

AFCAC Presentation

CIVIL AVIATION ISSUES IN AFRICA

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Secretary General of AFCAC



ICAO Air Transport Symposium
(Abuja, 28 – 30 April 2008)

Structure of the presentation

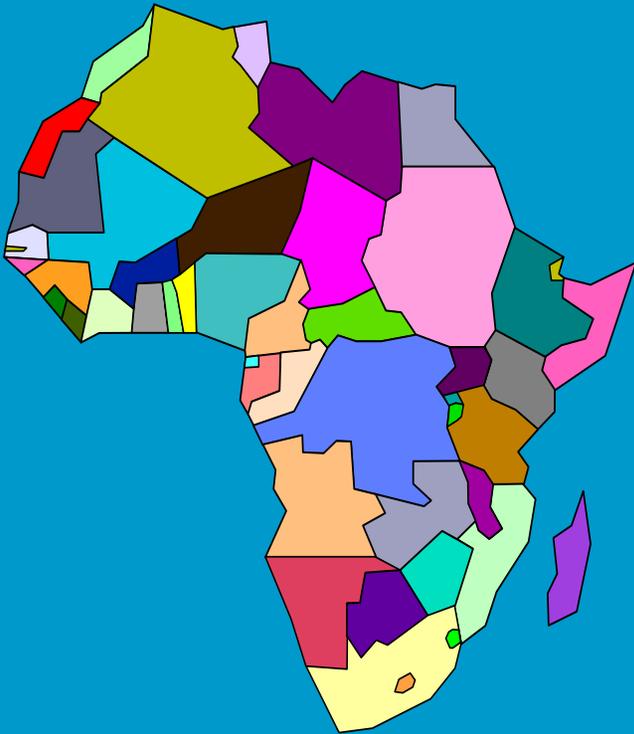
- Introduction
- Legal Framework
- **The Yamoussoukro Decision**
- **AFCAC as the Executing Agency of the YD**
- **Facilitation**
- **Aviation Security**
- **Air Safety**
- **Key Challenges and Recent Developments**
- **Recent Developments**



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Background

What is AFCAC ?

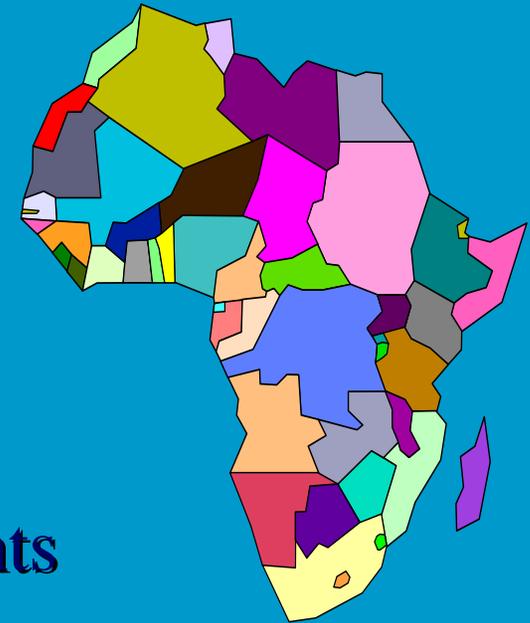


**AU Specialized body for
civil aviation**



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Background



- 48 Member States
- **Secretariat** in Dakar - Senegal
- Plenary Session: Resolutions
- **Bureau**: 1 President and 5 Vice-presidents
- Bureau and Secretariat : Implementation
- **Air Transport Committee**
- **Technical Committee**
- African members of the ICAO Council: Africa position
- African members of the ICAO ANC: Africa position



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AFCAC

- Presidency of AFCAC Kenya
- Vice-Presidency of AFCAC, Central Region Chad
- Vice-Presidency of AFCAC, Eastern Region Ethiopia
- Vice-Presidency of AFCAC, Northern Region Algeria
- Vice-Presidency of AFCAC, Southern Region Zambia
- Vice-Presidency of AFCAC, Western Region Côte d'Ivoire
- Coordinator of the African Group at ICAO South Africa
- African Members of the ICAO Council :
Cameroon, Egypt, Ghana , Namibia, Nigeria, South Africa, Tunisia,
Uganda
- African members of the ICAO ANC: Niger and Tanzania



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AFCAC Constitution

AFCAC's objectives shall be to:

- a) Coordinate matters of civil aviation in Africa and cooperate with ICAO and all other relevant organizations and other bodies as may be involved in the promotion and development of civil aviation in Africa;
- b) Promote the development of the civil aviation industry in Africa in order to fulfil objectives of the OAU Charter of 1963 and Abuja Treaty of 1991;
- c) Foster the application of ICAO Standards and Recommended Practices for the safety, security and **regularity of air transport**; and
- d) **Examine any specific problems which may hinder the development and operation of the African civil aviation industry and, where possible, take the necessary actions** in coordination with member States as required.



