

Response of CAPE VERDE

to questions concerning its current policy, position and practice on air carrier ownership and control

(Date of response: 24/12/03)

No.	Question	Yes	No	Case by Case	Note/Comment
1.	When designating your airline to operate the agreed services under an air services agreement, do you require it to be substantially (or majority) owned and effectively controlled by nationals of your country?		X		At the present time there is only one licensed airline operating international scheduled services, fully owned by the State.
2.	In dealing with the designation of foreign airlines, which of the following criteria do you accept:				
	a) substantially (or majority) owned and effectively controlled by the designating party or its nationals (the traditional approach)		X		However, on demand of the other Party, this approach has been used in some Bilateral Air Services Agreement.
	b) substantially (or majority) owned and effectively controlled by one or more States that are parties to an agreement or within a predefined regional grouping (e.g. a “community of interest” carrier)	X			
	c) incorporated and having its principal place of business or permanent residence in the territory of the designating party	X			This clause is applied within the Yamoussoukro Decision*, the Banjul Accord Group* and in the Bilateral Air Services Agreement with European Union Member States.
	d) having its principal place of business in the territory of and effective control by the designating party (without the ownership requirement)	X			

	e) having its principal place of business in the territory of and effective regulatory control by the designating party	X			Air Operator Certificate issued by the designating party; the designating party has to maintain ICAO Safety and Security Standards.
	f) any other criteria (please describe)				
No.	Question	Yes	No	Case by Case	Note/Comment
3.	In dealing with airline designations in the future, are you willing to accept criteria other than the traditional national ownership and control:	X			Cape Verde already applies the liberalised approach.
	a) for both yourself and the foreign partner?	X			
	b) for the foreign partner but maintain traditional criteria for yourself?		X		
	c) What economic regulatory conditions will you impose for such acceptance? (please describe)	X			
4.	Are you willing to consider the following positive action in facilitating liberalization of air carrier ownership and control:				Cape Verde has already adopted measures towards the facilitation of the liberalization of air carrier ownership and control.
	a) issuing an individual statement of policy for accepting designations of foreign air carriers?	X			
	b) developing a common policy with partner States? (please indicate, if possible, with which partner(s))	X			Member States of the Yamoussoukro Decision*; Member States of the Banjul Accord Group*

	c) any other action? (please describe)				
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Any other comments on your answers:

*Cape Verde is State Party to the Decision Relating to the Implementation of the Yamoussoukro Declaration Concerning the Liberalization of Access to Air Transport Markets in Africa (Yamoussoukro Decision) and to The Banjul Accord Group Agreement.