

BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

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

Docket OST-2004-

APPLICATION FOR APPROVAL OF AGREEMENTS
BY THE
INTERNATIONAL AIR TRANSPORT ASSOCIATION

25 May 2004

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

Date: 25 May 2004
Filing fee / IATA Acct: USD122 / 2004-76
US/UST involved: No
End of Government Filing Period: 17 June 2004
Meeting site, date: Singapore, 12-14 May 2004
Intended effective date: **1 July 2004**

Agreement: **CTC COMP 0482** dated 28 May 2004
Expedited Worldwide Area Resolution 002m (changes
to rates) except to/from USA/US Territories r1-r2

r1 002m r2 501

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 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, 30 August 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 or in violation of the Act and, therefore, 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

25 May 2004
Date Served



International Air Transport Association

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

28 May 2004

M E M O R A N D U M

CTC COMP 0482

TO: Members Participating in Tariff Coordinating Conferences (SC-0326)

FROM: Director, Interline Tariffs

SUBJECT: Cargo Tariff Coordinating Conference
Singapore, 12-14 May 2004
**Expedited Worldwide Area Resolution 002m (changes to rates)
except to/from USA/US Territories**
Intended Effective Date: 1 July 2004

RESOLUTIONS - ADOPTED

Attached is Expedited Worldwide Area Resolution 002m which was adopted at the above meeting for an intended effective date of 1 July 2004.

The filing period for the attached Resolution ends **17 June 2004**. 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.

A handwritten signature in black ink, appearing to read "P. Djaferis".

Philip Djaferis
Assistant Director
Cargo and Tariff Industry Affairs
Interline Tariffs

RESOLUTION ADOPTED AT
WORLDWIDE
CARGO TARIFF COORDINATING CONFERENCE
EXCEPT TO/FROM USA/US TERRITORIES
SINGAPORE, 12-14 MAY 2004

EXPEDITED EFFECTIVE DATE: 1 JULY 2004

RESO	TITLE	COMMENTS	RD
<u>002m</u>	<u>Special Amending Resolution</u> <u>except to/from USA/US Territories</u>	New	1

EXPEDITED**SPECIAL AMENDING RESOLUTION
EXCEPT TO/FROM USA/US TERRITORIES**

CTC1(47)002m					New
CTC2(57)002m					
CTC3(47)002m					
CTC12(68)002m					
CTC23(57)002m					
CTC31(51)002m					
CTC123(61)002m					
Filing Period	Begins	4 June 2004	Intended Effectiveness	1 July 2004	
	Ends	17 June 2004	Expiry	30 September 2004	
					Type B

RESOLVED that, for worldwide application except to/from USA/US Territories

rates Attachments to Resolutions are amended as follows

RESOLUTION 501 – MINIMUM CHARGES

Minimum Charges from Egypt worldwide (except to USA/US Territories) are increased by 6%

DESCRIPTION OF AGREEMENT
(EXCEPT TO/FROM USA/US TERRITORIES)

COMPOSITE MEETING OF CARGO TARIFF COORDINATING CONFERENCES

SINGAPORE 12-14 MAY 2004

Expedited Effective Date: 1 JULY 2004

Minimum Charges from Egypt to all destinations except to USA/US Territories were agreed to be increased by 6%.