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AFCAC the Specialized Agency of the AU

Agreement between OAU and AFCAC establishing AFCAC as the specialized Agency of the OAU in the field of civil aviation dated 11 May 1978

Implementation of a formal framework for the promotion of a common African policy in civil aviation matters

Treaty establishing the African Economic Community, Abuja June 1991

Constitutive Act of the African Union, Lomé July 2000

To contribute to the :

- Harmonization of national policies in the field of civil aviation
- Strengthening of sectoral integration at the regional and continental levels in all areas of civil aviation ;
- Promotion of proper integration of air transport in Africa



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AFCAC and ICAO

As a Regional Commission , AFCAC was created by an Agreement between OAU, ICAO and UNECA, in with reference to the Chicago Convention:

Article 55 : Permissive functions of Council

The Council may:

*a) Where appropriate and as experience may show to be desirable, **create subordinate air transport commissions on a regional or other** basis and define groups of states or airlines with or through which it may deal to facilitate the carrying out of the aims of this Convention;*



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The Yamoussoukro Declaration

Declaration on a New African Air Transport Policy

(Yamoussoukro, 6 to 7 November 1988)

In the wake of the 1980 Lagos Action Plan and the 1984 Mbabane Declaration on African Air Transport, gradual liberalization of traffic rights was launched in 1988. The Yamoussoukro Declaration called for integration through mergers, shared exploitation, and consortia, in order to strengthen co-operation, co-ordination and integration of air services. A formal 3-phase timetable was also included.

We African Ministers responsible for Civil Aviation, Meeting in Yamoussoukro, Republic of Côte d'Ivoire, from 6 to 7 October 1988

..... Agree to commit ourselves, individually and collectively, to promote a climate of cooperation and solidarity which is necessary for the safeguarding and development of international air transport activities in Africa, and agree by this Declaration, to adopt a new air transport Policy based on the following guidelines :



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The Yamoussoukro Declaration

Declaration on a New African Air Transport Policy
(Yamoussoukro, 6 to 7 November 1988)

COOPERATION IN AIR TRANSPORT

- A. Integration of airlines
- B. Traffic Rights
- C. Costs and Tariffs

IMPROVEMENT OF MANAGEMENT

FINANCING OF AIR TRANSPORT ACTIVITIES

PRODUCT DISTRIBUTION SYSTEM

AIRCRAFT NOISE

MECHANISM FOR IMPLEMENTATION AND FOLLOW-UP



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The Yamoussoukro Decision

The Decision establishes an agreement between concerned States for a gradual and progressive liberalization of intra-African scheduled and non-scheduled air transport services:

State Party: each African State signatory to the Abuja Treaty and such other African country which, though not a party to the said Treaty, has declared in writing its intention to be bound by this Decision.

Deadline for Implementation: 2 Years

Structures

- a) Under the air transport Committee of the Committee for Transport, Communications, to monitor inter alia the implementation of the Decision (in compliance with sub- para. 4 of Article 25 of the Abuja Treaty);
- b) Monitoring Body comprising OAU, ECA, AFCAC and AFRAA, assisted by sub regional economic organizations.



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The Yamoussoukro Decision

Implementation by sub regional organizations

The Yamoussoukro Decision implementation is being carried out at the level of sub regional organizations under the Abuja Treaty establishing the African Economic Community:

The implementation of the Yamoussoukro Decision calls for Party States regular coordination and sound harmonization at regulatory level in the fields of aircraft technical operations, airworthiness, facilitation, security, etc. just like the situation prevailing in the field of air navigation in organizations grouping African State and also in Europe.



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The Yamoussoukro Decision

Memorandum of Understanding on the Implementation of the Decision concerning the Liberalization of Air Transport in West and Central Africa

On the fringe of the above meeting, Ministers responsible for civil Aviation for West and Central Africa have also adopted an innovative text.

