

Opening Ceremony

Chairman,

Dr. Jorge Rangel,

Under-Secretary of the Government of Macau for the Administration, Education and Youth,
on behalf of His Excellency the Governor of Macau

Opening speeches

Prof. Doutor João R. Almeida Garrett,

Dean of the Faculty of Law of the University of Macau

Eng. José Queirós,

Chairman of the Civil Aviation Authority of Macau

Dr. José Tomás Baganha,

Co-ordinator of the International Air Law Conference

*Excellency, Under-Secretary for the Administration, Education and Youth,
Dr. Jorge Rangel;*

*Excellency, Under-Secretary for the Transports and Public Works,
Eng. José Alves Paula;*

*Magnificent Rector of the University of Macau,
Professor Mário Nascimento Ferreira;*

*Excellency, President of the Council of Taipa and Coloane,
Col. Leandro dos Santos;*

*Excellency, Coordinator of the Conference,
Dr. José Tomás Baganha;*

Dear Guests, Speakers and Moderators;

Ladies and Gentlemen,

We will work together on the key aspects of Air Law. The International Conference on these themes has undoubtedly very importance and opportunity.

Air Law, although a very recent field of Law, is one of its most dynamic and important fields. Not only, it put new problems, as well as old problems in new ways.

From the problems related with the contract of transport to the problems of new means of financing and assuring the financing institutions, to the security and

safety of aircraft and to the field of public and private International Law it's an all new world of problems that this field of law puts.

Problems that demand not only solutions but good and well balanced solutions. Solutions that the old fashioned structures of law are not always able to provide.

As a University institution, the Faculty of Law does its work on the high level of legal education, to promote the body of jurists that will make possible the normal life of Macau as a specific social and cultural world, today and in the future. But this task is brother than the correct search and communication of juridical; knowledge is also a search for the community and of its problems.

The Faculty of Law has tried always not to forget this.

Today, the Faculty of Law tries to give its contribute to the important event of the International Conference on Air Law and received with great pleasure and enthusiasm the invitation to joint work with the Civil Aviation Authority of Macau.

Lets hope that this Conference bring some light to the multiple and to diversified questions that arise from this field of law and that this Conference be the seed planted that will flourish tomorrow into the development of air law studies in Macau.

Thank you very much.

Doutor João Ruiz de Almeida Garrett



*Mr. Under-secretary for Administration, Education and Youth,
Dr. Jorge Rangel in representation of H.E. the Governor*

*Mr. Under-secretary for Transports and Public Works,
Eng. José Alves Paula*

*Rector of the Macau University, co-organizer of this Conference,
Prof. Nascimento Ferreira*

Honourable speakers and distinguished guests

Ladies and gentlemen

Introduction

It is my great honour to address some initial words and thoughts during the inaugural ceremony of this first Conference on “Key aspects of Air law - Facing the Future in the Pearl River Delta”.

This Conference represents another challenge in the still short life of the Macau civil aviation system, meaning that the local community starts looking at its global impact and is no longer concentrated in the exclusive technical issues or in the curiosity raised by the existence of an airport in the Territory.

At the outset I feel necessary to enhance the enthusiasm shown by the Organising Committee in setting up this Conference, after the first course on Air Law held in Macau from 13th to 17th of this month. This represents a major achievement in involving a larger part of the population and the institutions in initiatives deepening the consequences of civil aviation industry recently brought to their daily lives.



I will briefly recall the recent successes of civil aviation industry in Asia, its impact in the recently born Macau airport; the role of international organisations and their contribution to the setting up of common standards, turning the systems safe, secure and effective.

Civil Aviation Industry in Asia

Forecasts prepared by the International Air Transport Association (IATA) show the Asia-Pacific region accounting for 51% of the world's aviation traffic by 2010. ICAO in recent studies announces that the region will grow until 2003 8,5% in passengers and 9,5% in freight, meaning a share by the same year of 34% of world passenger traffic and 39% of world freight traffic. Whether these statements will come into a reality or not is irrelevant. What is important is that all current trends lead us to consistent high growth rates for passengers and cargo in the region, following substantial economic growth in the regional emerging economies.

