

**WORLDWIDE AIR TRANSPORT CONFERENCE: CHALLENGES AND  
OPPORTUNITIES OF LIBERALIZATION**

**Montreal, 24 to 29 March 2003**

**Agenda Item 1: Preview**

**1.2: Safety and security aspects of liberalization**

**IMPLICATIONS OF LIBERALIZATION ON AVIATION SAFETY AND  
SECURITY**

(Presented by Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cap Verde, Central African Republic, Chad, Comoros, Congo, Cote d'Ivoire, Democratic Republic of Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia, Zimbabwe)

**SUMMARY**

This paper deals with the implications of liberalization on aviation safety and security. It makes an in-depth analysis of such implications on three aspects:

- a) Liberalization to be promoted;
- b) Security to be guaranteed;
- c) Safety to be ensured.

Action by the conference is in paragraph 4.1.

**REFERENCES**

Yamoussoukro Decision of 1999  
*Doc 9644, Report on the World-wide Air Transport Conference on  
International Air Transport Regulation: Present and Future*

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<sup>1</sup> French version provided by African States.

## 1. INTRODUCTION

1.1 The air transport sector in Africa has increasingly become dynamic for a number of years now due mainly to liberalization which resulted in traffic growth. This growth and increased air transport activity have implications in terms of both aviation safety and security arrangements.

## 2. DISCUSSION

### 2.1 African Policy of Liberalization

2.1.1 The Decision relating to the implementation of the Yamoussoukro Declaration concerning the liberalization of access to air transport markets in Africa adopted by Ministers responsible for civil aviation was endorsed in July 2000 by Organization of African Unity (OAU) Heads of State and Government. It entered into force on 12 August 2000.

2.1.2 Because, in any case, liberalization would have implications on aviation safety and security, Article 6.12 of the Yamoussoukro Decision specifically deals with this issue.

2.1.3 Under the provisions of the aforementioned Article 6.12 of the Decision, States re-affirmed their mutual obligations to protect civil aviation against acts of unlawful interference and comply with ICAO Standards and Recommended Practices (SARPs) under the safety oversight programme. However, as the issue of standards and safety/security controls is very complex, it should be the subject of cooperation and sound partnership.

### 2.2 Aviation Security

2.2.1 The Chicago Convention defined Aviation Security in its Annex 17 as being a combination of measures (human and material) aimed at protecting civil aviation against acts of unlawful interference.

2.2.2 The protection of international civil aviation against criminal and terrorists threats remains a major challenge to be taken up by all civil aviation authorities.

2.2.3 The 11 September 2001 events which have strongly shaken consumers' trust in air transport and have had disastrous consequences on that industry constitutes, in our view, an unprecedented attack against international civil aviation, and therefore called for a response commensurate with the level of the attack. It was quite beneficial that the response was immediate given that at the High-level Ministerial Conference on Aviation Security (Montreal, 19 - 20 February 2001), the international aviation community adopted recommendations aimed at reinforcing the protection of the international aviation community against acts of unlawful interference. This was made possible through, notably, the establishment of an ICAO Ministerial Safety Oversight Audit Programme under the ICAO Aviation Security Section (AVSEC) Mechanism and resort to technical assistance — for countries in need — to remedy the deficiencies as underscored by the audits.

### 2.3 Aviation Safety

2.3.1 The most general shortcomings underscored by all actors of civil aviation in Africa in the area of safety deal with:

- a) The absence, insufficiency or obsolescence of statutory framework;
- b) The absence or insufficiency of technical expertise, especially in the field of air operations and airworthiness;
- c) The lack of financial means;
- d) In certain cases, the deficiency of the decision-making hierarchy and lack of institutional autonomy on the part of civil aviation authorities.

2.3.2 The ICAO universal safety oversight audit programme (USOAP) Audit Programme, which covers Annexes 1, 6 and 8 (Personnel licensing, Operation of aircraft and Airworthiness of aircraft) has confirmed most of the above findings.

2.3.3 At the national level, improvement of safety oversight involves an updating of the regulatory framework and the increase of the human and financial resources allocated to safety oversight. The strengthening of Civil Aviation Departments (DCAs) seems therefore to be a must both from the functional and operational standpoints. And this will indeed require important resources that countries are unfortunately lacking but which could be brought about through various existing projects and mechanisms or those to be created.

### 3. CONCLUSION

3.1 Liberalization is an established fact. However, it is worth underscoring that in many developing States, there is still a lot to be achieved, namely in the field of aviation safety and security for this unavoidable process to fully attain its objectives.

### 4. ACTION BY THE CONFERENCE

4.1 The Conference is invited to:

- a) note the content of this working paper;
- b) urge States having the necessary resources to contribute more to the ICAO AVSEC mechanism;
- c) recommend that States, developing countries in particular, take advantage of technical and financial assistance under Technical Cooperation so that they could take remedial actions aimed at eliminating the deficiencies identified during the aviation security audits;
- d) request ICAO Secretariat to implement cooperative development of operational safety and continuing airworthiness programme (COSCAP) projects in various groups of countries for remedial action to the weaknesses identified during safety oversight audits; and

- e) urge States, international organizations and international civil aviation public and private partners to contribute to the International Financial Facility for Aviation Safety (IFFAS), which was recently created by the ICAO Council.

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