The 23 signatory States undertakes to fully liberalize scheduled and non-scheduled air transport services in West and Central Africa in compliance with the Decision of the African Ministers responsible for Civil aviation adopted at Yamoussoukro on 13 and 14 November 1999.

Deadline for implementation: 2 years

Structures

The Council of Ministers;

The Coordination and follow-up committee

The Executive Secretariat: within ECOWAS (Economic Community of West African States) and within CEMAC (Economic Community of Central African States)



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The Yamoussoukro Decision

ECOWAS / CEMAC

It is important to note that:

- The Memorandum entered into force at the date of its signature, i.e. 14 November 1999;
- The States concerned of that area will reckon a rapid evolution as compared to other African States signatory of the Yamoussoukro Decision given, that the said Decision will enter into force only in a seven month time (or 30 days after the OAU Summit scheduled to take place in Lomé, Togo in June 2002);

(Donors: European Union, World Bank, ADB have advised of their intentions to ensure the necessary funding for a minimal period of 5 years).

- Regulation 99/UAEC/003-CM-02 adopting the Agreement on air Transport between CEMAC member States, which entered into force on 18 August 1999, has provided for a full liberalization of the skies within the next two years.



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The Yamoussoukro Decision

The Third Session of the Conference of African Ministers Responsible for Air Transport , with a view to speeding up the implementation of the Yamoussoukro Decision, reaffirmed the urgency to put in place the Executing Agency Responsible for economic supervision of the liberalized air transport industry in Africa.

To this end, **in May 2007 they adopted a Resolution by which the duties/functions of the Executing Agency of the Yamoussoukro Decision will be entrusted to AFCAC.**



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Addis Ababa Resolution of May 2007

➔ WE, African Ministers responsible for Air Transport, **DECIDE:**

- to entrust to AFCAC the functions of the Executing Agency of the Yamoussoukro Decision;
- that the AU Commission explore the possibility of providing financial assistance to AFCAC;
- to request AU Member States to continue to support AFCAC in order to enhance its capacity, including settling their contributions and contribution arrears, secondment of Experts, hosting of its meetings, etc.; and
- that AU Member States and the AU Commission take all necessary actions to fulfil the legal, financial and organizational prerequisites required to ensure the immediate functioning of AFCAC as the Executing Agency as soon as possible.



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AFCAC as the Executing Agency of the YD

Article 7 Competition rules

Article 8 Settlement of Disputes

Article 9 Monitoring Body

9.4 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.

9.5 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.

9.6 The Executing Agency will also ensure that consumer rights are protected.



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ECONOMIC REGULATION

- Economic regulation, a form of government intervention designed to influence the behaviour of firms and individuals in the private sector. Other forms include public expenditures, taxes, government ownership, loans and loan guarantees, tax expenditures, equity interests in private companies and moral suasion.
- Defined as the "imposition of rules by a government, backed by the use of penalties, that are intended specifically to modify the economic behavior of individuals and firms in the private sector," regulation in general is aimed at narrowing choices in certain areas, including
- (*Canadian Encyclopedia*)



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REGULATION ECONOMIQUE

- La réglementation de l'économie, une des formes d'intervention de l'État, vise à influencer le comportement des entreprises et des particuliers du secteur privé. Tout comme les dépenses publiques, les taxes, la propriété de l'État, les prêts et les prêts garantis, les titres participatifs dans les entreprises privées et la persuasion, la réglementation consiste en général à « imposer des règlements, assortis de sanctions, pour modifier précisément le comportement économique des entreprises et des agents du secteur privé ».
- Autrement dit, la réglementation permet de limiter leur marge de manœuvre dans certains domaines comme:
- *(Encyclopédie canadienne)*



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ECONOMIC REGULATION

- prices (**airline fares**, minimum wages, telephone rates), supply (broadcasting licences, occupational licensing, agricultural production quotas, pipeline certificates "of public convenience and necessity"), rate of return (public utilities, pipelines), disclosure of information (securities prospectuses, content labelling), methods of production (effluent standards, worker health and safety standards), standards for products or services (safety of children's toys, quality of food products, Canadian-content requirements in broadcasting) and conditions of service (**requirements to act as a common carrier** or not to discriminate in hiring or selling goods and services).



