

CHALLENGES FACED IN IMPLEMENTATION OF THE NIGERIAN NATIONAL AIR TRANSPORT FACILITATION PROGRAMME

Protocols

1. INTRODUCTION

1.1 Standards 8.17, 8.18 and 8.19 of Annex 9 to the Convention on International Civil Aviation (Chicago Convention) obliges Nigeria, like other Contracting States, to implement a National Air Transport Facilitation Programme (NATFP) to facilitate and expedite navigation by aircraft between Nigeria and the territories of other ICAO Contracting States to prevent unnecessary delays to aircraft, crews, passengers and cargoes, especially in the administration of the law relating to immigration, quarantine, customs and other clearances at airports.

1.2 As stipulated in Part 8.8.14 of the Nigeria Civil Aviation Regulations (Nig.CARs), 2015, Nigeria has in existence, a National Air Transport Facilitation Programme (NATFP), by which means a National Air Transport Facilitation Committee under the chairmanship of the Director General, NCAA, was established (as specified in the IS: 18.8.14 of the Regulations).

2. ACTIONS TAKEN SO FAR ON NATFP

2.1 Nigeria, having domesticated the ICAO's Standards and Recommended Practices (SARPs) relating to Annex 9 (Facilitation) to the Chicago Convention, has inculcated its provisions into Part IX, Section 30(1a) of the Nigerian Civil Aviation Act, 2006, and Part 18.8 of the Nigeria Civil Aviation Regulations 2015, (Nig.CARs).

2.2 The National Air Transport Facilitation Programme was promulgated in Nigeria on 24th June, 2007 but after the Eighth FAL Panel meeting held in 2014, Montreal and particularly the report of the Facilitation Panel Working Group on Guidance Material regarding guidance on how States may comply with Standards 8.17, 8.18 and 8.19 of Annex 9 to the Convention on International Civil Aviation, Facilitation, Nigeria updated its NATFP in the year 2015 in line with the accepted model. The National Air Transport Facilitation Committee (NATFC) was thereafter, established to implement and manage the provisions of the NATFP. The Airport Facilitation Committee also coordinates facilitation activities of the Programme at the airport level.

2.3 The Act stipulates that the responsibility for implementing the NATFP in accordance with SARPs on Annex 9 (Facilitation) in Nigeria is within the purview of NCAA. The Airport Facilitation Committee also meet quarterly.

3. COMPOSITION OF NATFC

3.1 The Nigerian Air Transport Facilitation Committee (NATFC) is made up of heads of the Nigerian Civil Aviation Authority, Federal Ministry of Transportation (Aviation Sector), Federal Airports Authority of Nigeria, Nigerian Airspace Management Agency, Nigerian Customs Service, Nigerian Immigration Service, Ministry of Foreign Affairs, Nigerian Police Force, Foreign Affairs

Ministry, Nigeria Agricultural Quarantine Services. State Security Services, National Drug Law Enforcement Agency, Port Health Services, Nigerian Tourism Board, Nigerian Meteorological Agency, Ground Handling companies and representative of Airline Operators of Nigeria.

3.2 The NATFC hold its meetings at least twice a year except in cases of emergency. It also forms sub-committees' to look into pressing issues.

4 RESPONSIBILITIES OF THE NATFC

4.1 The Nigerian National Air Transport Facilitation Committee is responsible for implementation of the following applicable Regulations at Nigerian airports;

- ✓ Ensure coordination between relevant Ministries, agencies and industry to remove unnecessary obstacles and delays and improve efficiency and service levels of civilian air transport services;
- ✓ Develop and implement and provisions of the NATFP in accordance with the provision of Annex 9 to the International Convention on Civil Aviation, Facilitation;
- ✓ Consider recommendations to enhance facilitation of civil air transport made by relevant entities;
- ✓ Encourage the development of best practices in all areas of facilitation of civil air transport (e.g. immigration, customs, handling of persons with disabilities)
- ✓ Discuss proposed changes to regulations concerning facilitation of civil air transport (e.g. amendments to ICAO Annex 9);
- ✓ Inform Departments, competent Agencies and other organizations concerned of significant relevant facilitation developments in the field of civil aviation (e.g. outcome of ICAO Facilitation Panel) and seek the consideration and make recommendation to them regarding issues related to the NATFP; and
- ✓ Coordinate with the National Civil Aviation Security Committee (NCASC) on security related elements of facilitation issues.
- ✓ Implement the following Articles 12, 13, 14, 22, 23,37 and 38 of the Chicago Convention.

5. CHALLENGES OF IMPLEMENTATION OF THE NATFP IN NIGERIA

5.1 It has been observed that the following challenges hinder the full implementation of the NATFP:

- a. Difficulty in obtaining the commitment of Heads/CEOs of parastatal Agencies/Departments who are members of the Committee to send representatives who can take decisions for their organizations at the meetings;
- b. Lack of synergy amongst the concerned Ministries, Departments and Agencies (MDAs) relevant to the implementation of the programme;
- c. Nigeria has not been benefitting from funding and technical assistance from donor agencies in this direction;s
- d. Limited consideration accorded to persons with reduced mobility (PRM) in accessing services and facilities;
- e. Lack of a complete database system that will invariably enhance the harmonization of the various security checks at the airports;
- f. Insufficient number of thermal scanners to reduce the risk of communicable diseases being imported into the country, through the International airports in Nigeria.

- g. Implementation of API in Nigeria has been very slow and uncoordinated in spite of the efforts of the NAFTC.
- a. There have been no required synergies among the concerned Ministries, Departments and Agencies (MDAs) relevant to the implementation of the TRIP Strategy. There is also limited knowledge about the Strategy by public agencies and the private sector especially the airlines which will provide primary data to drive the Strategy. Nigeria has not been in compliance with the ICAO roadmap aimed at providing target milestones for the implementation of ICAO TRIP by member States neither has it been benefiting from funding and technical assistance from the various donor countries and Agencies.

6. THE WAY FORWARD/CONCLUSION

6.1 In view of the foregoing, the following recommendations are proffered as a means of facilitating the full implementation of the National Air Transport Facilitation Programme (NATFP) in Nigeria:

- a. Funding and technical assistance from the various donor countries and Agencies;
- b. Since the National Air Transport Facilitation Committee and its secretariat in each ICAO member States are the engine rooms for effective delivery of TRIP strategy, the task of implementation of ICAO TRIP Strategy in Nigeria should be the purview of the existing NATFC;
- c. Special meeting of NATFC will be urgently convened to consider the ICAO TRIP Implementation Roadmap for Nigeria as well as West Africa, as the region is currently among the least in ICAO TRIP implementation;
- d. ICAO's laudable initiative, the "No Country Left Behind", should identify Nigeria's critical needs on TRIP and help give technical assistance through the Implementation and Capacity Building Working Group (ICBWG) window of TAG/TRIP.
- e. Nigeria seeks financial and technical assistance to develop the API.
- f. Nigeria should host a regional seminar on TRIP in Nigeria with a view to sensitizing all stakeholders on the implementation of the TRIP strategy in the West African sub region;