Proposal a strategic analysis and a cooperative decision making, with focus on economic, technical and technological aspects, in partnership with the Brazilian border control agencies, regarding the airport internationalization procedure (from the airport operator requesting to government approval)

Thiago Meirelles

To cite this version:

Thiago Meirelles. Proposal a strategic analysis and a cooperative decision making, with focus on economic, technical and technological aspects, in partnership with the Brazilian border control agencies, regarding the airport internationalization procedure (from the airport operator requesting to government approval). Other. 2021. dumas-03758028

HAL Id: dumas-03758028
https://dumas.ccsd.cnrs.fr/dumas-03758028
Submitted on 22 Aug 2022
End of Studies Project Memoir

1st April

Proposal a strategic analysis and a cooperative decision making, with focus on economic, technical and technological aspects, in partnership with the Brazilian border control agencies, regarding the airport internationalization procedure (from the airport operator requesting to government approval).
ACKNOWLEDGEMENT

There are many people from Ministry of Infrastructure (MINFRA), Civil Aviation National Agency (ANAC), Infraero Airports (INFRAERO), Airports Authority National Committee (CONAERO), to thanks, they were very helpful on each activity and research done throughout the project, and I am very glad for their support and friendship.

Special thanks must be given to my academic supervisor, Mrs. Fabiana Todesco, and to Planning and Management Department staff from SAC/MINFRA, Sheila Strack and Felipe Sousa, for their teamwork, without their cooperation, this project wouldn’t be possible.

I also would like to express my deepest gratitude for having such a lovely family, my wife, who stands with me along the way, and our beautiful daughter, a gift from god.
ABSTRACT

An international airport is an airport that has customs and border control facilities to enable passengers and cargo to travel between States, there is hence an important issue in accepting, fostering or selecting demands regarding becoming an international airport since it mobilizes public resources that could be used for another purpose.

Forty-three airports in Brazil are international in 2019, representing 7.5% of the total number of airports in the country. This feature is higher than the average number worldwide: 2.5%. Hence, Brazil has already a large number of airports with the international status. In fact, some of those international airports have no international traffic, while other airports are still applying for international status.

Granting or withdrawing international status to airports outputs social, economic and strategic impacts. To find improvements in Brazil civil aviation system, to boost international traffic and to avoid unnecessary expenditure, an assessment on historical and forecast international traffic is conducted and a review over airport internationalization process is done.

This report presents a policy recommendation for the establishment of international Brazilian airports. It proposes a strategic analysis and a cooperative decision making, with focus on economic, technical and technological aspects, in partnership with the Brazilian border control agencies, regarding the airport internationalization procedure (from the airport operator requesting to government approval).

Keywords: International Airport, Public Policy, Economics, Innovation.
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<td>ACI</td>
<td>Airport Council International</td>
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<td>ANTT</td>
<td>Land Transportation National Agency</td>
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<td>ANVISA</td>
<td>National Health Surveillance Agency</td>
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<td>CC/PR</td>
<td>Executive Office of the Presidency of the Republic</td>
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<td>CDP</td>
<td>Pará State Port Authority</td>
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<td>CDRJ</td>
<td>Rio de Janeiro State Port Authority</td>
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<td>CIPAD</td>
<td>Post Graduation Course in Public Management</td>
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<td>Bahia State Port Authority</td>
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<td>CODESP</td>
<td>São Paulo State Port Authority</td>
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<td>CONAERO</td>
<td>Airports Authority National Committee</td>
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<td>COVID-19</td>
<td>Corona Virus Disease 2019</td>
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<td>DAC</td>
<td>Civil Aviation Department (extinct)</td>
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<td>DECEA</td>
<td>Department of Air Space Control</td>
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<td>DENATRAN</td>
<td>Transit National Authority</td>
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<td>DNIT</td>
<td>Transportation Infrastructure National Department</td>
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<td>DOT</td>
<td>Department of Transportation of USA</td>
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<td>DPG</td>
<td>Planning and Management Department of SAC</td>
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<td>ENAC</td>
<td>Civil Aviation National School of France</td>
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<td>EPL</td>
<td>Logistic and Planning Company (EPL)</td>
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<td>FAA</td>
<td>Federal Aviation Administration of DOT</td>
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<td>FGV</td>
<td>Getúlio Vargas Foundation</td>
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<td>ICAO</td>
<td>International Civil Aviation Organization</td>
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<td>INFRAERO</td>
<td>Brazilian Airport Infrastructure Company</td>
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<td>ITA</td>
<td>Aeronautic Technological Institute</td>
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<td>MAPA</td>
<td>Ministry of Agriculture, Livestock and Supply</td>
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<td>PF</td>
<td>Federal Police</td>
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<td>Federal Revenue of Brazil</td>
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<td>RSI</td>
<td>International Sanitary Regulation of ANVISA</td>
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<td>SAC</td>
<td>Civil Aviation Secretariat of MINFRA</td>
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<td>SAF</td>
<td>Finance and Administration Superintendence of ANAC</td>
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<td>SDA</td>
<td>Agricultural Defense Secretariat of MAPA</td>
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<td>SE</td>
<td>Executive Secretariat of MINFRA</td>
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<td>SFPP</td>
<td>Development, Planning and Partnership Secretariat of MINFRA</td>
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<td>SNPTA</td>
<td>National Secretariat for Ports and Water Transport</td>
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<td>SNTT</td>
<td>Land Transportation National Secretariat of MINFRA</td>
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<tr>
<td>VALEC</td>
<td>Engineering, Construction and Railways S.A (VALEC)</td>
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1. INTRODUCTION

1.1. Background

Airport internationalization is the process that an airport must follow to mobilize human and technical resources to adapt its infrastructure, in order to operate international traffic safely, meeting international standards settled by the Chicago Convention (ICAO, 1944), which established “certain principles and arrangements so international civil aviation can develop in a safe and orderly manner, and that international air transport services be established on the basis of equality of opportunity and operated soundly and economically”.

In Brazil, in order to receive international traffic, airports need to apply for the international status to National Civil Aviation Agency (ANAC). Resolution n°181, of January 25, 2011 (ANAC, 2011) establishes the rules for the designation of international airports. Article 1 specifies that an “international airport is designated by ANAC as being able to operate international air traffic operations, i.e. the one in which the customs formalities, border policy, public health, other agricultural requirements set out in specific regulations”. This resolution defines the information to be given by the airports to ANAC in order to obtain the international status and sets the response time (60 days) for ANAC decision and publication if the answer is positive.

Operating international traffic involves not only the air service operators themselves but also all the controls which have to take place because the transport will be from or to a foreign country. Hence, documents related to customs and welfare need to be analyzed (FAA/DOT/USA, 1996). The requirements concern checkpoints over goods and persons arriving, departing and transiting in Brazil. Along with spaces in the terminal or hangars at the airport, the airport operator should also provide full equipment for the surveillance of those control operations (workstations, printers, phones, electricity, water, wireless access, x-ray machine, etc.). These costs, initial and operational, are supposed to be supported by the airport and, by contrast, the skilled personnel will be provided by the State.

With the rapid development of air transportation in Brazil in the past two decades, international connections that was once restricted to Guarulhos airport, in São Paulo, and Galeão airport, in Rio de Janeiro, are now spread all over the country. As a result, many regional airports from the past are now
international airports in Brazil.

In fact, in 2019, there were forty-three international airports in Brazil, representing 7.5% of the total number of airports in the country on that year. This feature is higher than the average number worldwide: 2.5% (ACI, 2018). However, requests from airports are received by SAC and the question regarding assessment criteria, together with the way the analysis is done and the recommendation is made, is an important question to raise and answer, either because that large number might be causing an unhealthy competition from country network growth perspective, or because it simply may have been mobilizing public resources with skilled personnel which could be used for another purpose.