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REGULATION ECONOMIQUE

- la tarification (**tarifs d'avion**, salaires minimums, certains produits agricoles, tarifs téléphoniques) ; l'offre (permis de radiodiffusion, certification professionnelle, quotas agricoles, accréditation de sociétés d'oléoducs reconnues « de commodité et de nécessité publiques ») ; le taux de rendement (services publics, sociétés de gazoducs) ; la divulgation de renseignements (prospectus liés aux placements, étiquette de composition du produit) ; la fabrication d'un produit (normes de rejet, d'hygiène et de sécurité au travail) ; les normes régissant les produits et les services (sécurité des jouets, salubrité des aliments, teneur canadienne des émissions radiotélévisées) et les conditions de service (**conformité aux exigences du transporteur public** ou refus de toute discrimination en matière d'embauche ou de vente de biens et de services).



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AFCAC 19 Plenary Session

- *Common Civil Aviation Policy in Africa*
- *Air Transport liberalisation World wide / Implementation of the YD*
- *Safety*
- *Security*
- *Environmental issues*
- *EU New External Air Transport Policy*
- *EU Operating Ban of foreign carriers*
- *Brain Drain*
- *Women in Aviation*
- *International civil aviation legal instruments*



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UNWTO: 2007 Barometer

- International tourist arrivals continue sustained growth rate reaching 5.6%
- 610 million international tourist arrivals from January to August
- 32 million more arrivals already counted for 2007
- year-end growth estimated at 5.7%, would put international arrivals to 880-900 million.
- Emerging destinations in Asia and the Pacific, Africa and the Middle East have been the main growth drivers.
- While regional trends may vary as new data becomes available, Asia and the Pacific is currently the star regional performer, recording an increase through August of 10%, ahead of the Middle East and Africa, both with +8%.



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African Traffic (ICAO Doc 9879)

- 2004
Total of 38 millions passengers
Intra Africa 6 millions , 16%
Europe 22,8 millions , 60%
Middle East 6,46 millions, 17%
Others 2,66 millions 7%
- 2020
Total of 94 millions passengers (x 2,47)
Intra Africa 23 millions , 24%
Europe 47 millions , 50%
Middle East 18,8 millions, 20%
Others 5,64 millions 6%



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		ICAO ATB				
		Passenger-kilometres				Average Annual Growth
		(millions)				(%)
		1996	%	2006	%	1996-2006
African Airlines	Total	53 070	2,18	92 337	2,34	5.7
	International	43 580	3,16	78 503	3,33	6.1
	Domestic	9 490	0,90	13 834	0,87	3.8
World	Total	2 431 694		3 940 594		4.9
	International	1 380 670		2 357 995		5.5
	Domestic	1 051 024		1 582 599		4.2



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Conclusions of ATConf/5, the Fifth Worldwide Air Transport Conference, March 2003

Background to and experience of liberalization

- for more than a decade, airlines, airports and air navigation service providers have become more commercialized in an increasingly competitive environment. The dynamic development of commercialization and the spread of liberalization will continue to interact and have implications on each other;
- while airlines and providers of airport and air navigation services are interdependent, their commercialization and privatization in a liberalized environment has a number of competitive consequences and financial implications for both sides. Long term cooperation between airlines and service providers are one means to bring stability in that environment. Furthermore, the use of consultation should be an essential part of their relationship;



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Conclusions of ATConf/5, the Fifth Worldwide Air Transport Conference , March 2003

Safety and security aspects of liberalization

- economic liberalization has implications for safety and security regulation, which need to be properly addressed at the national, bilateral, regional and global levels, as appropriate, in order to ensure continued safe, secure and orderly development of civil aviation;
- when introducing economic liberalization, **States should ensure that safety and security not be compromised by commercial considerations**, and that clear lines of responsibility and accountability for safety and security be established for the parties involved in any liberalized arrangements



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Conclusions of ATConf/5, the Fifth Worldwide Air Transport Conference, March 2003

Safeguards to ensure Fair Competition Conclusions

- liberalization must be accompanied by appropriate safeguard measures to ensure fair competition, and effective and sustained participation of all States. Such measures should be an integral part of the liberalization process and a living tool corresponding to the needs and stages of liberalization;
- while general competition laws may be an effective tool in many cases, given the differences in competition regimes, the differing stages of liberalization among States and the distinct regulatory framework for international air transport, **there may be a need for aviation-specific safeguards to prevent and eliminate unfair competition in international air transport.** This may be done by means of an agreed set of anti-competitive practices which can be used, and if necessary modified or added to, by States as indications to trigger necessary regulatory action;



