NOTA DE ESTUDIO

ASAMBLEA — 36º PERÍODO DE SESIONES

COMISIÓN ECONÓMICA

Cuestión 40: Reglamentación de los servicios de transporte aéreo internacional

UN MARCO PARA LA AVIACIÓN CIVIL EN ÁFRICA

(Presentado por la Federación Internacional de los Trabajadores del Transporte)

RESUMEN
La ITF representa a trabajadores de la aviación sindicados de todo el mundo y habla en nombre de millones de empleados del sector de distintas partes del mundo. La seguridad diaria y operación segura del transporte aéreo del mundo depende de la dedicación y pericia de estos trabajadores.
Este documento reconoce la necesidad de que se tengan en cuenta los aspectos regionales al llevar a cabo el desarrollo de una potente industria de la aviación y analiza los retos a que tiene que hacer frente el sector en África, presentando también algunas recomendaciones que contribuyan al crecimiento de este sector del transporte en la región.
El documento está basado en una serie de acontecimientos apoyados por la OIT sobre el futuro de la aviación en África.
Decisión de la Asamblea: Se invita a la Asamblea a: a) tomar nota de este informe; y   b) aprobar la participación de las partes interesadas en África, con inclusión de organizaciones representativas del personal afiliadas a la ITF y de otras organizaciones para la consecución de un desarrollo seguro de la industria de la aviación en África.

Objetivos estratégicos:	Este documento de trabajo guarda relación con los Objetivos estratégicos A, B, D y E. Promoverá los Objetivos estratégicos A y B mediante la participación de los agentes de primera línea como profesionales de la seguridad operacional y la seguridad de la aviación y complementará los Objetivos estratégicos D y E haciendo frente a aquellos aspectos que limitan un desarrollo eficaz de la aviación regional, a la vez que se identifican obstáculos que dificultan la continuidad de las operaciones aéreas.
Repercusiones financieras:	Es posible que la labor descrita en esta nota de estudio debe llevarse a cabo con los recursos disponibles en el Presupuesto 2008-2010.
Referencias:	

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[1] Versiones en español (cubierta únicamente), francés e inglés proporcionadas por ITF

1.   **GENERAL CONSIDERATION**

1.1   This paper provides an analysis of the challenges for aviation in Africa and ITF's recommendations for growth of the air transport sector in the region. It builds on the findings of the following events:

- Tripartite Meeting on Civil Aviation, Geneva, Switzerland, January 2002

- Tripartite Workshop on Civil Aviation in Latin and Central America, San José, Costa Rica, May 2003

- FES/ITF Workshop on Civil Aviation in North Africa and the Middle East (Arab World), Beirut, Lebanon, December 2005

- ILO/ITF Workshop on Civil Aviation in East Africa, Nairobi, Kenya, June 2006

- FES/ITF/ILO Workshop on Civil Aviation in West Africa, Cotonou, Benin, July 2006.

2.   **CHALLENGES**

2.1   The lack of an adequate transport infrastructure remains an impediment to the development of international and intra-African trade. The continent is mostly served by relatively small and fewer privately operated enterprises working under poor operational conditions, facing higher risks and costs. Africa's transport costs are among the highest in the world.

2.2   Civil aviation in Africa faces a series of problems. The existence of over 50 non-physical barriers has limited the access to air transport markets in Africa resulting in small markets for small airlines, high costs of air transport because of the relative lack of cooperation between airlines and air space regulatory authorities.

2.3   There was agreement that the situation differed from country to country. Some countries have economically healthy flag carriers, some partly privatized, that can compete on equal footing with foreign competitors. In other countries, national airlines have disappeared or are facing serious financial and operational difficulties as well as strong competition from non-African airlines.

2.4   In recent years several airlines were liquidated and have ceased operations.

2.5   The air transport industry has a major impact on economic development and social cohesion, given the public interest responsibilities of governments for economic regulation, ensuring sustainability of the infrastructure, mitigating the adverse effects of the crisis on employment, and promoting good practices and social dialogue. Unfortunately, some governments in the region are not always sufficiently aware of their role and responsibilities.