Figure 01: Map of Brazil with all 43 international airports location.
Brazil civil aviation growth of past 20 years in Brazil was fundamentally based on domestic traffic, questions are raised around country’s sustainable demand for such large number of international airports. A deeper look on numbers, one can notice that some of those international airports have no international traffic, while other airports are still applying for international status.

Defining and international airport may vary according to the perspective you approach it. Air traffic controllers will define it differently than an airlines and airport operator, but from a Government perspective, an international airport is an airport that has customs and border control facilities to enable passengers and cargo to travel between States (Wensveen, 2018). Hence, there is an important issue in accepting, fostering or selecting demands regarding becoming an international airport since it mobilizes public resources that could be used for another purpose.

1.2. Scope

Granting or withdrawing international status to airports outputs social, economic and strategic impacts. To find improvements in Brazil civil aviation system, to boost international traffic and to avoid unnecessary expenditure, this study project pretends to develop an assessment over international airports in Brazil and a review on current airport internationalization process in the country, to raise question and find answers. This analysis enables developing a proposal for a new airport internationalization framework and process, to reach a sustainable airport system, save public money to be used in another purpose rather than human resources for customs and border controls at International Airports that have no demand.

1.3. Objective

This study project pretends to explain what is behind the large number of international airports in Brazil (3 times larger than world average) and, to reviewing current airport internationalization application process. Based on the findings of that assessment, it will present a policy recommendation proposal for the establishment of international Brazilian airports in the future.

The main objective of this study project is to present a policy recommendation for the establishment of international Brazilian airports, improving from a simple request-decision framework into a better
solution, more structured but not bureaucratic, economically efficient, and fair to all stakeholders – airport operator, local governments and federal government.

The proposal is based on a strategic analysis and a cooperative decision making, with focus on economic, technical and technological aspects, in partnership with the Brazilian border control agencies, to set a new request-decision framework regarding the airport internationalization procedure (from the airport operator requesting to government approval).
2. INTERNSHIP STUDY PROJECT

2.1. Presentation of the Internship Host Entity

The internship was held at the Ministry of Infrastructure, located in Brasilia, capital of Brazil.

Ministry of Infrastructure is the former Ministry of Transportation, one of the oldest Ministries in Brazil. Created back in 1860, under the name of Public Works, Agriculture and Trend State Secretariat, during the Imperial Era, mainly focused on railroads. In 1906, was named Ministry of Public Works and Roadways, and changed again, in 1967, to Ministry of Transportation, when it finally got in charge of all transportation modes.

In the 90’s, for a brief period, Brazilian Government created the Ministry of Infrastructure, merging Transportation, Energy and Communication under the same administration. In addition, during the 2000’s, Brazilian Government made a trial creating 3 different Ministries, one for each mode of transportation, land, water and air.

It was only in 2019, under the current President Bolsonaro’s administration, that Ministry of Infrastructure (MINFRA) was named, being in charge of and modes of transportation, roads, rails, river, airport, and transit. MINFRA is responsible for maintenance of existing assets and construction of new infrastructure on road, rail, ports and airports. Besides that, it is responsible to regulate all modes of transportation and to establish general transit rules to be implemented by local transit departments. In the last years, the Ministry has been putting effort on structuring PPP projects, to be granted to Private Partners under concession contracts.

To accomplish that duty, it counts with a couple institutions attached to its structure. There is the Transportation Infrastructure National Department (DNIT) that manages maintenance and construction contracts of roads, rails, waterways and river ports; the Engineering, Construction and Railways S.A (VALEC), a public company specialized in railways; the Brazilian Airport Infrastructure Company (INFRAERO), a public company specialized in airports; the Logistic and Planning Company (EPL), a public company specialized in transportation planning.

There are three Regulatory Agency associated to the Ministry of Infrastructure. The Land Transportation National Agency (ANTT) regulates road and rail infrastructure concessions and all land

Internally, The Ministry of Infrastructure is headed by a Minister and is divided into four technical Secretariats: National Civil Aviation Secretariat (SAC); National Secretariat for Ports and Water Transport (SNPTA); National Secretariat for Land Transport (SNTT) and Secretariat for Promotion, Planning and Partnerships (SFPP). To coordinate administrative acts and internal affairs, there is the Executive Secretariat (SE).

![Ministry Structure](image)

**Figure 02:** Ministry of Infrastructure Technical Secretariats and their respective associated Public Entities.

Considering the object of the study project, the internship was developed at the National Civil Aviation Secretariat (SAC), responsible for proposing, implement and monitor the national transport policy, within the scope of the civil aviation sector, and the government actions. It has an import role in strategic national air transportation, having the following main attributions:

- Propose, coordinate and monitor policies and guidelines for management, regulation, security, sustainable development and adequate provision of civil aviation services and infrastructure;
- Propose, support and monitor partnerships with the private sector regarding airport and civil aeronautics infrastructures;
SAC is divided into four subordinates units: Department of Investments, Department of Management and Planning, Department of Regulatory Policies, and Department of Grants and Patrimony. The internship was developed at the Planning and Management Department (DPG/SAC), responsible to:

- Coordinate civil aviation security and facilitation procedures in Brazil, considering ICAO’s guidelines;
- Coordinate civil aviation operational security and safeguarding international civil aviation against acts of unlawful interference procedures in Brazil, considering ICAO’s guidelines;
- Foster studies and development of new technologies for higher airport and aviation efficiency;
- Evaluate the civil aviation demand and capacity forecast studies (passenger and cargo); and
- Coordinate airport internationalization process within sector entities.

One of DPG/SAC obligation, “to coordinate airport internationalization process within sector entities”, is the central subject of this study project. In order to explain the environment where the study was developed, it is then necessary to introduce the Airports Authority National Committee (CONAERO), Brazil’s civil aviation sector formal discussion forum, where airports and civil aviation affairs are discussed, to propose, coordinate and evaluate efficient measures executed by public entities related to airport sector. CONAERO it is composed by:

- Ministry of Infrastructure (MINFRA), represented by its Executive Secretariat, whom presides it;
- Civil House of The Presidency of the Republic (CC/PR);
- Ministry of Justice and Public Security (MJSP), represented by the Federal Police (PF);
- Ministry of Defense (MD), represented by the Department of Airspace Control (DECEA);
- Ministry of Economy (ME), represented by the Secretariat of the Federal Revenue of
Brazil (RFB);

- Ministry of Agriculture, Livestock and Supply (MAPA), represented by the Agricultural Defense Secretariat (SDA);
- National Health Surveillance Agency (ANVISA);
- Civil Aviation National Agency (ANAC).

Representatives from Associations and Private Sector are able to join CONAERO’s meeting, under invitation but without voting rights. DPG/SAC has an important role at CONAERO, acting as its executive secretary, organizing and scheduling meetings and coordinating its activities.

The main CONAERO main tasks are to:

- Create, implement and review the National Program for Air Transportation Facilitation and the National Program Against Acts of Unlawful Interference;
- Promote revisions and improvements on normative acts, procedures and rules, targeting to optimize passenger and cargo flow, the occupancy of physical spaces at airports, as well as upgrading of quality, security, and time consuming of operational routines;
- Consider key performance indicators measurement and minimum standard requirements for each service or activity of all public entity present at Brazilian airports, reviewing them whenever necessary;
- Coordinate and Supervise the implementation of civil aviation international best practices by all public entity present at Brazilian airports;
- Monitor airport operations performance indicators with the support of airport operators and all public and private entity working on each airport;
- Coordinate airport internationalization petitions that demand for customs and border control manifestation;
- Propose measures to improve information flow, use of paperless and IT solutions, and Human Resource training on new technologies, review of procedures and equipment upgrading to fulfill all safety, quality and time consuming targets and goals of all activities done by public entities in an airport.