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Conclusions of ATConf/5, the Fifth Worldwide Air Transport Conference , March 2003

Sustainability and participation

- to ensure the effective and sustained participation of developing countries and to facilitate the liberalization process, States should take into consideration in their air transport relationships the interests and needs of States with less-competitive air carriers and, wherever appropriate, grant preferential and participation measures;



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Conclusions of ATConf/5, the Fifth Worldwide Air Transport Conference , March 2003

Consumer interests

- as a premise in addressing consumer interests issues, States need to carefully examine what elements of consumer interests in service quality have adequately been dealt with by the current commercial practices of airlines (and service providers if applicable) and what elements need to be handled by the regulatory and/or voluntary commitment approaches;
- States need to strike **the right balance between voluntary commitments and regulatory measures**, whenever the government intervention is considered necessary to improve service quality. States should rely generally and initially on voluntary commitments undertaken by airlines (and service providers), and when voluntary commitments are not sufficient, consider regulatory measures;



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Conclusions of ATConf/5, the Fifth Worldwide Air Transport Conference , March 2003

Consumer interests

- States should consider the need to ensure that internet-based systems **provide consumers** with comprehensive and non-deceptive information **and airlines with a comparable opportunity to** use these new systems as they have with conventional global CRSs, where necessary; and

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Conclusions of ATConf/5, the Fifth Worldwide Air Transport Conference , March 2003

Dispute resolution

- a) in a liberalized environment, different kinds of disputes may arise as a result of increased competition and new market forces and, therefore, there is a need for States to resolve such disputes in a more efficient and expeditious manner; and
- b) States and the air transport industry need a dispute mechanism that:
 - i) instills trust and is supportive of safeguarded liberalization and participation by developing States;
 - ii) is customized to the particular circumstances of international air transport operations and competitive activity;
 - iii) ensures that the interests of third parties directly affected by a dispute can be taken into account; and
 - iv) as regards interested parties directly affected by the dispute, is transparent and provides access to relevant information in a timely and efficient manner.



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Declaration of the Fifth Worldwide Air Transport Conference , March 2003

Overall principles

African States should

- a) ensure high and improving levels of safety and security;
- b) promote the effective and sustainable participation in and benefit from international air transport by all States, respecting national sovereignty and equality of opportunity;
- d) provide adequate supporting infrastructure at reasonable cost;
- e) facilitate the provision of resources;
- f) allow for growth on a basis that is economically sustainable, supported by adaptation of the regulatory and operating environment;
- g) strives to limit its environmental impact;
- h) meets reasonable expectations of customers and public service needs, particularly for low traffic or otherwise uneconomical routes;



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Declaration of the Fifth Worldwide Air Transport Conference , March 2003

Overall principles

African States should

- i) promote efficiency and minimizes market distortions;
- j) safeguard fair competition adequately and effectively;
- k) promote cooperation and harmonization at the sub-regional, regional and global levels; and
- l) have **due regard for the interests of all stakeholders**, including
air carriers and other operators, users, airports, communities, labour, and tourism and travel services providers;



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AFCAC as the Executing Agency of the YD

→ AFCAC as the Executing Agency of the YD

Work Programme for the triennium 2008- 2010

1. Financial aspects

AFCAC Budget yearly US\$ 300.000

AFCAC Member States special contribution:

Chad , US\$ 3.000 US\$

EU Commission contribution Euros €750 000



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AFCAC as the Executing Agency of the YD

→ Which are the beneficiaries of the implementation of the YD ?

Any increase of passenger traffic ?

Any increase of cargo traffic ?

Any increase of movements of aircrafts ?

Airlines

Airports

Air navigation service providers

Consequently, AFRAA, ACI-Africa, ASECNA, Roberts FIR, ATNS, ... are kindly requested to also contribute



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Implementation of the YD

- No more lack of political will (AU Commission, RECs and States)
- No more lack of financial resources
- No more lack of cooperation between the civil aviation stakeholders (regulators, airlines, airports, air navigation services providers)



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Aviation Safety

- ICAO DGCA/06
- A Directors General of Civil Aviation Conference on a Global Strategy for Aviation Safety was held in March 2006 at ICAO Headquarters in Montreal. The conference recommended that ICAO develop an ongoing process to allow for the release of relevant information to the public on safety oversight audits, so that the travelling public can make an informed decision when using air transportation.
- To this end, Contracting States were encouraged to provide ICAO their consent to publish safety oversight audit information consisting at a minimum, of States' compliance levels relative to the 8 critical elements of a safety oversight system. While some States have given ICAO authority to disclose an executive summary and critical element graph, others have agreed to the release of the audit summary report in its entirety.