As a matter of fact, to give a striking example, the 16 member airlines of the Orient Airlines Association recorded a net profit of US\$1.78 billion in the 95-96 Financial year up 32.7% on the previous year results of US\$1.34 billion. The number of total direct employees for these airlines are 170,896, bringing to 3 or 4 times the number of indirect jobs created by this activity. The same 16 airlines carried 177.035 million passengers and 5,385,976 tons of freight, representing a growth of 6,8% and 11,72% respectively; the number of aircraft operated by OAA airlines is 1156 and its average age is 7,7 years.

We must say that the region has grown explosively under a largely conventional regime in what traffic rights is concerned. New winds of liberalization and open skies policy seems to touch slowly the structure of air transport in Asia but we have to accept that free access to the markets will progressively invade Asia. Globalization of the regional economies will require an extensive use of telecommunications and transportation. The availability of longer range and higher capacity aircraft allows to serve any market non-stop. CRS expansion gives the unique opportunity to any carrier to sell its products thousand of miles away and more than that they allow to change fares policy in a fast reaction to markets conditions. Alliances will contribute to the structural changes already experienced in the US and Europe. We will see more and more combined services among various airlines, assuming the face of code-sharing, joint ventures or even mergers.

Financial year 96-97 brings some encouraging prospects with 10,9% passenger growth for the first 6 months of operation and 11,8% growth in revenue passenger kilometres.

In spite of this optimistic view some threats have to be avoided: overcapacity, with the associated financial problems, airline sharper confrontation and probable ecological pressure group bringing noise and pollution issues, are among the various problems to face by the industry. Air space management, mainly in certain congested areas is crucial to keep current growth and safety standards.

In this respect ICAO anticipated solutions once again encouraging cooperation through the APANPIRG group of experts.



If we concentrate in mainland China civil air transport which market will have certainly a major impact in Macau, the scenarios for the next years show growth rates in the domestic routes in the order of 20% together with a GDP growth of around 10%. This means a high potential not only for the airline industry where nearly 40 air carriers are already operating being 8 international, but also for the aircraft industry. China is currently developing, in an international joint venture, its own aircraft, enhancing the need to acquire hundreds of units in the next 10 years. This quick change poses also some threats being the most relevant the need for air space reorganization and management and an intensive program of education and training for hundreds of pilots and air space controllers.

If we look at the airports in the region we have a still more challenging situation. Airports are the basic infrastructure in air transport, being a critical factor in congested environments. The most recent examples are Osaka-Kansai - newly built in a 511 ha artificial island in Osaka Bay at a cost of US\$13 billion, have an ultimate capacity of 30 million passengers. In 1995, the first full year of operation, its total traffic reached 16510325! This tremendous starting benefited from the Narita's slot capacity limit.

Tokyo-Haneda - being the Japan's busiest airport - redevelopment is on going, being scheduled its completion for the end of the century with additional two runways. The total traffic in 95 was 45.8 million passengers. Seoul new airport - Kimpo airport - is reaching its capacity limit with 30,9 million passengers in 95 and a decision was made to build a brand new airport west of Seoul between Youngjong and Yongyu islands. In 2020 it will have four runways with an ultimate capacity of 100 million passengers!

Malaysia and Thailand will have new airports. Malaysia, Sepang, will replace current Subang airport and in Bangkok Non Ngu will relieve Don Muang after 2000.

In Hong Kong Chek Lap Kok will replace overcongested Kai Tak and will double current capacity. When it opens in April 1998 it will create new opportunities and perspectives in the area.

Everywhere in Asia relevant redevelopment in airports are constant. In China a reasonable number of projects for improving aeronautical infrastructures are going on of which one of the most relevant is the new Shanghai airport.

Macau

Let us concentrate now in Macau. The recent history of the airport development is well known.

Macau International Airport entered into operation on the 9th of November 1995 when the first commercial airlines flights started. This date reflects the symbolic start of both the airport and the airline. Representing an enormous challenge for all those who had the opportunity to work on both projects, it was also the dawn of the civil aviation system in Macau.

With its 1.3 million passengers and 25 000 tons of freight the airport, sized for 6 millions passengers in its first phase, saw the reward of the joint effort and risk taken to develop it. The Master Plan addresses the several phases, showing a future



capability of handling over 25 million passengers with a single runway.

In the setting up of all infrastructure all ICAO Recommendations were taken in consideration, during construction and final certification.

Teams from ICAO International Cooperation helped to analyse and tune some of the most critical issues, such as safety and security of the operation.