CONAERO is authorized to create local Committees, to work closer to each airport or group of airport in a region and also authorized to create Technical Working Groups to study and discuss about a
specific issue and present a solution for deliberation at the Committee.

2.2. Internship Subject Project Description

The internship was held from April 2020 to April 2021 at the Planning and Management Department of the National Civil Aviation Secretariat (DPG/SAC). The DPG/SAC staff, Miss Sheila Strack and Mr. Felipe Sousa, great civil aviation specialists, supported all the research work behind this study project. There was also the valuable academic guidance from Mrs. Fabiana Todesco. Considering the impact of COVID-19 pandemic, some internship activities were developed virtually.

2.3. Work Plan

This study project pretends to explain what is behind the large number of international airports in Brazil, 3 times larger than world average, and by reviewing current airport internationalization application process. Based on the findings of that assessment, it will present a policy recommendation proposal for the establishment of international Brazilian airports in the future.

To reach that goal, it has followed the bellow schedule:

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Figure 03: Project study work plan
2.4. Methodology

To understand what has been driving Brazil to have 3 times more international airport than the world average (7.5% x 2.5%), an applied research is developed. Using public data from Brazilian airport, a quantitative analysis is done to identify the reasons to have such large numbers of international airports in Brazil. For better accuracy, a qualitative analysis of Brazilian civil aviation environment (public policy planning and regulation methods) is necessary to get conclusions about international airports in the country.

Crossing findings from an assessment of civil aviation historical numbers in Brazil (last decade) and findings from a revision of airport internationalization process in the country will point out what makes Brazil having international airports above world average, highlighting its sustainability over time, indicating possible improvements on current public policy and internal procedures for international airport status granting.

The research will enable to deliver suggestion of adjustment on Brazilian airport internationalization, either from civil aviation planning perspective or from regulations rules and procedures. As secondary deliver, innovations are described as tools to be used to strength up country’s strategy for international airports, to reach higher levels of efficiency of its civil aviation system, upgrading passengers experience without over costing the State.
3. STUDENT INTRODUCTION

Thiago Meirelles Fernandes Pereira, 37 years old, was graduated at Gama Filho University/Rio de Janeiro in Business Administration, in 2006. By that time, Thiago stepped into civil aviation world, as an Operational System Technician Developer, working at the Civil Aviation Department (DAC), and later at the Civil Aviation National Agency (ANAC), from 2004-2008, both in Rio de Janeiro. Working as General Director Advisor, was responsible to control revenues (tariff, taxes and bills) paid by the regulated companies (airports and Airlines).

Through a public admission test held in 2008, Thiago took position as Administrative Analyst at the Civil Aviation National Agency (ANAC). Working at ANAC’s headquarter, in the Finance and Administration Superintendence (SAF/ANAC) until 2012, where he was in charge of setting up partnerships with civil aviation schools to foster human resource capacitation in the civil aviation sector (pilots, mechanics, stewardess, forwarding agent).

Those 4 years of technical work where enough for Thiago to begin taking higher rank positions. His first Manager position was in 2012-2014, as General-Coodinator for Sub-National Airport Contract Agreements, in the Airport Secretariat at the Civil Aviation National Secretariat (SAC). The main task was the establishment of a partnership with the all Brazilian Local State Governments to develop, modernize and maintain the airport infrastructure at regional level.

For a short period of time as Technical Advisor in the Executive Secretariat at SAC in 2014/2015, where he supervised a partnership with a Federal University for Brazilian aviation sector planning. Back to the Airport Secretariat at SAC, He also worked as General Coordinator for Investments, in 2015-2017, responsible to coordinate the civil aviation planning during the 2016 Olympic Games period.

In 2017 took over as General Coordinator for Facilitation and Operational Performance in the Planning and Management Department at SAC, with a mission to structure the airport internationalization process/flow in Brazil, at the CONAERO, as well as to set public policies focused on innovation in the airports, such as biometric identification, to upgrade passenger safety and experience.

Thiago coordinated the Facilitation of Air Transportation Technical Committee, being an active member for the establishment of the PROFAL - Facilitation of Air Transportation National Program,
published under the Resolution nº 1, from August 17th, 2017. He also acts as Brazilian representative at ICAO’s Facilitation Panel, at IATA’s working groups and discussion forum, highlighting the Passenger Experience Management Group (PEMG).

Although working hard has been a distinctive characteristic, Thiago never stops studying. To gain knowledge and keep updated he Regional Airport Infrastructure and Management Post Graduation Course at the Aeronautic Technological Institute – ITA (2013-2014), Intensive Post Graduation Course in Public Management (CIPAD) at Getúlio Vargas Foundation – FGV (2012-2015), and now, this current master Air Navigation Management from École Nationale de l’Aviation Civile – ENAC (2018-2020).

Today, Thiago is the Deputy Executive Secretariat at the Presidential Executive Office, a very high central government officer rank, in charge of a wide agenda of supervision and articulation within all Ministries in the Brazilian Government.
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4. BRAZIL INTERNATIONAL AIRPORTS ASSESSMENT

In 2019, there were forty-three international airports in Brazil, representing 7.5% of the total number of airports in the country on that year. This feature higher than the average number worldwide: 2.5%. To understand what is behind that number, a detailed analysis in Brazil’s air traffic composition is conducted, with a special focus on its international dimension. Data used on this analysis is from Brazil Ministry of Infrastructure public database from SAC and ANAC.

4.1. Civil Aviation Activity in Brazil

Air traffic activity is divided into passenger traffic and cargo traffic. Passenger activity in Brazil is represented in the following graph. Data from years 2011-2019 points that domestic flow – blue line – shows an increasing tendency along the years (it must be considered that in 2016 Brazil ran over a recession period, what explains the step down during that period). In the other hand, international flow – orange line – shows a flatter behavior, pointing that the fast growth in absolute numbers in the domestic market is not observed in the same level in international flights numbers.

![Annual passenger traffic in Brazilian airports](image)

Figure 04: Annual passenger traffic in Brazilian airports – blue/domestic, Orange/international – (SAC - ANAC database)
Another important way of measuring air transport sector activity is aircraft movements. Total movements are in orange color while commercial movements are represented in blue. The total movements include general aviation (for commercial or other reasons) and commercial traffic. Hence, a measure of the general aviation movements is given by the difference between the orange bar and the blue bar. It can be easily notice that total aircraft movements are decreasing over time, reaching 4.0 million movements in 2017.

The decrease of total movements’ number is not necessarily signal of activity decrease. As shown in the previous graph, commercial passenger flow has increased consistently in that same period for example. Nonetheless, a possible explanation is the concentration of passengers in larger aircraft, which mechanically decreases the number of movements (Neufville, 2013).

![Figure 05: Annual movement in Brazilian airports – blue/Commercial, Orange/Total – (SAC, ANAC and BIMTRA databases)](image)

Confirming such trend, MINFRA´s numbers from the commercial movements, that represent aircraft movements on scheduled or unscheduled routes used for commercial transport operations, which typically exclude general aviation, has dropped from 74% in 2014 to 44% in 2019 of the total movements. Again, this tendency advocates for the use of larger aircraft by airlines to transport commercial passengers. This same trend is observed in Europe, USA and at most international traffic routes.