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Aviation Safety

- Annex 7 — *Aircraft Nationality and Registration Marks*
- Three ICAO Contracting States have not notified nationality marks to ICAO: Albania; Comoros; Kiribati.
- Annexe 7 — *Marques de nationalité et d'immatriculation des aéronefs*

*Trois Etats n'ont pas notifié de marques de nationalité à l'OACI :
Albanie ; Comores ; Kiribati.*

- *Deregistration of Aircraft*

Out of the 190 ICAO Contracting States, one State (Togo) has notified the deregistration of an aircraft to ICAO (B727-100)



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Aviation Safety

- *Six corpses recovered from ruins of collapsed aircraft on Chisinau International Airport Apr. 12, 2008 / [2406] Chisinau, MOLDPRES/ -*

A cargo-type airship ANTONOV-32, bound for Sudan, with a crew of eight people and 2,361 kg of oil onboard, took off from the Chisinau International Airport at 22:02. Subsequently, the controller received from the crew a signal about a deficiency of the equipment on the board of the aircraft. The airship's commander ruled to return to the take-off airport, and the controller allowed the landing at 22:13.

- While approaching the end of the take-off-landing run way, the aircraft knocked against the navigation objects with its wing and exploded.
-



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Aviation Safety

- *Special commission starts deciphering black boxes of aircraft collapsed at Chisinau Airport /MOLDPRES/ - Apr. 14, 2008 / [2445]*
- The black boxes of an AN-32 aircraft which crashed at the Chisinau International Airport on 11 April, will be deciphered at the laboratory of the Air Moldova state enterprise, which has the necessary equipment to carry out this operation. A special commission led by a representative of the Moscow-based Inter-state Aeronautic Committee, will consider the circumstances of the air accident.
- So far, specialists avoided speaking of the reason for the accident of the AN-32 airship, which belonged to the Sudanese company KATA Air Transport. Some sources said that the investigation officers consider several possible reasons for the accident, including technical malfunctions of the aircraft. The ASAC acting director general, Iurie Zidu, said that the possibility of a terror act against the airship is categorically ruled out.



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Aviation Safety

- *Special commission starts deciphering black boxes of aircraft collapsed at Chisinau Airport /MOLDPRES/ - Apr. 14, 2008 / [2445]*
- *(Continued)*
- The AN-32 aircraft was in Moldova for several months. Repairs were made at the engines and at some navigation units at one of the aircraft repair companies, so as to extend the flight resources. The tires were changed and the main airship's body was coloured.
- ASAC data show that four of the dead crew members were Moldovan citizens, and the other four - Ukrainian nationals.
-



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AVSEC: Nairobi Declaration of 1990

→ Involvement of African States

→ Nairobi Declaration of January 1990

1. Action by States (Legal framework , security measures, funding)
2. Action by AFCAC and AFRAA (regional security programmes)
3. Action by international Community and international organizations

(ICAO AVSEC Mechanism, donors)

→ Endorsement by the OAU Council of Ministers (Resolution CM/Res. 1280)



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ICAO High Level Ministerial Conference

(Montreal, 19 and 20 February 2002)

11 September 2001 tragic events in the USA

- Resolution of the 33rd ICAO Assembly (September – October 2001)
 1. Applicability of Annex 17: Aviation Security to domestic flights
 2. Aircraft cockpit doors to remain locked during flight
 3. Upgrading of provisions regarding airport security controls
 4. Increased contributions to the AVSEC Mechanism
- High Level Conference : *“Preventing, combating and eradicating acts of terrorism involving civil aviation”*
 1. Plan of action for Strengthening Aviation Security
 2. States responsible to provide aviation security for their territories



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Addis Ababa Declaration of 2007

- The Third Session of the African Union Conference of Ministers Responsible for Air Transport, adopted a Declaration on Civil Aviation Security in Africa aimed at enhancing the control system of acts of unlawful interference in Africa. **The Ministers:**
 - **Concerned by:**
 - The low level of cooperation among African administrations in the area of aviation security management ;
 - **Acknowledge:**
 - 2. The need to establish and strengthen through strong cooperation the institutional coordination structures for the prevention of acts of unlawful interference against aircraft, airports, air navigation facilities and other aeronautical installations; as well as for monitoring and evaluation of the progress achieved in that regard;



