

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

Agreements Adopted by the Traffic
Conferences of the International Air
Transport Association

Docket OST-2003-

APPLICATION FOR APPROVAL OF AGREEMENTS
BY THE
INTERNATIONAL AIR TRANSPORT ASSOCIATION

24 April 2003
Communications with respect to
this document should be sent to:

David M. O'Connor
Senior Director, United States
International Air Transport Association
1776 K St. N.W. Suite 400
Washington, D.C. 20006

(202) 293-9292

Summary	DOCKET: OST-2003-	DOT ORDER: pending
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Date: 24 April 2003

Filing fee/IATA Acct: \$671 – 2003-52

US/UST involved: No

End of Government Filing Period: 28 April 2003

Intended effective date: **1 May 2003**

Agreement: **PTC2 EUR 0513** dated 22 April 2003

Mail Vote 292 – Resolution 010e r1 - r 3

TC2 Within Europe Special Passenger Amending Resolution
from Algeria

PTC2 EUR-AFR 0173 dated 25 April 2003

Mail Vote 292 – Resolution 010e r4 - r6

TC2 Special Passenger Amending Resolution
from Algeria to Western Africa

PTC2 EUR-ME 0158 dated 25 April 2003

Mail Vote 292 – Resolution 010e r7 - r11

TC2 Special Passenger Amending Resolution
from Algeria to Middle East

r1 - 070ab	r5 - 080d	r9 - 076q
r2 - 078y	r6 - 087vv	r10 - 080bb
r3 - 081y	r7 - 072ee	r11 - 092q
r4 - 070L	r8 - 072LL	

APPLICATION FOR APPROVAL OF AGREEMENT

Pursuant to statements submitted by Member airlines of the International Air Transport Association (IATA), the undersigned has been constituted to be their attorney-in-fact for filing with the Department of Transportation copies of agreements adopted by the IATA Traffic Conferences.

On their behalf, and pursuant to Sections 41308 and 41309 of Title 49 of the United States Code and Parts 303.03, 303.05 and 303.30(c) of Title 14 of the Code of Federal Regulations, I am filing with the Department this application for approval of an IATA agreement.

This agreement and related factual and explanatory material and documentation required by 14 C.F.R. 303.31 and Department and Civil Aeronautics Board (CAB) precedent are contained in the IATA Traffic Conference documentation summarized above.

This agreement arises from the continuing process of Tariff Coordinating Conferences and was developed in the context of prior Department and CAB rulings addressing related resolutions which reflected regulatory and market conditions then in effect. Thus, the present agreement should be viewed as part of a dynamic process of IATA Member airline adjustment to governmental and economic factors.

On previous occasions, the Department has found such agreements to be consistent with the public interest when they do not result in fares or rates that are unlawful or injurious to competition in the markets at issue. Approval of the present agreement would not yield fares or rates that are unlawful or injurious to competition. Moreover, approval of this agreement, which reflects compromises among the differing economic and social philosophies of the many nations whose airlines are parties, will advance the public interest in maintaining good aviation relations with other countries.

We request early approval by the Department of the foregoing agreement, pursuant to 49 U.S.C. 41309, and the grant of full antitrust immunity, pursuant to 49 U.S.C. 41308.

The conferral of full antitrust immunity would be in the public interest and necessary for the transaction to proceed. This agreement is a product of the IATA Tariff Coordinating Conferences which the Department found to be anticompetitive but nevertheless approved and immunized in Order 85-5-32 (May 6, 1985) on foreign policy and comity grounds because such action is necessary to achieve the serious transportation need of maintaining good aviation relations with other countries and these benefits are not obtainable by reasonably available means having materially less anticompetitive effects.

This agreement concerns fares or rates only between non-U.S. points and thus has at most indirect application in foreign air transportation. The U.S. authorities have recognized (e.g., Order 79-8-194, August 30, 1979) that the interests of sovereign nations in the conditions governing air transportation between them greatly exceed any that the U.S. might have by reason of U.S. airline, citizen or shipper participation. This agreement is not adverse to the public interest and should be granted full immunity.

Respectfully submitted:

David M. O'Connor
Senior Director, United States
International Air Transport Association
Attorney-in-fact

CERTIFICATE OF SERVICE

A copy of this application or a summary notice thereof has been served by first class or priority mail on the following person:

Chief, Transportation, Energy
& Agriculture Section
Antitrust Division
Department of Justice
Washington D.C. 20530

David M. O'Connor

24 April 2003
Date Served



International Air Transport Association

IATA Centre, Route de l'Aéroport 33
P.O. Box 416
CH-1215 Geneva 15 Airport
Switzerland

22 April 2003

M E M O R A N D U M

PTC2 EUR 0513

TO: Members Participating in Tariff Coordinating Conferences (SP-2636)

FROM: Director, Interline Tariffs

SUBJECT: **Mail Vote 292 - Resolution 010e**
TC2 Passenger Tariff Coordinating Conference
Within Europe
Special Passenger Amending Resolution
From Algeria
Intended Effective Date: 1 May 2003

VOTING RESULT - AFFIRMATIVE

This confirms message TD238 of 15 April 2003 which declared the above-mentioned Mail Vote adopted as circulated by TD230 dated 7 April 2003.