According to MINFRA´s database, Brazil features a total traffic around 200 million passengers per year, concentrated in five major airports, representing more than 50% of the total number of passenger in
2019. According to MINFRA, only those five airports have an activity above 10,0 million passengers, while seven airports has a traffic between 5,0 and 10,0 million passengers, there are twelve airports operate between 1,5 and 5,0 million passengers, and another thirteen operating between 0,5 and 1,5 million passengers. Finally, there are other forty-three Brazilian airports operating less than 0,5 million passengers.

This concentration is not unusual as airlines decide to concentrate their activity in certain airports, named “hub airports”, in order to benefit from economies of scale or scope coming from the optimization of the traffic over their network (Neufville, 2013).

4.2. International Airports Market Share in Brazil

Considering the hub airport concept previously mentioned, it could be notice that in Brazil that concentration converges to the 43 international airports, once them operates on average 89% of the total traffic measured in number of passengers, while representing only 7.5% of total airports number (2019 MINFRA´s database). This share is rather constant across the past years.

In fact, deeding in the numbers, the concentration is not homogeneous among all international airports. The commercial movements at the six more active international airports account for 59% of

Figure 06: Passenger traffic in Brazilian airports – blue/international, Orange/non-international (SAC and ANAC database)
the total commercial movements at international airports in Brazil. Hence, based on MINFRA’s 2019 database, the activity is concentrated only in few places.

According to SAC/ANAC database, the 2017 commercial movements share of 43 international airports in Brazil was represented by only two airports operating more than 150,000 commercial movements, while three airports operating between 100,000 and 150,000 commercial movements, and there were five airports operating between 50,000 and 100,000. This leaves 30 airports with a lower activity than 50,000 movements per year. Notice that four airports reported no commercial movements in that year 2019.

Similar situation is observed under passenger traffic perspective. Among the 43 international airports, five airports operated more than 10,000 million passengers, six airports operated between 5,0 to 10,0 million, twelve airports operated between 1,5 and 5,0 million passengers, seven airports 0,5 and 1,5 million passengers. The other fourteen airports operated less than 0,5 million passengers in 2017.

Forecast research done by MINFRA points that this structure of high concentration of passenger traffic and commercial movements in today’s leading hubs International Airports is expected to stay unchanged in the next decades (20 years). Regardless being international airports, as shown before, international passenger represents, on average 10% of total passenger traffic in Brazilian airports, what shows that, in fact, some international airports rely on domestic passengers.

Figure 07: Passenger traffic in Brazilian international airports (ICAO codes) – Forecast Year 2027 (SAC and ANAC database)
4.3. Air Service Agreements in Brazil

International Airports are very important in a country’s aviation network, as it is the node of connection in between nations both for passenger or cargo (O’Connell, 2016).

Within the Chicago Convention (1944), International traffic is formalized through bilateral air service agreements. These agreements are signed between two States, giving the rules for operating flights in, above and from countries. Generally, the agreements describe the allowed routes, specifying entry points and frequency, capacity and tariffs, if relevant, for passengers and/or cargo. The air service agreements are backed/secured by the freedoms of the air.

According to SAC/ANAC database, there were 108 active air service agreements signed by Brazil with other States in 2019. Obviously, depending on the signing countries, the agreements can be more or less restrictive. The air services agreements are essential pre-requisites for international traffic to take place. Lately, Brazil has been celebrating more liberal agreements, new ones and reviewing old ones. There is a later trend to set agreements with no particular entry point or restriction in terms of frequency and/or capacity. Developing these agreements reflect a strategy founded on the fact that tourism and air transport can contribute to the economy of the country.

The major airports in Brazil are international because domestic market is closed to foreign legacy carriers. Indeed, if foreign airlines want to reach a particular end point, they need to fly directly to the final destination. Bilateral traffic rights allow airlines to do it as they open the destinations, without any restrictions on the number of operations. However, only Brazilian carriers operate domestic flights. There is no doubt that feature contributes to the large number of international airports in Brazil.

4.4. Airport Ownership and Operation in Brazil

Another important aspect concerns the airport ownership and the type of management, in order to assess its impact on international airports classification.

MINFRA’s database points that the majority of Brazilian airports are publicly owned and operated by public entities. In fact, this represents 65% of the airports actually operating traffic and 93% of the total number of aerodromes. Besides some sub-national level state and municipalities entities, INFRAERO stands out as a major operator in Brazil. Infraero is a specialized federal public company responsible
to invest, operate and maintain several federal airports.

Numbers from 2019 indicates that INFRAERO operates the most number of airports in Brazil, particularly international airports. It operates 53 airports in total, more than half (28) being international. INFRAERO hence operates two different types of airports: the developed airports, with high traffic (passenger, commercial and/or general aviation movements), and smaller and less important airports.

However, that public management has been shifting to private in the recent years. Over the last decade, SAC/MINFRA has been granting airports management to private partners by means of concession contracts. Data from 2019 shows that thirty-nine airports were privately managed, which represents 6.8% of the total airports. Among these privately managed airports, 12 are international (31%). Private management therefore mostly concerns large airports, for which activity is dedicated to passengers and commercial movements.

4.5. Findings on Brazil International Airports Assessment

International Airports are very important in a country’s aviation network, as it is the node of connection in between nations for both passenger and cargo. Despite natural concentration in hub airports and latest trend of using larger aircraft to benefit from economies of scale, number of international airports in Brazil is three times higher than global average.

The later tendency of transferring airport management to a private partner, the celebration of more liberal air service (with no particular entry point), and the fact that domestic flights are operated only by Brazilian carriers explain most of that large number of international airports in Brazil. However, giving the international status to an airport leads to additional costs for the airport as well as for the collectivity. Indeed, investments have to be made, spaces to be dedicated and adapted or created and human resources have to be allocated to control the goods and the passengers.
The above graph is a good example to wrap up all findings. There are two main airports operating international traffic in Brazil, namely Guarulhos, and Galeão airports, located in São Paulo and in Rio de Janeiro respectively, which together represent 81% of the total international traffic in Brazil in the year 2019. This concentration reflects the particular organization of the commercial air traffic in Brazil, in which flights arrive/depart in/from these two large hub airports and are then dispatch to the final destination in domestic flights.
5. BRAZIL AIRPORT INTERNATIONALIZATION PROCESS REVIEW

In Brazil, in order to receive international traffic, airports need to apply for the international status to National Civil Aviation Agency (ANAC). The main features of airport internationalization on Brazil are described next, presenting the framework process and most relevant documents.

5.1. Relevant Documents for Airport Internationalization in Brazil

The Decree n°6780 of February 18, 2009 (Presidência da República, 2009), establishes the main objectives to be pursued to develop air transport services, as well as guidelines in terms of strategic actions which should be taken to achieve these objectives. More specifically, the development of international activity, together for passengers and goods, commercial and general aviation, is identified as a means to improve the provision of a suitable air transportation service. This document states that the rationality of airport authorization for international traffic must be justified based on projections of demand, of economic-financial feasibility studies and in the strategic interests of the country.

The Resolution n°181, of January 25, 2011 (ANAC, 2011), is the core document for airport internationalization in Brazil. It describes the procedure and establishes the rules for the designation of international airports. According to its Article 1, “international airport is designated by ANAC as being able to operate international air traffic operations, in other words, the airport in which the customs formalities, border policy, public health, agricultural requirements are set out in specific regulations”. This resolution defines the information to be given by the requesting airports to ANAC in order to obtain the international status and sets the response time of 60 days for ANAC decision and publication if the answer is positive.

Operating international traffic involves not only the air service operators themselves but also all the controls which have to take place because the transport will be from or to a foreign country. Hence, documents related to customs and welfare need to be analyzed.