2.6   Currently, the most important task is that of re-establishing stability in the sector by maintaining standards in the civil aviation sector. There have been an elevated number of aircraft losses in Africa since 2002, and serious concerns exist about airport safety. Aviation safety standards are seriously threatened due to the lack of regulation and enforcement, particularly in the newer companies.

2.7   The challenges to continue to fulfil the highest safety and security standards may be hampered by the decision of the European Commission to publish a list of airlines that are banned from the European Union. Most of the banned airlines are from Africa. African critics point out that most of the banned airlines no longer operate and never fly to Europe anyway. However, the practice of issuing 'certificates of convenience' – enabling aircraft that do not fully comply with safety standards to operate – must be forcefully condemned.

2.8   The Yamoussoukro Decision concerning the liberalization of access to air transport markets in Africa was to have been fully implemented by August 2002. The Meeting of African Ministers responsible for Air Transport (May 2005) expressed concern about the inordinate delay in the implementation of the Decision. It recognized that some states have made progress towards the implementation of the Decision but that other states are still lagging behind for various reasons.

2.9   Traditional business models used in aviation are confronted with a changing environment. For example, the creation of new, private airlines and low-cost carriers is a new factor in the industry. The privatisation of aviation infrastructure, such as airports and air traffic services, also needs mentioning. Although this creates job opportunities, casualisation of employment and retrenchments are also experienced.

2.10   These challenges have had an adverse effect on the number and quality of jobs in civil aviation in the region, although it is unfortunately not possible to give precise figures. The redundancies that have occurred in several countries have affected and may continue to affect a number of occupational groups. It was noted that in several instances employees did not receive the final payment due to them or sometimes had to wait several years before receiving them.

2.11   The difficulties experienced by Africa's airlines include high taxes, airport and aviation service charges and fuel prices. The degree of such difficulties varies from country to country.

2.12   Insurance costs have risen considerably because of recent international and regional events. Security costs have increased for airlines, although these costs should be borne by governments.

2.13   Channels of communication of all stakeholders have not addressed these challenges appropriately yet, and an improved social dialogue is called for.

3.   **GOOD PRACTICE**

3.1   There is no single model of 'good practice' and none is sufficiently adaptable to the circumstances and needs of different countries. Good practices are not static; their working should be monitored and experiences shared. Good practices in crisis periods were intended to be of a temporary nature, and may not be suitable under normal circumstances. Socially responsible human resource policies could help to develop long-term, pro-active policies, building confidence between management and workers.

4.   RECOMMENDATIONS

4.1   Fundamental principles and rights

4.1.1   Civil aviation workers and employers should enjoy the benefits of fundamental principles and rights at work, in particular the right to freedom of association, to collective bargaining, and corporate social responsibilities.

4.2   Safety and security

4.2.1   Reinforcing a culture of safety and security in all segments of the aviation sector, through training and other activities aimed at helping employees to acquire new skills, will help to restore passenger confidence in the industry, and this in turn will lead to greater stability.

4.2.2   Governments, social partners and other stakeholders have an important role to play in addressing safety and security. Governments have responsibility for the safety and security of their citizens and should ensure that appropriate security measures are in place for the aviation industry, and where appropriate, consistent with ICAO standards, recommended practices and guidance material. The creation of the East African Civil Aviation Safety and Security Oversight Organization is a step forward. Similar bodies should be created in other sub-regions.

4.3   Restructuring

4.3.1   he orderly evolution of air transport services should be ensured within the framework of ICAO and of its principles of sovereignty and reciprocity, so as to facilitate the participation of all nations in the provision and the enjoyment of economic benefits from aviation services. The same principles are embodied in the Yamoussoukro Decision, including fair and non-discriminatory competition.

4.4   Social dialogue

4.4.1   There was agreement that changes in the industry where necessary – stability, restructuring, security and safety – needed to be discussed through a meaningful, transparent, results-oriented and productive social dialogue, reflecting existing and anticipated conditions.

4.4.2   In order to contribute to the development of a resilient aviation industry for the twenty-first century, social dialogue at the workplace, enterprise, national and international levels should be encouraged.

4.4.3   Social dialogue is understood to include all types of negotiation, consultation or simply exchange of information among representatives of governments, employers and workers on issues of common interest relating to economic and social policy. It can be either bipartite or tripartite and can take place at all levels.