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Addis Ababa Declaration of 2007

- **Reaffirm:**
- Our determination to join our efforts towards the development of an efficient aviation security mechanism in response to the phenomenon of unlawful interference against civil aviation affecting human lives by upgrading security standards accordingly;
- The need for creating global cooperation and consensus, amongst regulators, industry, service providers and other interested partners;
- **Undertake to:**
- Implement ICAO Standards and Recommended Practices and ratify international air law instruments concerning aviation security;
- Incorporate in our national and regional sector programmes, aviation security as a matter of high priority;



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Addis Ababa Declaration of 2007

- **Decide to:**
- Work together for realisation and implementation of the existing international legal instruments related to security in general and aviation security in particular;
- Set up a coordinating mechanism at regional and continental levels to foster cooperation through harmonization of aviation security programmes among States;
- **Invite** the African Union Commission in partnership with States, specialised institutions and stakeholders to take appropriate measures to:
- Elaborate a comprehensive coordination mechanism for aviation security for Member States ;
- **Urge** Member States of the African Union and Regional Economic Communities (RECs) to strengthen intra-African and international cooperation in civil aviation.



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ICAO Conference on the Development of the African Aviation Security Road Map

(Addis Ababa, 5 to 7 November 2007)

The Conference addressed the aviation security-related challenges facing the African continent and discussed the development of a sustainable aviation security system for Africa.

- **Regional challenges and initiatives**
- **Development of sustainable aviation security**
- **Capacity building and the need for government and industry cooperation**
- **Regional and national planning and cooperation**



ICAO Air Transport Symposium
(Abuja, 28 – 30 April 2008)

ICAO Conference on the Development of the African Aviation Security Road Map

(Addis Ababa, 5 to 7 November 2007)

Conclusions and Recommendations

AFCAC on behalf of its member States should play a leading role and re-establish a Working Group to implement the security roadmap with the support of the AU Member States and the AU Commission and the assistance of ICAO, IATA, AFRAA, ACI, and the other stakeholders in aviation security



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FAL: Recent Developments

- *Liquids gels and aerosols (LAGs) & the EU member States*
- *ADVANCE PASSENGER INFORMATION (API)*
- *Machine Readable travel documents (MRTDs) & E-Passports & PKD*
 1. *deadline of 2010*
 2. *implications for African Immigration Services*
 3. *implications for African airports*
 4. *Active participation of AFCAC Member States during the 12th Session of the ICAO Facilitation Division Meeting (FAL/12) (Cairo, 22 March to 2 April 2004)*

Passenger Name Records (PNR)

EU and USA legal discussions



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LEGAL ISSUES

- **Ratification and implementation of ICAO international civil aviation legal instruments:**
- instruments relating to unlawful interference acts with civil aviation in order to cover the new and emerging threats to civil aviation, the need to amend existing instruments or alternatively to adopt a new instrument
- Convention on International Interests in Mobile Equipment, signed at Cape Town on 16 November 2001 and the Protocol to the Convention on International Interests in Mobile Equipment on matters specific to Aircraft Equipment signed at Cape Town on 16 November 2001

ICAO	190	20 States parties 10,52%
	190	28 States signatories 14,73%
African States AU & ICAO	52	06 States parties 11,53%
	52	07 States signatories 13,46%



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LEGAL ISSUES

- **Ratification and implementation of ICAO international civil aviation legal instruments:**
- Convention for the Unification of certain rules for international Carriage by Air done at Montreal on 28 May 1999.

ICAO	190	86 States parties	45,22%
African States AU & ICAO	52	25 States parties	48,07%



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AFCAC NEW CONSTITUTION

- **Non recognition by the AU Commission (which is the depository of the AFCAC Constitution) of the new Constitution of AFCAC adopted in 2001 in Cairo in three languages , Arabic English, and French because of legal procedures (signature of the Diplomatic Act instead of the New Constitution**

Out of the 18 AFCAC Member States, 3 became Members under the provisions of the New Constitution. (Guinea Bissau, Sao Tomé and Zimbabwe).

Solution: Organization of a Diplomatic Conference and availability of the Portuguese version



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ICAO/AFCAC/France SAR Project

- Adoption of Saly Declaration on the Funding of SAR activities
- Elaboration of a complete set of SAR documentation that may be used as templates by many African States in the future.