Portaria RFB n°3518 of September 30, 2011 (Receita Federal do Brasil, 2011), establishes the requirements and procedures for customs clearance of places and venues. It is not specific to air transportation. The requirements concern the goods and the persons arriving, departing and transiting
in Brazil by any mode of transportation. It consists of dedicated spaces for the movement and storage for controls or quarantine of good and people. It states, “In the place where there is an international passenger terminal or free shop, the administrator of the place or precinct shall provide a private area for the verification of assets from travelers coming from abroad or going to it”.

In an airport, to comply with Portaria RFB n°3518 (Receita Federal do Brasil, 2011), along with spaces in the terminal or hangars, the airport should also provide full equipment for the surveillance of operations (workstations, printers, phones, electricity, water, wireless access, x-ray machines, etc.), and the fact that these equipment should be maintained over time. These costs, initial and operational, are supposed to be supported by the airport. By contrast, the skilled personnel will be provided by the State.

The international health regulations are described in the RSI 2005 (ANVISA, 2005). The main purpose and scope of this document is “to prevent, to protect public health, in response to the international spread of proportionate and restricted to public risks and unnecessary interference with international traffic and trade”. It is very detailed about sanitary measures and precautions that should be taken. However, it is not precise concerning what specific rules in terms of health, airports requesting international status, should follow. Moreover, it is difficult to assess the costs to be supported by the airport and by the State.

5.2. Framework Process for Airport Internationalization in Brazil

Airport internationalization in Brazil starts by applying to ANAC to obtain international status for their infrastructure. The application form is based on the guidelines given in Resolution n°181 (ANAC, 2011). Besides profile identification information, there is the need to inform the international routes willing to be operated, and other detailed information, such as origin, destination, frequency, type of aircraft and number of seats offered.

According to Resolution nº 181 (ANAC, 2011), only supply information is requested, there is nothing concerning current and future demand of passengers and goods. Moreover, the information about supply is declarative and the process of how that information should be controlled is not described in Resolution n°181 (ANAC, 2011). The status seems to be granted if information is given, whatever the content of the information. No assessment whether supply is sufficient to sustain an international
activity seems to be performed.

Another aspect is that the international status if granted is given indefinitely (except if the airport expressly asks for a limited period). Yet, supply and demand may evolve through time and the need for an airport to be international could be different at different periods. An important issue is then to be able to take these evolutions into account (demand, supply, the capacity of the aerodrome to operate the traffic, etc.) in order to comply with the National Civil Aviation Policy of quality of service and development in the air transportation sector.

When applying for the international status, the requesting airport is responsible for having consulted Customs and Health agencies. However, the exchange of information and the procedure between the different Ministries and services are not clearly defined. Due to fuzzy rules, three major issues have been identified in the internationalization procedure:

- **Coordination issue**: different entities are involved in the validation of the international status of the airport but there is no effort to optimize their workflow;

- **Information issue**: the actual internationalization procedure consists on a simple validation of declarative information provided by the requesting airport;

- **Resource issue**: the overall cost to be committed by the State is not taken into account in the validation of the internationalization requesting process.

According to Decree nº 10.319, of April 9th, 2020 (Presidência da República, 2020), CONAERO – Airports Authority National Committee is composed by eight different public entities, all related to civil aviation transportation sector. It’s main goal is to promote revisions and improvements on normative acts, procedures and rules, targeting to optimize passenger and cargo flow, the occupancy of physical spaces at airports, as well as upgrading of quality, security, and time consuming of operational routines. It is CONAERO’s responsibility to coordinate airport internationalization petitions that demand for customs and border control manifestation. Perhaps, airport internationalization coordination issues can be tackled by the use of CONAERO in the process.

Regarding the information issue, both the content of information and the assessment of the information should be improved. Evaluation of the contribution of airports to the economy (through its activity, supply-demand, profitability, etc.) and defining minimum standards in terms of activity
could be an improvement. Another progress could be the period for which the international status is given. Indeed, airports request the international status for the period they want. As market conditions evolve, it could be more efficient to check the standards and the activity after a given period.

To contribute with that, CONAERO stands out again, once it is responsible to establish performance parameters and minimum standards for public bodies and entities at airports for the exercise of their respective competences and periodically review them. Thus, CONAERO may definitely help setting and checking these standards, especially if health or customs have requirements regarding the internationalization of airports.

Lastly, the resources issue is an important variable to take into account in the airport internationalization process. Indeed, parts of the related costs have to be supported by the airports (physical equipment, dedicated spaces together and human resources). However, the civil servants and other trained persons in charge of the customs, immigration and health issues will be appointed by the Federal State; the corresponding costs will need to be borne by the State. Hence, these costs must be considered in the process for airport internationalization. Again, a process centralizes at CONAERO may minimize that problem once all public entities involved with civil aviation have seat and vote at the Committee.

5.3. Findings on Brazil Airport Internationalization Process

Concepts from previous chapter demonstrate that positioning international airport in a country civil aviation network means primarily to define the strategic objective of developing the air transportation service for the State, although there are exceptions such geographic position (a capital city or a city next to the country’s frontier) or due to flight technical requirement (refueling, and maintenance).

Focusing only on the strategic objective, developing air transportation network and service means to develop and improve how demand for air transportation services stemming from passengers and cargo, and how provision of air transportation stemming from airlines is satisfied.

Airport internationalization status cannot be granted simply upon request from airport operator or local government under declarative information. It requires knowing the business plan and project’s detailed information (international routes, frequency, capacity, etc...). The requesting airport should
present a market analysis and provide financial information in order to permit a complete assessment over the project (demand to address, competing airports, profitability, how it fits in the country’s network development plan, etc...).

Efforts to improve the coordination among public entities involved in the airport internationalization process must be addressed. Decision can’t be made without considering the overall cost to be borne by the State with skilled personal and civil servants. There must be cooperation between all public entities involved with civil aviation sector and air transportation service, especially the international traffic in this case.

Centralizing airport internationalization process at CONAERO might to be a good solution to solve the coordination, the information and the resource issues identified in today’s existing framework. It congregates all public entities direct involved in the airport internationalization process, in the air transportation service and in the airport operations. Defining a framework for airport internationalization requesting and granting, to be managed by CONAERO can make the process faster without losing quality, thus, making it more efficient.
6. POLICY RECOMMENDATIONS FOR AIRPORT INTERNATIONALIZATION IN BRAZIL

6.1. Airport Internationalization Request Strategic Analysis

Giving the international status to an airport leads to additional costs for the airport as well as for the collectivity. Indeed, investments have to be made, spaces to be dedicated and adapted or created and human resources have to be allocated to control the goods and the passengers. It is then very important to take into account all these costs and to know how they are allocated and how they are born.

To request international status, airports must fill a form which concern information about origin/destination, frequency, type of aircraft, length of the status (permanent or for a given amount of time). Additional information can be provided such as business plan, investments to be realized, strategic analysis of demand, and others. However, there is no standard of how to provide that information and assessing each request from the airports become difficult, in particular if a choice has to be made among different candidates.

Moreover, assessing the impact of the internationalization of a particular airport on the collectivity is significant. For instance, the benefits from the development of certain activities like the tourism or trade, together with the costs for the collectivity to handle international traffic (custom and border, federal police, health, etc.). Current airport internationalization process in Brazil does not take into account assessment of this kind.