The filing period for the attached Resolution ends **28 April 2003**. Members are reminded of their obligations under Resolutions 001 and 006 to advise this office by the end of the filing period whether approval by their Government authorities is required and, if so, to accomplish the necessary filing formalities. The effective date will be declared in accordance with Resolutions 001 and 006, when all the known necessary Government approvals have been received.

This Mail Vote was issued at the request of Air Algeria in order to increase fares from Algeria to Europe due to extraordinary cost increases.

Maggie Ashworth
Assistant Director, Conference Services
Interline Tariffs

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TC2
SPECIAL PASSENGER AMENDING RESOLUTION
WITHIN EUROPE

PTC2(Mail 292)010e				New
Filing Period	Begins	22 April 2003	Intended Effectiveness	1 May 2003
	Ends	28 April 2003	Expiry	29 February 2004
				Type B

RESOLVED that, fares from Algeria are amended

- 1 F2, C2, Y2 normal fares are increased by 7%
 - 2 seasonal levels in Resolutions 070ab, 078y, 081y are increased by 7%
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International Air Transport Association

IATA Centre, Route de l'Aéroport 33
P.O. Box 416
CH-1215 Geneva 15 Airport
Switzerland

25 April 2003

M E M O R A N D U M

PTC2 EUR-AFR 0173

TO: Members Participating in Tariff Coordinating Conferences (SP-2638)

FROM: Director, Interline Tariffs

SUBJECT: **Mail Vote 292 - Resolution 010e**
TC2 Passenger Tariff Coordinating Conference
Between Europe and Africa
Special Passenger Amending Resolution
From Algeria to Western Africa
Intended Effective Date: 1 May 2003

VOTING RESULT - AFFIRMATIVE

This confirms message TD238 of 15 April 2003 which declared the above-mentioned Mail Vote adopted as circulated by TD230 dated 7 April 2003.

The filing period for the attached Resolution ends **28 April 2003**. Members are reminded of their obligations under Resolutions 001 and 006 to advise this office by the end of the filing period whether approval by their Government authorities is required and, if so, to accomplish the necessary filing formalities. The effective date will be declared in accordance with Resolutions 001 and 006, when all the known necessary Government approvals have been received.

This Mail Vote was issued at the request of Air Algerie in order to increase fares from Algeria to Western Africa due to extraordinary cost increases.

Maggie Ashworth
Assistant Director, Conference Services
Interline Tariffs

TC2
SPECIAL PASSENGER AMENDING RESOLUTION
BETWEEN EUROPE AND AFRICA

PTC2(Mail 292)010e				New
Filing Period	Begins	22 April 2003	Intended Effectiveness	1 May 2003
	Ends	28 April 2003	Expiry	30 April 2004
				Type B

RESOLVED that, fares from Algeria to Western Africa are amended

- 1 F, C, Y normal fares are increased by 3.89%
 - 2 special fares in Resolutions 070L, 080d, 087vv are increased by 3.89%
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International Air Transport Association

IATA Centre, Route de l'Aéroport 33
P.O. Box 416
CH-1215 Geneva 15 Airport
Switzerland

25 April 2003

M E M O R A N D U M

PTC2 EUR-ME 0158

TO: Members Participating in Tariff Coordinating Conferences (SP-2639)

FROM: Director, Interline Tariffs

SUBJECT: **Mail Vote 292 - Resolution 010e**
TC2 Passenger Tariff Coordinating Conference
Between Europe and Middle East
Special Passenger Amending Resolution
From Algeria
Intended Effective Date: 1 May 2003

VOTING RESULT - AFFIRMATIVE

This confirms message TD238 of 15 April 2003 which declared the above-mentioned Mail Vote adopted as circulated by TD230 dated 7 April 2003.

The filing period for the attached Resolution ends **28 April 2003**. Members are reminded of their obligations under Resolutions 001 and 006 to advise this office by the end of the filing period whether approval by their Government authorities is required and, if so, to accomplish the necessary filing formalities. The effective date will be declared in accordance with Resolutions 001 and 006, when all the known necessary Government approvals have been received.

This Mail Vote was issued at the request of Air Algeria in order to increase fares from Algeria to Middle East due to extraordinary cost increases.

Maggie Ashworth
Assistant Director, Conference Services
Interline Tariffs

TC2
SPECIAL PASSENGER AMENDING RESOLUTION
BETWEEN EUROPE AND MIDDLE EAST

PTC2(Mail 292)010e				New
Filing Period	Begins	22 April 2003	Intended Effectiveness	1 May 2003
	Ends	28 April 2003	Expiry	31 December 2003
				Type B

RESOLVED that, fares from Algeria are amended

- 1 F2, C2, Y2 normal fares are increased by 3.89%
 - 2 level 2 special fares in Resolutions 072ee, 072LL, 076q, 080bb, 092q are increased by 3.89%
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