

AVIATION INFRASTRUCTURE FOR AFRICA GAP ANALYSIS WORKSHOP

Abuja, Nigeria 19-21 MARCH 2019

Success and challenges of liberalizing air transport Market in Africa -

A PRESENTATION OF THE AFRICAN CIVIL AVIATION
COMMISSION

(Peter Amaleboba , Legal Advisor/Ag. Director Air Transport)

PRESENTATION OUTLINE

1. Role of Air Transport

2. Yamoussoukro Declaration/Decision

3. SAATM-AU Flagship Project

4. Process of Implementation of SAATM

5. Institutional Arrangement- Overview of EA

6. Key Challenges

7. AFCAP

1. BACKGROUND (Role of Air Transport)

Connecting Africa through air transport is crucial for the free movement of goods, people and services..

The air transport sector is an important creator of direct and indirect jobs in the industry and critical skills on the continent. It contributes positively to other auxiliary sectors such as tourism.

The air transport services are important for Africa's connectivity with the rest of the world.

In this regard, fostering the African air transport market through air transport liberalisation has been one of the driving forces of regional integration on the continent.

Road to African Air Transport Liberalisation

African Member States agreed to liberalise the intra-African air transport services when on 7 October 1988 the Yamoussoukro Declaration was adopted.

In 2000, the AU Assembly adopted the Yamoussoukro Decision (YD) relating to the implementation of the Yamoussoukro Declaration made by the Ministers.

What YD Provides

- ▶ **The YD provides for the full liberalisation of intra-African air transport services in terms of market access, the free exercise of third, fourth and fifth freedom traffic rights for scheduled and freight air services by eligible airlines**
- ▶ **Provides for the full liberalisation of frequencies, tariffs and capacity;**

Introduction - SAATM

- ✓ Solemn commitment for expeditious and unconditional implementation of the YD;
- ✓ AU Agenda 2063 flagship project.
- ✓ Launched by the African Union (AU) Assembly of Heads of State and Government on 29th January 2018 in Addis Ababa

In line with aspirations of the AU Agenda 2063, the SAATM creates a common air transport market that is critical for the implementation of the African Continental Free Trade Area and also vital for the achievement of the long-term vision of an integrated, prosperous and peaceful Africa.

Currently there are 28 SAATM States.

28 States Party to SAATM (Jan.2019)



Benin, Burkina Faso, Botswana, Cabo Verde, Central African Republic, Republic of Congo, Côte d'Ivoire, Chad, Egypt, Ethiopia, Gabon, Gambia, Ghana, Guinea Conakry, Kenya, Liberia, Mali, Mozambique, Niger, Nigeria, Rwanda, Sierra Leone, South Africa, Eswatini (Swaziland), Togo, Zimbabwe, Lesotho and Cameroon.

Memorandum of Implementation (MoI)

Sixteen (16) Member States of the SAATM signed MoI:-
Benin, Capo Verde, Central African Republic, Congo, Côte d'Ivoire, Ethiopia, Ghana, Guinea, Liberia, Mali, Mozambique, Niger, Rwanda, Sierra Leone, the Gambia and Togo.

The MoI;

- ❑ **Serves as a instrument that ensures all provisions of BASAs are compatible with the YD among States party to SAATM.**
- ❑ **Thus ensures any restrictions removed in line with the YD provisions.**

Efforts Towards Implementation of

2018

Adoption of
Regulatory
Text by the
AU Summit

2018

4th Ministerial
Working
Groups of the
SAATM 24 to
28; Mol

2018

Aide Memoire
with AfDB

2019

Stakeholders
and Partners
Updating
Prioritized Joint
Action Plan of
SAATM

2019

1st
Continental
Workshop on
YD legal
instruments

SAATM the next steps...

Alignment of the EA Work Programme in
line with the Partners' intervention
areas

Establishment of Monitoring and
Reporting mechanism

Implementation of the SAATM
Prioritized Action Plan 2019-2020

Quarterly reviews of the Action Plan.

SAATM Prioritized Action Plans

March 2018 -

Consultation meeting with the aviation industry stakeholders in Abidjan developed a joint prioritized action plan for 2018-2019 (Abidjan Prioritized Action Plan)

January 2019 -

2nd Consultation meeting on implementation of the prioritized action plan for Operationalisation SAATM 2018 - 2019.

Development of the Revised Prioritized Action Plan 2019-2020 (Revised Prioritized Action Plan)



Pillar 4 of Prioritized Action Plan of SAATM

No	Objectives/Outcomes	Activities	Timeline	Lead Agency	Supporting Agencies	Monitoring Mechanism/KPI
PILLAR 4 : AVIATION INFRASTRUCTURE						
4	Planning for future traffic growth	Scope study for the elaboration of the TOR of the Continental Aviation Infrastructure Master Plan and its development	2019	AUC	NEPAD, ICAO, RECs	
		Develop a continental master plan for aviation professionals.	2019	AFCAC	ICAO, AATO, RECs	
	Single African Sky Architecture is established	Continental Cost-benefit analysis of SBAs implementation in Africa	Dec-19	AFCAC	AUC, ICAO, ANSPs from each RECs, IATA, AFRAA	
		Facilitate a platform for all RECs to benchmark with Roberts FIR, ASECNA	2019	AFCAC	RECs, ICAO, ANSPs from each REC, Champion DGs. EU	