For a comprehensive analysis, the information needed from the airport requesting the international status should concern different levels:

**Project information:** destinations, capacity on each forecast route, frequency of the operations. This information should concern the international routes to be operated. It is compliant with the current document requested by ANAC. On top of the actual Resolution n°181, information about the ability of the airport to handle international traffic should be requested. A description of the airport characteristics (runways, terminal, hangars...) would be helpful to assess the capacity at the airport to handle international traffic.
**Market analysis:** information related to the market, supporting the internationalization request should be provided. This information mainly concerns what will generate the benefits for the airport itself. A market study both qualitatively and quantitatively should be done. The size of the market together with the sensitivity of the demand to relevant parameters (price, quality of service) should be analyzed and quantified.

**Business Plan:** as for any investment project, a detailed business plan must be provided. It will present the expected benefits related to the project, as well as the costs of operating international traffic along with the investments costs to be made in order to handle this international traffic. The business plan should contain information on the global development of the activity at the airport (general growth of traffic, new partnerships, aeronautical and non-aeronautical activities growth); and more specific information on the development of the international activity itself (boost of demand, new demand, caught demand).

In this new framework, SAC will examine the internationalization request from airports, performing an analysis taking into account the effects (positive/negative) on the collectivity and assessing the profitability for the collectivity and the airport itself. Hence, this analysis should be done in three steps:

1st Step: a strategic analysis for the country to have that particular facility as international airport. It should focus on the strategic purpose or country planning objectives regarding the request of the airport. Hence, in the case of planning or strategy at the level of the country, the location information about the candidate airport is the most important. Other elements that will contribute to the assessment of the benefits for the collectivity have to be taken into account such as number of new jobs (during the investments period as well as for operating traffic), Gross Domestic Product (GDP) impact at regional and national level, and the overall economic value to be generated by the new international airport.

2nd Step: an economical in-depth analysis in order to challenge the information given by the airport to assess its profitability. This step consists in assessing and validating the airport declared profits to be generated by its new international status. In particular, the analysis of potential demand expected by the airport following its internationalization should be pursued.

3rd Step: an analysis of the costs for the State of operating international traffic at the particular airport. Indeed, these costs should be assessed in order to evaluate of the total value created by the international status, hence, it must consider together the profit of the airport, the
employments in the region, the tourism/trade impacts, as well as the costs for the different stakeholders which are born by the Federal State, namely Anvisa (Health), Receita Federal (Customs), Federal Police (Border control) and Vigiagro (agriculture).

6.2. Airport Internationalization Cooperative Decision Making Procedure

An efficient cooperative decision making process for airport internationalization must address the three main issues concerning the Brazilian internationalization procedure identified in chapter 5 of this document – coordination, information and resource issues.

To tackle information and resource issues, there is the need to improve the quality and quantity of information provided by the airport and to realize a comprehensive analysis to check and validate the profitability and economic sustainability of the requesting airport’s project. That analysis must include an overall evaluation of the project, considering the costs and benefits for the collectivity of having that airport as international.

The main recommendation to be made to tackle coordination issues is making sure that the final decision concerning the internationalization of an airport is taken in the presence of the different stakeholders impacted by the internationalization of the requesting airport. To achieve this goal, CONAERO is best, as all the public entities involved with civil aviation and airport internationalization process have seat and vote at the Committee.

Considering that the decision of making an airport international impacts costs from the collectivity together with the fact that some international airports do not actually operate international traffic in Brazil, it seems logical to limit the international status to a given period. Five years authorization for example, after a re-examination of the case is a reasonable condition.
The above figure is a concept flow for a recommended Airport Internationalization Cooperative Decision Making Procedure to be implemented in Brazil. The framework consists in the following steps:

1st Step: the candidate airport formulates its request of internationalization to CONAERO. If the request concerns the special case of an alternate airport, CONAERO can decide directly to give the international status. In the case the candidate airport wants to operate international traffic, information is to be given in order to assess the request for internationalization. This detailed information concerns:

**Project information:** supply information (routes, frequency, capacity...) and on the ability of the candidate airport to carry out the project (terminal, runways...).

**Market information:** demand analysis and information on potential competition (from other airports and other means of transportation).

**Financial information:** detailed business plan (expected revenues, costs and
investments to be made).

**2nd Step:** SAC, on behalf of CONAERO, will analyze the information given and perform a two-step decision process

**Strategic analysis:** SAC will perform an analysis of the opportunity for Brazil to give the candidate airport the international status. The analysis should assess the benefits for the State, focusing more specifically on planning, employment or opportunities in terms of tourism and trade. If the benefits are sufficiently large, then SAC could decide directly to give a positive recommendation for final approval to CONAERO. Otherwise, an economic analysis should be performed.

**Economic analysis:** SAC will assess the viability and profitability of the project. Information from the candidate airport will be used and an economic analysis will be performed (market size, demand segments, competition, profitability). In addition, the costs for the State will be computed, thanks to information given by the different entities involved by the decision of internationalization (Anvisa, Receita Federal, Vigiagro, and Federal Police).

**3rd Step:** SAC presents the results in front of CONAERO and give a recommendation for internationalization (YES/NO). As airport internationalization creates costs for the State, it is suggested that if the recommendation is positive, the status is given for a period (5 years is reasonable). After this period, the airport will provide additional information on the real international operations it has made and its international status will be evaluated: authorization for another 5 year period is given or international status can be suspended or even withdrawn.

### 6.3. Proposal for a New Ordinance of Airport Internationalization

Legal adjustments must be done in order to adequate the airport internationalization procedure according to the cooperative decision making proposed in the previous item, which address the three main issues concerning current Brazilian airport internationalization process – coordination,
information and resource issues.

To comply with the main objective of this study project, that is to present a policy recommendation for the establishment of international Brazilian airports, going from a simple request-decision framework into a better solution, more structured but not bureaucratic, economically efficient, and fair to all stakeholders – airport operator, local governments and federal government, a new Ordinance from Ministry of Infrastructure is suggested to set up the new airport internationalization procedure, centralized at CONAERO with SAC support.

The proposal is based on a strategic analysis and a cooperative decision-making. It involves economic, technical and technological aspects, in partnership with the Brazilian border control agencies, setting a new request-decision framework regarding the airport internationalization procedure (from the airport operator requesting to government approval), which addresses the coordination, information and resource issues of current airport internationalization process, and balances the needs and expectations of all related stakeholders.

The draft of the new Ordinance, on its Portuguese version and a translated English version is presented at the annexes section.
7. TECHNOLOGY INNOVATION AT INTERNATIONAL AIRPORTS IN BRAZIL

Giving the international status to an airport leads to additional costs not only for the airport, but for the collectivity too. State must bear cost from skilled person and civil servant at customs border controls in international airports.

The use of computers integrated systems, internet of things and artificial intelligence, has the power to change the passenger experience in the airport and to contribute to minimize state cost, especially over customs and border control procedures, due to new technologies able to optimize process and save human resource expenditure.

Facial Recognition of Travelers for customs clearance and e-gates (electronic migratory self-service portals) in migration control are good examples. The massive use of such technologies in Brazilian international airport is the key to keep high levels of service without over costing the State, allowing the country to keep its airport internationalization strategy.

Demand forecast points out for increasing international passenger flow in the Brazilian airport system. That will call higher presence of Federal Police for border control activities at international airports. The need for skilled personal can be balanced by the use of e-gates. E-gates are self-operated by each passenger, making possible of one migration agent to supervise 6 e-gates by himself (DPF/MJ, 2012), optimizing border control, by maximizing passenger quality experience and minimizing State cost with civil servant.

E-gates does not totally substitute the desk counters at the migration process. This technology is
indicated to national passenger migration control and can be expanded to foreigners from countries with migration international agreements. Considering that e-gates will be installed at international airports, the airport operator has the responsibility of setting up all needs to allow satisfactory operation (energy, internet connection, maintenance, and others).

