد مرحلة مهمه على طريق تحرير النقل الجوى الذى يعكس صورة اكثر ايجابية لما يجب ان تنتهجه مصر فى هذا المجال، واتباع اسلوب تحرير النقل الجوي داخل الاتحاد الأوروبي ومع الولايات المتحدة الامريكية.

اهداء

اهدى هذه الرسالة لعائلتى الحبيبة المكونة من زوجى واولادى الاعزاء الذين ساعدونى دائما ووقفوا اللى جوارى فى دراستى وبحثى والى روح امى الغالية التى كانت لى دوما المشعل الذى يضىء حياتى ويشجعنى على المضى فى الحياة بثبات وارادة. كما اتقدم بخالص الشكر للسيد الطيار وزير الطيران المدنى المصرى على كل اجازاته واسهاماته فى العمل على رفعة واعلاء مجال الطيران المدنى وكذلك عمل سيادته الدؤوب لتنمية الكوادر البشرية فى هذا الصرح الحيوى الهام، كذلك اقدم كل تحية واحترام لكل السادة الاساتذة الذين قاموا بالتدريس لى فى ماجستير الاوروبية المتوسطة لما بذلوه من جهد فى صقل معلوماتنا وتوصيلها بسهولة ويسر. كذلك اتقدم بخالص شكرى وتقديرى للاستاذة الدكتورة عادلة رجب لما قدمته لى ولهذه الرسالة من وقت وجهد وتعاون وملاحظات قيمة حتى استطيع اخراجها بشكل متميز.

إشراف
أ.د.

عادلة محمد عبد السلام رجب

مستخلص الرسالة:

من المصطلحات الهامة التي برزت خلال السنوات القليلة الماضية على الصعيدين الدولي والمحلي مصطلح "السماءات المفتوحة". في الواقع ، ليس مجرد مصطلح هام فقط ويستحق النظر اليه بعناية ، ولكن يعد إطارا لمفهوم جديد سيحدث ثورة في عالم النقل الجوي وحريات الطيران المدني.

كثير من اتفاقيات السماءات المفتوحة حملت فى طياتها التطبيق الكامل لمفاوضات السماءات المفتوحة ، وتهدف هذه الاتفاقيات الى تعزيز التفاهم المتبادل والثقة من خلال منح جميع المشاركين دورا مباشرا لتعزيز الانفتاح والشفافية والتحرر فى مجال النقل الجوى.

واحدث شكل من اشكال اتفاقيات السماءات المفتوحة هو الاتفاق المبرم في الآونة الأخيرة بين الولايات المتحدة والاتحاد الاوروبي، وبمقتضى هذا الاتفاق سيسمح لشركات الطيران الأوروبية داخل الاتحاد الاوروبى والخطوط الأمريكية بالعمل بشكل حر وبدون قيود في المجالين الأوروبي والأمريكي والاستثمار في كافة الأنشطة التي لها علاقة بشئون الطيران المدني والخدمات المترتبة عنها.

ان تطبيق سياسة السماءات المفتوحة فى دول جنوب حوض البحر الابيض المتوسط ومن بينها مصر تعد مرحلة مهمة على طريق تحرير النقل الجوى الذى يعكس صورة اكثر ايجابية لما يجب ان تنتهجه مصر فى هذا المجال بشرط اندماج مصر بالشكل الذى يلائمها ويتفق وظروفها بما يتعلق بقدرتها على فرض تلك الشروط وكيفية توافر المقومات التشريعية لديها والتي تسمح بالعمل بهذه السياسة بما لا يعد تطبيقها تقييدا فى الحقوق السياسية للدولة مع ضرورة تتبع الآثار الاقتصادية المترتبة على هذه السياسة بالنسبة للجذب السياحى والتبادل التجارى بين مصر والدول الاخرى.

كذلك يؤثر تطبيق مفهوم السماءات المفتوحة على مدى قدرة المطارات المصرية الاستيعابية للمسافرين، هذا بالاضافة الى الدور المهم الذى تلعبه المطارات المصرية فى استيعاب الحركة الجوية الزائدة التى سوف تتولد من جراء تطبيق التحرير. اتباع اسلوب

تحرير النقل الجوي فى الاتحاد الأوروبي وعرض نموذج من النماذج المستخدمة فى اتفاقيات السماوات المفتوحة بين الاتحاد الاوروبى والولايات المتحدة الامريكية.

