

# International Comparative Legal Guides



Practical cross-border insights into aviation law

## Aviation Law 2022

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WORLDWIDE AIRPORTS  
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## WALA: Bringing Together Airport Lawyers as We Emerge From the COVID-19 Pandemic

Worldwide Airports Lawyers Association (WALA)



Elizabeth Albergoni

### About WALA

Airports by their nature are geographically separated and raise specialised issues that airport lawyers are often required to grapple with alone or in small teams. The Worldwide Airports Lawyers Association (WALA) brings together airport lawyers, aviation industry colleagues and interested parties to develop, share and debate issues in their field through annual conferences, webinars, news feeds and other events.

The objectives of WALA are to:

- promote and assist in cooperation among legal advisors and other public and private sectors of the worldwide airport, aviation and aeronautical industries;
- act and to provide a networking channel for airport legal and non-legal areas;
- promote, organise, coordinate and disseminate airport law in all its different features and create opportunities for its appropriate analysis, development, specialisation and systematisation;
- instigate education and legal expertise, promote, organise and participate in events and activities aimed at education, training and legal expertise in airport law;
- promote cooperation and exchange between public sectors as well as in the private sectors, whether national or international;
- disseminate experiences through specialised reports, statistical reports, compilations, publications and all kinds of educational, informational materials, research, analysis or academic references; and
- establish institutional relationships with entities and organisations, national and international, which keep close relations with airport themes.

WALA is distinguished by its global reach and the forum it provides for sharing experience and knowledge. Since 2008, more than 1,000 delegates representing over 70 countries have attended WALA Conferences, with other networks and forums extending well beyond.

### WALA and COVID-19

The aviation industry continues to be adversely affected by the COVID-19 crisis. At the time of writing, global traffic levels are estimated to be less than half what they were in a pre-COVID-19 world.<sup>1</sup> While the speed of recovery is dependent on policy, vaccination uptake and coordination between governments, there is cause for optimism. We have seen that traffic returns relatively quickly when borders do open and policy certainty is present.

The lack of consistent policies between governments and coordination on re-opening does present uncertainty and

poses operational challenges as airports prepare for a rebound in traffic from a very lean base. Initially faced with air traffic levels at near zero across the globe, airport management teams everywhere were faced with unparalleled uncertainty and building financial pressure as airlines collapsed, restructured and changed their strategies in response to the pandemic. The high fixed costs of owning and operating an airport remained. The impact on teams and individuals working in the industry was profound with extensive and sustained job losses observed across the globe. Airport management teams were challenged by a need to significantly reduce costs whilst still maintaining a safe environment for the very few aircraft movements. The current challenge is how to prepare and service recovery with reduced work forces, recalling or recruiting staff at the right time with continued uncertainty around government policy. For airport lawyers this means facing new and critical issues with less resources.

Very positively, we have seen that the initial crisis management responses have worked well and, despite novel difficulties, airports have remained resilient. For non-government-owned airports, calls for equity support have been few and there is enduring confidence in the recovery of airports and air travel. A notable example of this occurred in November 2021 when the Board of Sydney Airport accepted a bid to take the publicly listed Australian airport private at a robust valuation<sup>2</sup> reflecting the long-term confidence of investors in the full recovery and bright future of air travel.

The Board of WALA has supported airport lawyers through the challenges posed by the COVID-19 pandemic by focusing on initiatives to help airport lawyers respond to live issues created by the pandemic. Some of those issues identified early on included liquidity and funding, management of capital expenditure programmes, dealing with insolvent counterparts, and regaining public confidence in travel and wellbeing of staff and travellers. The COVID-19 pandemic necessitated the deferral of our 2020 Conference that was scheduled to be held in Madrid and hosted by AENA.

However, instead of the Conference, WALA held a series of webinars which were well attended and informative. The WALA webinar series included topics such as:

- Changes in airport fees and charges.
- The legal department in times of COVID-19.
- Economic rebalance of concessions affected by the COVID-19 crisis – the Brazilian case.
- Liabilities in times of COVID-19 and public health care.
- Managing large capex projects and construction contractors where traffic has fallen off a cliff.
- What lawyers can learn from the USA response to the COVID-19 pandemic.

To date, WALA webinars have been attended by more than 600 delegates from over 65 countries. Webinar recordings can be found at: <https://www.abiaxair.com/wala/webinars.php>.

As a Board, we recognise the fundamentally important role that the aviation sector plays in the global economy and the democratisation of travel. Re-opening air traffic safely and in a way that installs public confidence is the key to economic and social recovery from the COVID-19 pandemic, and airport lawyers have an important role to play. The Board of WALA is now turning its attention to recovery and supporting airport lawyers as the world re-opens.

## WALA – Supporting Industry Recovery From COVID-19

WALA will continue to look for ways to support airport lawyers as the world emerges from the COVID-19 pandemic. Our aim is to become increasingly embedded in the airport sector as a trusted collegiate body. Our current focus is on:

- Preparing for the next in-person WALA Conference, anticipated in 2022.
- Continuing to expand our membership and ensuring our members have the resources and facilities they require.
- Continuing to provide webinars as interest and need requires.
- Growing WALA's Executive and Board capability.
- Working with peer organisations to support full aviation recovery and growth into the future.

## Acknowledgments

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## Endnotes

1. Airports Council International, "Ongoing impact of COVID-19 weakens aviation recovery momentum", <https://aci.aero/2021/11/01/ongoing-impact-of-covid-19-weakens-aviation-recovery-momentum/>, accessed November 2021.
2. "Sydney Airport enters into Scheme Implementation Deed with Sydney Aviation Alliance", [https://assets.ctfassets.net/v228i5y5k0x4/4E8IujXbovh6jYvB3lFrpF/54f59055011803b98b85aaaf5150644e/SYD\\_enters\\_into\\_Scheme\\_Implementation\\_Deed.pdf](https://assets.ctfassets.net/v228i5y5k0x4/4E8IujXbovh6jYvB3lFrpF/54f59055011803b98b85aaaf5150644e/SYD_enters_into_Scheme_Implementation_Deed.pdf).



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The Worldwide Airports Lawyers Association is a non-profit partnership with the goal of promoting cooperation among airport legal affairs departments and legal advisors for airports worldwide, as well as other public and private sectors related to the aeronautical industry.

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