- This documentation included:
 - a draft SAR Bill;
 - a draft SAR Presidential Decree;
 - a draft SAR Plan;
 - a draft Inter-ministerial SAR Decree;
 - a draft Agreement between the Ministries in charge of Civil Aviation and Defence;



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EU new external Air Transport Policy

Strategic Partnership between EU and AU

- Europe represents 60% of international traffic of Africa
- Africa represents 16% of international traffic of Europe

According to EU, several African States have accepted the Community designation clause (Algeria, DRC, Egypt, Ghana, Guinea Bissau, Madagascar, Senegal, Tanzania, Togo, Uganda, and Zambia)

UEMOA member (Benin, Burkina Faso, Côte d'Ivoire, Guinea Bissau, Mali, Niger, Senegal et Togo) States will soon open negotiation



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Safety, Security and Economic Development

- AU: Sustainable Air Transport System is a prerequisite to African Integration and economic growth
- Safety & security are prerequisites to the Air Transport Liberalization
- Safety is worldwide concern - DGCA/06
- USA Open skies policy versus Safe Skies for Africa Initiative & FAA Cats
- EU operating ban
- Peace and Security



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2008 Meetings & Workshops

- AFCAC Air Transport Committee (Antananarivo, 5 – 6 June 2008)
- AFCAC Technical Committee (Antananarivo, 9 – 10 June 2008)
- AFCAC & African Center for Studies and Research Joint Meeting on AVSEC (Dakar, Senegal, TBC)
- Women in Aviation (Lusaka, Zambia, August 2008, TBC)
- ICAO Conference on the Economics of Airports and Air Navigation Services (Montreal, 14 – 20 September 2008)
- Special Africa-Indian Ocean (AFI) Regional Air Navigation (RAN) Meeting (South Africa, 24 – 29 November 2008)
- 1st Conference of the African Civil Aviation Training Centers in cooperation with ASECNA (EAMAC Niamey, November 2008)
- Brain Drain in Aviation 5Date & Venue TBC)



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Key Challenges

- The development of commercial aviation is instrumental in reducing the cost of trade and movement of goods and people, attracting new investment to locations with good air transport links to the rest of the world.
- There is a need for all parties, governments and service providers, to realize the importance of having a clear understanding of their respective responsibilities for safety and security compliance and oversight.



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Key Challenges: Economic Development

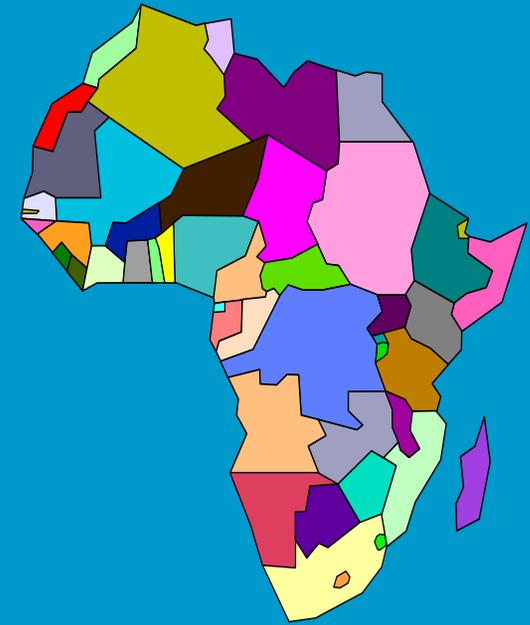
- The development of commercial aviation is instrumental in reducing the cost of trade and movement of goods and people, attracting new investment to locations with good air transport links to the rest of the world.
- Moreover, in some cases, geography and distance mean that aviation is effectively the only option available in Africa to facilitate international trade and services – most obviously in landlocked countries – and to improve access to remote areas where road and rail transport is limited.
- In addition, aviation has unique advantages over other modes for transporting perishable cargo and for traveling in reasonable time.
- This is particularly important in countries adopting a development strategy that relies on the promotion of exports and tourism



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AFCAC

ATTRIBUTIONS and FUNCTIONS



- ⇒ Specialized Agency of the AU
- ⇒ Regional Commission of ICAO
- ⇒ Co-ordination and assistance functions
- ⇒ Executing Agency of the YD (Economic supervision)
- ⇒ Leading role for Aviation Security in Africa (in coordination with ICAO)
- ⇒ Member of ACIP- SC



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