ICAO - The International Civil Aviation Organization, a body of the United Nations - Mr. L. Shah will show in detail its role during his speech next Saturday - is continuously developing and improving the international standards for civil aviation and the critical law instruments that allow not only cooperation among states but also providing the grounds for preserving safety, security and efficiency in international civil aviation.

Macau enforced all ICAO principles on its local legal system. I will not elaborate on this subject because it will be the object of my colleague Mr. Baganha speech during this Conference. Although I like to assure that we will continue firmly following the trends of the most efficient and effective set of rules and procedures that will provide a civil aviation system where safety and security will be the first concern.

I would like to emphasise, at this stage, the extremely cooperative way our relationship have been developed with the several authorities of PRC. Part of our success came from the fact that we could develop a comprehensive and extensive cooperation in the fields of ATM, international relations and airworthiness with CAAC several departments. This relationship contributed decisively to the whole system confidence and reliability.

Last but not least I would like to wish the distinguished speakers and audience of this conference the greatest success and a fruitful dialogue that may enrich both to face the future challenges and difficult task to keep the civil aviation industry safe, profitable and reliable.

Thank you.

Eng. José Queirós



*Mr. Under-secretary for Administration, Education and Youth
on behalf of His Excellency the Governor,*

Distinguished Guests,

Ladies and Gentlemen

It is indeed a great pleasure to address this Conference on Air Law - "Key Aspects of Air Law - Facing the Future in the Pearl River Delta" - as the Coordinator of this Conference, organized both by the Faculty of Law of Macau and the Civil Aviation Authority of Macau.

First of all, I would like to express my sincere welcome to those experts, scholars, airline representatives and officials gathered here today, particularly those coming from afar.

To be successful in organizing a first international conference of this kind, the commitment of the hosting Government, the support of local sponsors and the cooperation of the airlines serving Macau were crucial, as was a motivating program for the Conference with highly qualified speakers.

My heartfelt thanks go also to Mr. Lalit Shah, the ICAO's representative for Asia and Pacific Region for his prompt acceptance to share with us his valuable knowledge and international experience on some of the most relevant and complex questions related to international air law.

I also wish to express my gratitude to Profs. Doo Hwan Kim, Cheng Chia Jui, Gary Heilbronn, Li Zhaojie, Mr. Michael Woods and Mrs. Pearmant Wright, whose

participation as speakers assured the Conference to reach the highest international level.

Likewise, I am indebted to those who accepted to moderate the working meetings, namely Profs. Brian Baillie and Soogeun Oh, Dr. António Félix Pontes, Dr. Jorge Oliveira, Dr. Augusto Teixeira Garcia, Mr. Alex Au and Ms. Rachel Trinder who, due to a lucky coincidence prompted by her schedule was able to participate. I'm sure she is pleased to witness a new development in Macau's aviation environment.

I would also like to thank Drs. Trigo, Teixeira Garcia and Pedro Ferreira from the Faculty of Law who, along with myself, have been involved in the planning of this event.

Last but not least, I am greatly obliged to Col. Raul Leandro dos Santos, Mayor of the Municipality of the Islands who was so kind as to host the reception following the Conference's official opening.

In my capacity as coordinator of the Conference, I wish to address a brief remark on the significance of a Conference of this type.

Nowadays one may claim that Macau has definitely joined the international commercial aviation scene. During the year after the official inauguration of the MIA, more than 1.3 million passengers used the Macau Airport, which is served by 23 airlines operating scheduled direct services to 20 cities and, via those cities, to the world.

Obviously, the orderly development of commercial aviation in the southern China region in years to come will depend on the ability to respond to some major challenges resulting, among others, from better or greater competition opportunities of the various Chinese airports in the Pearl River Delta, in particular Zhuhai, Shenzhen and Guangzhou; on the elimination of restrictions in respect of airport capacity and air traffic after the opening of Chek Lap Kok in 1998 and eventually air services linking both sides of the straight.

This raises, not only for Macau, a motivating set of questions of an economic, legal and air policy nature. Thus, initiatives as the present one and the co-operation between Universities, Air Law Institutes and aeronautical authorities in this Region are decisive in encouraging further analysis and debate of such issues.

As I close, I wish all of you a successful conference and a pleasant stay in Macau.

Dr. José Tomás Baganha