



**WORKING PAPER**

**ASSEMBLY — 38TH SESSION**

**ECONOMIC COMMISSION**

**Agenda Item 40: Economic Development of Air Transport — Policy**

**LIBERALIZATION OF INTERNATIONAL AIR TRANSPORT SERVICES –  
AFRICA’S POSITION**

(Presented by 54 Contracting States<sup>1</sup>, Members of the African Civil Aviation  
Commission (AFCAC))

**EXECUTIVE SUMMARY**

This paper presents the progress being made by African States on Liberalization of Air Transport in Africa and the African position on some of the outcomes of the Sixth Worldwide Air Transport Conference (ATConf/6), including issues of safeguards, fair competition, slot allocation, night curfews, authorization of cargo operations, aviation charges and levies, effective implementation of ICAO policies and guidelines of Air transport.

**Action:** The Assembly is invited to:

- a) note the information presented in this working paper including the progress made by African States in the liberalization and sustainable development of air transport;
- b) instruct the Council to continue to provide support and assistance to States on liberalization through training, regional seminars or similar activities;
- c) urge Member States to use ICAO policy and guidance materials on air transport liberalization regarding market access, slot allocation, night curfews and safeguards;
- d) urge Member States to continue to support ICAO as the focal point in coordinating the development of sustainable air transport systems; and
- e) direct the Council to continue to facilitate the liberalization of international air transport and support the growth of sustainable development of air transport in developing States.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objective <i>Environmental Protection and Sustainable Development of Air Transport</i> .
<i>Financial implications:</i>	The activities referred herein will be undertaken through the resources available in 2014–2016 Regular Programme budget and /or from extra budgetary contributions.
<i>References:</i>	A38-WP/56, Outcome of the Sixth Worldwide Air Transport Conference African Civil Aviation Policy (AFCAP) Yamoussoukro Decision

<sup>1</sup> Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Ivory Coast, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia and Zimbabwe.

## 1. INTRODUCTION

1.1 The air transport system remains one of the most important driving forces for globalisation. At the same time, globalisation has continued to influence the transformation of the air transport system. This transformation is not only driven by internal factors such as technology, commercialisation and privatisation of the system components including Airport Service Providers, Air Navigation Service Providers and Airlines, but also the emergence of the policies of deregulation and liberalization of air transport, have affected the way and manner in which the industry operates.

1.2 A liberalised, harmonized and economically viable development of air transport, promotes its sustainability and as such, Africa will continue to support and advocate the progressive liberalization of international air transport. However, it is important to note that for liberalization to achieve its desired objectives, some safeguard measures must be put in place to ensure fair competition, safety, security, environmental protection, consumer protection, dispute resolution mechanism for effective participation and optimal benefits of all contracting States.

## 2. IMPLEMENTATION OF LIBERALIZATION

2.1 In order to promote liberalization using the framework of the Yamoussoukro Decision, Africa through AFCAC and the Regional Economic Groupings, have made significant steps in providing a harmonized regulatory and institutional framework for managing liberalization. Most recently, the African Civil Aviation Policy (AFCAP) has been endorsed by the African Heads of State and Government and it will provide a set of common rules or principles and applicable in a uniform manner across the continent. It is expected to facilitate the implementation of the Yamoussoukro Decision which is the framework for liberalization of air transport in Africa.

2.2 It is notable that a lot of effort is still being made by Africa to fully manage the process of liberalization through the full implementation of the Yamoussoukro Decision. There are challenges related to indirect barriers to market access such as visa requirements, custom restrictions, monopolistic nature of services provided by airports and air navigation service providers, ground handling, etc. The degree of market access desired without the elimination of such barriers, remain a hindrance to the sustainable development of air transport services in Africa and the world at large.

## 3. DISCUSSION

3.1 In dealing with sustainability of an air transport system, issues which cause disparity and distortions such as night curfews, slot allocation, unfair competition, proliferations of taxes and levies *inter alia* should be resolved through applying the guidelines provided by ICAO and consultations among States.

3.2 African States are conscious of the outcome of the Sixth Worldwide Air Transport Conference where these issues were extensively discussed and far reaching recommendations made, however it is pertinent to note that these issues have continued to create imbalance and market distortions especially to the disadvantage of developing States whose airlines operate into airports outside the continent where the issue of slots greatly affect their operations since traffic rights without slots cannot be considered as traffic rights. This situation has disadvantaged most African carriers operating into airports outside the continent.

3.3 African States commend ICAO and support the outcome of the Sixth Worldwide Air Transport Conference including priorities set for the implementation of the recommendations. However, they are of the opinion that it will be more prudent for the following recommendations to be moved to priority A on Appendix C of A38-WP/56, EC/6 as these are critical to the sustainability of Air Transport especially in Africa:

- a) Recommendation 2.6/1 d) on “developing analysis and guidance on the impact of taxes and levies imposed on Air Transport”; and
- b) Recommendations 1.1/1 e), 2.1/3 d), 2.2/1 b), 2.5/1 c), 2.8/1 d) and Recommendations 1.1/2 e), 2.6/1 c), 2.7/3 c) on “promoting and encouraging States to use ICAO policy guidance on air transport regulation and liberalization and assisting States in liberalization through training course, regional seminars or similar activities in accordance with available resources”.

#### 4. **RECOMMENDATIONS**

4.1 African States hereby request the Assembly to:

- a) instruct the Council to continue to provide support and assistance to States on liberalization through training, regional seminars or similar activities;
- b) urge Member States to use ICAO policy and guidance materials on air transport liberalization regarding market access, slot allocation, night curfews and safeguards;
- c) urge Member States to continue to support ICAO as the focal point in coordinating the development of sustainable air transport systems; and
- d) direct the Council to continue to facilitate the liberalization of international air transport and support the growth of sustainable development of air transport in developing States.

— END —