Besides passenger migration control, the passenger custom clearance is another activity supervised by State skilled civil servants. The increasing international passenger flow forecast in the Brazilian airport calls for technological solutions at customs clearance. Introducing Facial Recognition of Travelers at Customs Clearance process has the same optimization objectives as e-gates over migration control process.

In this case, the challenge was to find a balance between releasing passengers in agility and the execution of customs control, without compromising the legal attributions of the RFB. To this end, the Iris Project (RFB/MF, 2014) was conceived, which consists of a modern and complex risk management and traveler selection system, encompassing the Electronic Traveler’s Goods Declaration (e-DBV), crossing data with the Federal Police and Airlines, carrying out risk analysis by electronic parameterization and identification by facial biometrics.

The crossing data system helps to build a profile of travelers so that the RFB can better select the taxpayers to be inspected. Selecting travelers by the risk management system, the identification of the passenger selected will be performed by means of facial biometrics, which will allow its segregation from other passengers and the respective routing inspection process, speeding up the release of the remaining ones.

![Figure 11: Facial Recognition of Travelers at Customs Clearance process](image)

The Iris Project enables more effective allocation of migration agents, customs and phitossanitary
inspectors: to enable integrated operations increasing efficiency of the various actors in the airport environment: RFB, Police Federal, National Health Surveillance Agency (Anvisa), Health International Agricultural Surveillance (Vigiagro) among others.

Such technological solution brings higher levels of quality experience for travelers and maximizes the illegal findings at customs clearance without increasing the number of skilled civil servant from RFB in the operation process.

Despite the high number of international airports in Brazil, representing 7.5% of the total number of airports in the country, a number three times higher than the 2.5% average number worldwide, the State cost to operate those international airports can be minimized by the use of innovative technologies, such as E-gates and Facial Recognition of Travelers, what contribute for higher levels of passenger quality experience and higher level of accuracy in customs clearance and border control process, allowing the country to keep its strategy of airport internationalization.
8. CONCLUSION

8.1. Study Project Outcomes

International Airports are very important in a country’s aviation network, as it is the node of connection in between nations for both passenger and cargo. Positioning international airport in a country civil aviation network means to define the strategic objective of developing the air transportation service for the State. It implies a development and improvement of both how demand for air transportation services stemming from passengers and cargo, and how provision of air transportation stemming from airlines is satisfied.

Despite natural concentration in hub airports and latest trend of using larger aircraft to benefit from economies of scale, curiously, number of international airports in Brazil is three times higher than global average. The later tendency of transferring airport management to a private partner, the celebration of more liberal air service agreement (with no particular entry point), and the fact that domestic flights are operated only by Brazilian carriers explain most of that large number of international airports in Brazil.

However, giving the international status to an airport leads to additional costs for the airport as well as for the collectivity. Indeed, investments have to be made, spaces to be dedicated and adapted or created and human resources have to be allocated to control the goods and the passengers. State must bear cost from skilled person and civil servant at customs border controls in international airports.

Current Brazil airport internationalization process is granted simply upon request from airport operator. Such declarative framework creates coordination, information and resource issues. To address those three problems, a cooperative decision making process is suggested.

This study project presents a policy recommendation for the establishment of international Brazilian airports, improving from a simple request-decision framework into a better solution, more structured but not bureaucratic, economically efficient, and fair to all stakeholders.

A draft of new Ordinance from Ministry of Infrastructure is suggested to set up the new airport internationalization procedure, centralized at CONAERO with SAC support. The proposal is based on a strategic analysis and a cooperative decision-making. It involves economic, technical and technological
aspects, in partnership with the Brazilian border control agencies, setting a new request-decision framework regarding the airport internationalization procedure (from the airport operator requesting to government approval).

Considering the introduction of innovative technologies, such as E-gates and Facial Recognition of Travelers at International airports contributes to minimize the State cost operations at the international airports, especially at customs clearance and border control process, allowing the country to keep its strategy of airport internationalization.

8.2. Study Project Recommendations

The study project pointed out findings to explain Brazil large of international airports and to propose improvements for a more rational process of international airport status granting in the country. Before immediate use of the proposed process for airport internationalization, it is recommended a round of discussion at CONAERO, to check its member’s impressions and to validate the proposal.

Important to register that the research was based on last decade civil aviation numbers (2010-2019), available and approved technological tools and according to the current civil aviation system structure in Brazil. As suggestion for future works, considering updated numbers from 2020 and later years, and traffic demand forecast, developing innovation tools and international bench marketing solutions and comparisons may lead for additional adjustments in the proposed process, as well as for civil aviation planning and international airport operations in the country.
REFERENCES


Draft of the new Ordinance, suggested to set up the new airport internationalization procedure in Brazil, centralized at CONAERO with SAC support, on its Portuguese version and a translated English version.

Annex 1: Draft of the New Ordinance proposed – Portuguese version

MINISTÉRIO DA INFRAESTRUTURA
SECRETARIA NACIONAL DE AVIAÇÃO CIVIL

PORTARIA Nº , de ___de _______________ de ____.

Dispõe sobre os procedimentos para habilitação e desabilitação de aeroportos para o tráfego internacional de passageiros e cargas.

O MINISTRO DE ESTADO DA INFRAESTRUTURA, no uso das atribuições que lhe conferem a Constituição Federal, CONSIDERANDO que compete à Secretaria Nacional de Aviação Civil – SAC formular, coordenar e supervisionar as políticas para o desenvolvimento do setor de aviação civil e das infraestruturas aeroportuária e aeronáutica civil, RESOLVE:

Capítulo I
DO OBJETO

Art. 1º Esta Portaria tem como objeto o estabelecimento de procedimentos para a habilitação e desabilitação de aeroportos para o tráfego internacional de passageiros e cargas.

Art. 2º Conforme disposto na Política Nacional de Aviação Civil (PNAC), tem-se como objetivos:

I - Promover a expansão do transporte aéreo internacional com vistas a aumentar o fluxo de pessoas e mercadorias entre o Brasil e outros países; e
II – Assegurar a racionalidade da habilitação de aeroportos para o tráfego internacional, sempre justificada com base na projeção de demanda, em estudos de viabilidade econômico-financeira e em interesses estratégicos do País.

Capítulo II
DAS DEFINIÇÕES

Art. 3º Para efeitos do disposto nesta Portaria, considera-se:

I - CONAERO: Comissão Nacional de Autoridades Aeroportuárias – CONAERO; e
III – Habilitação de aeroportos para o tráfego internacional de passageiros e cargas: decisão de política pública, de que trata esta Portaria, que permitirá ao interessado solicitar à CONAERO a designação de aeroportos para o tráfego internacional de passageiros e cargas.
IV – Desabilitação de aeroportos para o tráfego internacional de passageiros e cargas: decisão de política pública, de que trata esta Portaria, que permitirá ao interessado solicitar à CONAERO a revogação da designação de aeroportos para o tráfego internacional de passageiros e cargas.
V – Designação de aeroportos para o tráfego internacional de passageiros e cargas: decisão de ordem regulatória e técnica emanada pela CONAERO, a partir de recomendação da SAC, e operacionalizada pela ANAC, que torna aeroportos aptos a atender às operações de tráfego aéreo internacional, assim entendido aquele em que são satisfeitas as formalidades de alfândega, de polícia de frenteira, de saúde pública, de vigilância agropecuária e os demais requisitos estabelecidos em regulamentos específicos.