الكلمات الدالة:

اختصارات الطيران المدنى
الايكاو - الاياتا - هيئة الطيران المدنى المصرية
المنظمة الأوروبية لمعدات الطيران المدنى
وكالة سلامة الطيران الأوروبية
تحالف ستار
حريات الجو
مصطلح السماوات المفتوحة
السماء الواحدة
نظام جاليليو
شهادة اعتماد اعمال الصيانة من وكالة سلامة الطيران الاوربية

إشراف

أ.د.

عائلة عبد السلام رجب

Introduction

With the beginning of the third millennium, new stages of science and technology and the information revolution turned the world into a small area connected by modern means of communication. This has helped the air transportation as it is one of the most important means to become more activities, linking most of people who want cruising around this village in shortest time and highest possible level of comfort.

Most of the important terminology which emerged during the last few years on the international and the local scenes is the "Open Skies". In fact, it is not just a term deserves carefully considered, but under a new concept and the recent revolution will happen in the world air transportation and the civil aviation freedoms. It is known that the air transport liberalization has been associated with the removal of all restrictions imposed on the airlines and application of pricing and movement freedom, reduces the government intervention and also leads the trend towards privatization under the umbrella of forging alliances and regional blocs in the aviation field.

Many forms Open Skies Agreements took place since 1996, but since 2002, a full-scale implementation of Open Skies negotiation, where in 2002 some 85 "Open-Skies" agreements had been concluded involving approximately 70 countries. In 2005 at the First Review Conference on the Implementation of the agreement of Open Skies, member states praised the agreement's role as a "stabilizing factor" in times of a changing European security environment. These agreements involved not only developed countries but also an increasing number of developing countries. On January 1, 2006 In fact, efforts to calm tensions in Europe have included the Open Skies program, and airborne monitoring between Hungary and Romania in the early 1990s was a notable success in smoothing relations between the two countries. The Open Skies Agreement is a recently negotiated treaty between the United States and the European Union. The agreement will allow any European or U.S. airline to fly any route between any city in the EU and any city in the United States. (Current restrictions prohibit, for example, the Spanish airline Iberia from operating flights to the United States from Brussels or Manchester.) United States airlines will also be given the right to fly

between European cities, and EU airlines will be allowed to operate direct flights between the United States and non-EU countries like Switzerland¹.

Egypt like other developing countries has to follow the evolution and activate participation in the open-skies system by a positive way or it will lose its location on the map of international air transport.

This research will introduce this important issue both from Egypt and EU point of view, and the impact of the agreements signed in this concept between the previous two sides and other external ones using common aviation abbreviations all over the world according to All Aviation Abbreviations (AAA)² -in Annex No. (1)-.

Research Importance

The Open Skies becomes a central issue at the applied level in the process of liberalization of air transport throughout the world during the past two decades. And in turn, it is considered as essential one in the system involved with the globalization of the economy due to the presence of a large number of Open Skies agreements between developed countries and others, between them and developing countries on the other side.

This research presents the development of European relations in the field of air transport, the agreements passing from the Chicago Treaty 1944, the Bermuda Agreement 1946 reaching to a multilateral agreement 1988, which allowed the establishment of a common market for the European air transport. Also it reviews the operational phases, many of structural developments in EU's air transport till the Open Skies was applied in 1990 and sheds light on the consequences of the application of EU Open Skies Policy with the other countries, especially Egypt.

Research Objectives

- Explain the Legal and Economic Impacts of the Open Skies Policy.
- Identify the advantages of The EU Experience on Following the Open Skies Policy and Its Implications.

¹ Lindley., Dan, (2007), "*Cooperative airborne monitoring: Opening the skies to promote peace, protect the environment, and cope with natural disasters*" Routledge, part of the Taylor & Francis Group, Volume 27, P. 325:343.

² = ICAO report (ICAO, Doc. 7278 - C/841 - 10.5.1952, Part II), 2006.
= [www. flying way.com](http://www.flyingway.com), (Last Visit on 2-2-2008).

