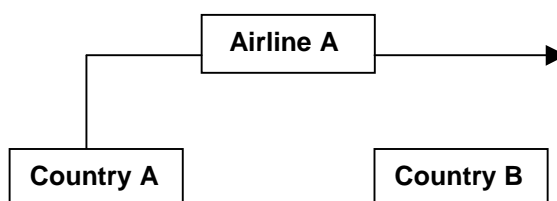


The freedoms of the air

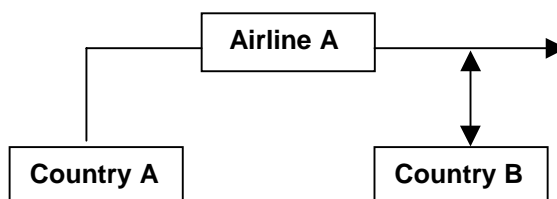
1. Reference is made in this report to different types of scheduled operation categorized according to the various 'freedoms of the air'. The 'freedoms of the air' were identified in the International Air Services Transit Agreement of December 1944 (the 1944 Agreement, also known as the Chicago Convention). This appendix defines these freedoms, and illustrates how they would apply to an airline 'A' of country 'A', given rights to fly into or over the territory of the grantor state 'B'. Some more specific examples are also given:

- (a) The *first freedom* is the right to fly and carry traffic non-stop over the territory of the grantor state, as illustrated:



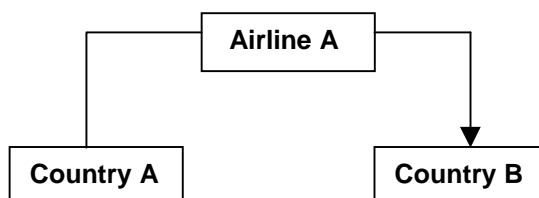
2. 'First-freedom' rights would, for example, include that of UK carriers to overfly the Irish Republic en route to some destinations in Canada.

- (b) The *second freedom* is the right to fly and carry traffic over the territory of the grantor state, and to make one or more stops for non-traffic purposes (for example, for refuelling):



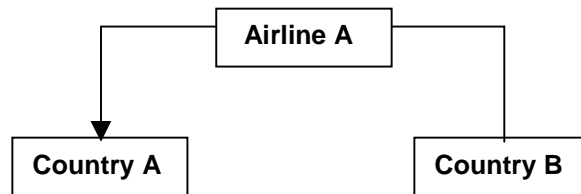
Before the availability of long-range aircraft this would, for example, have applied to transatlantic traffic that needed to make a refuelling stop at Shannon in the Irish Republic.

- (c) The *third freedom* is the right to fly into the territory of the grantor state and set down traffic coming from the flag state of the carrier:



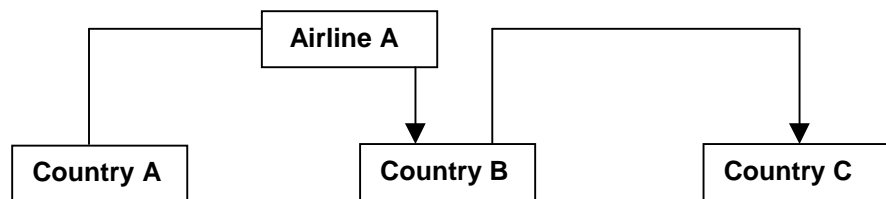
3. This would, for example, apply to UK airlines carrying traffic from the UK to Canada.

- (d) The *fourth freedom* is the right to fly into the territory of the grantor state and take on traffic destined for the flag state of the carrier:



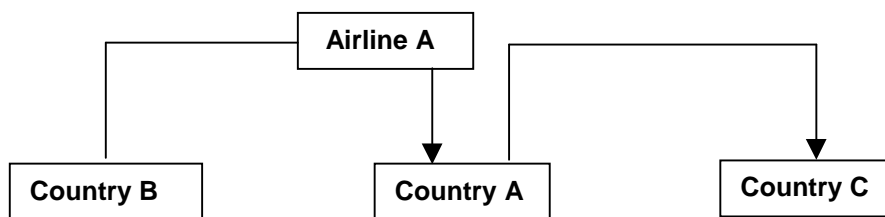
This would apply to UK airlines carrying traffic from Canada to the UK. The third and fourth freedoms are usually granted on a bilateral basis in the ASAs between pairs of countries.

- (e) The *fifth freedom* is the right to fly into the territory of the grantor state, and take on or set down traffic to or from third states. This right is, however, confined to services which originate or terminate in the territory of the carrier's flag state or which serve its flag state as an intermediate stop. The fifth-freedom rights from B to C in the first of these cases is illustrated below:



Some US airlines, for example, have 'fifth freedom' rights to carry traffic between London and Frankfurt on services which stop at London en route between New York and Frankfurt. This right may allow a 'change of gauge' at London for through passengers transferring from a Boeing 747 used for the transatlantic flight to a connecting Boeing 727 for the short-haul flight.

- (f) The *sixth freedom* derives from the exercise of rights granted under the third and fourth freedoms, and was not specified as such in the 1944 Agreement. It is the right to fly into the territory of the grantor state, and take on (or set down) traffic for the carrier's flag state which is subsequently carried to (or previously originated from) a third state on a different service. Sixth-freedom flights from B to C are illustrated below:



KLM, for example, carries sixth-freedom traffic between London and Toronto, passengers travelling from London to Amsterdam for a connecting flight from Amsterdam to Toronto.

- (g) Two further 'freedoms' are sometimes quoted, but are less frequently granted. The *seventh freedom* is the right for a carrier operating entirely outside the territory of its flag state, to take on or set down traffic in the grantor state for carriage to or from a third state. A US carrier previously operated between Tokyo and Seoul, for example. An *eighth freedom* referred to as 'cabotage' is the right for an airline of another state to carry traffic from one point in the territory of a state, to another point within the same state. Such rights are included in the third EC package and have on occasion been granted when a country has a shortage of aircraft capacity. Neither the seventh nor the eighth 'freedom' was included in the 1944 Agreement.