Pillar 5

Objectives/Outcomes	Activities	Timeline	Lead Agency	Supporting Agencies	Monitoring Mechanism/KPI
PILLAR 5 : ENHANCING SAFETY and SECURITY					
<p>All SAATM countries meet the Abuja safety targets (>=60 EI)</p>	<p>Technical Assistance to States under the 60% effective implementation level to meet the Abuja safety targets</p>	<p>Continuous</p>	<p>AFCAC</p>	<p>ICAO, AfDB, AFI Safety Plan</p>	
	<p>Technical assistance and support to airlines in SAATM and Non SAATM states to achieve and maintain ISSA/IOSA certification.</p>	<p>Balance of non IOSA airlines</p>	<p>IATA</p>	<p>AFRAA, AFCAC</p>	<p>Host one IOSA workshop in Africa</p>
	<p>Technical Assistance for the effective operations of Regional Safety Oversight Organisations (RSOO)</p>	<p>Continuous</p>	<p>AFCAC</p>	<p>EU/ICAO/RSOOs</p>	
<p>Windhoek security and facilitation targets implemented</p>	<p>Technical Assistance to States to meet the Windhoek aviation security targets</p>	<p>Continuous</p>	<p>AFCAC</p>	<p>ICAO</p>	
	<p>SAATM States which are yet to meet the Windhoek Targets: 75% of SAATM States achieve at least 70% EI of CEs by 2020.</p>				

Status on the - Full Operationalization of the EA

- **Comprehensive work plan developed along with required activities, human resources and budget.**
- **Aide memoir signed with AfDB. Alignment of the Work Programs of the EA with the AfDB aide on its final stage.**
- **30th Plenary of AFCAC resolved to expedite the full operationalization of the EA.**
- **Updated Prioritized Action Plan for SAATM and sustainable dev't of air transport**
- **Process of establishment of the PIU as of Q2 2019.**

Establishment of Executing Agency, (EA)

- **Article 9.4** of the YD provides for the establishment of African Air Transport Executing Agency.
- ▶ **“To ensure successful implementation of the Decision, an African Air Transport Executing Agency will be established as soon as possible.**
- ▶ **The principal responsibility will include *inter alia* the supervision and management of Africa’s liberalized air transport industry.**

Establishment of Executing Agency, (EA)

- ▶ **Art. 9.5 of YD.** “ **The Executing Agency shall have sufficient powers to formulate and enforce appropriate rules and regulations that give fair and equal opportunities to all players and promote healthy competition.**” ref. Art. 7 of YD
- ▶ **Art. 9.6 of YD.** “**The Executing Agency will also ensure that passenger rights are protected.**”

Institutional and Legal Instruments

- ▶ **Annex 4** is **POWERS, FUNCTIONS AND OPERATIONS OF THE EA.**
- ▶ **Annex 5** **Competition Regulations and,**
- ▶ **Annex 6** **Consumer Protection**
- ▶ **Adopted by the 30th Ordinary Session of the Assembly, 28-29 January 2018, Addis Ababa - Ethiopia. Assembly/AU/Dec 676(XXX) - Decision on}**

Key Challenges Faced

Delay in adoption and publication of Institutional and Regulatory Instruments of the YD necessary for the successful operation of the SAATM and delay to launch awareness program

Delay in the financial resourcing of the EA – HoSG requested Partners since 2015 and AUC has been soliciting since then ONLY end of 2018 Partners show commitment

**Updates on Concrete measures from SAATM member States
Slow national procedural requirements (Solemn Declaration, MoI)**

African Civil Aviation Policy

Adopted by the Conference of African Ministers for Transport held in Luanda in November 2011 (CAMT 2) and endorsed by the AU Heads of State Assembly, held in January 2012.

It's an overarching framework document which enlists and consolidates the political commitment of African States to work together through an agreed roadmap with the purpose of positioning Africa's air transport in the global economy.

AFCAP

The policy provides appropriate empowerment of national and regional technical bodies to enable them carry out their responsibilities effectively.

A common policy which provides a framework and the platform for the formulation, collaboration and integration of national and multinational initiatives/programmes in various aspects of civil aviation including safety, security, efficiency, environmental protection and sustainable development of air transport in Africa.

Reference to Infrastructure in the AFCAP

Chapt. Six (Airports). Who has responsibility to develop, maintain and manage including provision of essential services such as security, Fire etc.

OBJECTIVE

The objective of member States in developing and maintaining airports and associated infrastructure shall be to ensure safe, secure, functional, cost effective and user-friendly airport System.

Sets out policy statements and strategy

Same applies to Air Navigation and Meteorology under Chapt. 7

THANK YOU!

Q&A



For more information;

AFCAC Secretariat, E-Mail: Secretariat@afcac.org

AFCAC - African Civil Aviation Commission

AFCAC - African Civil Aviation Commission