- Study how Egypt could follow the EU steps in Open Skies.

Methodology

The next steps summarize the methodology which will follow a descriptive comparative approach:

- Defining the difference between regular and irregular air transport operations.
- Researching in many "Open Skies System" references, books, articles, papers and in the internet.
- Conceptualization of The Open Skies policy.
- Determining the main factors of The Open Skies convention and agreements even between EU and Others or Egypt with EU and others.
- Conceptualization the aviation transport system hierarchy in Egypt and its relations.
- Reviewing the available economic literature in the field of EU air transport.
- Putting the framework of the current situation of EU and Egypt air transport
- Defining and recognizing different factors influencing air transport in Egypt and EU.
- Developing conceptual framework for the main factors of Egypt and EU air transport and their relation in that field.
- Data collection and compilation from different sources (reports from ICAO, IATA, ICAA, NCATO....etc).

Essential Hypotheses

It is based on the change in the economic climate during the 1980s and the US experience in the liberalization of air transport which had clear implications for the structure of the European air transport market, and how it affected the technological, marketing, economic and organizational sides.

The technologically development has lead to the evolution of aircraft manufacturing, where high production efficiency results in decreasing in fuel consumption and variable costs this was reflected in lowering levels of operating and prices.

Moreover, the growth in the marketing, development of reservation systems and mechanism are innovating new promotional techniques to airlines role in

the increased passenger demand needs and encourage travelers to achieve loyalty to those companies.

The expansion of airports has pushed to a better management and creates new forms of airports HUB system where the Slot Controlled that had a grate impact on the economic side, and led the airlines to enter into merges, acquisition and alliances which facilitates applying Open Skies Policies.

The Main Problematic

This research explains the perfect meaning of airspace, it reflects the general characteristics of the organization of air liberties rules and its types, it analysis the application of the Open Skies policy in the light of the principle of state sovereignty and it forecasts the future strategic plan of the Egyptian air transport compared by the EU's air transport.

Research Limits

There are many Open Skies Agreements in the world, for example on May 1, 2001, the United States and Brunei, Chile, New Zealand and Singapore, four of the United States' partners in the 21-member Asia-Pacific Economic Cooperation (APEC) forum, signed a multilateral Open Skies aviation agreement. The Multilateral Agreement represents the as one of successful effort to expand the Open-Skies approach on a multinational basis. In addition to the typical Open Skies provisions, the multilateral APEC agreement substantially liberalizes the traditional airline ownership requirement, thus enhancing foreign carriers' access to outside investment. Peru became a party to the agreement on May 17, 2002. It will be continue to urge additional APEC countries, especially those with which have bilateral Open Skies agreements (Korea, Malaysia, Peru, and Taiwan), to accede to the multilateral agreement. For further information, contact the Office of International Aviation.

The largest international alliances in the fields of aviation are Star³, Sky Team and One World and the first coalition membership includes 21 companies controlled more than 30% of air traffic, his companies own 2777 aircrafts of various models based conduct of 16 thousand flights per day to 855 points in 155 countries and transferred about 400 Million passengers annually.

³ www.staralliance.com/en/meta/airlines, (Last Visit on 2-2-2009).

The second alliance “Sky Team” contains 10 companies; it has 2189 planes conduct approximately 14 thousand flights per day to 827 points in 149 countries and transfers about 364 million passengers annually.

The third alliance includes ten companies too. Its fleet is 2239 aircraft conducted 9297 flight per day to 688 points in 142 countries and transports about 321 million passengers annually⁴.

EgyptAir after joining the alliance «Star»⁵, applied 9 aviation agreement participation symbol with 9 airlines of the Star Alliance, for example the last one with Lufthansa Airways which allows to passengers of the two companies using tickets issued to any one of the flights from October 2008 with the start of the winter schedule.

The European Union has declared its full support for an agreement with US to open up transatlantic skies to more carriers in 2008.

From that date, airlines in the EU will be able to operate US flights from any location within its permit, while mergers are likely to become more commonplace.

It is thought that the deal will allow to the air passengers to choose from a wider range of options when booking flights across the Atlantic⁶.

From the previous analysis, it presents that there are several agreements in the field of Open Skies in the world, but limited study and analysis on the EU experience and the attempt to apply in Egypt.