4.4.4   The selection of the appropriate levels at which social dialogue will take place, the parties involved, their commitment to the process, training to effectively participate in the process, and the possible need for regional or national models, are essential preconditions for effective and transparent social dialogue.

4.4.5   Ideally, tripartite aviation consultation forums should be established or strengthened at national and regional policy levels to ensure the involvement of the social partners in the development of national aviation policy.

4.4.6   Social dialogue on civil aviation in Europe and some African countries, like in the case of ASECNA/FESTA in 1990, could provide models. But, different circumstances may require different approaches. However, broadly similar policies should be implemented among regional bodies such as the African Union, East African Community, COMESA, ECOWAS, CEMAC, WAEMU, SADCC, and other bodies in Africa.

4.4.7   The ITF welcomes the decision by the ICAO Worldwide Air Transport Conference in March 2003, to take full advantage of social dialogue in the context of the global economic debate in the aviation industry.

4.5   **The function of government**

4.5.1   Governments should recognize the critical public interest role that civil aviation plays in the overall economy and afford it an appropriate place in national, regional or subregional strategic planning.

4.5.2   The development of air transport requires an adequate infrastructure, which implies continuous investment from governments in order to meet growing demand. This should not be at the expense of the workers.

4.5.3   There is a continuing requirement for training and retraining, in the interest of both companies and employees. Governments, within the framework of ICAO and elsewhere, have a responsibility for establishing training standards, including licensing for cabin crew, technical and other staff.

4.5.4   Governments should encourage consultations among the social partners in civil aviation at all levels, and monitor its progress.

4.5.5   As a matter of 'good practice', the social policies of governments should provide for unemployment benefits, health insurance, secure pension funds, training and further training for unemployed workers. To that end, governments should ensure the implementation of 'good practices' with a view to promoting industrial stability, and should ensure workers are compensated in a transparent manner.

4.5.6   In terms of training, governments should – in the spirit of promoting a national skill pool – consider creating a secure professional training fund.

4.5.7   Governments should cover costs relating to security and should support mutual insurance coverage, thereby preventing financial damage to companies that can adversely affect conditions of work and lead to redundancies.

4.5.8   Governments should continue to safeguard the independence and integrity of national air safety regulators and promote standardization of the applicable standards by these bodies.

4.5.9   Governments should continue to ensure, by making the necessary investments, that their national aviation authorities have the necessary means and resources for the effective oversight and implementation of al components of an increasingly global yet fragmented industry.

4.5.10   In view of the current precarious financial situation of the air transport sector, it is important to avoid increases in charges by airports and air traffic control services providers, while also noting the necessity for governments to safeguard the capacities of these key infrastructure elements.

4.5.11   It is essential that governments ensure that aviation service or product providers do not abuse their monopoly, and apply economic regulatory mechanism based on the principles of fair payment, cost transparency and equality of treatment for all services, bearing in mind the need to ensure that all those in the value chain are cost-effective in providing their respective services.

4.5.12   Governments should, in the context of new security regulations, ensure that the fundamental and civil rights of aviation employees are protected.

4.5.13   Governments, with the active support of the industry and workers, should gather data, monitor employment and trends in the industry, and produce employment statistics, with a view to assisting social dialogue and planning in the sector.

4.6   **Good practices**

4.6.1   Steps should be taken to ensure the exchange and wide dissemination of information on the use of good practices with regard to socially responsible human resources policies. These practices could include the measures referred to in the national and international reports presented during the ITF workshops, and from other sources.

4.7   **ILO activities**

4.7.1   The International Labour Office should maintain an active programme to promote tripartite dialogue in the civil aviation sector in Africa, establish active links with the African Civil Aviation Commission (AFCAC), AFRAA, ACOA, promote and disseminate examples of good practices of social dialogue in the region. It should also intervene strongly to promote the fundamental rights of workers in the region and the application of relevant Conventions.

4.8   **Role of the ITF**

4.8.1   The role of the ITF should be pro-active engagement in African aviation, through its Secretariat and its affiliated trade unions, on all levels of activity and concern.

4.8.2   ITF is open to consultation and negotiation with all stakeholders in the industry. It will ensure that workers' representatives are democratically elected and duly represent their respective constituency.

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