Capítulo III
DA HABILITAÇÃO DO AEROPORTO PARA O TRÁFEGO INTERNACIONAL

Art. 4º Os administradores aeroportuários interessados em habilitar aeroporto para o tráfego internacional de passageiros e cargas devem encaminhar solicitação à Comissão Nacional de Autoridades Aeroportuárias – CONAERO mediante a apresentação de:

I – Projeção de demanda que a justifique a habilitação;
II – Estudo de viabilidade econômico-financeira da operação
III – ver demais documentos...

Art. 5º A CONAERO, de posse das informações apresentadas, realizará, om o apoio da SAC, análise técnica e informará aos administradores aeroportuários sobre a viabilidade ou inviabilidade dos pedidos, acompanhada da respectiva justificativa consubstanciada no caso de negativa.

Art. 6º A SAC realizará a análise quanto à aderência ao planejamento e à viabilidade econômico-financeira do pedido e informará à CONAERO sobre inviabilidade dos pedidos, acompanhada da respectiva justificativa.
§ 1º O interesse estratégico balizará a priorização dos pedidos de habilitação dos aeroportos ao tráfego internacional de passageiros e cargas.

§ 2º No caso da viabilidade do pedido, a SAC encaminhará à CONAERO o pedido de habilitação dos aeroportos ao tráfego internacional de passageiros e cargas, por ordem de prioridade, acompanhada das devidas justificativas.

§ 3º Previamente à decisão, a SAC, consultará a capacidade dos órgãos de fronteira para assumir a operação do aeroporto internacional e informará à CONAERO sobre a viabilidade ou inviabilidade dos pedidos, acompanhadas das respectivas decisões administrativas que atestem a capacidade ou de justificativa consubstanciada no caso de negativa.

Art. 7º As decisões administrativas de que trata o artigo anterior permitirão que os administradores aeroportuários solicitem à CONAERO a designação dos aeroportos ao tráfego internacional de passageiros e cargas,

Parágrafo único. Os pedidos considerados viáveis tecnicamente pela SAC e aprovados pela CONAERO deverão ser encaminhados à ANAC, acompanhados das devidas justificativas, para a homologação do aeroporto internacional.

Capítulo IV
DA DESABILITAÇÃO DO AEROPORTO PARA O TRÁFEGO INTERNACIONAL

Art. 8º Os administradores aeroportuários interessados em desabilitar aeroporto para o tráfego internacional de passageiros e cargas devem encaminhar a solicitação à CONAERO mediante a apresentação de:

I – Projeção de demanda que justifique a desabilitação; e
II – Estudo de viabilidade econômico-financeira da operação.

Art. 9º Com base no interesse estratégico, a CONAERO encomendará à SAC a realização de análise dos pedidos de desabilitação dos aeroportos ao tráfego internacional de passageiros e cargas.

§ 1º Nos casos em que houver decisão pela inviabilidade dos pedidos de desabilitação, a SAC informará à CONAERO que comunicará os administradores aeroportuários sobre a decisão com justificativa consubstanciada da negativa.

§ 2º Nos casos em que houver decisão pela viabilidade dos pedidos de desabilitação, a SAC informará à CONAERO que comunicará aos administradores aeroportuários interessados da decisão.

§ 3º A CONAERO solicitará à ANAC a revogação da designação dos aeroportos ao tráfego internacional de passageiros e cargas.

Capítulo V
DAS DISPOSIÇÕES FINAIS E TRANSITÓRIAS

Art. 10. Os pedidos de designação dos aeroportos ao tráfego internacional de passageiros e cargas encaminhados à ANAC antes da publicação desta Portaria, quando possuírem as decisões
Annex 2: Draft of the New Ordinance proposed – English version

MINISTRY OF INFRASTRUCTURE
CIVIL AVIATION NATIONAL SECRETARIAT

ORDINANCE Nº , from _____________, ____ of ____.

Defines the procedures to international airport authorization for passenger and cargo international transportation.

The MINISTER OF STATE OF INFRASTRUCTURE, under responsibilities from the Federal Constitution, CONSIDERING that the National Civil Aviation Secretariat – SAC is responsible to formulate, coordinate and supervise the civil aviation sector policies for the development of airport infrastructure and civil aviation transportation service, DECIDES:

Chapter I
OBJECTIVE

Art. 1º This Ordinance has the objective of establishing procedures for international airport authorization for passenger and cargo international transportation.

Art. 2º The Civil Aviation National Policy (PNAC) has the following objectives:

I – To Foster international transportation expansion, with focus in intensifying the passenger and good flow between Brasil and other countries; and

II – Assure the rationality for international airport status authorization, justified by demand projection, Operation business plan evaluation and strategic interests for the country.
Art. 3º. Under this Ordinance, it is considered:

I - Airports Authority National Committee (CONAERO); and
II – Border Control Institutions: Secretariat of the Federal Revenue of Brazil (RFB); Federal Police (PF); the Agriculture Surveillance Agency – VIGIAGRO; and the National Health Surveillance Agency (ANVISA).
III – International airport authorization for passenger and cargo international transportation: public policy decision, within this Ordinance, that enable application for international airport authorization for passenger and cargo international transportation at the CONAERO.
IV – International status withdrawn: public policy decision, within this Ordinance, that enable an International airport withdrawn its passenger and cargo international transportation authorization.
V – International airport authorization for passenger and cargo international transportation: technical and regulatory decision from CONAERO, based on SAC recommendations, and implemented by ANAC, that enable airports to operate international passenger and good traffic, understood by an airport where customs and border control facilities are attended.

Chapter III
INTERNATIONAL AIRPORT AUTHORIZATION FOR PASSENGER AND CARGO INTERNATIONAL TRANSPORTATION

Art. 4º Airport operators interested on international traffic operations must apply for international status at CONAERO, presenting the following documentation:

I – supply information that justify the international status authorization;
II – Operation business plan evaluation;
III – Other necessary documents...

Art. 5º CONAERO, with SAC support, Will perform a technical analysis and will inform, operator about the application viability, or justification for denied application.

Art. 6º SAC will check the technical-economic viability and will inform CONAERO its result, followed by justification.

§ 1º The strategic interest will target the prioritization for application authorization for international traffic operations.

§ 2º In case of approval, SAC will inform CONAERO the International airport authorization for passenger and cargo international transportation.

§ 3º Before final decision, SAC will evaluate the customs and border control institution’s capacity of assuming the new international airport operations and will inform CONAERO bout application viability, followed by the respective administrative decisions that assures capacity or justification for rejection.

Art. 7º The administrative decisions from previous article enables airport operators to apply at CONAERO for international airport status.
Single Paragraph. The technical viability from SAC approved by CONAERO are sent to ANAC, with all documentation, for its authorization as international airport.

Chapter IV
WITHDRAW AIRPORT INTERNATIONAL TRAFFIC AUTHORIZATION

Art. 8º The airport operators interested in withdraw its international status must apply at CONAERO, presenting:

I – supply information that justify the international status authorization;
II – Operation business plan evaluation;

Art. 9º Based on the strategic interest, CONAERO will order to SAC to perform evaluation for international status withdraw.

§ 1º In the case of not acceptance, SAC will inform CONAERO Who will inform the airport operator about the decision, followed by the justification for rejection.

§ 2º In case of acceptance of international status withdraw, SAC informs CONAERO Who will inform the airport operator about the decision.

§ 3º CONAERO will ask ANAC to suspend international status of the applying airport.

Chapter V
FINAL REMARKS

Art. 10. The international airport authorization for passenger and cargo international transportation sent to ANAC before this Ordinance, IF already under administrative decisions that approves the customs and border control capacity, will follow the Resolução ANAC nº 181, from January 25th, 2011, and from Ordinance ANAC nº 251/SIA, from February 10th, 2011.

Art. 11. This Ordinance comes into force on the date of its publication.