Research Contents

This research consists of five chapters at first "**The Introduction**". Chapter One is "**The Concept and Characteristics of Air Transport and Open**

⁴ www.flyingway.com/vb/archive/index.php/t-15924.html, (Last Visit on 19-5-2008).

⁵ Star Alliance is the oldest, largest and most awarded airline alliance in the world, the airline network was established in 1997 as the first truly global airline alliance to offer customers worldwide reach and a smooth travel experience. Overall, the Star Alliance network offers more than 18,100 daily flights to 975 destinations in 162 countries. It contains 21 air lines like Air Canada, Air China, Air New Zealand, ANA (Asia's largest airlines), bmi, Lufthansa, US Airways, TAP Portugal, Turkish Airlines, Swiss International Air Lines, Spanair, South African Airways (SAA), Scandinavian Airlines System, ...etc.

⁶ www.justtheflight.co.uk/news/18096898-eu-approves-open-skies-agreement.html, (Last Visit on 19-5-2008).

Skies Approach" includes 7 items, The first is *Introduction*, The second is Focusing on *History of Air Transport*, The third one is *International Conventions in the Air Transport Field*, The fourth is *Historical Open Skies Concept and the State Sovereignty Principle* , The fifth is *The Evolution of the Air Policies*, it has 2 sub-items, they are: *The Evolution of the Air Technologies Industry and *Economic Importance of the Air Transport, The sixth is *The Expectations of Air Liberalization*, it has 2 sub-items **Current Trends in Air Regulation and **IATA Principles for Air Liberalization, and the last one is *The Future of The Air transport policies*.

The title of Chapter Two is "**The Legal and Economic Impacts of the Open Skies Policy**", it consists of 11 main items The first one is *The Introduction*, The second item is *The Legal Impacts of the Open Skies Policy*, it includes 2 sub-items, they are *The Air Law's General Features and *The Legal Impact to the Open Skies, The third one is *The Economic Impacts of the Open Skies*, this sub-item divided into 5 sub-sub-items, the first is **Qualitative Effects, **Quantifying Effects, **The Firms' Efficient Benefits, **The Economic Benefits in Transatlantic Integration, **The Eliminating Output Restrictions, **Transatlantic Bilateral Air Service and **Open Market Agreements.

The fourth is *The Importance of the Open Skies System*, The fifth item is *Experience of Open Skies in the World*, the sixth one is *Air Transport and Economic Development*, it includes of 3 sub-items, The first sub-item is: ***Economic Development, the second is ***The Effects of Transatlantic Air Liberalization, the third sub-items is ***Impacts of Airline Alliances, The seventh item is *Air Traffic Forecast* and The eighth one is *Open Skies Agreements Benefits*. The ninth sub item *The Scope for Open Skies Policy*, it includes one sub-sub-items *Open Skies Policy Options, *The Future of Air Transport White Paper* and at last *The Challenges*.

"Experience in Europe Open Skies", is the title of Chapter three and it consists of 3 main items, they are as following: *Introduction*, *Focusing of EU Air Transportation*, *Open Skies and Air Transport Framework in Some European countries*, this item has 7 sub-items, they are: *Government and Regulation, *Infrastructure, *Airlines, *Passengers and destinations, *Economic Impact, *Environmental Impact and *Airport Development Strategy.

The title of the fourth chapter is **"Lessons from the EU Experience in Adapting Open Skies"**, its items are: *Introduction, Dumping Policy and Dispute Settlements Committee Roles*, its sub-items are: *Dumping Policy Definition and *EU and Dumping Policy, The third item is: *EU Experience in Achieving Integration in Air Transport Market*, this item includes 3 sub items, they are: ***Definition and Forms of The Integration Concept, ***Historical Background of the European Integrate, ***The Integration of the European Air Transport Market, this sub-item has 4 sub-sub-items are: ****Internal Reforms, ****The EU objectives on Open Skies Application, ****Open Skies Agreement between EU and US, ****Liberalization of Bilateral Agreements for Air Transport Between Member States.

And finally chapter five includes **"Conclusions and Recommendations"**; it includes Egypt Position in addition of results and recommendations.

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Experience In Europe Open Skies

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